

Chapter V

Africa

The United Nations considered in 1985 a number of political questions concerning Africa, and, as in previous years, focused on South Africa's apartheid policies and its aggression against neighbouring States.

In regard to apartheid, the General Assembly adopted nine resolutions and, as the situation in South Africa deteriorated rapidly, repeatedly condemned that Government's mass arrests and violence against defenceless people, as did the Security Council in two resolutions.

Of special note in 1985 was the Assembly's adoption of the International Convention against Apartheid in Sports, preparations for which had begun in 1976.

In addition to the Assembly and the Council, the Special Committee against Apartheid, the United Nations Council for Namibia, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Committee on colonial countries), the Commission on Human Rights and the Commission on Transnational Corporations were the main bodies concerned with apartheid and the related issue of South Africa's relations with its neighbours. On several occasions, those bodies condemned South Africa's aggression against the so-called front-line States.

Following repeated South African aggression against and continued occupation of Angola during 1985, the Security Council adopted four resolutions condemning that action in June, September, October and December. The Council also sent an investigative commission to Angola to assess the damage resulting from South Africa's invasion. It adopted two resolutions concerning Botswana's complaint that South Africa had attacked the capital city of Gaborone. In June, it condemned the attack and decided to send a Secretariat mission to assess the damage and make proposals on assistance; it endorsed the mission's report in September.

After Lesotho complained of aggression by South Africa, the Council in December condemned the violence and requested the Secretary-General to establish a civilian presence in Maseru to report any further development affecting the territorial integrity of Lesotho. Mozambique also complained of aggression by South Africa.

In January, the Council met at the request of Chad, which said that the Libyan Arab Jamahiriya was attempting to overthrow its Government, a

charge the Jamahiriya denied. In September, Somalia complained that Ethiopia was occupying part of its territory, but Ethiopia replied that Somalia's problems were due to an internal conflict.

The Assembly reaffirmed the sovereignty of the Comoros over the Indian Ocean island of Mayotte, appealed for contributions to the United Nations Educational and Training Programme for Southern Africa which provided scholarships for students from the region, and called for continued co-operation with the Organization of African Unity.

Topics related to this chapter. Disarmament: nuclear-weapon-free zones-Africa. Mediterranean: Egypt-Libyan Arab Jamahiriya relations; Libyan Arab Jamahiriya-United States relations. Economic assistance, disasters and emergency relief: critical economic situation in Africa. Regional economic and social activities: Africa. Environment: environmental aspects of apartheid. Human rights: human rights violations in South Africa and Namibia. Women: women under apartheid. Refugees and displaced persons: Africa. Namibia. International Court of Justice: frontier dispute between Burkina Faso and Mali.

South Africa and apartheid

Apartheid—South Africa's enforced system of racial separation—remained a major concern of the United Nations throughout 1985, with various bodies voicing particular concern about rising tensions, repression and violence in that country, as documented by the Special Committee against Apartheid.

On three occasions, the Security Council protested that repression as the situation deteriorated. On 12 March (resolution 560(1985)), it condemned the Pretoria régime for the killing of defenceless indigenous Africans protesting their forced removal from Crossroads township, near Cape Town, and other places, as well as for the arbitrary arrests of members of mass organizations opposed to apartheid. On 26 July (569(1985)), the Council condemned the mass arrests and detentions by South Africa and the murders which had been committed, as well as the imposition of the state of emergency in 36 districts where blacks resided. It called on Member States to adopt certain measures against South Africa, including suspending all new investment there,

restricting sports and cultural relations, prohibiting new nuclear co-operation, and banning sales of computer equipment that could be used by the military and police. In a 21 August statement, the Council, alarmed at the worsening situation of the black majority since the imposition of the state of emergency, condemned the continued killings and the arbitrary mass arrests and called for the freeing of all political prisoners and detainees.

Citing the policy of apartheid in South Africa as an extreme instance of racial discrimination, the Secretary-General urged that the ominous and violent situation be averted through contacts and timely action (see p. 10).

Expressing shock over the situation, the General Assembly, in addition to condemning South Africa's oppression and violence, called for its isolation. In the first of a series of nine resolutions on apartheid adopted on 10 December, it condemned certain States' collaboration with the apartheid regime (resolution 40/64 A) and reiterated its call for comprehensive mandatory sanctions, particularly regarding military and nuclear collaboration, an oil embargo, prohibiting loans and investment, and a trade ban; pending action by the Council, States were asked to take such action individually.

Condemning Israel's collaboration with South Africa, especially military and nuclear co-operation (40/64 E), the Assembly demanded that Israel desist and called on those in a position to do so to try to influence it in that regard. The Assembly decided to organize, in co-operation with the Organization of African Unity (OAU) and the Movement of Non-Aligned Countries, a World Conference on Sanctions against Racist South Africa, in June 1986 (40/64 C).

The Assembly reaffirmed its support for South African national liberation movements as the people's authentic representatives (40/64 B) and appealed for increased support for them in their just struggle for self-determination. To avert further tension and conflict, the Assembly requested the Council to consider the situation emanating from the imposition of the so-called new constitution and the state of emergency, demanding the latter's immediate lifting. It condemned the Pretoria regime for the killing of defenceless people protesting their forced removal from their homes as well as the arbitrary arrests of members of opposition organizations; it demanded that South Africa drop trumped-up charges and release those members, as well as all political prisoners and detainees. The Assembly again condemned the authorities for the killings, arbitrary arrests and detention of those opposing apartheid and demanded the immediate abrogation of discriminatory laws (40/64 I). It encouraged the Committee

against Apartheid and the Secretariat's Centre against Apartheid to inform world public opinion of the South African situation; requested the United Nations system to disseminate information on the evils of apartheid, and appealed to others to join in the effort; and called for intensification of the international campaign for the release of political prisoners (40/64 D).

The Assembly also endorsed the recommendations of the Committee against Apartheid relating to its work programme (40/64 F) and adopted and opened for signature the International Convention against Apartheid in Sports (40/64 G).

It appealed for contributions to the United Nations Trust Fund for South Africa and for direct contributions to the voluntary agencies assisting apartheid victims in South Africa and Namibia (40/64 H).

The Security Council issued two Statements—on 20 August and 17 October—urging South Africa to rescind the death sentence imposed on Malesela Benjamin Maloise, a member of the African National Congress of South Africa. The Assembly condemned his execution, carried out on 18 October (40/64 B).

As part of its attempt to isolate South Africa, the United Nations continued trying to reduce the activities of transnational corporations (TNCs) in that country. In September and October, public hearings on TNCs in South Africa and Namibia were held by an 11-member panel appointed by the Secretary-General which made recommendations on further limiting TNC activities, particularly in the military and nuclear fields, on monitoring those activities and on employment practices for TNCs remaining in the region. The Economic and Social Council welcomed the actions of certain home countries of TNCs to restrict further investments in and loans to South Africa (resolution 1985/72). Aspects of apartheid were considered also by the Commission on Human Rights, the Council for Namibia, the Committee on colonial countries and the Commission on TNCs.

General aspects

Activities of the Committee against Apartheid. The Special Committee against Apartheid, in its annual report to the General Assembly and the Security Council adopted unanimously on 7 October,(1) described the situation in South Africa and the Committee's activities to intensify the international campaign against apartheid. The report, which included recommendations for further action and outlined the Committee's future work, covered the 12-month period beginning in October 1984; October-December 1985 was covered by its 1986 report.(2) The Committee proposed international action to eliminate apartheid,

called for economic and trade sanctions and boycotts against South Africa and an end to military and nuclear relations, and urged the banning of foreign investment there and loans to Pretoria. The Committee also issued four special reports in 1985: on implementing the arms embargo against South Africa;(3) on developments concerning Israel-South Africa relations;(4) on further action to inform world public opinion and encourage public action in support of the oppressed people of South Africa;(5) and on international action to eliminate apartheid.(6) (For details on these subjects, see below, under relevant subject headings.)

According to the Committee, 1985 was marked by increased repression characterized by mass detentions, arrests and the banning of mass gatherings. Following increased opposition to the "constitution" put into effect by South Africa in 1948,(7) the regime on 21 July 1985 imposed a state of emergency on 36 magisterial districts where blacks lived, thereby empowering security forces to search homes without warrants, detain persons and declare curfews.

The Committee expanded its activities regarding consultations with Governments and organizations, dissemination of information on the situation in South Africa and the region, promotion of boycotts of South Africa, support for the liberation of political prisoners, and encouragement of artists, writers, sportspersons, religious leaders and others contributing to the campaign against apartheid. In the Committee's view, the effectiveness of the United Nations had been undermined by a minority of Governments that had failed to implement sanctions against South Africa as called for by the Assembly, and, in many cases, had increased their economic relations with that country. The Committee's purpose was to promote efforts to persuade those Governments, TNCs and others to desist from those policies.

The Committee urged States to denounce the manoeuvres of those who advocated so-called reforms by the apartheid regime or so-called power sharing or other arrangements that did not involve the total eradication of apartheid. Calling on the United Nations to affirm that no acceptable solution could be attained without the participation of the national liberation movements and apartheid opponents, it stated that South Africa's attempts to consult elements that had colluded in the implementation of apartheid should be denounced.

Noting the current grave situation, the Committee intended to intensify its activities in accordance with its mandate and to give particular attention to consultations with Governments and organizations in order to promote international support of the legitimate struggle of the South African people for a non-racial society, to promote

assistance to the oppressed people and their national liberation movements and to increase public awareness of the situation.

Action by the Commission on Human Rights. On 26 February,(8) the Commission on Human Rights reaffirmed the legitimacy of the struggle of the oppressed people of South Africa and its national liberation movements by all available means, including armed struggle, for the elimination of the apartheid system and the exercise of the right of self-determination. The Commission urged States to provide moral and material assistance to the oppressed people of South Africa and Namibia.

On the same day,(9) the Commission reaffirmed the inalienable right of those people to self-determination, independence and enjoyment of the natural resources of their territories, as well as their right to dispose of the resources for their greater well-being and to obtain just reparation for their exploitation.

Communications. During the year, the following countries addressed letters to the Secretary-General, or forwarded messages from organizations, expressing their opposition to apartheid: Indonesia, on 1 May, transmitting the Declaration of the Commemorative Meeting in Observance of the Thirtieth Anniversary of the Asian-African Conference (Bandung, 24 and 25 April);(10) Madagascar, on 13 May;(11) Morocco, on 19 August, transmitting the final communiqué of an extraordinary Summit Conference of Arab States (Casablanca, 7-9 August);(12) the USSR, on 28 and 30 August;(13) Viet Nam, on 30 August;(14) Cuba, on 3 September;(15) Israel, on 4 September;(16) Canada, on 17 September;(17) the Ukrainian SSR, on 17 September;(18) the Byelorussian SSR, on 1 October;(19) Brazil, on 11 October;(20) Yemen, on 15 October, forwarding the communiqué of a co-ordination meeting of the Ministers for Foreign Affairs of the Organization of the Islamic Conference (New York, 9 October);(21) Togo, on 14 October, transmitting the Declaration and Programme of Action of the Ministerial Regional Conference on Security, Disarmament and Development in Africa (Lomé, 13-16 August);(22) Canada, on 15 October, forwarding the resolutions adopted by the seventy-fourth Inter-Parliamentary Conference (Ottawa, 2-7 September);(23) the Bahamas, on 28 October, forwarding the communiqué adopted by heads of Government of Commonwealth States (Nassau, 16-22 October);(24) Democratic Yemen, on 1 November;(25) and Egypt, on 4 December, forwarding the resolutions adopted by the Conference of African Ministers of Information at its first extraordinary session (Cairo, 23-25 November).(26)

In those letters, the African Information Ministers, the Asian-African Conference, the

Inter-Parliamentary Conference, the Islamic Conference, the Byelorussian SSR, the Ukrainian SSR and the USSR called for the adoption of mandatory sanctions against South Africa. The Islamic Conference, the Byelorussian SSR, Canada, Cuba, the USSR and Viet Nam denounced the increased repression against protesters, and the Commonwealth States, the Byelorussian SSR and the USSR demanded an end to the state of emergency. Israel called for an end to the apartheid system. The African Information Ministers, the Commonwealth States, the Inter-Parliamentary Conference, Canada and the USSR demanded freedom for political prisoners. Among those condemning the United States policy of "constructive engagement" with Pretoria were the Inter-Parliamentary Conference, the Byelorussian SSR, Cuba, the Ukrainian SSR and the USSR. The Asian-African Conference, the Byelorussian SSR, the Ukrainian SSR and the USSR expressed support for the struggle of the national liberation movements.

Canada listed steps it had taken to foster peaceful change in South Africa, including a halt to all official support for trade and investment there. Brazil stressed that the participation of the leaders imprisoned by the regime was indispensable in negotiating a solution to the plight of the South African majority.

According to the African security conference, South Africa's policies were a leading cause for insecurity, aggression, economic destabilization and an arms race in Africa, and the collaboration between South Africa, Israel and some Western Powers in the development of the South African nuclear-weapon capability worsened the explosive situation in the region. The Commonwealth States called for further economic measures, such as a ban on all government loans to the South African Government, a ban on the sale of computer equipment capable of use by its forces, a halt on the export of nuclear technology to South Africa, and embargoes on oil and on all military co-operation.

Algeria and Burkina Faso stated that they would not participate in the commemoration of the United Nations fortieth anniversary since the South West Africa People's Organization (SWAPO) and the Palestine Liberation Organization (PLO) had been excluded (see p. 403).

GENERAL ASSEMBLY ACTION

On 10 December 1985, the General Assembly adopted nine resolutions on the apartheid policies of South Africa. Two of these dealt with the broader aspects-resolution 40/64 A on sanctions and resolution 40/64 I on international action to eliminate apartheid. Both were adopted by recorded vote.

Comprehensive sanctions against the racist régime of South Africa

The General Assembly,

Recalling and reaffirming its resolution 39/72 A of 13 December 1984,

Recalling its relevant resolutions and those of the Security Council calling for concerted international action to force the racist regime to start eliminating apartheid by putting an immediate end to repressive practices against the black majority, releasing all political prisoners, abrogating all racist laws and regulations, dismantling bantustans and finding a political solution to the crisis in South Africa through the full participation of the black majority in determining their future,

Taking note of the declarations adopted at the following meetings organized by the Special Committee against Apartheid:

(a) The special session of the Committee in commemoration of the twenty-fifth anniversary of the Sharpeville massacre, held at Headquarters on 22 March 1985,

(b) The International Conference on Women and Children under Apartheid, held at Arusha, United Republic of Tanzania, from 7 to 10 May 1985.

(c) The International Conference on sports Boycott against South Africa, held in Paris from 16 to 18 May 1985,

(d) The International Seminar on Racist Ideologies, Attitudes and Organizations Hindering Efforts for the Elimination of Apartheid and on Means to Combat Them, held at Siofok, Hungary, from 9 to 11 September 1985,

Gravely concerned about the breaches of peace and the threat to international peace and security resulting from the escalation of violence against the oppressed people of South Africa by the apartheid régime, its acts of aggression against neighbouring African independent States and its continued occupation of Namibia,

Deeply shocked by the policy of extermination carried out by the racist régime towards the black civilian population of South Africa,

Reaffirming that apartheid is a crime against humanity, which should be eliminated without any further delay, and that the United Nations has a primary responsibility to assist in efforts to eliminate this threat to international peace and security,

Reaffirming its support to the struggle of the people of South Africa for the exercise of their right to self-determination and for the establishment of a democratic, united and non-racial South Africa where all the people participate freely to determine their destiny,

Reaffirming its conviction that comprehensive and mandatory sanctions imposed by the Security Council under Chapter VII of the Charter of the United Nations, universally applied, would be the most appropriate and effective and peaceful means by which the international community can assist the legitimate struggle of the oppressed people of South Africa and discharge its responsibilities for the maintenance of international peace and security,

Considering that political, economic, military, cultural and other forms of collaboration with the racist régime of South Africa bolster the régime in its attempt to break its international isolation, thus encouraging it to persist in its defiance of the world public opinion and to escalate its repression, aggression and destabilization,

Considering also that collaboration with the racist régime of South Africa, in particular in the political, economic, military and cultural fields, displays an utter insensitivity towards the prolonged suffering of the oppressed people of South Africa resulting from the criminal acts and policies of the racist regime of South Africa,

Expressing its grave concern at the continued violation of the arms embargo as well as nuclear collaboration by certain Western States and Israel with the racist regime of South Africa,

Deploping the attitude of those Western permanent members of the Security Council that have so far prevented the Council from adopting comprehensive and mandatory sanctions against South Africa under Chapter VII of the United Nations Charter,

Commending the Secretary-General for his efforts to ensure concerted action against apartheid by organizations within the United Nations system,

Taking note with appreciation of the resolution adopted on 27 September 1985 by the General Conference of the International Atomic Energy Agency on South Africa's nuclear capability,

Expressing its appreciation to Governments that have adopted measures and policies against collaboration with the apartheid régime of South Africa,

Welcoming action taken by legislators, municipalities and other government institutions as well as universities, churches, labour unions, student and women's groups and anti-apartheid movements to divest from corporations and financial institutions that are collaborating with South Africa,

Commending the decisions of those banks, financial institutions and other corporations that have withdrawn from South Africa and decided not to extend any loans or credits to it,

Urging Member States that have not yet done so to adopt legislative and other measures to ensure the total isolation of the racist régime of South Africa in political, military, nuclear, economic, cultural and other fields,

Commending athletes, entertainers and others who have demonstrated solidarity with the oppressed people of South Africa by complying with the boycotts of South Africa,

1. Endorses the report of the Special Committee against Apartheid;

2. Commends to the attention of all Governments and organizations the declarations adopted at the conferences and seminars organized or co-sponsored by the Special Committee;

3. Strongly condemns the racist régime of South Africa for its brutal oppression, repression and violence against the people of South Africa, its illegal occupation of Namibia and its repeated acts of aggression, subversion, terrorism and destabilization against independent African States;

4. Condemns the policies of "constructive engagement" and active collaboration with the apartheid régime followed by the Governments of certain Western and other States which give encouragement to the racist régime in its repression of the people's legitimate struggle, aggression against neighbouring States and defiance of the decisions and resolutions of the United Nations, and appeals to those Governments to abandon such policies and join in the concerted efforts to bring a speedy end to apartheid,

5. Condemns the activities of those transnational corporations and financial institutions that have continued political, economic, military and nuclear collaboration with the racist minority régime of South Africa ignoring repeated appeals by the General Assembly;

6. Again declares that it is the responsibility of the United Nations and the international community as a whole to assist the people of South Africa in eliminating apartheid through cessation of any form of collaboration with the régime;

7. Again calls upon the Security Council urgently to take action under Chapter VII of the Charter of the United Nations with a view to applying comprehensive and mandatory sanctions against South Africa and, in particular:

(a) To review the implementation of and to re-enforce the mandatory arms embargo against South Africa adopted by its resolution 418(1977) of 4 November 1977;

(b) To strengthen the voluntary embargo on the imports of arms from South Africa adopted by its resolution 558(1984) of 13 December 1984 by rendering it mandatory and extending it to cover the imports of related materials in addition to arms and ammunitions;

(c) To prohibit all co-operation with South Africa, particularly in the military and nuclear fields, by Governments, corporations, institutions and individuals;

(d) To impose a total ban on all forms of nuclear collaboration with South Africa, including effective embargoes on the imports of South African and Namibian uranium and on the export and supply of nuclear material, equipment or technology to South Africa;

(e) To impose an effective embargo on the supply of oil and oil products to South Africa and on all assistance to the oil industry in South Africa, particularly to the oil from coal industry;

(f) To prohibit financial loans and credits to and investment in South Africa;

(g) To ban all trade with South Africa;

8. Requests all States, individually and collectively, to take all appropriate measures to facilitate such action by the Security Council;

9. Requests all States that have not yet done so, pending action by the Security Council, to adopt legislative and/or other comparable measures to ensure the following:

(a) Strict implementation of the arms embargo against South Africa, including the prohibition of imports of arms from South Africa and the enactment of appropriate legislation to ensure such a ban;

(b) Prohibition of any form of collaboration with South Africa in the military and nuclear fields;

(c) Effective implementation of a ban on all trade with South Africa, in particular, the sale of krugerrands and the import of gold, uranium, coal and other minerals;

(d) Prohibition of the supply of oil and oil products to South Africa as well as technology to its oil industry;

(e) Prohibition of financial loans and investments as well as the withdrawal of investment in South Africa;

(f) Speedy accession to or ratification of the International Convention on the Suppression and Punishment of the Crime of Apartheid,

(g) Observance of sports, cultural, academic, consumer, tourism and other boycotts of South Africa;

10. Requests all States concerned to take action against corporations and other interests that violate the mandatory arms embargo against South Africa and those that are involved in the illicit supply to South Africa of oil and oil products in spite of the embargo imposed on the supply of oil and oil products to South Africa, as well as those who persist in collaboration with the apartheid régime;

11. Calls upon States and organizations to support United Nations action for total isolation of the apartheid régime of South Africa and to co-operate with the Special Committee against Apartheid for the achievement of this goal;

12. Calls upon all organizations within the United Nations system as well as other international organizations that have not yet done so to exclude forthwith the South African régime from their membership;

13. Calls upon the Economic Commission for Europe to discontinue all contacts with the racist régime of South Africa and to terminate all co-operation with it;

14. Calls once again upon the International Monetary Fund urgently to terminate credit and other assistance to the racist régime of South Africa;

15. Calls upon all organizations within the United Nations system to take all necessary measures:

(a) To withhold any facilities from or investments of any funds in banks, financial institutions and corporations that are doing business with South Africa;

(b) To refrain from purchasing directly or indirectly products of South African origin;

(c) To deny any contracts or facilities to corporations collaborating with South Africa and not to invest any money in them;

(d) To prohibit any official travel by South African Airways or South African shipping lines;

16. Strongly supports the movement against conscription into the armed forces of the racist régime of South Africa;

17. Invites all Governments and organizations to assist, in consultation with the liberation movements, persons genuinely compelled to leave South Africa because of their objection on the ground of conscience to serving in the military or police force of the apartheid régime;

18. Further commends anti-apartheid movements, religious bodies, trade unions, student and women's organizations and other groups engaged in campaigns for the isolation of the apartheid régime and for assistance to the South African liberation movements recognized by the Organization of African Unity;

19. Requests and authorises the Special Committee against Apartheid to redouble its efforts and intensify its activities for the total isolation of the apartheid régime, for promoting comprehensive and mandatory sanctions against South Africa and for mobilizing public opinion and encouraging public action against collaboration with South Africa;

20. Further requests the Special Committee to keep the matter of collaboration between South Africa and Israel and between South Africa and any other State under constant review and to report to the General Assembly and the Security Council as appropriate.

General Assembly resolution 40/64 A

10 December 1985

Meeting 111

122-18-14 (recorded vote)

48-nation draft (A/40/L.26 & Corr.1); agenda item 35.

Sponsors: Afghanistan, Algeria, Angola, Benin, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Congo, Cuba, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, India, Iran, Iraq, Kenya, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Nicaragua, Nigeria, Papua New Guinea, Senegal, Sierra Leone, Sudan, Syrian Arab Republic, Tunisia, Uganda, Ukrainian SSR, United Republic of Tanzania, Viet Nam, Zaire, Zambia.

Financial implications. 5th Committee, A/40/1022; S-G. A/C.5/40/76.

Meeting numbers. GA 40th session: 5th Committee 58; plenary 51-57, 111.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, Canada, Denmark, France, Germany, Federal Republic of, Grenada, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, Norway, Portugal, Spain, United Kingdom, United States.

Abstaining: Australia, Austria, Botswana, Fiji, Finland, Greece, Ivory Coast, Lesotho, Malawi, New Zealand, Samoa, Solomon Islands, Swaziland, Sweden.

Concerted international action for the elimination of apartheid

The General Assembly,

Alarmed by the further aggravation of the situation in South Africa caused by the policy of apartheid, and lately in particular by the imposition of the state of emergency,

Convinced that the root-cause of the grave situation in southern Africa is the policy of apartheid,

Noting with grave concern that in order to perpetuate apartheid in South Africa the authorities there have committed acts of aggression and breaches of the peace,

Convinced that only the total eradication of apartheid and the establishment of majority rule on the basis of the free and fair exercise of universal adult suffrage can lead to a peaceful and lasting solution in South Africa,

Noting that the so-called reforms in South Africa, including the so-called "new constitution", have the effect of further entrenching the apartheid system and further dividing the people of South Africa,

Recognizing that the policy of bantustanization deprives the majority of the people of their citizenship and makes them foreigners in their own country,

Recognising the responsibility of the United Nations and the international community to take all necessary action for the eradication of apartheid, and, in particular, the need for increased and effective pressure on the South African authorities as a peaceful means of achieving the abolition of apartheid,

Encouraged, in this context, by the growing international consensus to this end, as demonstrated by the adoption of Security Council resolution 569(1985) of 26 July 1985 and the increase in and expansion of national and regional measures,

Convinced of the vital importance of the strict observance of Security Council resolution 418(1977) of 4 November 1977, by which the Council instituted a mandatory arms embargo against South Africa, and Security

Council resolution 558(1984) of 13 December 1984 concerning the import of arms, ammunition and military vehicles produced in South Africa, and of the need to make these embargoes fully effective,

Commending the decisions of oil-exporting countries that have declared it their policy not to sell and export oil to South Africa,

Considering that measures to ensure effective and scrupulous implementation of such embargoes through international co-operation are essential and urgent,

Noting with deep concern that, through a combination of military and economic pressures, in violation of international law, the South African authorities have sought to destabilize the front-line and other neighbouring States,

Considering that contacts between apartheid South Africa and the front-line and other neighbouring States, necessitated by geography, colonial legacy and other reasons, should not be used by other States as a pretext for legitimizing the apartheid system or justifying attempts to break the international isolation of that system,

Convinced that the existence of apartheid will continue to lead to ever-increasing resistance by the oppressed people, by all possible means, and increased tension and conflict that will have far-reaching consequences for southern Africa and the world,

Convinced that policies of collaboration with the apartheid régime, instead of respect for the legitimate aspirations of the genuine representatives of the great majority of the people, will encourage its repression and aggression against neighbouring States and defiance of the United Nations,

Expressing its full support for the legitimate aspiration of African States and peoples, and of the Organization of African Unity, for the total liberation of the continent of Africa from colonialism and racism,

1. Strongly condemns the policy of apartheid which deprives the majority of the South African population of their citizenship, fundamental freedoms and human rights, in particular the right to self-determination;

2. Strongly condemns the South African authorities for the killings, arbitrary mass arrests and the detention of members of mass organizations as well as individuals, the overwhelming majority of whom belong to the majority population, for opposing the apartheid system, the so-called "new constitution" and the state of emergency;

3. Further condemns the overt and the covert aggressive actions of South Africa directed at the destabilization of neighbouring States, and those aimed against refugees from South Africa and Namibia;

4. Demands that the South African authorities:

(a) Release immediately and unconditionally Nelson Mandela and all other political prisoners, detainees and restrictees;

(b) Immediately lift the state of emergency;

(c) Abrogate discriminatory laws and lift bans on all organizations, news media and individuals opposing apartheid;

(d) Grant freedom of association and full trade union rights to all workers of South Africa;

(e) Initiate without preconditions a political dialogue with genuine leaders of the majority population with a view to dismantling apartheid without delay and establishing a representative government;

(f) Dismantle the bantustan structures;

(g) Immediately withdraw all their troops from

southern Angola and end the destabilization of front-line and other States;

5. Urges the Security Council to consider without delay the adoption of effective mandatory sanctions against South Africa;

6. Further urges the Security Council to take steps for the strict implementation of the mandatory arms embargo instituted by its resolution 418(1977) and of the arms embargo requested in its resolution 558(1984) and, within the context of the relevant resolutions, to secure an end to military and nuclear co-operation with South Africa and the import of military equipment or supplies from South Africa;

7. Appeals to all States that have not yet done so, pending mandatory sanctions by the Security Council, to consider national legislative or other appropriate measures to increase the pressure on the apartheid régime of South Africa, such as:

(a) Cessation of further investments in, and financial loans to, South Africa;

(b) An end to all promotion of and support for trade with South Africa

(c) Prohibition of the sale of krugerrands and all other coins minted in South Africa;

(d) Cessation of all forms of military, police or intelligence co-operation with the South African authorities, in particular the sale of computer equipment;

(e) An end to nuclear collaboration with South Africa;

(f) Cessation of export and sale of oil to South Africa;

8. Appeals to all States, organizations and institutions:

(a) To increase humanitarian, legal, educational and other such assistance to the victims of apartheid;

(b) To increase support for the liberation movements recognized by the Organization of African Unity and to all those struggling against apartheid and for a non-racial, democratic society in South Africa;

(c) To increase assistance to the front-line States and the Southern African Development Co-ordination Conference in order to increase their economic strength and independence from South Africa;

9. Appeals to all Governments and organizations to take appropriate action for the cessation of all academic, cultural, scientific and sports relations that would support the apartheid régime of South Africa, as well as relations with individuals, institutions and other bodies endorsing or based on apartheid;

10. Commends those States that have already adopted voluntary measures against the apartheid régime of South Africa in accordance with General Assembly resolution 39/72 G of 13 December 1984 and invites those that have not yet done so to follow their example;

11. Reaffirms the legitimacy of the struggle of the oppressed people of South Africa for the total eradication of apartheid and for the establishment of a non-racial, democratic society in which all the people, irrespective of race, colour or creed, enjoy human rights and fundamental freedoms;

12. Pays tribute to and expresses solidarity with organizations and individuals struggling against apartheid and for a non-racial, democratic society in accordance with the principles of the Universal Declaration of Human Rights;

13. Requests the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

General Assembly resolution 40/64 I

10 December 1985 Meeting 111 149-2-4 (recorded vote)

19-nation draft (A/40/L.40 & Add.1); agenda item 35.

Sponsors: Australia, Austria, Denmark, Egypt, Finland, Gambia, Ghana, Greece, Iceland, Ireland, Madagascar, Malaysia, New Zealand, Nigeria, Norway, Sweden, United Republic of Tanzania, Zambia, Zimbabwe.

Meeting numbers. GA 40th session: plenary 51-57, 111.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao people's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United Kingdom, United States.

Abstaining: Germany, Federal Republic of, Grenade, Israel, Malawi.

The other seven resolutions in the series dealt with the situation in South Africa and assistance to liberation movements (40/64 B), the World Conference on Sanctions against Racist South Africa (40/64 C), public information and public action against apartheid (40/64 D), relations between Israel and South Africa (40/64 E), the work programme of the Special Committee against Apartheid (40/64 F), the International Convention against Apartheid in Sports (40/64 G) and the United Nations Trust Fund for South Africa (40/64 H) (see below, under relevant subject headings).

When the Assembly adopted the nine resolutions on apartheid, some States explained their votes on all of them, while others cited the individual texts.

In explaining their votes on the resolutions in general, several countries expressed opposition to arbitrary or selective singling out of Member States for criticism. Austria, Belgium, Luxembourg (speaking for the 10 European Community (EC) countries, Portugal and Spain), the Netherlands, Norway (speaking for the five Nordic countries) and Turkey voiced such opposition. Belgium, for example, felt that treatment of the issue must not be influenced by East-West confrontations. Turkey did not approve of express mention when it was difficult to make definitive determinations of respective responsibilities.

Austria, Belgium, Luxembourg (for the EC countries, Portugal and Spain), the Netherlands and Norway (for the Nordic countries) affirmed their preference for a peaceful solution to the South African situation or expressed reservations on provisions endorsing the use of force or armed struggle.

According to Austria, Luxembourg (for the EC countries, Portugal and Spain) and Norway (for the

Nordic countries), imposing sanctions was the prerogative of the Security Council not the Assembly. They also upheld the principle of universal membership in the United Nations system.

In regard to the call for comprehensive mandatory sanctions, Canada, Ireland, the United Kingdom and the United States questioned the wisdom of taking such action at the current juncture. Ireland reiterated its preference for the imposition of carefully chosen, graduated, mandatory sanctions by the Council; Canada also called for sustained pressure. The United Kingdom considered that mandatory sanctions would probably delay the abolition of apartheid, and the United States doubted that sanctions could contribute to a peaceful resolution of apartheid. Luxembourg (for EC, Portugal and Spain) said channels of communication should remain open so that the outside world could pressure South Africa for a democratic society. Due to their geographic situation, Botswana and Lesotho could not support mandatory sanctions against South Africa. However, Botswana was prepared to suffer the consequences if in the end a new South Africa could be brought into being with a minimum of violence; Lesotho asserted that its stand should not be used as an excuse for inaction against apartheid.

Belgium, Israel and the Netherlands said they would have preferred consensus texts to demonstrate international support for the cause. According to Israel, only consensus could give the resolutions the moral and international support that the struggle against apartheid deserved. France and Portugal regretted some wording of the texts. For the Netherlands and Portugal, South Africa was not a decolonization issue; the Netherlands regarded the African National Congress of South Africa (ANC) and the Pan Africanist Congress of Azania (PAC) as anti-apartheid movements, not liberation movements.

As to the report of the Committee against Apartheid, Belgium and Luxembourg (for EC, Portugal and Spain) regretted its depiction of the steps taken by the EC members to pressure South Africa and to promote the rights of the South African majority. Luxembourg said Western European countries regretted that the report questioned their determination to contribute to the abolition of apartheid.

In regard to resolution 40/64 A, Costa Rica, Israel and Turkey disagreed with singling out individual countries or groups of countries. Israel said apartheid was too great an evil to be manipulated as a tool of hatred for Israel. Costa Rica also had difficulties with such references. In Turkey's view, the eleventh and twelfth preambular paragraphs and paragraph 4 had not been drafted in a balanced way. The United States said it made no apology for its constructive engagement policy, which it believed had contributed to the limited improvements

in the lives of oppressed South Africans; on that basis, it also opposed resolution 40/64 I.

Ireland and the Netherlands preferred graduated, selective measures by the Security Council rather than South Africa's total isolation through comprehensive mandatory sanctions. Ireland would have been able to support many of the specific measures in paragraph 7, but doubted the wisdom of comprehensive sanctions at that point.

Some countries expressed reservations about the Committee's report as endorsed by the Assembly in paragraph 1. France regretted the arbitrary and systematic criticism of countries, particularly the EC members. Italy said the report failed to reflect adequately EC's efforts, and presented in a misleading manner the EC mission to Pretoria, which had led to the adoption at Luxembourg on 10 September of certain restrictive economic measures against South Africa (see p. 135). The Netherlands felt the report contained unwarranted criticism of a particular group of countries. The United Kingdom rejected the report's distortion and criticism of the policy of the EC members, of the Luxembourg measures, of the visit to South Africa by three European Foreign Ministers and of the EC code of conduct for businesses operating in South Africa.

New Zealand questioned the wisdom of excluding South Africa from all international organizations, and of asserting that every country with any relationship with South Africa was guilty of aiding human rights violations.

Several countries also had reservations about sanctions as proposed in resolution 40/64 I. Italy and the Netherlands said that such mandatory action was within the exclusive competence of the Security Council. France agreed, adding that its support for the resolution should not be interpreted as a questioning of that competence; moreover, the voluntary measures recommended in paragraph 7 did not necessarily cover national ones which France might take to pressure South Africa. The Netherlands could not endorse certain aspects of that paragraph, such as subparagraphs (a) and (e), but believed that collective international action to curtail investment in South Africa could contribute to increasing pressure on that Government; to be effective, such action must be based on a mandatory decision of the Council. For Italy, the paragraph did not take account of the negative effect that the measures could have on victims of apartheid and on neighbouring States. Canada rejected the premise that individual relations supported apartheid and did not interpret paragraph 9 as endorsing termination of all contacts, which might make change more difficult. Portugal had reservations on formulations such as those in paragraphs 5 and 7, and in particular

paragraph 1, since it did not consider the problem to be one of decolonization.

Italy and the Netherlands welcomed the efforts of the resolution's drafters to avoid controversial elements and to gain as broad a base of support as possible.

The Assembly took related action in resolution 40/25, in which it reaffirmed the legitimacy of the struggle of peoples for their liberation from apartheid by all means, including armed struggle. In resolution 40/28, the Assembly condemned apartheid in South Africa and Namibia as a crime against humanity and urged Member States to adopt political, economic and other measures in conformity with the resolutions of the Assembly, the Council and other United Nations bodies. The Assembly commended the Committee on the Elimination of Racial Discrimination for its endeavours towards eliminating discrimination and welcomed a Committee decision on apartheid (see p. 159).

In accordance with an Assembly decision that organizations and individuals having a special interest in the item on apartheid would, at their request, be heard by the Special Political Committee, the following addressed the Committee in October.(27)

Beyers Naudé, South African Council of Churches; Wendell Foster, Council of the City of New York; Beatrice von Roemer, International Confederation of Free Trade Unions; Reverend Noel Enuma El-Mahmud-Okereke, El-Mahmud Mass Communication of Nigeria; Karen Talbot, World Peace Council; Vinie Burrows, Women's International Democratic Federation; Evelyn Lowery, Southern Christian Leadership, Conference; Roger Green, State Assembly of New York; Jeanne M. Woods, Afro-Asian Peoples' Solidarity Organization; Gora Ibrahim, PAC; Reverend Simangaliso Mkhathshwa, South African Catholic Bishops Conference; Yvonne Ismail, People's Organization for Progress; Lawrence Hamm, Commission for Racial Justice of the United Church of Christ; Frank Chapman, National Alliance against Racial and Political Repression.

The Committee also convened to hear Bishop Desmond Tutu, the 1984 Nobel Peace Laureate.

On 28 October, by decision 40/407, the Assembly, on an oral proposal by the President, took note of the Committee's report.

International action to eliminate apartheid

The Special Committee against Apartheid continued promoting an international campaign against South Africa's racial policies.(1)

In February, the Chairman commended the action by non-governmental organizations (NGOs) in the United States and the Netherlands for their divestment from companies with South African

holdings and the prohibition of the sale of krugerrands. Among those cited were New York organizations and municipalities, the Bank of Boston and Morgan Guaranty Trust, and the Danish Occupational Therapists' Association for its refusal to accept delegates from South Africa to a 1986 international congress.

In connection with the intensified international campaign in Western Europe and North America for divestment, the Committee, in a 17 April statement, welcomed steps further to isolate South Africa, noting that anti-apartheid movements, parliaments, local legislators, trade unions, religious organizations, political parties, students, academicians and individuals were effectively exposing the apartheid system to the public.

In the United States, concerted action had led to divestment, legislative action and other measures by states, cities and universities, and several anti-apartheid bills were introduced in the Congress. Seven states and more than 20 cities enacted divestment legislation, committing themselves to sell their holdings in companies operating in South Africa. In September, the President issued an executive order banning computer sales to South African security agencies, barring some types of loans to South Africa and terminating krugerrand imports to the United States. As a result of an anti-apartheid campaign in the Netherlands, its three major banks decided to stop the sale of krugerrands in February. On 10 September, the European Economic Community (EEC) adopted limited sanctions against South Africa, including an embargo on oil, arms and law enforcement equipment; a ban on military and nuclear co-operation; measures to discourage cultural and scientific links; and withdrawal of military attachés. In May, the Danish Parliament prohibited new investments in South Africa and Namibia, and the Swedish Parliament enacted a law limiting further Swedish investments. In addition, a Swedish law forbade the sale of vehicles and computer equipment to the South African military and police forces. Canada announced in July that it was curtailing trade with South Africa through such measures as ending export and investment incentives for Canadian companies doing business with South Africa and restrictions on high-technology sales.

While noting the advance in the world-wide movement of solidarity with the struggle for liberation in South Africa, the Committee urged that international action be comprehensive, rather than piecemeal, and considered that voluntary, unilateral and limited sanctions by individual Western Governments were inadequate. The Committee urged, pending the imposition of comprehensive and mandatory sanctions against South Africa, that national action be taken by Western countries (see below).

In an October addendum(6) to its annual report, the Committee issued replies it had received from 26 Governments and the 10 EC members in response to the Assembly's 1984 appeal(28) for consideration of national measures to increase pressure on the apartheid régime (see p. 138).

GENERAL ASSEMBLY ACTION

In resolution 40/64 A, the General Assembly commended anti-apartheid movements, religious bodies, trade unions, student and women's organizations and other groups engaged in campaigns to isolate the apartheid régime and to assist South African liberation movements recognized by OAU. The Assembly requested and authorized the Committee to intensify its activities to isolate the régime totally, to promote comprehensive and mandatory sanctions against South Africa and to mobilize public opinion and encourage public action against collaboration with South Africa.

Relations with South Africa

The General Assembly and the Special Committee against Apartheid continued in 1985 to lead United Nations efforts to have States and organizations break off all relations with South Africa as a means of pressuring it to abandon its apartheid policies.

Activities of the Committee against Apartheid. The Committee monitored relations with South Africa in several areas, including military and nuclear relations (see p. 141), economic and trade relations (see p. 145) and cultural ties, and made recommendations concerning such relations.(1) It reported that anti-apartheid groups, trade unions, local authorities and cultural personalities had encouraged others not to perform in that country and to support the cultural boycott; there was a significant decline in the number of artists visiting South Africa during the year. Most of those who had visited it came from Europe, in particular the United Kingdom. Since the publication in December 1984 of the second register of entertainers, actors and others who had performed in South Africa during the previous four years,(29) many on the register had written to the Committee undertaking not to appear there again.

Anti-apartheid organizations and other NGOs had been effective in deterring entertainers from visiting South Africa and specific actions to that end were reported taken in a number of countries. Artists taking action to draw attention to the cultural boycott or the situation in South Africa included Stevie Wonder, a United States musician and singer, who accepted his Oscar Award in March in the name of Nelson Mandela, the imprisoned South African opposition leader; Woody Allen, a United States actor and director, who decided not to allow the release of his films in South Africa; and Albert Finney, a British actor, who directed and acted in

The *Biko Inquest*, a film based on the 1977 death of Steve Biko from head injuries while in the custody of the South African police. In a ceremony on 10 October, "Artists United against Apartheid", a group of popular musicians who worked together on a record, presented the first pressing of the record "Sun City" to the United Nations. It was produced in co-operation with the Committee and its message was that South Africa should be boycotted as long as apartheid prevailed.

Despite these developments, the Committee reported that there was some collaboration in the cultural field, and it named three musicians who had contacts with South Africa.

The Committee followed with particular attention the United States response to the calls for isolating the apartheid régime, because of the importance of its role as a major trading partner of South Africa and as a leader of the Western alliance (see p. 135). It noted that the United States reaffirmed its policy of "constructive engagement" with the régime and asserted that the executive order issued by the President in September demonstrated the Administration's opposition to legislative measures against apartheid under consideration by the United States Congress, and was designed to avoid pressure on the régime. The Committee called the measures announced by EEC in September (see p. 135) limited and ineffective. The Committee considered it essential that the international community persuade the United States, as well as the United Kingdom and the Federal Republic of Germany, to co-operate with the United Nations in international action against apartheid and desist from fraternizing with the régime.

Action by the Council for Namibia. In its Vienna Declaration and Programme of Action adopted in June,(30) the Council for Namibia deplored, and called for an immediate end to, the assistance rendered to South Africa by the major Western countries and Israel in the political, economic, military and other areas. In particular, the Council condemned and rejected the United States policy of so-called constructive engagement for having emboldened the apartheid régime to intensify its repression of the peoples of Namibia and South Africa, to escalate aggression against the front-line States, and to continue its intransigence over the independence of Namibia. The Council urged those States that co-operated with South Africa to cease any form of collaboration with it and called on the international community to reject the United States policy.

Action by the Commission on Human Rights. On 26 February,(8) the Commission on Human Rights condemned all collaboration, particularly nuclear, military and economic,

with South Africa and called on the States concerned to cease forthwith.

The Commission, on the same date,(9) condemned the increased assistance rendered by the major Western countries and Israel to South Africa, particularly military assistance, stating that it constituted a hostile action against the peoples of South Africa, Namibia and the neighbouring States since it was bound to strengthen the régime's military capability, and demanded that such assistance be immediately terminated. The Commission called on Governments that had not done so to ensure that trading, manufacturing and investing activities in South Africa and Namibia were stopped.

Action by the Committee on colonial countries. On 16 May(31) the Committee on colonial countries deplored the collaboration of certain Western and other countries with South Africa in the political, economic, military and nuclear fields, and reiterated that such collaboration undermined international solidarity against the apartheid régime and helped to perpetuate its illegal occupation of Namibia.

On 7 August,(32) the Committee condemned countries, as well as TNCs, which continued investments in, and supply of armaments and oil and nuclear technology to, South Africa, thus buttressing it and aggravating the threat to world peace. It called on States, in particular certain Western States, to terminate that collaboration and to refrain from entering into other relations in violation of United Nations and OAU resolutions. On the same day,(33) the Committee reiterated its call for the termination of all collaboration with South Africa.

GENERAL ASSEMBLY ACTION

The General Assembly repeatedly called for termination of all relations with South Africa in 1985.

In resolution 40/25, it condemned the policy of those Western States, Israel and other States whose political, economic, military, nuclear, strategic, cultural and sports relations with South Africa encouraged that régime to persist in suppressing the aspirations of peoples to self-determination and independence.

In resolution 40/64 A, the Assembly condemned the policies of "constructive engagement" and active collaboration with the apartheid régime followed by certain Western and other States which encouraged the régime in its repression of the people's legitimate struggle, aggression against neighbouring States and defiance of United Nations decisions. It also condemned the activities of those TNCs and financial institutions that continued collaboration with South Africa, and again declared that it was the responsibility of the international community to assist the people of South

Africa in eliminating apartheid through cessation of any form of collaboration with the régime.

In resolution 40/64 I, the Assembly appealed to Governments and organizations to cease academic, cultural, scientific and sports relations that would support the apartheid régime, as well as relations with individuals, institutions and other bodies endorsing or based on apartheid.

Similar calls for an end to relations in a wide variety of areas were also made by the Assembly when it dealt with the questions of decolonization and Namibia. These calls were contained mainly in resolutions 40/52, 40/56 and 40/97 A and in decision 40/415.

ECONOMIC AND SOCIAL COUNCIL ACTION

By resolution 1985/59, the Economic and Social Council requested the specialized agencies and other United Nations organizations to isolate the apartheid régime totally.

Communications. Throughout the year, a number of countries forwarded letters to the Secretary-General regarding their relations with and policy concerning South Africa.

On 13 February,(34) the USSR rejected South Africa's 1984 "new constitution";(7) condemned the military and political support of the United States and other members of the North Atlantic Treaty Organization (NATO) for South Africa; expressed support for the African countries' demand that the Security Council impose comprehensive and mandatory sanctions against South Africa; and affirmed its continued support to the national liberation movements in southern Africa. Expressing the same views on 26 February,(35) the Byelorussian SSR said it had no relations with South Africa and called on the United Nations to ensure the implementation of its decisions concerning apartheid. Similarly, the Ukrainian SSR affirmed on 5 March(36) that it had no relations with South Africa, denounced the policies of a number of NATO countries and Israel in regard to it, and supported the call for comprehensive and mandatory sanctions.

Iran on 17 April(37) stated that it had broken all ties with South Africa; had refused to issue trade permits to nationals dealing with it; had prohibited all cultural and economic relations; did not permit its nationals to travel there, nor had granted South African nationals visas to enter Iran; and had cut all air and sea transport between the two countries.

In a policy statement of 6 July on its relations with South Africa,(38) Canada announced additional measures as a response to the situation in that country, such as strengthening its voluntary code of conduct and employment practices for Canadian companies operating in South Africa, tightening the arms embargo by restricting exports

of sensitive equipment such as computers for military and police use, banning the import of arms manufactured there, and terminating a number of official measures which lent support to trade with and investment in South Africa. Brazil forwarded a 9 August decree by its President(39) prohibiting: cultural, artistic or sports exchanges; the export of petroleum and its by-products to that country; the supply of arms to it, including sales or transfers of arms and ammunition, military vehicles and equipment, police equipment, or spare parts for those items; and shipment of such equipment through Brazilian territory.

On 19 August,(40) Australia announced measures taken against South Africa following its review of recent developments there. It affirmed its intention to work for the imposition of mandatory economic sanctions and announced it would close the Trade Commission in Johannesburg in September. It would prohibit exports of petroleum and petroleum products to South Africa, request Australian financial institutions to suspend new loans to South Africa and prohibit direct investment in Australia by the South African Government. Affirming that it had voluntarily imposed trade sanctions against South Africa since 1978, Thailand, on 29 August,(41) added that it had issued regulations prohibiting bilateral trade.

Madagascar transmitted on 18 September(42) the resolutions adopted by the forty-second OAU Council of Ministers (Addis Ababa, Ethiopia, 10-17 July). Noting recent action in the anti-apartheid campaign, OAU proposed convening a World Conference on Sanctions against Racist South Africa in collaboration with the Non-Aligned Movement and the United Nations (see p. 140), to coincide with the tenth anniversary of the Soweto uprising of June 1976; supported the campaign for an oil embargo against South Africa; mandated the Group of African States at the United Nations to step up the campaign for the isolation of South Africa, especially through the convening of the Security Council to consider sanctions; condemned the United States policy of constructive engagement; and called on the international community to take measures against South Africa, including a ban on new investments, cessation of maritime and air links, the prohibition of the sale of South African coins, and a total boycott of sporting and cultural relations.

Japan stated on 9 October(43) that, in view of recent developments, it had taken additional measures against South Africa on top of the strict measures already in operation (no diplomatic relations, restricted investment and financing, limited sporting, cultural and educational interchanges, a ban on arms exports to South Africa); new measures included prohibiting the export of

computers that could be used by the armed forces and the police, urging a voluntary halt in importing South African gold coins, and calling on companies with offices in South Africa to follow fair employment practices.

Denmark, Finland, Iceland, Norway and Sweden forwarded their 18 October Programme of Action against South Africa,(44) adopted as a follow-up to their 1978 Programme. In the new Programme, they stated their intention to work for the adoption by the Security Council of mandatory sanctions, and described their national measures, including prohibition or discouragement of new investments in South Africa, negotiations to restrict Nordic enterprises' production in South Africa, recommendations to reduce trade, implementation of Council resolution 558(1984)(45) on refraining from importing arms from South Africa, prohibition of the importation of krugerrands, of new nuclear contracts and of the exportation of computer equipment which might be used by the armed forces and police, and a halt of government support for promoting trade with South Africa.

The Bahamas transmitted the Commonwealth Accord on Southern Africa, adopted by the heads of Government of Commonwealth States (Nassau, 16-22 October).(24) Calling on South Africa to dismantle apartheid, they outlined a programme of action opposing that system, including recommendations for: strict enforcement of the mandatory arms embargo against South Africa and a commitment to prosecute violators; reaffirmation of the 1977 Gleneagles Declaration, which called on Commonwealth members to discourage sporting contacts; a ban on new government loans; halting government funding for trade missions; a ban on the export of computer equipment; and discouragement of cultural and scientific events.

Democratic Yemen stated on 1 November(25) that imperialist circles, particularly the United States, continued to support South Africa in violation of international covenants and resolutions; it saw dangers arising from the close relations between South Africa and Israel and from their military co-operation, which extended to the nuclear field.

Sanctions and boycotts

Activities of the Committee against Apartheid. The Special Committee against Apartheid(1) noted with satisfaction that the Security Council, for the first time, had urged Member States, in resolution 566(1985) of 19 June on Namibia (see TRUSTEESHIP AND DECOLONIZATION, Chapter III) and in resolution 569(1985) of 26 July on South Africa (see p. 158), to impose specific economic sanctions against South Africa. While recognizing that several Western countries had taken significant action, however limited, in the previous year, the Committee expressed disappointment that a number of Western Governments

had failed to do so despite pressure by public opinion; in particular, it expressed distress that the United States, the United Kingdom and the Federal Republic of Germany, with a large responsibility for the situation in South Africa, had failed to take meaningful measures in response to Assembly and Council requests to isolate the apartheid régime and support the struggle of the oppressed people.

Since any delay in action would likely lead to wider conflict, the Committee said, it was essential that the United Nations ensure comprehensive mandatory sanctions without delay. It asserted that the economic difficulties encountered by South Africa owing to loss of confidence in Western financial circles should not cause complacency, and that pressure on South Africa should be sustained through effective governmental action to prevent foreign economic interests from resuming financial support.

The Committee expressed satisfaction at the increasing recognition by Western public opinion of the need for economic sanctions against South Africa as the main component of international action to eliminate apartheid. It rejected the arguments of those profiting from apartheid that sanctions would involve great sacrifice by the oppressed people and it denounced the use of "codes of conduct" for employment practices-which included those of the United States, known as the Sullivan Principles,-as a means of justifying continued collaboration with apartheid.

With regard to sports, cultural, consumer and other boycotts, the Committee noted with satisfaction significant advances and called for their promotion. It welcomed the actions of local authorities, trade unions, anti-apartheid movements and others against those who continued to play or perform in South Africa, and called for public opposition to apartheid collaborators, such as denial of facilities and patronage to them. It hoped that the General Assembly would adopt a draft instrument prepared by the Ad Hoc Committee on the Drafting of an International Convention against Apartheid in Sports (see p. 165).

In an October addendum(6) to its annual report, the Committee issued the replies it had received-to its Chairman's request for information on the implementation of the Assembly's 1984 appeal for measures to increase pressure on South Africa(28)—from Australia, Austria, China, Cyprus, Czechoslovakia, Denmark, the German Democratic Republic, Greece, Haiti, Ireland, Japan, Norway, Panama, Romania, Saint Lucia, Seychelles, Solomon Islands, Sweden, the Syrian Arab Republic, Thailand, Turkey, the Ukrainian SSR, the USSR, the United States, Yugoslavia and Zambia; a reply was also received from the 10 EC members. Czechoslovakia, Haiti, Solomon Islands, the Syrian Arab Republic and Yugoslavia said they had no relations with South Africa. Similarly, no relations were main-

tained by China, Czechoslovakia, the German Democratic Republic, the Ukrainian SSR and the USSR, which were joined by Norway in adding that they provided support to the South African liberation movements.

Australia referred to a statement of 18 April(46) (see p. 146), in which it introduced a voluntary code of conduct for Australian companies and subsidiaries operating in South Africa which applied the principle of equality of treatment in employment practices; it had placed an embargo on all new government dealings with majority-owned South African firms for contracts of more than \$20,000. Australia also mentioned the actions it had outlined on 19 August.(40)

Cyprus said that since 1964 it had imposed comprehensive sanctions.

Denmark, a sponsor of the 1984 Assembly resolution,(28) said it had implemented the suggested measures, in co-operation with the other Nordic countries, as well as national legislative and executive steps to pressure South Africa to abandon apartheid; individual measures included the Government's request that companies importing coal from South Africa gradually liquidate such imports before 1990, discouraging Danish oil companies and shipowners from trading or transporting oil to South Africa, prohibiting new Danish investment there and in Namibia, and terminating air agreements with South Africa. Norway also adopted measures to reduce commercial and other relations, such as banning the sale of Norwegian-produced oil to South Africa, prohibiting Norwegian investments there, and denying credit guarantees for export to South Africa. The members of EC had also applied the mandatory measures decided on by the United Nations and they considered that their code of conduct for European enterprises having subsidiaries in South Africa was playing an important role towards the elimination of racial discrimination in work places. Ireland said it did not maintain diplomatic relations with South Africa, and had no companies with subsidiaries and no public investment there.

The German Democratic Republic expressed support for comprehensive and mandatory sanctions against South Africa, and urged the Committee to analyse the implementation of the Assembly's 1984 resolution. Norway, Sweden, the Syrian Arab Republic, the Ukrainian SSR and the USSR also advocated such sanctions.

Greece said it had no collaboration in the military field, while Ireland said it would support a mandatory ban on imports of arms and related equipment.

Japan's policy included no diplomatic relations, no direct investment in South Africa and Namibia by Japanese nationals or corporations, and no military co-operation. Panama announced that in

May it had ordered the closure of the South African Consulate in Panama and had severed consular relations.

Saint Lucia had adopted legislation to deny facilities to South African aircraft and vessels flying the South African flag, to prohibit transport companies registered in Saint Lucia from connecting with South Africa, and to deny entry to Saint Lucia of holders of South African passports. Seychelles had revoked South African Airways' landing rights in 1980 and had found alternative trading partners for most of its imported domestic goods. In addition to banning companies from expanding business in South Africa, Sweden in 1985 had prohibited loans and credits, financial transactions and financial leasing to it, and banned export of data processing equipment and cross-country vehicles. Thailand had imposed trade sanctions.

The United States said that in addition to the Sullivan Principles, followed by most of its companies in South Africa, many national and local laws and executive actions regulated its economic relations with South Africa.

Action by the Council for Namibia. The Council for Namibia, in its June 1985 Vienna Declaration and Programme of Action,(30) asserted that comprehensive mandatory sanctions under Chapter VII of the United Nations Charter were the most effective means of ensuring South Africa's compliance with United Nations resolutions and decisions on Namibia. The Council resolved to promote the imposition of such sanctions by the Security Council, in order to ensure South Africa's compliance with the 1978 United Nations independence plan for Namibia,(47) and urged those permanent members of the Security Council that had shielded South Africa to display the necessary political will in that regard. It called on all States to apply voluntary sanctions unilaterally and collectively and urged NGOs, including in particular trade unions, to campaign in their countries in support of a comprehensive programme of sanctions and to monitor that programme.

Action by the Committee on colonial countries. On 16 May,(31) the Committee on colonial countries recommended that the Security Council act decisively against any dilatory manoeuvres of the illegal occupation régime of Namibia, and that the Council, which had been prevented from discharging its responsibilities for maintaining international peace and security in the region owing to the opposition of certain Western permanent members, respond to the demand of the international community by imposing comprehensive mandatory sanctions against South Africa. The Committee noted with satisfaction the pressures being exerted by NGOs in a

number of Western countries to promote the severance of links with South Africa, and urged Member States to encourage those organizations to work for mandatory sanctions, as well as to impose voluntary ones. It called on those Governments which had not taken measures aimed at isolating South Africa to take action, pending the imposition of mandatory sanctions.

On 7 August,(32) the Committee called on States to terminate investments in Namibia or loans to South Africa, and to end financial and military assistance to south Africa—which used the assistance to repress the Namibian people and their national liberation movement—to isolate it and to discontinue relations with it concerning Namibia.

Action by the Commission on Human Rights. The Commission on Human Rights, on 26 February,(9) welcomed the Assembly's request that the Security Council consider complete and mandatory sanctions, particularly in the military and financial field. On the same day,(8) the Commission called for the application of sanctions as set out by the 1983 International Conference in Support of the Struggle of the Namibian People for Independence(48) and the 1981 International Conference on Sanctions against South Africa.(49)

SECURITY COUNCIL ACTION

In two 1985 resolutions, the Security Council, reacting to South Africa's installation of a so-called interim government in Windhoek (see TRUSTEESHIP AND DECOLONIZATION, Chapter III) and to the increased repression in South Africa (see p. 152), made recommendations concerning sanctions against that country.

In resolution 566(1985) of 19 June, the Council, demanding that South Africa rescind its installation of the so-called interim government, warned that failure to do so would compel the Council to consider measures under the Charter, including Chapter VII (which deals with action with respect to threats to the peace, breaches of the peace and acts of aggression). The Council urged Member States to consider in the mean time voluntary measures against South Africa, including suspending new investments and applying disincentives to that end, re-examining maritime and aerial relations with South Africa, prohibiting the sale of South African coins, and restricting sports and cultural relations.

On 26 July, the Council, in resolution 569(1985), again urged the adoption of measures against South Africa, such as those specified in June, as well as suspending guaranteed export loans, and prohibiting new contracts in the nuclear field and sales of computer equipment that might be used by its forces.

GENERAL ASSEMBLY ACTION

On 10 December, the General Assembly adopted resolution 40/64 C by recorded vote.

World Conference on Sanctions against Racist South Africa

The General Assembly,

Gravely concerned about the deteriorating situation in South Africa,

Recalling its resolutions concerning economic and other sanctions against South Africa,

Recalling also Security Council resolution 569(1985) of 26 July 1985,

Noting with regret, however, that the Security Council has thus far failed to take action under Chapter VII of the Charter of the United Nations,

Taking note of the resolution adopted by the Council of Ministers of the Organization of African Unity at its forty-second ordinary session, held at Addis Ababa from 10 to 17 July 1985, and of the statement by the current Chairman of the Assembly of Heads of State and Government of that organization of 21 October 1985, *inter alia*, for the convening of a World Conference on Sanctions against Racist South Africa,

1. Decides to organize, in co-operation with the Organization of African Unity and the Movement of Non-Aligned Countries, a World Conference on Sanctions against Racist South Africa in June 1986;

2. Authorises the Special Committee against Apartheid, in co-operation with the Organization of African Unity and the Movement of Non-Aligned Countries, to make all necessary arrangements for the organization of the Conference;

3. Requests the Secretary-General to provide all necessary assistance to the Special Committee in the organization of the Conference;

4. Invites all appropriate United Nations organs, the specialized agencies and other intergovernmental and non-governmental organizations to co-operate with the Special Committee in the implementation of the present resolution;

5. Requests the Secretary-General to report on the Conference to the General Assembly at its forty-first session.

General Assembly resolution 40/64 C

10 December 1985 Meeting 111 137-6-10 (recorded vote)

59-nation draft (A/40/L.28/Rev.1 & Rev.1/Corr.1); agenda item 35.

Sponsors: Afghanistan, Algeria, Angola, Antigua and Barbuda, Benin, Burkina Faso, Burundi, Cameroon, Cape Verde, Comoros, Congo, Cuba, Democratic Yemen, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran, Iraq, Kenya, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Nicaragua, Niger, Nigeria, Papua New Guinea, Romania, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, Tunisia, Uganda, Ukrainian SSR, United Republic of Tanzania, Viet Nam, Yugoslavia, Zaire, Zambia, Zimbabwe.

Financial implications. 5th Committee, A/40/1022; S-G, A/C.5/40/76.

Meeting numbers. GA 40th session: 5th Committee 58; plenary 51-57, 111.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines,

Samoa Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, Germany, Federal Republic of, Italy, Portugal, United Kingdom, United State

Abstaining: Austria, Belize, Canada, France, Grenada, Israel, Luxembourg, Malawi, Netherlands, Spain.

Explaining their votes, Austria and Canada believed that the Security Council was the appropriate forum for discussing sanctions. Canada and New Zealand regarded the proposed cost of the Conference to be higher than necessary; the United Kingdom agreed, pointing out that the Assembly had devoted seven days to discussing sanctions, and views had also been expressed in the Special Political Committee, the Fourth Committee and the Security Council. Similarly, the Netherlands doubted that the Conference could contribute to the imposition of selective mandatory sanctions by the Council. The United States assumed that the Conference would focus on the unacceptable goal of mandatory sanctions and would be destined to condemn unfairly the United States and other permanent Council members; it believed that each State should be free to impose the peaceful measures it deemed most appropriate for bringing about change in South Africa.

The Assembly called for sanctions against South Africa in several other 1985 resolutions.

It called on the Council to take action under Chapter VII of the Charter with a view to applying sanctions, in particular, to re-enforce the arms embargo; and requested States, individually and collectively, to take measures to facilitate such action by the Council (40/64 A). The Assembly urged the Council to consider without delay the adoption of mandatory sanctions and commended States that had already adopted voluntary measures in accordance with the Assembly's 1984 request(28) (40/64 D). It also called for the application of sanctions as called for by the 1981 Conference on Sanctions against South Africa(49) (40/25).

Resolutions dealing with South Africa's occupation of Namibia also included calls for sanctions. The Assembly, in resolution 40/97 A, called on the Council to implement the recommendations contained in the 1980 report(50) of the Council Committee established in pursuance of resolution 421(1977),(51) which dealt with strengthening the Council's 1977 mandatory arms embargo.(52) In view of South Africa's refusal to comply with United Nations resolutions on Namibia, the Assembly urged the Council to impose comprehensive mandatory sanctions. In resolution 40/97 B, the Assembly condemned the use of the veto by the two Western permanent members of the Council on 15 November (see TRUSTEESHIP AND DECOLONIZATION, Chapter

III), resulting in the Council's being prevented from taking measures under Chapter VII of the Charter, and appealed to them to desist from further misuse of the veto.

The Assembly requested United Nations organizations to withhold from South Africa any form of financial, economic and technical assistance and to discontinue support to that régime until the people of Namibia had exercised their right to self-determination and independence in a united Namibia and until apartheid had been eradicated and a non-racial, united and democratic State had been established (40/52).

Military and nuclear relations

Activities of the Committee against Apartheid. The Special Committee against Apartheid, citing various press and other reports, stated that South Africa continued its military buildup in 1985, its 1984/85 military spending went up by 21.4 per cent over 1983/84, and the 1985/86 figures increased by 8.1 per cent over the previous year. South Africa continued to develop new weapons, such as a semi-automatic grenade launcher for use in close combat situations and riot control weapons, and was proceeding with plans for the Overberg Missile Testing Range at De Hoop.

According to a British Anti-Apartheid Movement memorandum of July 1985, South Africa used "front" companies, fraud and falsehoods to sabotage the Security Council's 1977 arms embargo against it.(52) The memorandum added that the United Kingdom continued to supply South Africa with nuclear technology and personnel, radar equipment and computers, codified information from NATO, and aircraft and arms through third countries. South Africa had been able to circumvent the arms embargo because of loopholes in United Kingdom arms controls.

According to press reports, United States strategic exports to South Africa had risen steadily since it had lifted the ban on sales of commercial goods to the military and police and relaxed restrictions on sales of computers and aircraft in 1982 and 1983. Licences issued in 1984 for exporting aircraft, computers and communications equipment had increased by almost 100 per cent over the average of the three previous years. Nationals and corporations of the Federal Republic of Germany were also known to have violated the arms embargo in recent years, the Committee said. A French newspaper reported in November that South Africa was setting up a helicopter industry with French co-operation and five aerospace engineers were reported to have gone to South Africa for that purpose.

In the nuclear field, the Uranium Enrichment Corporation of South Africa announced that South Africa would expand the number of its nuclear

reactors rapidly by the end of the century because the country's coal resources were limited. In January, the Electricity Supply Commission of South Africa (ESCOM) disclosed that it had recruited United States personnel to operate the nuclear power station in Koeberg. Approximately 20 United States citizens were working directly for ESCOM and an undisclosed number for United States-based companies that had contracted to work for ESCOM. In the same month, the South African Atomic Energy Corporation announced that the country would be self-sufficient in enriched uranium by 1987 when its first processing plant would become operative. Until then, South Africa would continue receiving supplies from abroad.

Noting the developments of the past year—particularly the use of armed forces in Angola and Botswana and repression against the people of South Africa—the Committee said that any form of assistance to the military, police, intelligence or other forces in South Africa constituted complicity in the crimes of the apartheid régime. It considered that Governments that opposed the strengthening and effective monitoring of the mandatory arms embargo, as well as corporations that supplied equipment and expertise for military and police use in South Africa, bore a grave responsibility. The Committee urged the Security Council to strengthen the arms embargo, prohibit all nuclear co-operation with South Africa and ensure the effective monitoring of such measures. In that connection, it attached special importance to the prohibition of supply of “dual purpose” equipment, such as computers and technology that could be put to military and police use. Furthermore, the Committee considered that an effective embargo on the supply of petroleum, petroleum products and other strategic supplies should be instituted without delay as an essential reinforcement of the arms embargo.

Report of the Secretary-General. In an August report to the Commission on Transnational Corporations,⁽⁵³⁾ the Secretary-General described the development of the military and nuclear sectors in the South African economy and the role played by TNCs in those areas.

The report identified some specific activities undertaken by TNCs, both before and after the mandatory arms embargo was imposed by the Security Council in 1977,⁽⁵²⁾ prohibiting the provision to South Africa of military supplies and licensing arrangements for their manufacture, as well as co-operation in the manufacture and development of nuclear weapons. It pointed to the wide range of essential ancillary inputs that were provided to the two sectors through the activities of foreign enterprises in other sectors. The report concluded that, while the various measures may

have reduced the arms flow to South Africa considerably, they had not had any noticeable impact on the system of apartheid or on reducing the threat of war in the region.

According to the report, South Africa had developed the capacity to manufacture light aircraft, fast attack patrol boats and a range of land-based armaments (armoured personnel carriers, artillery, ammunition and electronic surveillance and communications systems); however, it was unable to produce sophisticated jet aircraft, helicopters or large naval vessels. If South Africa continued to be denied the assistance it needed to modernize and service its jet aircraft and to build helicopters, it could be left with an obsolete air force in a few years. However, South Africa continued to make clandestine purchases and was able to buy weaponry on the world market.

Activities of the Council for Namibia. In its annual report to the General Assembly,⁽³⁰⁾ the United Nations Council for Namibia said the support that South Africa received from Western TNCs and other financial interests that were collaborating with it in exploiting the natural and human resources of Namibia had helped it to entrench its illegal occupation there and to strengthen its military domination and apartheid system. To retain its occupation and to further its aggression, South Africa had continued to increase its military spending. The Council referred to the 1985/86 budget presented in March 1985 by the South African Minister of Finance, noting that spending had increased by 8.1 per cent over the previous year, to 4,274 million rand (\$1.00 = R 1.98). It pointed out that the exact extent of military spending was unclear, since military and security costs were spread over a number of departments.

The acquisition and production of arms by South Africa were carried out under the aegis of the State-owned Armaments Development and Production Corporation (ARMSCOR), which relied heavily on manufacturing licences obtained from foreign entities. Besides its own production facilities, ARMSCOR depended on about 800 private sector contractors, including many local subsidiaries of United States and Western European companies, which produced a range of weapons, including naval equipment, armoured vehicles and heavy artillery, and operated under secrecy laws that covered military matters.

The Council, in its Vienna Declaration and Programme of Action adopted in June,⁽³⁰⁾ condemned the continuing military collaboration with and assistance to South Africa by certain Western States and Israel, which it considered a breach of the 1977 arms embargo.⁽⁵²⁾ It called for the scrupulous observance of the 1984 Security Council resolution requesting States not to import

armaments from South Africa.(45) The Council said the acquisition of a nuclear-weapons capability by South Africa had added another dangerous dimension to the grave situation, and condemned the collaboration of Israel and certain Western States, particularly the United States, with South Africa in the nuclear sector. It called on States to refrain from supplying South Africa, directly or indirectly, with installations that might enable it to use uranium, plutonium or other nuclear materials and reactors for military purposes. Furthermore, it called on the Security Council to ensure the total cessation of nuclear collaboration and contacts with South Africa.

Action by the Commission on Human Rights. The Commission on Human Rights, on 26 February,(9) condemned the continuing nuclear collaboration of certain Western States, Israel and other States with South Africa and urged them to cease. It called on Governments to end all technological assistance in the manufacture of arms and military supplies in South Africa and Namibia, in particular to cease all nuclear collaboration. The Commission welcomed the Assembly's request that the Security Council consider complete and mandatory sanctions against South Africa, including the cessation of all nuclear collaboration.

Action by the Committee on colonial countries. The Committee on colonial countries, on 7 August,(33) considered that South Africa's acquisition of nuclear-weapons capability constituted an effort to terrorize and intimidate regional States while posing a threat to all mankind. The continuing assistance rendered to South Africa by certain Western and other countries in the military and nuclear fields belied their stated opposition to its racist practice. The Committee called on those countries to end the nuclear co-operation.

On the same date,(32) the Committee again condemned the nuclear collusion of certain countries and called on Governments to refrain from supplying South Africa, directly or indirectly, with installations that might enable it to produce uranium, plutonium and other nuclear materials, reactors or military equipment.

Communications. In a letter of 3 July to the Secretary-General,(54) Iran stated that Iraq had purchased heavy artillery from South Africa, which had been developed by ARMSCOR and the American Space Research Corporation, and added that the co-operation between South Africa and the United States violated the 1977 mandatory arms embargo against South Africa and that the Iraqi purchase contravened the Security Council's 1984 request that States refrain from importing South African arms.(45) Two days later,(55) Iran forwarded an article from the magazine *Africa Confidential* of 10 April, reporting the alleged military

transaction. On 26 July,(56) Iraq stated that the allegations were false.

SECURITY COUNCIL ACTION

On three occasions in 1985, the Security Council called for an end to military or nuclear collaboration with South Africa.

In resolution 569(1985), it urged Member States to adopt measures against South Africa, such as prohibiting new contracts in the nuclear sector and sales of computer equipment that might be used by its forces. Resolutions 571(1985) and 574(1985) included the Council's call for States to implement fully the 1977 arms embargo.

GENERAL ASSEMBLY ACTION

The General Assembly took similar action in numerous 1985 resolutions.

It called on the Security Council to apply mandatory sanctions, including a total ban on all forms of nuclear collaboration, and embargoes on the imports of South African and Namibian uranium and on the export and supply of nuclear material, equipment or technology (40/64 A). It again called for Council sanctions, including the cessation of all forms of military, police or intelligence co-operation, in particular the sale of computer equipment, and an end to nuclear collaboration (40/64 I).

The Assembly, in resolution 40/97 A, declared that the acquisition of nuclear-weapons capability by South Africa constituted a threat to peace and security in Africa and a danger to all mankind. It called for an end to the military and nuclear collaboration, including refraining from supplying South Africa with materials that might enable it to produce uranium, plutonium or other nuclear materials or reactors. A similar request was also made in resolution 40/52. Similarly, in resolution 40/57, the Assembly condemned all such collaboration and asked that it cease.

In decision 40/415, the Assembly considered that South Africa's nuclear-weapons capability was an effort to terrorize and intimidate regional States.

In resolution 40/158 on strengthening international security, the Assembly called on States, particularly Security Council members, to fulfil the objective of the denuclearization of Africa. In resolutions dealing with the Declaration on the Denuclearization of Africa (40/89 A and B), the Assembly: condemned nuclear collaboration with South Africa and called for its end, in particular the granting of licences by some Member States to corporations to provide equipment and technology for nuclear installations in South Africa; demanded that South Africa refrain from manufacturing, testing, threatening to use or using nuclear weapons; and appealed to States to monitor South Africa's development of nuclear weapons.

Arms embargo

Activities of the Committee against Apartheid. The Special Committee against Apartheid continued to emphasize the importance of an effective and comprehensive arms embargo and again urged the Security Council to strengthen it.(1) In an October addendum(3) to its 1985 annual report, the 'Committee provided information on legislation and other measures adopted by Governments to enforce the Security Council's 1977 arms embargo against South Africa.(52) As of 30 August 1985, information was provided by 25 Governments (Australia, Brazil, China, Czechoslovakia, Denmark, German Democratic Republic, Greece, Iceland, Ireland, Japan, Lesotho, Libyan Arab Jamahiriya, Mexico, Netherlands, Norway, Romania, Saint Lucia, Sweden, Thailand, Togo, Turkey, Ukrainian SSR, USSR, United States, Yugoslavia) in response to the Committee's request of 6 June.

Australia said that its recent measures included prohibiting exports to South Africa of petroleum and petroleum products, computer hardware and any other products of use to the security forces. By a Presidential decree, Brazil banned the supply of arms and related matériel to South Africa, including military and paramilitary police equipment. Denmark said its compliance with the embargo was based on a royal decree on certain measures against South Africa of 1978, as amended in 1982, which included the prohibition of licensing agreements for the manufacture or maintenance of military and paramilitary equipment. Greece said that it strictly enforced the embargo and had no military collaboration with South Africa. Iceland reported that no Icelandic citizen or firm had taken part in any sale or transport of arms to South Africa, which Iceland had banned, in 1969.

Irish legislation on the control of exports was embodied in a 1983 law which empowered its trade minister to approve the export of certain goods, including arms and related goods; since 1963 Ireland had voluntarily observed the embargo on the sale of arms and military equipment to South Africa. Lesotho stated it would not assist or facilitate arms acquisition by South Africa. Mexico had banned the sale of weapons and related equipment to South Africa and did not purchase such military materials originating there. The Netherlands had banned transactions involving military goods for South Africa. By royal decree of 1977, Norway had prohibited export or delivery of war material to South Africa. Saint Lucia said it fully supported the arms embargo. Together with the other Nordic countries, Sweden supported strict compliance with and a strengthening of the embargo, and it had prohibited exports of data processing equipment and related software, cross-

country vehicles and fuel for the South African military or police authorities.

Thailand had issued regulations prohibiting trade with South Africa, which also applied to arms. Concerning the question of legislative measures adopted to uphold the arms embargo, the United States said it observed it fully and co-operated with the Committee established pursuant to the embargo.

China, Czechoslovakia, the German Democratic Republic, Romania, Togo, Turkey, the Ukrainian SSR, the USSR and Yugoslavia said that they had no relations with South Africa. Japan said it had no military co-operation with it and had never extended any kind of nuclear co-operation. The Libyan Arab Jamahiriya said it opposed any relations with the régime.

Communication. On 15 January,(57) Denmark informed the Chairman of the Security Council Committee established by resolution 421(1977)(51) that its police authorities were investigating alleged violations of the arms embargo by a merchant vessel owned by a Danish citizen and the results of the investigations would be reported to the Committee; the owner and others involved in the shipments had been charged with offences against the 1978 royal decree.

Activities of the Council for Namibia. In its June Vienna Declaration and Programme of Action,(30) the Council for Namibia considered the continuing military collaboration with and assistance to South Africa by certain Western States and Israel to be a breach of the arms embargo, and called for all States to observe the 1984 Security Council request that they not import armaments from South Africa.(45)

Action by the Committee on colonial countries. Similarly, the Committee on colonial countries, on 7 August,(33) condemned the continued military, nuclear and intelligence collaboration between South Africa and certain countries, as a violation of the arms embargo and a threat to international peace and security.

Report of the Secretary-General. In December,(58) the Secretary-General reported on the implementation of the 1984 Security Council resolution requesting States not to import South African arms.(45) His report included the responses, some of which were also issued as separate documents, to a letter he had sent a year earlier to Governments. Australia, Belgium, Bolivia, Botswana, Bulgaria, the Byelorussian SSR,(59) Canada, Chile, China,(60) Cuba, Czechoslovakia,(61) Denmark,(62) Ethiopia,(63) the German Democratic Republic,(64) Ghana, Greece, India,(65) Indonesia,(66) Iran,(37) Iraq, Ireland, Luxembourg, Madagascar,(67) Mexico, Mongolia,(68) the Netherlands, New Zealand, Norway, Papua New Guinea, Peru,(69) the Philippines, Qatar, the Syrian

Arab Republic, Sierra Leone, Spain, Suriname, Thailand,(70) Togo, Turkey, Uganda, the Ukrainian SSR,(71) the USSR(72) and the United Kingdom indicated that they complied with the terms of the resolution. Austria intended not to grant any requests to import South African military material. Brunei Darussalam said it did not wish to import arms produced in South Africa. Support was expressed for the implementation of the provisions of the resolution by the Dominican Republic. By ordinances issued in 1983, Sweden had prohibited the import of most arms and military material.(73) The United States enclosed documents detailing its measures taken in compliance with the resolution.

GENERAL ASSEMBLY ACTION

The General Assembly again demanded the immediate application of the mandatory arms embargo by all countries and more particularly by those that maintained military and nuclear co-operation with South Africa and supplied it with related matériel (resolution 40/25). It called on States to implement the embargo fully and to comply with Security Council resolution 558(1984) (requesting States to refrain from importing South African arms),(45) and on the Council to adopt measures to tighten the embargo and to ensure strict compliance (40/97 A). It called for the Council to apply comprehensive mandatory sanctions, including re-enforcing the 1977 mandatory arms embargo, strengthening the 1984 voluntary embargo(45) by making it mandatory and extending it to cover imports of related materials in addition to arms and ammunition, and prohibiting all military and nuclear co-operation. Pending Council action, States were requested to ensure strict implementation of the arms embargo and prohibition of all military and nuclear collaboration. States were also requested to take action against corporations and others that violated the embargo and those involved in supplying South Africa with oil, as well as those who persisted in collaborating with the régime (40/64 A). The Assembly again urged the Council to take steps for the strict implementation of the 1977 and 1984 embargoes and to secure an end to military and nuclear co-operation with South Africa and the import of South African military equipment (40/64 I).

The Assembly requested the Council to conclude its consideration of the 1980 recommendations(50) of its Committee established by resolution 421(1977) with a view to blocking the existing loopholes in the embargo so as to render it more effective, and prohibiting, in particular, nuclear collaboration (40/89 B). In decision 40/415, the Assembly urged that the Council consider, as a matter of urgency, the Committee's 1980 report, which contained recommendations on tightening the arms embargo, and suggested that it adopt further measures to widen

the embargo's scope. The Assembly also called for the scrupulous observance of Council resolution 558(1984).

Economic relations

Activities of the Committee against Apartheid. The Special Committee against Apartheid reported that South Africa was going through a severe recession, which began in 1984 and, as a result of the deterioration of the political environment and other factors, took a downturn in mid-1985.(1) The economic performance could also be attributed to the defiance by the country's growing black trade union movement and the régime's failure to contain the opposition. South Africa's imposition of the state of emergency in mid-1985 led to the loss of international confidence in the economy, sparking the worst financial crisis since South Africa was established in 1948. Major international banks did not renew their short-term lines of credit to the Government, causing the worst devaluation of the rand and prompting the régime to declare a moratorium on debt servicing. Even before this happened, the country's financial system was experiencing difficulties. In May, foreigners sold South African securities worth \$40 million, and another \$70 million was sold in July. The capital flight affected the economy by substantially reducing South Africa's foreign-exchange reserves and causing inflation to rise. To curb the capital flight and to attract more foreign investment, South Africa gradually reduced the prime rate from an all-time high of 25 per cent to 15.5 per cent.

In 1985, of the total foreign trade (\$16.3 billion) excluding gold, arms and oil, South Africa's main trading partners were: the United States, with 21.3 per cent; the United Kingdom, 16.6 per cent; Japan, 16.3 per cent; the Federal Republic of Germany, 16.3 per cent; France, 6.3 per cent; and Italy, 6 per cent. Despite fluctuations in its price, gold remained the most important export; in 1985, it constituted 75 per cent of the aggregate exports. Nevertheless, gold exports were not able to pay for all of South Africa's imports, so the régime continued to rely on international financing. Platinum, coal and iron ore were also important exports. Foreign investments represented approximately 10 per cent of all investments, with the United Kingdom being the largest foreign investor.

Action by the Commission on Human Rights. On 26 February,(9) the Commission on Human Rights called on Governments that had not done so to take measures in respect of their nationals and companies under their jurisdiction that owned and operated enterprises in South Africa and Namibia, in order to stop their activities there. The Commission welcomed the General Assembly's request that the Security Council consider prohibiting loans to, and investments in, South Africa and demanding the cessation of trade with it.

Communication. Australia transmitted to the Secretary-General an 18 April statement by its Foreign Minister,(46) introducing a code of conduct for Australian companies with commercial interests in South Africa; the code was based on the principle of equality of treatment in the work place irrespective of race.

GENERAL ASSEMBLY ACTION

In resolution 40/64 A, the General Assembly called on the Security Council to ban trade with South Africa and, pending such action, requested States to ensure such a ban, particularly on the sale of krugerrands and the import of gold, uranium, coal and other minerals. United Nations organizations were called on to refrain from purchasing South African products, to deny contracts or facilities to corporations collaborating with South Africa and not to invest any money in them, and to prohibit any official travel by South African Airways or South African shipping lines. The Assembly, in resolution 40/64 I, appealed to States, pending mandatory sanctions, to consider national measures to increase pressure on South Africa, such as an end to promoting and supporting trade with it and prohibiting the sale of its coins. In resolution 40/52, the Assembly again called on States to refrain from promoting trade or other economic relations.

Oil embargo

The International Conference of Maritime Trade Unions on the Implementation of the United Nations Oil Embargo against South Africa adopted on 31 October a declaration which was transmitted to the Secretary-General by the Chairman of the Committee against Apartheid.(74) Convened on the initiative of seafarers' and dockers' unions and organized by the Maritime Trade Unions against Apartheid in co-operation with the Committee, the Conference (London, 30 and 31 October) commended those Governments which had supported the United Nations oil embargo and called on others to implement it. It condemned shipowners and shipping management companies (including flag-of-convenience operators), shipping agents and oil companies violating the oil embargo, called for compliance with it, and warned them that, until assurance was received of their compliance, their vessels were liable to trade union action, including boycott.

The Conference resolved that seafarers and port, dock and other transport workers would urge Governments to make it illegal to supply or transport oil to South Africa, and take action against the vessels of companies involved. The Conference requested the United Nations to organize a conference of oil producers and transporters, with the participation of Govern-

ments, shipowners and trade unions, to lay down specific mandatory procedures to make the oil embargo effective.

On 26 February,(9) the Commission on Human Rights welcomed the request of the General Assembly that the Security Council consider an embargo on the supply of petroleum, petroleum products and other strategic goods to South Africa.

The Committee on colonial countries, on 7 August,(32) called on those oil-producing and oil-exporting countries that had not done so to take measures against the companies concerned so as to stop such supplies.

GENERAL ASSEMBLY ACTION

The General Assembly, in resolution 40/64 A, called on the Security Council to apply an embargo on oil and oil products and on all assistance to the oil industry in South Africa, particularly to the oil-from-coal industry. Pending such action, States were requested to ensure prohibition of the supply of oil and oil products as well as related technology. States were also requested to take action against those involved in supplying South Africa with oil and oil products in spite of the embargo. Likewise, in resolution 40/64 I, the Assembly appealed to States, pending the Council's action, to increase pressure on South Africa by ceasing the export and sale of oil to it.

In resolution 40/52, the Assembly called on those oil-producing and oil-exporting countries that had not done so to act against the companies concerned so as to terminate supplies of crude oil and petroleum products to South Africa.

Foreign investments and loans

South Africa's total foreign liabilities, according to the Committee against Apartheid,(1) were around \$60 billion in 1985, two thirds of which was in short-term loans repayable within the year. Loans by United States banks to the South African private sector increased to \$4.2 billion in 1984 from \$1 billion in 1980. United States investments in South Africa totalled approximately \$2.3 billion, around 1 per cent of all United States overseas investment. Seventy per cent of the South African computer industry, 50 per cent of the petroleum industry and 30 per cent of the automobile industry were controlled by United States companies operating in and exporting to South Africa. United Kingdom interests continued to expand in South Africa despite the international campaign for divestment, and its investments were approximately 7 per cent of the total United Kingdom overseas portfolio. Short-term and medium-term South African stocks were marketed in the United Kingdom, and South African business groups were expanding their investments in the United Kingdom.

Citing South African press reports, the Committee said that the profitability of investments in South Africa had declined from 31 per cent in 1980 to 7 per cent in 1982 and to a loss of 9 per cent in 1985. In 1985, United States banks decided not to renew their short-term credit lines to South Africa, which amounted to \$14 billion; British and other Western European banks followed suit. The largest creditors were British banks with a \$5.5 billion exposure, United States banks with a \$4.5 billion exposure and a group of banks from the Federal Republic of Germany, France and Switzerland with an aggregate short-term exposure of \$4 billion to the South African private and public sector.

In October and November, South Africa met with representatives of 30 major banks for negotiations on rescheduling all short-term payments for five years and to start repayment of capital in 1990. On 22 October, the Chairman of the Committee sent a message to Fritz Leutwiler, the mediator of the banks, urging them to refuse the régime's request for an extension of its loans. He appealed for the withdrawal of existing loans and an end to new ones.

The Committee noted with satisfaction that the United Nations Joint Staff Pension Board had divested from corporations operating in South Africa. Acknowledging the contribution made by several United Nations agencies in this regard, it suggested that the General Assembly call on the Secretary-General and the specialized agencies to end any other deposits or investments in, or any contracts with or the provision of facilities to, any banks or corporations operating in South Africa. It recommended that the International Monetary Fund cease all forms of assistance to that country (see p. 150).

The Commission on Human Rights, on 26 February,(9) welcomed the Assembly's request that the Security Council prohibit loans to, and investments in, South Africa.

GENERAL ASSEMBLY ACTION

In resolution 40/64 A, the General Assembly called on the Security Council to prohibit financial loans and credits to and investment in South Africa. Pending that action, States were requested to ensure such prohibition, as well as the withdrawal of investment in South Africa. United Nations organizations were called on to withhold any facilities from or investments of any funds in banks, financial institutions and corporations doing business in South Africa. Pending Council sanctions, the Assembly, in resolution 40/64 I, appealed to States to increase pressure on South Africa by ceasing further investments in and financial loans to it. In resolution 40/52, the Assembly called on States to terminate, or cause to have terminated, any investments in Namibia or loans to South Africa.

SECURITY COUNCIL ACTION

Reacting to the deteriorating situation and repression in South Africa, the Security Council in resolution 569(1985) also urged States to suspend new investment and guaranteed export loans.

Transnational corporations

Commission on TNCs. The Commission on Transnational Corporations, at its eleventh session in April 1985, considered several reports on the activities of TNCs in South Africa and Namibia.(75)

In January, the Secretary-General, responding to a 1984 request of the Economic and Social Council,(76) submitted a report,(77) briefly describing recent economic developments there, with emphasis on direct foreign investment and the involvement of TNCs. The report, which contained a list of TNCs operating in South Africa and Namibia, said South Africa had a relatively open economy in that its exports constituted nearly 30 per cent of its gross domestic product (GDP). The industrial countries were the major buyers of South Africa's merchandise exports, with Western Europe accounting for nearly half of its total export market and the United States for over 15 per cent. Although all exports to South Africa of internationally traded crude oil were under embargo, it was estimated that approximately 15 million tons of crude oil, valued at about \$3 billion, were not reported in world trade statistics because they were sold and shipped to South Africa, whose economy depended heavily on oil imports.

Gold, the most important South African export, accounted for nearly half of total exports and constituted more than 80 per cent of South Africa's international reserves. Other exports were chromite, manganese, platinum, diamonds and maize. Since 1981, weak external demand for non-gold exports, falling international gold prices and severe drought had devastated South Africa's economy, leading to a sharp depreciation of the rand vis-à-vis all major currencies and to a significant acceleration of inflation. Following a weak economic recovery in 1983, the rate of growth of real GDP for 1984 was estimated at 3 per cent, as against 4.75 per cent for the developed market economies for the year. The growth rate of real output was expected to be under 2 per cent in 1985 and business fixed investment was expected to continue to decline in real terms well into the year.

TNCs continued to play a key role, and major divestments in 1983 and 1984 were overwhelmed by the significant and growing presence of several hundred TNCs in the South African economy.

In February, the Secretariat issued a report(78) updating that of 1984(79) on the responsibilities of home countries with respect to TNCs operating in South Africa and Namibia in violation of United Nations decisions. In addition to the measures taken by the United Nations and others, the report analysed

codes of conduct adopted by home countries concerning employment practices of TNCs and found them to have had only limited positive effects. The Secretariat noted that the home countries had in general affirmed their commitment to enforcing the mandatory arms embargo, and some had adopted national legislation to implement it; however, the operations of TNCs in strategic sectors of the South African economy, such as electronics and computers, energy including nuclear energy and petroleum, and machinery and equipment, had continued.

Having considered the reports, the Commission on TNCs adopted a draft resolution on TNCs and their collaboration with South Africa and a draft decision on organization of public hearings on TNC activities, which were then submitted to and subsequently adopted by the Economic and Social Council (see below).

The Commission also continued trying to resolve the main outstanding issues of a draft code of conduct on TNCs (see ECONOMIC AND SOCIAL QUESTIONS, Chapter VII).

Action by the Commission on Human Rights. The Commission on Human Rights, on 26 February,(9) called on Governments that had not done so to take measures in respect of their nationals and the companies under their jurisdiction that owned and operated enterprises in South Africa and Namibia, with a view to stopping their trading, manufacturing and investing activities there. The Commission welcomed the 1984 General Assembly decision(80) to invite the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to continue to update, subject to annual review, the list of banks, TNCs and other organizations assisting South Africa (see ECONOMIC AND SOCIAL QUESTIONS, Chapter XVIII). The Sub-Commission, in August,(81) welcomed the Commission's appeal.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 26 July, the Economic and Social Council, acting on the recommendation of its First (Economic) Committee, adopted resolution 1985/72 by vote.

Activities of transnational corporations in South Africa and Namibia, and collaboration of such corporations with the racist minority régime of South Africa

The Economic and Social Council,

Recalling Security Council resolution 560(1985) of 12 March 1985,

Recalling also General Assembly resolutions 39/72 A to G of 13 December 1984, in particular resolution 39/72 G on concerted international action for the elimination of apartheid,

Reaffirming previous resolutions of the Economic and Social Council on the activities of transnational corporations in South Africa and Namibia and the collaboration of such corporations with the racist minority régime of South Africa,

Having considered the report of the Secretary-General on the activities of transnational corporations in South Africa and Namibia and the collaboration of such corporations with the racist minority régime in that area and the report of the Secretariat on the responsibilities of home countries with respect to the transnational corporations operating in South Africa and Namibia in violation of the relevant resolutions and decisions of the United Nations,

Noting with grave concern the deterioration of the situation in South Africa as evidenced by the recent increased brutality, indiscriminate killings and mass arrests of innocent persons, including children, by the authorities of the racist minority régime of South Africa,

Regretting that the inflows of foreign direct investment to South Africa have risen significantly in recent years,

Affirming the need for intensified action at the international level by all Governments and non-governmental organizations, including trade unions, academic institutions, parliamentarians and public officials in various countries,

1. Takes note of the report of the Secretary-General on the activities of transnational corporations in South Africa and Namibia and the collaboration of such corporations with the racist minority régime in that area, in particular the list of transnational corporations operating in that area, and the report of the Secretariat on the responsibilities of home countries with respect to the transnational corporations operating in South Africa and Namibia in violation of the relevant resolutions and decisions of the United Nations;

2. Condemns the racist minority régime of South Africa and its brutal perpetuation of the inhuman system of apartheid and the illegal occupation of Namibia;

3. Reaffirms that the activities of transnational corporations in South Africa reinforce the racist minority régime in its perpetuation of the system of apartheid and its illegal occupation of Namibia;

4. Notes with appreciation the actions of those non-governmental organizations and academic institutions that have exerted pressure on transnational corporations collaborating with the racist minority régime for disinvestment of their assets and the proposals for legislative and other regulatory measures put forward by some parliamentarians and other public officials in various countries with a view to terminating the activities of transnational corporations in South Africa and Namibia, and requests the Secretariat to transmit the text of the present resolution to all such organizations, parliamentarians and public officials;

5. Welcomes as a positive first step the measures taken by certain home countries of transnational corporations to place restrictions on further investments in South Africa and on bank loans to the racist minority régime;

6. Urges all transnational corporations to terminate their investments in South Africa and to end all forms of collaboration with the racist minority régime;

7. Reaffirms Security Council resolution 301(1971) of 20 October 1971, in which the Council called upon States to abstain from entering into economic relations with South Africa in respect of Namibia and declared that rights, titles or contracts granted to individuals or corporations by South Africa after the termination of the Mandate were not subject to protection or espousal by their States against the claims of a future lawful Government of Namibia;

8. Invites all States, non-governmental organizations and all transnational corporations operating in South Africa and Namibia to co-operate with the United Nations in organizing public hearings on the activities of transnational corporations in South Africa and Namibia so as to facilitate the conduct of fair, objective and balanced hearings on such activities with regard to the topics set out in Economic and Social Council resolution 1982/70 of 27 October 1982;

9. Requests the Secretary-General:

(a) To continue the useful work of the Secretariat on the activities of transnational corporations in South Africa and Namibia through the collection and dissemination of information;

(b) To provide more detailed information on the profiles of transnational corporations operating in South Africa and Namibia;

(c) To update, for submission to the Commission on Transnational Corporations at its twelfth session, the report of the Secretary-General on the activities of transnational corporations in South Africa and Namibia and the report of the Secretariat on the responsibilities of home countries with respect to the transnational corporations operating in South Africa and Namibia in violation of the relevant resolutions and decisions of the United Nations.

Economic and Social Council resolution 1985/72

26 July 1985 Meeting 52 35-2-8

Approved by First Committee (E/1985/146) by vote (34-2-8), 24 July (meeting 28); draft by Commission on TNCs (E/1985/28); agenda item 9.

Paragraphs 3 and 6 were approved by the Committee by votes of 28 to 5, with 8 abstentions, and of 28 to 3, with 10 abstentions, respectively. In the Council, paragraph 3 was adopted by a roll-call vote, requested by Zimbabwe, of 32 to 5, with 9 abstentions, and paragraph 6 was adopted by 32 votes to 3, with 10 abstentions.

In explanation of vote, Sweden, also on behalf of Finland and Iceland, said they had voted in favour of the draft but abstained in the vote on the paragraphs because their wording went beyond what the delegations could currently endorse. For similar reasons, Spain voted against paragraph 3 and abstained on the text as a whole. Luxembourg, speaking also on behalf of France, the Federal Republic of Germany, the Netherlands and the United Kingdom, said they had been unable to support the draft; they remained convinced that the progress made by European firms in applying the provisions of the EC Code of Conduct would contribute to solving the apartheid problem, thus encouraging, by means of existing economic relations, the possibility of a peaceful change in South African society.

Hearings on TNC activities
in South Africa and Namibia

The Ad Hoc Committee on the Preparations for the Public Hearings on the Activities of TNCs in South Africa and Namibia met from 16 to 18 January and on 14 and 15 February 1985,(82) and submit-

ted to the Commission on TNCs revised guidelines on the organization of the hearings as well as suggestions as to persons and organizations to be invited. The Committee recommended that the hearings should identify measures to bring about the eradication of apartheid and the cessation of South Africa's occupation of Namibia; promote greater awareness of the support by TNCs for South Africa and its apartheid system; and endeavour to identify TNCs involved in such collaboration and seek divestment of their investments in South Africa and Namibia. The recommendations were approved by the Economic and Social Council by decision 1985/127 of 28 May.

Also in accordance with the Committee's recommendations, the Secretary-General and the Chairman of the Commission jointly appointed an 11-member Panel of eminent international personalities to conduct the hearings. The hearings were held in New York from 16 to 20 September and the Panel, which reconvened on 10 and 11 October to consider its report, submitted its unanimously adopted report and recommendations to the Commission.(83)

In preparation for the hearings, the Centre on TNCs prepared reports issued by the Secretary-General on measures regarding TNC activities in South Africa and Namibia,(84) TNC activities and operations in South Africa and their contribution to apartheid,(85) the role of TNCs in the military and nuclear sectors of South Africa and Namibia(53) (see p. 142), employment practices of TNCs and their socio-economic impact, including effects on housing and family life-styles,(86) and TNC activities in Namibia(87) (see TRUSTEESHIP AND DECOLONIZATION, Chapter III).

In the first of the reports,(84) the Centre provided a compilation of action proposed in resolutions of the United Nations and other intergovernmental organizations, and legislation adopted by Member States, as well as measures by institutional investors (such as colleges, universities and pension funds), NGOs and TNCs. They included measures restricting economic, military and nuclear collaboration, and steps to establish an oil embargo. The Centre, in the second report,(85) described the role of TNCs in the South African economy and its key sectors (the automotive industry, banking, energy, mining, chemicals and electronics), assessed the importance of foreign investment in the economy, and discussed whether disinvestment or continued involvement of TNCs in South Africa would bring more rapid progress towards eradication of apartheid.

The report on TNC employment practices(86) reviewed the situation regarding the terms and conditions of employment of the black majority, pointing to measures by the Government to control the market for them. It also examined the codes of conduct that had been formulated in certain home countries to improve the terms and conditions of employment

for black workers employed by South African affiliates of companies based in those home countries (EC, Australia, Canada and the United States had put forward such codes), and the employment practices in Namibia, where the codes did not apply. The Centre concluded that the impact of the employment practices of TNCs in South Africa, even where they had sought to improve the socio-economic conditions of the black majority, had been marginal at best. Ultimately, an assessment of the impact of TNCs would have to go beyond employment practices and focus on their contribution to the survival of apartheid. In Namibia, pressure from the home countries had compelled some TNCs, particularly the three large mining corporations operating there, to make concessions to black labour, including greater trade union freedom, better wages and improvements in housing, training and job advancement.

In preparation for the hearings, the Secretary-General outlined, in April,(88) a publicity programme to promote greater awareness on the part of Governments, particularly those of home countries of TNCs operating in South Africa and Namibia, of the support by TNCs to South Africa and apartheid.

The Panel determined that there were 1,068 TNCs operating in South Africa, 406 of them based in the United States, 364 from the United Kingdom, 142 from the Federal Republic of Germany and the remaining 156 from 16 other States or territories. TNCs transferred capital and technology to South Africa, provided markets for its exports and supplied imports, making a major contribution to its economy. Within South Africa, TNCs accounted for approximately one tenth of the country's capital stock and up to a quarter of its GDP.

While recognizing the steps that the business community had made to promote change, the Panel did not consider that the actions matched their public condemnation of apartheid. It recommended that all TNCs producing for the military, police and security sector disinvest immediately and that the mandatory arms embargo (see p. 144) be expanded to include dual-use items—items serving military and civilian purposes. The Panel also recommended that: all nuclear co-operation with South Africa and Namibia be prohibited; TNCs refuse to comply with South African legislation providing for the establishment of company militia that could be put under the authority of the Government; the voluntary oil embargo be made mandatory; loans to and investment in South Africa be banned; multilateral financial arrangements be conditional on the abolition of apartheid; new licensing of technology be banned; and imports of South African gold be prohibited. The Panel also recommended that TNCs remain-

ing in South Africa adhere to certain standards of behaviour, such as not supplying the security forces with equipment that could be used to enforce apartheid. TNCs were urged to desegregate all work facilities, apply the principle of equal pay and benefits, allow their workers to live permanently with their families and ensure housing for all workers within a reasonable distance of the workplace, and pay an acceptable minimum wage. In addition, the Panel made suggestions for implementing its recommendations, monitoring the situation and follow-up to its report. The Secretary-General was called on to assume overall responsibility for monitoring the implementation, and the United Nations was urged to publicize a list of TNCs that did not comply.

GENERAL ASSEMBLY ACTION

By decision 40/433 of 17 December, the General Assembly noted that the Commission on TNCs and the Economic and Social Council would in 1986 consider the Panel's recommendations and propose appropriate action.

In resolution 40/64 A, the Assembly condemned the activities of those TNCs and financial institutions that had continued collaborating with South Africa ignoring repeated Assembly appeals. By resolution 40/52, it condemned the TNCs which continued their investments in, and supply of armaments and oil and nuclear technology to, South Africa. The Assembly, in resolution 40/27, took note of the report of the Group of Three of the Commission on Human Rights, established in accordance with the 1973 International Convention on the Suppression and Punishment of the Crime of Apartheid,(89) and drew the attention of all States to the Group's opinion that article III of the Convention could apply to the actions of TNCs operating in South Africa.

IMF and World Bank relations with South Africa

In 1985, several United Nations bodies called on the International Monetary Fund (IMF) and the World Bank to terminate relations with South Africa.

On 26 February,(9) the Commission on Human Rights urgently requested all specialized agencies, particularly IMF and the World Bank, to refrain from granting any financial aid to South Africa.

The Committee on colonial countries took similar action on 16 May(31) and 9 August,(90) as did the Council for Namibia in its 7 June(30) Vienna Declaration and Programme of Action. The Committee regretted that the World Bank and IMF continued to maintain links with Pretoria, as exemplified by the participation of South Africa in the work of both agencies, and called on IMF to end such collaboration and not to grant new loans. The Committee recommended that the Assembly reiterate its proposal, under the Agreement between the

United Nations and IMF, for the inclusion in the agenda of the IMF Board of Governors of an item on the IMF-South Africa relationship; the Fund was urged to discuss the subject in September 1985 and to report to the Secretary-General on any action.

The Committee's concerns and recommendations were incorporated into General Assembly resolution 40/53 and resolution 40/64 A, by which it called on IMF to terminate credit and other assistance to South Africa. It took similar action in resolution 40/97 A, calling on all specialized agencies, in particular IMF, to terminate collaboration with, and assistance to, South Africa, since such assistance served to augment its military capability, thus enabling it not only to continue the repression in Namibia and South Africa but also to commit aggression against neighbouring States.

Similarly, in resolution 1985/59, the Economic and Social Council deplored the persistent collaboration of IMF with South Africa and urgently called on the Fund to put an end to it.

Israel-South Africa relations

The Special Committee against Apartheid, in October 1985,⁽⁴⁾ described recent developments concerning relations between Israel and South Africa. It said that over the previous 10 years, there had been increasing collaboration which threatened peace and security in southern Africa, the Middle East and the rest of the world; the two countries had always concealed the extent of their relationship and particularly their nuclear and military collaboration.

Since 1977, when the South African Prime Minister had visited Israel, officials of the two countries had frequently exchanged visits, including a November 1984 visit of the South African Foreign Minister to Israel for consultations with the Prime Minister and his Israeli counterpart.

Nuclear collaboration had been reported since 1977 when South Africa was spotted preparing a nuclear-test site in the Kalahari desert. Israel helped South Africa develop the technical expertise for nuclear weapons, and there was evidence that they had tested a nuclear bomb on 22 September 1979 in the South Atlantic. As for military collaboration, Israel supplied arms and ammunition, served as a conduit for arms supplies to South Africa and assisted in developing South Africa's arms industry. Although accurate statistics were unavailable, it appeared that South Africa had been acquiring as much as 35 per cent of Israeli arms exports in recent years, including gunboats and missiles.

Israeli-South African economic co-operation was increasing, and bilateral trade (excluding oil, arms, gold and diamonds) reached a record 280

million rand in the first 11 months of 1984, according to the South African press. South African investment in Israel also increased in spite of an economic crisis in Israel. Israel was one of the few countries that maintained political, military, economic and cultural relations with the bantustans; in 1984, for example, Ciskei opened the first of six Israeli factories due to be set up there.

The Committee called for international action against the collaboration, in particular the military and nuclear co-operation. It recommended to the General Assembly that there should be closer co-operation between the Department of Public Information and the Centre against Apartheid in disseminating information on that collaboration. It also recommended to the Assembly that all States, particularly Western ones, withhold assistance that enhanced collaboration between Israel and South Africa.

GENERAL ASSEMBLY ACTION

On 10 December, the General Assembly adopted resolution 40/64 E by recorded vote.

Relations between Israel and South Africa

The General Assembly,

Reaffirming its resolutions on relations between Israel and South Africa,

Having considered the special report of the Special Committee against Apartheid on recent developments concerning relations between Israel and South Africa,

Noting with appreciation the efforts of the Special Committee to expose the increasing and continuing collaboration between Israel and South Africa,

Reiterating that the increasing collaboration by Israel with the racist régime of South Africa, especially in the military and nuclear fields, in defiance of resolutions of the General Assembly and the Security Council is a serious hindrance to international action for the eradication of apartheid, an encouragement to the racist régime of South Africa to persist in its criminal policy of apartheid and a hostile act against the oppressed people of South Africa and the entire African continent and constitutes a threat to international peace and security,

1. Commends the Special Committee against Apartheid for publicizing the growing relations between Israel and South Africa and promoting public awareness of the grave dangers of the alliance between Israel and South Africa;

2. Again strongly condemns the continuing and increasing collaboration of Israel with the racist régime of South Africa, especially in the military and nuclear fields;

3. Demands that Israel desist from and terminate all forms of collaboration with South Africa forthwith, particularly in the military and nuclear fields, and abide scrupulously by the relevant resolutions of the General Assembly and the Security Council;

4. Calls upon all Governments and organizations in a position to do so to exert their influence to persuade Israel to desist from such collaboration;

5. Requests the Special Committee to continue to publicize, as widely as possible, information on the relations between Israel and South Africa;

6. Again requests the Secretary-General to render, through the Department of Public Information and the Centre against Apartheid of the Secretariat, all possible assistance to the Special Committee in disseminating information relating to the collaboration between Israel and South Africa;

7. Further requests the Special Committee to keep the matter under constant review and to report to the General Assembly and the Security Council as appropriate.

General Assembly resolution 40/64 E

10 December 1985 Meeting 111 102-20-30 (recorded vote)

51-nation draft (A/40/L.30 & Corr.2); agenda item 35.

Sponsors: Afghanistan, Algeria, Angola, Benin, Burkina Faso, Burundi, Byelorussian SSR, Comoros, Cuba, Democratic Yemen, Djibouti, Egypt, Equatorial Guinea, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran, Iraq, Kenya, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Sudan, Syrian Arab Republic, Tunisia, Uganda, Ukrainian SSR, United Republic of Tanzania, Viet Nam, Yugoslavia, Zambia, Zimbabwe.

Financial implications. 5th Committee, A/40/1022; S-G, A/C.5/40/76.

Meeting numbers. GA 40th session: 5th Committee 58; plenary 51-57, 111.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cape Verde, Central African Republic, Chad, China, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Grenada, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, New Zealand, Norway, Sweden, United Kingdom, United States.

Abstaining: Bahamas, Barbados, Belize, Burma, Cameroon, Chile, Colombia, Costa Rica, Dominican Republic, Equatorial Guinea, Fiji, Greece, Guatemala, Honduras, Ivory Coast, Jamaica, Japan, Liberia, Malawi, Nepal, Panama, Portugal, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Solomon Islands, Spain, Swaziland, Uruguay, Zaire.

Israel said the false accusation of its support for apartheid was propagated by Arab States, which enjoyed immunity from public exposure of their trade with South Africa; according to Israel, Arab oil exports to South Africa reached \$2.2 billion per year.

Costa Rica, stating that it would have voted against paragraphs 2 and 3, had separate votes been taken, did not favour singling out specific States in connection with situations where others were co-operating with South Africa. Austria and Ireland also opposed selective singling out of one Member State for condemnation. The United States agreed, adding that many African countries continued to co-operate with South Africa, especially in trade matters.

The Assembly took related action in resolution 40/64 A, requesting the Committee against Apartheid to keep the matter of collaboration between South Africa and Israel under review and to report to the

Assembly and the Security Council as appropriate. In resolution 40/25, the Assembly denounced the collusion between the two and expressed support for the Declaration of the 1983 International Conference on the Alliance between South Africa and Israel.(91) By resolution 40/168 A, it condemned the increasing collaboration, especially in the economic, military and nuclear areas, which constituted a hostile act against the African and Arab States. The Assembly's condemnation of the continuing nuclear collaboration between the two countries was restated in resolution 40/93.

Situation in South Africa

Activities of the Committee against Apartheid. South Africa's repression of the oppressed people increased dramatically in 1985 as the Government attempted to suppress the growing resistance to apartheid. According to the Special Committee against Apartheid,(1) the régime resorted to large-scale killings, detained thousands of people and subjected scores of its leading opponents to political trials in order to destroy opposition organizations. In February, South Africa attempted forcibly to remove thousands of blacks from Crossroads township near Cape Town to the newly created black township, Khayelitsha, situated in sand dunes several miles away. At least 23 people were killed and more than 200 injured when police fought with demonstrators protesting the removal of 65,000 inhabitants. Forced removals continued, and the Government announced in September that 42,000 blacks would be forcibly moved to the bantustan of KwaZulu.

South Africa deployed the army in and around 36 black townships and declared a state of emergency on 21 July. About 700 people were killed in clashes with the security forces. Deaths in detention and the torture of detainees continued, and assassinations, disappearances and banning of meetings were intensified. South Africa continued its policies of bantustanization (confining the homes of black people to certain areas known as bantustans), forced population removals and influx control under the "pass laws". Resistance to apartheid grew after the imposition in 1984 of the so-called new constitution,(7) under which the black majority was ignored in the new parliamentary procedures and merely advisory and segregated chambers were created for the so-called coloureds (South Africa's term for people of mixed race) and those of Indian origin.

The state of emergency did not bring peace or restore order, but heightened the unrest. By that proclamation, the Government gave unlimited powers to the army and the police in 36 magisterial districts to enter homes and search without warrant, detain persons, declare curfews and shoot at will. No one was allowed to enter or leave a township proclaimed a "demarcated area". The Commissioner

of Police was empowered to impose total press censorship, and the police were allowed to seize property and move people from one location to another. Within six weeks of the proclamation, over 2,500 persons were detained and over 140 were killed. Despite the international protest, South Africa continued its repression of opponents of apartheid, including arrests, detentions and killings. Furthermore, in July South Africa banned outdoor funerals for victims of black unrest and forbade political speeches at the funerals, the last remaining legal forum for black meetings.

On 15 August, President P. W. Botha made a policy speech, confirming the régime's intention of not only perpetuating but further entrenching the apartheid system. He rejected the principle of one person, one vote and political rights for blacks in a democratic and unitary State, and threatened stronger measures against opponents of apartheid. With regard to the question of citizenship, he described the Government's intention of considering dual citizenship for blacks in the so-called "independent homelands" or bantustans and South African citizenship for all other blacks who would "be accommodated within political institutions" within South Africa. Mr. Botha did not, however, define those institutions other than referring to "participation in institutions on a regional and/or group basis". According to the Committee, this statement meant that blacks were expected to become South African citizens but without full citizenship and political rights. The statement was deplored even by South Africa's trading partners and friends. On 16 August, the Secretary-General stated that his concerns had not been allayed by the President's speech, which did not address the main issues raised in Security Council resolution 569(1985) (see p. 158).

In addition to police and army violence, the assassination and disappearance of apartheid opponents increased. Three leaders of the Port Elizabeth Black Civic Organization, an affiliate of the United Democratic Front (UDF), disappeared on their way to the airport in May. On 26 June, eight young Africans, most of them members of the Congress of South African Students, were killed in suspicious circumstances in three townships near Johannesburg. Also in June, four leading anti-apartheid activists and UDF members left Port Elizabeth by car but never arrived at their destination. UDF claimed that 27 of its members had disappeared in mysterious circumstances and that 11 others were assassinated. In August, riot police hurled tear-gas grenades into the house of Winnie Mandela, wife of ANC leader Nelson Mandela, who had been imprisoned for more than 20 years. Later, her house was burnt down during the night, an act she said was the work of the security forces. (The Committee against Apartheid

collected \$116,450 from countries and individuals for Mrs. Mandela and presented it to the Secretary-General on 30 October.) Under the state of emergency, hundreds of schoolchildren, some as young as eight years old, were arrested and taken to court on charges of boycotting their schools.

In October, police hid in containers on the back of a decoy truck and shot dead three youths in Athlone township, Cape Town. The next month they killed 19 people, including a baby, in Mamelodi township of Pretoria, when they fired on a crowd of women.

Resistance reached a new level, with blacks starting to boycott white-owned shops, and school boycotts by black students continued. The campaign to boycott the elections to the coloured and Indian Houses of Parliament was effective—as a result, only 17 per cent of the electorate voted and the régime-instituted local government system in African townships collapsed after many councillors resigned and several others were killed. Other anti-apartheid actions included rent and bus-fare strikes. From September 1984 to May 1985, about 1,500 cases of violent demonstrations took place, according to the police.

In March, a three-month ban, later extended to the end of the year, was imposed on all meetings by 28 organizations.

To ease domestic and international pressures for change, the Government announced its intention to consider so-called reforms, repealed some discriminatory laws of no real consequence to blacks and made a policy statement reaffirming its commitment to apartheid. After opening the new tricameral Parliament in January, the President announced his intention to establish an "informal" forum for blacks, who were excluded from the Parliament. Later, the régime repealed the Prohibition of Mixed Marriages Act and legislation which prohibited political parties from recruiting members of more than one racial group. Despite the change in the marital law, the lives of those involved would not be improved since, by law, a husband and wife of different races could not live in the same place and the schooling of the children would still be governed by other apartheid laws.

On 24 July, the Committee against Apartheid issued a statement drawing the attention of Governments and organizations to the explosive situation in South Africa and the need for urgent action by the international community. It condemned the imposition of a state of emergency as a desperate act by the apartheid régime, which had been unable to control rising popular resistance against oppression despite continuous killings and arrests. The constitutional fraud had only led, in the previous two years, to a greater mobilization of the people against the Government. The respon-

sibility for the loss of life rested not only on the Pretoria régime, but also on those Powers that had continued to hinder international action to force it to abandon apartheid and repression, abrogate the racist Constitution and negotiate with the genuine leaders of the people for the establishment of a democratic State. In view of the situation, the United Nations had a responsibility to take all necessary action under the Charter to avert a wider conflict. As a first step, the Security Council must demand that South Africa end the state of emergency, cease its police and military terror, release all detainees, abrogate the Constitution and comply with United Nations resolutions. The Committee urged all Governments and organizations to exert their influence on those Governments, particularly the United States and the United Kingdom, that had frustrated attempts to impose sanctions.

Action by the Commission on Human Rights and its subsidiary bodies. The Commission on Human Rights, in a 26 February resolution(93) on human rights violations in South Africa (see ECONOMIC AND SOCIAL QUESTIONS, Chapter XVIII), condemned apartheid, the bantustanization policy, the forced removals of the black population, the policy of denationalization, the suppression of apartheid opponents, the use of violence in dealing with protests, and the inferior quality of education for blacks. It reaffirmed its rejection of the so-called constitutional arrangements in South Africa, as they served to perpetuate apartheid and denied the black population their full citizenship rights. The Commission called on South Africa to respect international standards on trade union rights in respect of black trade unions and to desist from maltreating black trade union leaders.

In related action, the Commission's Ad Hoc Working Group of Experts on southern Africa reported on allegations of infringements of trade union rights in South Africa, and, by resolution 1985/43, the Economic and Social Council took action on those rights.

Also on 26 February,(8) the Commission again rejected the so-called new constitution as null and void. It condemned South Africa for its repression, torture and killing of workers, schoolchildren and other opponents of apartheid, the imposition of death sentences on freedom fighters (see p. 163), and the policy of bantustanization.

The Sub-Commission on Prevention of Discrimination and Protection of Minorities, on 30 August,(94) condemned South Africa for the terrorism carried out to suppress the mass movement for the human rights of the black majority and demanded the immediate lifting of the state of emergency and the cessation of brutality by South African police and military forces.

SECURITY COUNCIL ACTION (March)

In 1985, as tension in South Africa mounted, the Security Council took action by adopting two resolutions—resolution 560(1985), on 12 March, and the second, resolution 569(1985), on 26 July—on the question of South Africa. In addition, the Council issued two statements—on 22 March and 21 August—expressing alarm at the continuing deterioration of the situation.

Egypt, on behalf of the Group of African States, on 28 February,(95) requested the President of the Council to convene a meeting to consider the situation in South Africa resulting from the murder of demonstrators protesting forced removals, the arrests and high treason charges against UDF officials and the continued repression. At the two meetings held, on 8 and 12 March, the Council invited, at their request, Democratic Yemen, Guinea, South Africa, the Syrian Arab Republic, the United Republic of Tanzania and Viet Nam to participate, without the right to vote, in the discussion. The Council also invited, under rule 39a of its provisional rules of procedure, the Acting Chairman of the Special Committee against Apartheid.

South Africa said that the convening of the Council contravened the provisions of the United Nations Charter which precluded intervention in a Member State's domestic affairs. The February events at Crossroads township occurred because population drift to the cities had resulted in squatter camps and their concomitant problems, and, instead of bulldozing the camps or consigning the squatters to so-called re-education camps, as had been done elsewhere, South Africa was trying to alleviate the inhabitants' problems in a compassionate way through an urban renewal programme and orderly development. Those arrested were subject to due legal process and were arrested not for their political beliefs but for specific acts committed in contravention of the law.

Most speakers condemned the so-called constitutional reforms, massive repression, arbitrary arrests, detention without trial, killings and the forced removal of the inhabitants of Crossroads and other black townships. They were Australia, Burkina Faso, China, Democratic Yemen, Denmark, Egypt, Guinea, India, Madagascar, Peru, Thailand, Trinidad and Tobago, the Ukrainian SSR, the USSR and the United Republic of Tanzania. France, Madagascar and Thailand saw the forced removals as part of the policy of bantustanization.

Guinea, speaking for the African Group, condemned any collusion with the South African

⁹⁵Rule 39 of the Council's provisional rules of procedure states: "The Security Council may invite members of the Secretariat or other persons, whom it considers competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence."

régime. India stated that the Co-ordinating Bureau of the Movement of Non-Aligned Countries had met urgently on 6 March in New York and had condemned South Africa's actions of forced removal of defenceless people and called on the Council to implement its resolutions pertaining to apartheid. China fully supported the Non-Aligned Movement's position. Stating that in addition to the 4 million people already banished to the homelands, some 2 million more were threatened with being uprooted, the United Republic of Tanzania called for action under Chapter VII of the Charter. Democratic Yemen, the Ukrainian SSR and the USSR also called for such action. According to Trinidad and Tobago, those with influence over South Africa ought not only to indicate their disapproval of the régime's policies but to pressure it to ensure an end to apartheid.

Australia hoped that recent statements of the South African Government concerning its intention to give leasehold rights to black people would be carried out. Egypt stressed that South Africa must withdraw the charges of high treason against UDF officials. While expressing disappointment at South Africa's statement, especially in view of the universal condemnation of its actions at Crossroads, the United Kingdom took heart at what it said were some significant developments taking place in South Africa, particularly the recent speech by its President indicating greater flexibility and commitment to a fuller dialogue between the Government and black opinion there. Denmark said the President's speech did not correspond with the latest wave of violence. Burkina Faso saw nothing in the current attitude of the Pretoria Government to suggest any hope of evolution in South Africa's internal situation.

The Acting Chairman of the Special Committee against Apartheid read a message from Bishop Desmond Tutu, who hoped that the Council would express abhorrence of South Africa's reactions to peaceful opposition and urged the Council not to remain indifferent to the serious threat to peace.

On 12 March, the Council unanimously adopted resolution 560(1985).

The Security Council,

Recalling its resolutions 473(1980), 554(1984) and 556(1984), which, *inter alia*, demanded the cessation of the uprootings, relocation and denationalization of the indigenous African people,

Noting with deep concern the aggravation of the situation in South Africa resulting from repeated killings of defenceless opponents of apartheid in various townships all over South Africa and, most recently, the killing of African demonstrators against forced removals at Crossroads,

Gravely concerned by the arbitrary arrests of members of the United Democratic Front and other mass organizations opposed to the apartheid régime,

Deeply concerned by the perpetration of charges of "high treason" on Mrs. Albertina Sisulu, Mr. Archie Gumede,

Mr. George Sewpershad, Mr. M. J. Naidoo, the Reverend Frank Chikana, Professor Ismael Mohammed, Mr. Mewa Ramgobin, Mr. Cassim Saloojee, Mr. Paul David, Mr. Essop Jasset, Mr. Curtis Nkondo, Mr. Aubrey Mokoena, Mr. Thomazile Qweta, Mr. Sisa Njikelana, Mr. Sam Kikine and Mr. Isaac Ngcobo, officials of the United Democratic Front and other opponents of apartheid for their participation in the non-violent campaign for a united non-racial and democratic South Africa,

Aware that racist South Africa's intensified repression and charges of "high treason" against leading opponents of apartheid constitute an effort further to entrench racist minority rule,

Concerned that repression further undermines the possibilities of a peaceful solution of the South African conflict,

Concerned over racist South Africa's policy of the uprooting, denationalization and dispossession of three and a half million indigenous African people to date, thus swelling the ranks of the other millions already doomed to permanent unemployment and starvation,

Noting with indignation that South Africa's policy of ban-tustanization is also aimed at the creation of internal bases for the fomenting of fratricidal conflict,

1. Strongly condemns the Pretoria regime for the killing of defenceless African people protesting against their forced removal from Crossroads and other places;

2. Strongly condemns the arbitrary arrests by the Pretoria régime of members of the United Democratic Front and other mass organizations opposed to South Africa's policy of apartheid;

3. Calls upon the Pretoria régime to release unconditionally and immediately all political prisoners and detainees, including Nelson Mandela and all other black leaders with whom it must deal in any meaningful discussion of the future of the country;

4. Also calls upon the Pretoria régime to withdraw the charges of "high treason" instituted against the United Democratic Front officials, and calls for their immediate and unconditional release;

5. Commends the massive united resistance of the oppressed people of South Africa against apartheid, and reaffirms the legitimacy of their struggle for a united, non-racial and democratic South Africa;

6. Requests the Secretary-General to report to the Security Council on the implementation of the present resolution;

7. Decides to remain seized of the matter.

Security Council resolution 560(1985)

12 March 1985 Meeting 2574 Adopted unanimously

6-nation draft (S/17013/Rev.1).

Sponsors: Burkina Faso, Egypt, India, Madagascar, Peru, Trinidad and Tobago. Meeting numbers. SC 2571, 2574.

Speaking after the vote, the United States, stressing its abhorrence of apartheid and the need for change in South Africa, expressed reservations on formulations in the resolution which, it felt, prejudged the South African judicial process and neglected to call for observance of judicial due process, including speedy trial and access to legal counsel; it also regretted the deviations from language proper to a Council resolution.

As the situation continued to deteriorate in South Africa, the President of the Council, on 22 March, issued the following statement:(96)

“The members of the Security Council have entrusted me to express on their behalf their grave concern over the rapid deterioration of the situation in South Africa resulting from the spate of violence against defenceless opponents of apartheid throughout the country and most recently in the town of Uitenhage on 21 March 1985, where the South African police opened fire on innocent people proceeding to a funeral, killing and wounding scores of them.

“The members of the Council strongly deplore such acts of violence, which can only further aggravate the situation in South Africa and make more difficult the search for a peaceful solution of the South African conflict.

“The members of the Council recall the provisions of resolution 560(1985), adopted unanimously on 12 March 1985, in which the Council noted with deep concern the intensification of repression in South Africa, commended the massive united resistance of the oppressed people of South Africa against apartheid, and reaffirmed the legitimacy of their struggle for a united, non-racial and democratic South Africa.

“The members of the Council urge the Government of South Africa to end violence and repression against the black people and other opponents of apartheid and to take urgent measures to eliminate apartheid.”

Referring to the Council President's statement, South Africa, in a letter to the Secretary-General of 22 March,(97) expressed regret at the loss of life resulting from the 21 March events. It said the organizers of the march, on the anniversary of the Sharpeville incidents, bore heavy responsibility for what occurred. Describing the sequence of events, South Africa said a 19-man police unit had fired in self-defence after trying to halt the unlawful march of some three to four thousand people, armed with stones, petrol bombs and bricks. The President had appointed a commission to investigate the incident.

SECURITY COUNCIL ACTION (July/August)

On 24 July, France, concerned at the continuance and worsening of the human suffering in South Africa, requested that the Council convene immediately.(98) The next day, Mali, on behalf of the African Group, made a similar request.(99) The Council debated the question at three meetings, on 25 and 26 July; at their request, it invited the Central African Republic, Cuba, Ethiopia, the German Democratic Republic, Kenya, Mali, Senegal, South Africa, the Syrian Arab Republic, Yugoslavia and Zaire to participate without vote. It also invited, under rule 39 of the provisional rules of procedure,^b the Chairman of the Special Committee against Apartheid.

During the debate, Burkina Faso, Egypt, India, Madagascar, Peru and Trinidad and Tobago submitted an amendment⁽¹⁰⁰⁾ to a revised draft resolution sponsored by Denmark and France, which was eventually adopted as resolution 569(1985). By the proposed amendment, a paragraph would have been inserted, after paragraph 5, by which the Council would have warned South Africa that failure to eliminate apartheid would compel it to consider measures under the United Nations Charter, including Chapter VII, as additional pressure to ensure compliance with United Nations decisions. The amendment was not adopted, owing to the negative votes of two permanent members of the Council. The vote was 12 to 2 (United Kingdom, United States), with 1 abstention (France).

France believed that the provisions of Chapter VII of the Charter did not apply to the question before the Council.

Speaking on behalf of the amendment's sponsors, Burkina Faso regretted that permanent members had weakened the Council's position by sending Pretoria a false message.

Addressing the Council, South Africa said it was committed to political reform which would involve all the South African communities, was seeking to create structures of government without domination, and was ready to negotiate with representatives of black opinion to find an equitable solution satisfying the reasonable aspiration of all its peoples. South Africa urged that violence be forsworn as a means to achieve political ends. The unrest was intended to frustrate the reform process, and moderate black leaders were being intimidated by acts of assassination, murder, arson and threats to their lives to prevent their becoming involved in the negotiating process. The emergency measures were introduced to protect the lives and property of blacks and they would be lifted as soon as the violence diminished.

Nearly all speakers condemned the imposition of the state of emergency and said it only added to the tension and further violence. Many—including Australia, Cuba, Denmark, France, Mali (for the African Group) and the United Kingdom—said that the root cause of the tension was the apartheid system which must be eliminated. Australia said the introduction of the state of emergency had revealed how far South Africa was prepared to go to shore up the apartheid system; that situation would not provide a permanent end to violence but would more likely encourage people to feel that the only way to achieve progress was through confrontation. Thailand said the state of emergency would aggravate the sufferings of the black majority and exacerbate tension as well as

^bSee footnote a on p. 154.

threaten international peace and security. For India, the state of emergency amounted to a declaration of war on the oppressed. In China's view, the double tactic of deception and suppression exposed further the false nature of so-called reforms by South Africa, which was only trying to defend the apartheid system. The genocide of South African blacks had to be stopped, Cuba said, and there had to be a united effort to bring about the final elimination of apartheid.

Madagascar believed the state of emergency was intended to legalize the terror perpetrated by South Africa's forces, and reflected the disarray of the régime in the face of the increasing turbulence and the growing fervour of the demonstrators. Asserting that the non-aligned countries had consistently called for the elimination of apartheid, Yugoslavia said that to support the liberation struggle and the liberation movements in southern Africa was the most efficient way to eliminate apartheid.

Burkina Faso, China, Cuba, Egypt, Ethiopia, the German Democratic Republic, India, Kenya, Madagascar, the Syrian Arab Republic, Trinidad and Tobago, the Ukrainian SSR, the USSR and Yugoslavia explicitly called on the Council to adopt comprehensive, mandatory sanctions under Chapter VII of the Charter. The Syrian Arab Republic said the Council had to support the revolution going on in South Africa by imposing mandatory sanctions; to argue that sanctions would adversely affect the black masses belittled their struggle.

Burkina Faso, Denmark and Peru called for increased international pressure against South Africa as a means to force it to abandon apartheid. Burkina Faso said it was time to use the only language that South Africa understood—the language of force.

Affirming that the latest manifestation of the policy of repression demonstrated the need for increased international pressure against apartheid, Denmark stressed that South Africa must be made to understand that the system had to be abolished while it was still possible through peaceful means.

Peru stated that a combined force of both internal and external pressure—the latter in the form of specific measures—would have a decisive influence on South Africa and bring about conditions more favourable to the struggling people.

Mali, for the African Group, said South Africa's actions were encouraged by certain Western allies, and stressed that the Group condemned the policy of constructive engagement and all other collaboration with apartheid.

Kenya, Trinidad and Tobago, the Ukrainian SSR and the USSR made similar statements about the support of certain countries for South Africa. According to Trinidad and Tobago, policies of constructive dialogue had not only produced intransigence by South Africa, but had given the régime moral support for its violence. The Ukrainian SSR

said South Africa had been able to act so brutally because it relied on its co-operation with the United States and several other Western countries and Israel, and felt secure that they would protect it from sanctions. The USSR condemned such support and the United States policy of "constructive engagement".

Australia, Denmark, Egypt, Kenya, the United Kingdom and the United States stressed the need for negotiations or peaceful means in order to achieve progress in eliminating apartheid. Australia said that only the removal of the grievances and the introduction of genuine reform, through consultation with the real representatives of the black community, could offer the prospect of lasting and peaceful solutions. Egypt said the Council ought to demand that South Africa embark unconditionally on a dialogue with the true leaders of the black majority to lay the foundations for a democratic, authentic government. Similarly, Kenya called on South Africa to embark on an immediate dialogue between the different races with a view to instituting a democratic system and to free all detainees, including Nelson Mandela.

Although supporting most elements of the resolution, the United Kingdom and the United States expressed reservations about certain measures against South Africa. The United Kingdom said it could not vote for the resolution and had voted against the proposed amendment because it would not be responsible to call for measures, such as those under Chapter VII of the Charter, that would not achieve the changes all sought in South Africa and which might prove counter-productive. The United States said totally isolating South Africa economically and politically would lead to more bloodshed, to increased autarky of the South African economy, to a curtailment of external influence to effect change, and to greater suffering for the very people all were trying to help; it added that it would maintain its policy of constructive engagement with South Africa.

India warned that, if the Council did not act decisively, the oppressed South Africans would act on their own through mass popular mobilization, and that the cycle of violence and bloodshed would intensify.

France announced that it was recalling its Ambassador to South Africa and suspending new investment there. France's decisions were welcomed by Zaire. The Central African Republic spoke in like manner and was joined by Ethiopia and Senegal in praising France for having requested the meeting.

The Chairman of the Committee against Apartheid believed that the minimum required of the Council was a determination that the situation in South Africa constituted a threat to international peace and security under Chapter VII of the Charter; he said the Council's previous failure to discharge its responsibility was due to the protection of the apartheid régime by certain permanent members.

On 26 July, the Security Council adopted resolution 569(1985).

The Security Council,

Deeply concerned at the worsening of the situation in South Africa and at the continuance of the human suffering that the apartheid system, which the Council strongly condemns, is causing in that country,

Outraged at the repression, and condemning the arbitrary arrests of hundreds of persons,

Considering that the imposition of the state of emergency in thirty-six districts of the Republic of South Africa constitutes a grave deterioration of the situation in that country,

Considering as totally unacceptable the practice by the South African Government of detention without trial and of forcible removal, as well as the discriminatory legislation in force,

Acknowledging the legitimacy of the aspirations of the South African population as a whole to benefit from all civil and political rights and to establish a united non-racial and democratic society,

Acknowledging further that the very cause of the situation in South Africa lies in the policy of apartheid and the practices of the South African Government,

1. Strongly condemns the apartheid system and all the policies and practices deriving therefrom;

2. Strongly condemns the mass arrests and detentions recently carried out by the Pretoria Government and the murders which have been committed;

3. Strongly condemns the establishment of the state of emergency in the thirty-six districts in which it has been imposed and demands that it be lifted immediately;

4. Calls upon the South African Government to set free immediately and unconditionally all political prisoners and detainees, first of all, Mr. Nelson Mandela;

5. Reaffirms that only the total elimination of apartheid and the establishment in South Africa of a free, united and democratic society on the basis of universal suffrage can lead to a solution;

6. Urges States Members of the United Nations to adopt measures, against South Africa, such as the following:

(a) Suspension of all new investment in South Africa;

(b) Prohibition of the sale of the assets of krugerrands and all other coins minted in South Africa;

(c) Restrictions on sports and cultural relations;

(d) Suspension of guaranteed export loans;

(e) Prohibition of all new contracts in the nuclear field;

(f) Prohibition of all sales of computer equipment that may be used by the South African army and police;

7. Commends those States which have already adopted voluntary measures against the Pretoria Government and urges them to adopt new provisions, and invites those which have not yet done so to follow their example;

8. Requests the Secretary-General to report to the Security Council on the implementation of the present resolution;

9. Decides to remain seized of the matter and to reconvene as soon as the Secretary-General has issued his report, with a view to considering the progress made in the implementation of the present resolution.

Security Council resolution 569(1985)

26 July 1985

Meeting 2602

13-0-2

Draft by Denmark and France (S/17354/Rev.1).
Meeting numbers. SC 2600-2602.

Vote in Council as follows:

In favour: Australia, Burkina Faso, China, Denmark, Egypt, France, India, Madagascar, Peru, Thailand, Trinidad and Tobago, Ukrainian SSR, USSR.

Against: None.

Abstaining: United Kingdom, United States.

Speaking after the resolution's adoption, France said the vote was the gravest condemnation of South Africa for racial discrimination and violation of human rights.

On 21 August, the Council held a meeting at which the President stated that, as a result of consultations among members, he had been authorized to make the following statement on their behalf:⁽¹⁰¹⁾

Meeting number. SC 2603.

"The members of the Security Council, deeply alarmed by the worsening and deteriorating situation of the oppressed black majority population in South Africa since the imposition of the state of emergency on 21 July 1985, express once again their profound concern at this deplorable situation.

"The members of the Council condemn the Pretoria régime for its continued failure to heed the repeated appeals made by the international community, including Security Council resolution 569(1985) and, in particular, the demand made in that resolution for the immediate lifting of the state of emergency.

"The members of the Council strongly condemn the continuation of killings and the arbitrary mass arrests and detentions carried out by the Pretoria Government. They call, once again, upon the South African Government to set free immediately and unconditionally all political prisoners and detainees, first of all, Mr. Nelson Mandela, whose home has lately been subjected to an act of arson.

"The members of the Council believe that a just and lasting solution in South Africa must be based on the total eradication of the system of apartheid and the establishment of a free, united and democratic society in South Africa. Without concrete action towards such a just and lasting solution in South Africa, any pronouncements of the Pretoria régime can represent nothing more than a reaffirmation of its attachment to apartheid and underline its continuing intransigence in the face of mounting domestic and international opposition to the continuation of this thoroughly unjustified political and social system. In this context, the members of the Council express their grave concern at the latest pronouncements of the President of the Pretoria régime."

The Foreign Minister of South Africa, in a letter to the Secretary-General of 28 August,⁽¹⁰²⁾ referring to resolution 569(1985) and the Council's declaration of 21 August, stated that those actions violated the principle of non-interference in a Member State's internal affairs and that the criteria applied in the resolution were suspect in so far as the demand for a democratic society on the basis of universal suffrage was a test that could not be met by many United Nations Members. In addition, punitive measures called for could have damaging effects on the economy and stability of South Africa's neighbours. South Africa rejected the charge that the imposition of a state of emergency in

certain areas constituted a grave deterioration of the situation. It was imposed to combat lawlessness of every kind in black townships, including large-scale intimidation by blacks against blacks.

Action by Committee on the Elimination of Racial Discrimination. On 20 August,(103) the Committee on the Elimination of Racial Discrimination condemned South Africa for crimes against the black people and appealed to States parties to the International Convention on the Elimination of All Forms of Racial Discrimination(104) to implement resolution 569(1985).

Communications. Throughout the year, States addressed letters to the Secretary-General or the President of the Security Council expressing concern about the South Africa situation—India, on 6 March,(105) 27 July(106) and 27 August,(107) all forwarding communiqués adopted by the Co-ordinating Bureau of the Movement of Non-Aligned Countries; China, on 23 March,(108) 29 July(109) and 24 December;(110) Saint Lucia, on 28 March;(111) Spain, on 29 March;(112) Italy, on 3 April(113) and 2 May,(114) forwarding declarations of 25 March and 29 April of EC ministerial meetings on European political co-operation; the USSR, on 9 April,(115) forwarding a statement by TASS; Argentina, on 3 June(116) and 30 July;(117) Australia, on 24 July;(118) Luxembourg, on 25 July(119) and 26 August,(120) forwarding a declaration adopted by an EC ministerial meeting and an EC press release, respectively; Brazil, on 26 July;(121) Tunisia, on 26 July;(122) Democratic Kampuchea, on 29 July;(123) Burkina Faso, on 29 July,(124) transmitting a letter from Oliver Tambo, President of ANC; Japan, on 5 August(125) and 27 December;(126) Senegal, on 5 August(127) and 16 August;(128) Indonesia, on 9 August;(129) Uruguay, on 12 August;(130) Thailand, on 19 August;(131) Jamaica, on 22 August;(132) Nicaragua, on 22 August;(133) Antigua and Barbuda, on 23 December;(134) and the Libyan Arab Jamahiriya, on 31 December.(135)

Argentina, China, Democratic Kampuchea, the Libyan Arab Jamahiriya, Nicaragua, Saint Lucia, Senegal, Spain, Thailand, Uruguay, EC and the Non-Aligned Movement denounced the violence by the South African authorities. Some mentioned, in particular, the killing of demonstrators at Uitenhage, Crossroads and other places. Spain condemned the large-scale uprooting and relocation of black people, as did the Non-Aligned Movement, which demanded that South Africa put an immediate and unconditional end to banishing the black people to artificially created “bantustans”.

The Movement condemned South Africa for the arbitrary arrests of UDF members and other apartheid opponents and for “high treason” charges against a number of UDF officials; reiterated its call for the unconditional release of all South

African political prisoners, including Nelson Mandela, and for the release of Allan Boesak, a UDF leader; and admired Mr. Mandela’s rejection of an offer of conditional release made by South Africa (see p. 162). EC also called for Mr. Mandela’s release, ending detention without trial, discontinuing forcible removal, and abolishing discriminatory legislation, including the pass laws and the Group Areas Act. Democratic Kampuchea demanded the release of all political prisoners and detainees. Antigua and Barbuda, China and the Libyan Arab Jamahiriya deplored the arrest of Winnie Mandela on 23 December. Antigua and Barbuda called on Governments which were able to influence South Africa and especially the United States to do all possible to secure her release.

The Movement, Senegal (for OAU) and the USSR urged the Security Council to deal with the grave situation by imposing sanctions against South Africa. Argentina appealed to the international community to halt all direct or indirect support for South Africa. Indonesia called for implementation of voluntary economic sanctions and the embargo on military supplies. Saint Lucia said the world must find the political will to act against South Africa. EC called for a dialogue leading to substantial reforms, with a view to responding to the legitimate aspirations of the black population. Also calling for comprehensive sanctions, ANC said that mere condemnation of the apartheid system would only serve to convince South Africa that the international community was unable to take firm action.

The imposition of the state of emergency was condemned by Argentina, Australia, Brazil, China, Democratic Kampuchea, Indonesia, Japan, Nicaragua, Senegal, Thailand, Tunisia, EC and the Non-Aligned Movement. Argentina said the problem’s definitive solution involved, at that time, lifting the state of emergency and halting repression. Australia was concerned that the state of emergency would encourage people to feel that the only way to achieve progress was through confrontation; Australia recognized that only the removal of grievances and genuine political reforms through consultation with the real representatives of the black community would offer prospects of lasting and peaceful solutions. In Brazil’s view, the emergency measures only aggravated the deplorable situation. Noting world outrage over those events, Tunisia was gratified at France’s response (see p. 157) and considered the United States attitude and actions as being of particular significance.

According to the USSR, the United States or imperialist circles that collaborated with South Africa also bore responsibility for its actions.

The Non-Aligned Movement condemned the 15 August policy statement by the South African

President, which, it said, constituted further proof of the régime's refusal to renounce apartheid. Asserting that the statement did not meet their expectations, EC, joined by Spain and Portugal, urged South Africa to open a real dialogue with the authentic representatives of the black population; EC would undertake a mission to South Africa from 30 August to 1 September to appeal to it to do so.

In the current circumstances, the Libyan Arab Jamahiriya said, armed struggle had become the sole means of liberating the people in South Africa and of securing their rights and freedom.

By a letter of 14 November, (136) the Chairman of the Committee against Apartheid forwarded a statement from the Executive Committee of the Inter-Action Council—26 former heads of Government—on proposals for the rapid abolition of apartheid, including termination of the state of emergency, release of political prisoners, equal rights for all South Africans and elimination of media censorship.

GENERAL ASSEMBLY ACTION

On 10 December, the General Assembly adopted resolution 40/64 B by recorded vote.

Situation in South Africa and assistance to the liberation movements

The General Assembly,

Having considered the report of the Special Committee against Apartheid,

Recalling its resolution 39/2 of 28 September 1984, in which, *inter alia*, it stated that South Africa's continued defiance of United Nations resolutions and its imposition of the rejected so-called "new constitution" will inevitably lead to further escalation of the already explosive situation in South Africa and will have far-reaching consequences for southern Africa and the world,

Recalling Security Council resolutions 473(1980) of 13 June 1980, 554(1984) of 17 August 1984, 556(1984) of 23 October 1984 and 569(1985) of 26 July 1985, in which it demanded, *inter alia*, the cessation of the uprootings, relocation and denationalization of the indigenous African people, and demanded the immediate lifting of the state of emergency in thirty-six districts in South Africa,

Recalling, in particular, its resolution 3411 C (XXX) of 28 November 1975, in which it proclaimed that the United Nations and the international community had a special responsibility towards the oppressed people of South Africa and their national liberation movements,

Gravely concerned about the situation in South Africa, and in southern Africa as a whole, resulting from the policies and actions of the apartheid régime, in particular, its efforts to perpetuate and consolidate racist domination in the country, its policy of "bantustanization", its brutal repression of opponents of apartheid and its constant acts of aggression against neighbouring States,

Noting with indignation that South Africa's policy of bantustanization is aimed at further dispossessing the African majority of its inalienable rights and depriving it of citizenship and fomenting fratricidal conflict,

Gravely concerned at the continuing massacres, killings and other atrocities against defenceless opponents of

apartheid perpetrated by the racist régime in Sharpeville, Soweto, Sebokeng and other black townships,

Alarmed at the massive arrests and detentions of leaders and activists of liberation organizations inside the country as well as the increasing number of deaths resulting from police brutality and torture during detentions, which have been confirmed by reports of international humanitarian organizations, and the Detainees Parent Support Committee in South Africa and the Institute of Criminology of the University of Cape Town,

Reaffirming the legitimacy of the struggle of the oppressed people of South Africa and their liberation movements by all available means, including armed struggle, for the elimination of apartheid, which is declared as a crime against humanity, and seriously violating international peace and security,

1. Again proclaims its full support of the national liberation movements of South Africa as the authentic representatives of the South African people in its just struggle for freedom;

2. Strongly condemns the illegitimate minority racist régime of South Africa for its policies and actions, in particular the imposition of the state of emergency in that country;

3. Condemns the South African racist régime for defying resolutions of the United Nations and persisting with the further entrenchment of apartheid, a system declared a crime against humanity and a threat to international peace and security;

4. Strongly condemns the Pretoria régime for the killing of defenceless African people protesting against their forced removal from Crossroads and other places as well as the arbitrary arrests of members of the United Democratic Front, National Forum and other mass organizations opposed to apartheid;

5. Condemns the execution of Benjamin Maloie in defiance of international calls for rescinding his execution order;

6. Reaffirms that freedom fighters of South Africa should be treated as prisoners of war in accordance with Additional Protocol I to the Geneva Conventions of 12 August 1949;

7. Demands that the Pretoria régime withdraw the trumped up charges of "high treason" instituted against members of the United Democratic Front and other organizations and immediately and unconditionally release all of them;

8. Further demands that the Pretoria régime release unconditionally and immediately all political prisoners and detainees, including Nelson Mandela and Zephania Mothopeng;

9. Commends the massive united resistance of the oppressed people of South Africa against apartheid, and reaffirms the legitimacy of their struggle for a united, non-racial and democratic South Africa;

10. Demands the immediate lifting of the state of emergency in South Africa;

11. Demands that the racist régime:

(a) Withdraw all its troops immediately and unconditionally from Angola;

(b) Put an end to its illegal occupation of Namibia;

(c) Strictly observe the independence, sovereignty and territorial integrity of independent African States;

12. Appeals to all States, intergovernmental and non-governmental organizations, anti-apartheid and solidarity movements, trade unions, religious bodies, student and

other public organizations, mass media as well as city and other local authorities and individuals urgently to provide increased political, economic, educational, legal and other forms of support to the oppressed people of South Africa, as well as humanitarian and all other necessary assistance to the national liberation movements of South Africa in their just struggle for the exercise of the right of self-determination by the oppressed people of South Africa;

13. Reaffirms that only the total eradication of apartheid and the establishment of a non-racial democratic society based on majority rule, through the full and free exercise of adult suffrage by all the people in a united and unfragmented South Africa, can lead to a just and lasting solution of the explosive situation in South Africa;

14. Decides to continue the authorization of adequate financial provision in the regular budget of the United Nations to enable the South African liberation movements recognized by the Organization of African Unity—namely, the African National Congress of South Africa and the Pan Africanist Congress of Azania—to maintain offices in New York in order to participate effectively in the deliberations of the Special Committee against Apartheid and other appropriate bodies;

15. Requests the Security Council, as a matter of urgency, to consider the serious situation in South Africa emanating from the imposition of the so-called “new constitution” and the state of emergency and to take all necessary measures, in accordance with Chapter VII of the Charter of the United Nations, to avert the further aggravation of tension and conflict in South Africa and in southern Africa as a whole.

General Assembly resolution 40/64 B

10 December 1985 Meeting 111 128-8-18 (recorded vote)

60-nation draft (A/40/L.27 & Corr.1); agenda item 35.

Sponsors: Afghanistan, Algeria, Angola, Antigua and Barbuda, Benin, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Comoros, Congo, Cuba, Democratic Yemen, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran, Iraq, Kenya, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Sudan, Syrian Arab Republic, Tunisia, Uganda, Ukrainian SSR, United Republic of Tanzania, Viet Nam, Yugoslavian, Zaire, Zambia, Zimbabwe.

Financial implications. 5th Committee, A/40/1022; S-G, A/C.5/40/76.

Meeting numbers. GA 40th session: 5th Committee 56; plenary 51-57, 111.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, France, Germany, Federal Republic of, Italy, Luxembourg, Portugal, United Kingdom, United States.

Abstaining: Australia, Austria, Canada, Denmark, Finland, Grenada, Guatemala, Honduras, Iceland, Ireland, Israel, Japan, Malawi, Netherlands, New Zealand, Norway, Spain, Sweden.

Speaking in explanation of vote, Canada, Ireland, the Netherlands and New Zealand expressed reservations about the affirmation of the legitimacy of armed struggle although they supported such demands as the release of political prisoners and detainees and the lifting of the state of emergency. New Zealand added that it objected to some of the extravagant rhetoric in the resolution. The Netherlands said it could not subscribe to its general thrust, which postulated the existence of a colonial situation in South Africa. Uruguay agreed with the resolution in general, but its policy was to support the peaceful settlement of disputes.

The United States opposed the resolution because it failed to understand how the imposition of sanctions would lessen tension or promote dialogue and negotiations.

In resolution 40/64 I, the Assembly took similar action, condemning the South African authorities for the killings, arbitrary mass arrests and the detention of members of mass organizations as well as individuals for opposing apartheid, the so-called new constitution and the state of emergency. The Assembly demanded, among other things, that the authorities immediately lift the state of emergency; initiate a political dialogue with genuine leaders of the majority population with a view to establishing a representative government; and dismantle the bantustan structures. Similar provisions were contained in resolution 40/25, in which the Assembly also condemned the policy of “bantustanization” and reiterated support for the oppressed people of South Africa in its just and legitimate struggle against the racist minority régime.

In resolution 40/64 A, the Assembly supported the movement against conscription into the armed forces of South Africa, and invited all Governments and organizations to assist, in consultation with the liberation movements, persons compelled to leave South Africa for conscientious objection.

Political prisoners and other detained persons

Activities of the Committee against Apartheid. The Special Committee against Apartheid continued to campaign for the release of political prisoners in South Africa and for an end to repression against the opponents of apartheid.(1) It reported that thousands of such opponents were arrested in 1985 on various charges under security legislation and the state of emergency regulations; over 11,000 people were detained without charge or trial, many were tortured, and 12 persons, including three children, died in detention.

Police arrested seven prominent black leaders in February and three more in April, mostly UDF leaders. South African authorities arrested more than 200 people on 26 March, as they marched

to the South African Parliament in Cape Town to present a list of democratic demands. In June, hundreds were arrested in townships in the Eastern Cape and Orange Free State, and many community leaders of Port Elizabeth were detained under security laws. From July to mid-September, about 3,500 people were detained under the emergency measures, most of them leaders of political and community organizations such as UDF, the Azanian People's Organization, and youth, student and trade groups.

In a statement issued on 20 February, at the time South Africa was attempting to remove blacks forcibly from Crossroads township, the Committee's Chairman expressed alarm at the deterioration of the situation. He called on the international community to oblige South Africa to stop the violence and to ensure the immediate release of UDF leaders and other political prisoners. On 18 July, the Acting Chairman sent a message of greetings to Nelson Mandela on his sixty-seventh birthday and pledged intensified efforts towards the unconditional release of political prisoners.

At a special meeting held on 24 July, the Committee concluded that the state of emergency imposed on 36 communities constituted a declaration of war against the oppressed people and other opponents of apartheid, and called on the Security Council to demand that South Africa end the state of emergency, cease its police and military terror and release all detainees.

On 27 August, the Chairman issued a statement condemning the South African authorities for the arrest of Allan Boesak, President of the World Alliance of Reformed Churches and a UDF supporter, who was to have led a mass protest march on Pollsmoor prison to present a message of solidarity to Mr. Mandela. The Chairman urged the international community to pressure South Africa for the release of those two men and all other political prisoners.

Some provisions of the Internal Security Act authorized detention without trial indefinitely, while others authorized periods specified in the order of the Minister of Law and Order, who could extend detention for an unlimited period by a review of the case. The detainee had no right to legal representation before the review committee. Reliable information on detention conditions was difficult to obtain, but the Committee against Apartheid stated in October that over the past year nine detainees had died in or as a result of detention. Amnesty International reported on 13 August that detainees—including students, trade unionists and clerics—held since the state of emergency was declared were being tortured by security forces. In September, a judge granted an order restraining the police from assaulting detainees after a Port Elizabeth district surgeon, Dr. Wendy Orr, told

the court that she had found evidence of systematic abuse and assault. Dr. Orr was immediately transferred to another office where she would have no contact with detainees.

The number of political trials—on charges such as contravening the Internal Security Act, belonging to an unlawful organization, terrorism, subversion, treason or possessing ANC literature—increased in 1985, as did the number of political detentions. On 26 February, two ANC members, Siphso Bridget Xulu and Clarence Lucky Payi, were sentenced to death. In August, 48 people were awaiting trial for treason, a crime punishable by death. In December, six Sharpeville residents were sentenced to death in connection with the murder of the so-called Deputy Mayor of Sharpeville.

The Co-ordinating Bureau of the Non-Aligned Movement, in a 23 December communiqué,⁽¹³⁷⁾ condemned South Africa for passing death sentences on the six—Mojalefa Reginald Sefatsa, Oupa Moses Diniso, Reid Melebu Mokoena, Theresa Ramashamula, Duma Joshua Khumalo and Francis Don Mokgesi—and sentencing two others to eight years' imprisonment each. It also condemned the sentencing of five alleged members of PAC to a total of 33 years' imprisonment for furthering the aims and objectives of PAC and supplying its members with weapons and equipment.

Early in 1985, South Africa offered Mr. Mandela release from prison on condition that he renounce violence and accept the citizenship of Transkei. He refused, asking that South Africa itself renounce violence. Zephania Mothopeng, a PAC leader who was also offered conditional amnesty, rejected it and opted to serve his entire 15-year sentence.

The Committee against Apartheid held meetings in observance of the Day of Solidarity with South African Political Prisoners on 11 October.

Action by the Council for Namibia. The Council for Namibia, in its June Vienna Declaration and Programme of Action,⁽³⁰⁾ demanded the immediate and unconditional release of all Namibian political prisoners, including those imprisoned or detained under the so-called internal security laws, martial law, or any other arbitrary measures, whether they had been charged or tried, or were being held without charge in Namibia or South Africa.

Action by the Committee on colonial countries. The Council's demand had also been made by the Committee on colonial countries in May.⁽³¹⁾ The Committee further demanded that captured Namibian freedom fighters be accorded prisoner-of-war status under the August 1949 Geneva Conventions relating to the protection of victims of armed conflicts and Additional Protocol I,⁽¹³⁸⁾ pending their release, and that South Africa ensure that all Namibians in exile for political

reasons be able to return without risk of arrest, detention, intimidation, imprisonment or loss of life.

Action by the Commission on Human Rights and its Sub-Commission. On 26 February,(8) the Commission on Human Rights condemned South Africa for its repression and torture and killing of opponents of apartheid, and the imposition of death sentences on freedom lighters. It demanded that South Africa immediately release all people detained or imprisoned as a result of their struggle for self-determination and independence, and demanded full respect for their rights and the observance of article 5 of the Universal Declaration of Human Rights,(139) under which no one was to be subjected to torture or to cruel, inhuman or degrading treatment.

Also on that date,(93) the Commission expressed indignation at the continued violations in South Africa, including arrests and torture, violence in dealing with legitimate protests and demonstrations against apartheid policies, and the killing, torture and other ill-treatment of captured freedom fighters and others, including those held by the so-called independent homelands. It called for the unconditional release of all political prisoners and renewed its request to South Africa to allow the Commission's Ad Hoc Working Group of Experts to make on-the-spot investigations of conditions in the prisons in South Africa and Namibia and the treatment of prisoners.

The Sub-Commission on Prevention of Discrimination and Protection of Minorities, in August,(94) demanded the immediate lifting of the state of emergency, cessation of all brutality by South Africa and the immediate release of all political prisoners.

Communications. Letters were addressed to the Secretary-General appealing for the release of Nelson Mandela, who had been in solitary confinement for 23 years in a South African prison. On 19 August,(140) India forwarded an appeal by its Prime Minister, stating that the only way South Africa could be made to release Mr. Mandela was to isolate that country totally, and urging Governments to sever all contacts with Pretoria. On 11 October,(141) the Day of Solidarity with South African Political Prisoners, Brazil stated its belief that no effective negotiation for a solution to the plight of the South African majority could be held without the participation of its imprisoned leaders, and again requested Mr. Mandela's liberation.

SECURITY COUNCIL ACTION

In 1985, the Security Council again called for the unconditional and immediate release of all South African political prisoners and detainees. In March (resolution 560(1985)), it condemned the arbitrary arrests of members of UDF and other mass organizations opposing apartheid, and called

on South Africa to release them, including Mr. Mandela. The Council called on the régime to withdraw "high treason" charges instituted against UDF officials, and called for their release.

In resolution 569(1985), the Council in July again condemned South Africa's mass arrests and detentions and the murders which had been committed and called for the freeing of all political prisoners and detainees, first of all Mr. Mandela. On 21 August, the Council issued a statement with a similar thrust,(101) after Mr. Mandela's home had been subjected to an act of arson.

In addition, the Council in October called on South Africa not to carry out the death sentence on an ANC member (see below).

GENERAL ASSEMBLY ACTION

The General Assembly also made numerous demands for the unconditional and immediate release of the political prisoners and detainees. In resolution 40/64 B, it reaffirmed that freedom lighters of South Africa should be treated as prisoners of war in accordance with Additional Protocol I(138) to the 1949 Geneva Conventions. It demanded that the régime withdraw the trumped-up charges of "high treason" against members of UDF and other organizations, and release them as well as Nelson Mandela and Zephania Mothopeng. In resolution 40/64 D, the Assembly appealed for the intensification of the campaign for their release and that of all South African political prisoners and detainees—a demand repeated in resolutions 40/64 I and 40/25. In resolution 40/97 A, the Assembly demanded the immediate release of all Namibian political prisoners, including those imprisoned or detained under the so-called internal security laws, martial law or any other arbitrary measures, whether such Namibians had been charged or tried or were being held without charge.

Capital punishment of ANC members

Malesela Benjamin Maloise, an ANC member who had been sentenced to death in June 1983 for killing a policeman,(142) was scheduled to be hanged on 21 August 1985, after the South African President rejected his clemency appeal in mid-August. In a 16 August press release, OAU appealed to the international community to intervene and, on 19 and 20 August, respectively, the Committee against Apartheid and the Security Council issued statements in which they urged the South African authorities to rescind the death sentence.(1) Mr. Maloise was granted a 21-day stay of execution to allow new evidence to be brought before the court. In the mean time, ANC issued a press statement on 20 August, claiming responsibility for the act and stating that Mr. Maloise had not been involved in the crime. On

18 October, he was executed, despite another appeal by the Council on 17 October and other international calls for clemency.

SECURITY COUNCIL ACTION

On 20 August, after consultations with the Security Council's members, its President issued the following statement on their behalf:(143)

"The members of the Security Council have learned with great concern the intention of the South African authorities to carry out shortly the death sentence imposed upon Mr. Malesela Benjamin Maloise.

"The members of the Council recall Council resolution 547(1984), which, inter alia, called upon the South African authorities not to carry out the execution of Mr. Maloise.

"The members of the Security Council once again urge the South African authorities to rescind the death sentence imposed on Mr. Maloise, convinced that the carrying out of the execution, apart from being a direct defiance of the above-mentioned Council resolution, will result in the further deterioration of an already extremely grave situation."

The carrying out of the sentence was postponed until 18 October. At a Council meeting on 17 October, the President issued another statement on behalf of the members, as follows:(144)

Meeting number. SC 2623.

"The members of the Security Council have learned with indignation and the gravest concern of the South African authorities' intention to implement the death sentence imposed on Malesela Benjamin Maloise, in spite of the Council's appeals in this regard.

"The members of the Council once again draw the attention of the South African authorities to the Council President's statement of 20 August 1985 and Council resolution 547(1984), which, inter alia, called upon the South African authorities not to carry out the execution of Mr. Maloise.

"The members of the Council are convinced that the carrying out of the execution will only result in a further worsening of an extremely grave situation.

"Once again, the members of the Council strongly urge the South African Government to extend clemency to Mr. Maloise and to rescind his death sentence."

GENERAL ASSEMBLY ACTION

In resolution 40/64 B, the General Assembly condemned the execution of Mr. Maloise in defiance of international calls.

Communications. A number of countries addressed letters to the Secretary-General concerning the death sentence.

On 20 August,(145) the President of Senegal said that South Africa was planning to take a new step in its repression by carrying out the execution of Mr. Maloise, who had been falsely convicted of murder. Mexico, on 16 October,(146) expressed support for the efforts to persuade South Africa to commute the sentence. On behalf of the Non-Aligned

Movement, India, on 17 October,(147) urging executive clemency, stated that executing the South African patriot would be a grave miscarriage of justice that would exacerbate the already explosive situation.

The next day,(148) India, again on behalf of the Movement, expressed indignation at the execution, which, it said, made a mockery of all norms of law and justice and constituted another instance of South Africa's defiance of international opinion. On 19 October,(149) Egypt condemned the execution in similar terms. Calling South Africa's action merciless, Israel, on 21 October,(150) reiterated its opposition to the racist ideology of apartheid. Expressing on 22 October(151) its regret that South Africa had carried out the execution, Japan appealed to South Africa to eliminate apartheid as early as possible so that such an incident would not happen again.

Apartheid in sports

The Special Committee against Apartheid continued to report on sports contacts with South Africa.(1) It said that, under international pressure, apartheid sport was further isolated in 1985 although contacts with South Africa by some individual sportspersons and teams occurred. The Committee continued to publish a semi-annual Register of such sports contacts, which included a list of sportspersons who participated in events in South Africa. Names of those who pledged not to engage in further sports events there were deleted from the Register. The Register showed that South Africa had lured some individuals and teams with international standing by paying large fees. South Africa continued its generous funding of apartheid in sports through tax concessions to private sector sponsors. Nevertheless, it continued to have limited access to international sports exchanges.

Among the signs of the growing international resolve to end apartheid in sports, the Committee noted that Australia and Canada informed the South African Women's Bowling Association in February that its representative would not be given a visa to either country. In July, Canada announced guidelines curtailing sports contacts with South Africa.

In April, the Chairman of the Committee, having learned of a proposed tour to South Africa by the All Blacks, a New Zealand rugby team, stated that the tour represented insensitivity to the great majority of South Africans and an encouragement to racist sports organizations, and could be used by the régime to boost its international image. He expressed appreciation to New Zealand for a Parliamentary resolution and statements by its Prime Minister and other officials affirming opposition to the proposed tour. Because of mounting opposition and following an interim injunction granted by the High Court of New Zealand, the New Zealand

Rugby Football Union cancelled its tour. The national rugby team of the Federal Republic of Germany, under pressure from anti-apartheid groups, cancelled in July a planned 1986 tour of South Africa.

Another significant development in the campaign was the decision of the Association of National Olympic Committees in November 1984 to urge international federations to exclude South Africa from membership, in line with the policy of the International Olympic Committee (IOC) until that country renounced apartheid, a policy contravening the Olympic Charter.

The Committee, in co-operation with the Supreme Council for Sport in Africa and the South Africa Non-Racial Olympic Committee, organized the International Conference on Sports Boycott against South Africa (Paris, 16-18 May).(152) At the Conference, the Committee presented citations to athletes who participated in the struggle against apartheid. The Conference adopted a declaration(153) in which it appealed to States to bring the International Convention against Apartheid in Sports into force by speedy ratification, following its adoption by the General Assembly (see below). It supported the IOC position that South Africa should not be readmitted to the Olympic Movement until apartheid was ended, and it urged IOC to adopt a code of conduct to discourage sports contacts with South Africa and to take the disciplinary actions necessary to deal with any of its affiliates that transgressed the international campaign. The Conference welcomed the IOC rejection of a proposal that a commission of inquiry be sent to South Africa, on the basis that as long as apartheid existed there could be no normal sport in that country for a commission to investigate.

The Conference congratulated the Association of National Olympic Committees on its declaration of intent to campaign for the exclusion of South Africa from all remaining international sports federations. Associations of non-Olympic sports, particularly cricket and rugby because of their popularity, were urged to play a full part in the international campaign. The Conference applauded those cricketing countries which had disciplined cricketers for playing in South Africa. It welcomed the effects of the United Nations Register of Sports Contacts with South Africa which had resulted in a number of countries and sports organizations taking action against teams and individuals who had competed there, thus discouraging others from participating in South African sports events.

Convention against apartheid in sports

The Ad Hoc Committee on the Drafting of an International Convention against Apartheid in

Sports, established in 1976,(154) submitted its final draft of the Convention to the General Assembly in August 1985.(155)

In order to hold follow-up discussions on the draft, the Committee's Chairman undertook a mission from 3 to 19 May to the USSR, China and the Philippines; while attending the Paris Conference (see above), he held further discussions on article 10, dealing with compliance with the Convention, and an understanding was reached which formed the basis for debate in New York by the Committee's Working Group. The Group, open to all Committee members, convened from 1 to 5 July. After further amendments, the text was circulated to Governments. Ireland and the Netherlands(156) informed the Committee that they would not be able to accept the Convention because it conflicted with their respective constitutions. After meetings on 10 July and 7, 12, 15 and 21 August, the Working Group completed its consideration and submitted the final draft to the Ad Hoc Committee, which forwarded it to the Assembly for approval.

GENERAL ASSEMBLY ACTION

Acting on the Ad Hoc Committee's recommendation, the General Assembly, on 10 December, adopted resolution 40/64 G by recorded vote, thereby adopting the Convention.

International Convention against Apartheid in Sports

The General Assembly,

Recalling its resolution 32/105 M of 14 December 1977, by which it adopted the International Declaration against Apartheid in Sports,

Recalling also its resolution 39/72 D of 13 December 1984, by which it requested the Ad Hoc Committee on the Drafting of an International Convention against Apartheid in Sports to continue its work with a view to submitting the draft Convention to the General Assembly at its fortieth session,

Recalling further that the International Convention on the Suppression and Punishment of the Crime of Apartheid declares that apartheid is a crime violating principles of international law, in particular the purposes and principles of the Charter of the United Nations,

Mindful of the special responsibility of the United Nations to eliminate apartheid and racial discrimination in sports and in society,

Convinced that apartheid still dominates sports and the society as a whole in South Africa and that all so-called reforms have not led to any meaningful change in sports and the society in that country,

Reaffirming its unqualified support for the Olympic principle that no discrimination be allowed on the grounds of race, religion or political affiliation and its belief that merit should be the sole criterion in sport activities,

Reaffirming the necessity to ensure an international concerted action to isolate the racist régime of South Africa from the field of international sports as well as all other fields,

Commending the efforts of the Special Committee against Apartheid to ensure the total isolation of apartheid in sports and, in particular, the publication of the Register of Sports Contacts with South Africa, and urging Member States, pending the entry into force of the Convention, to co-operate with the Special Committee on matters relating to the isolation of apartheid in sports,

Commending all sports bodies, teams and individual sportsmen that have declared their determination not to engage in sports contacts with South Africa until the evil system of apartheid is abolished,

Convinced that the Convention would be an important instrument towards the isolation of the racist régime of South Africa and the elimination of apartheid in sports and that it should be signed and ratified by States at the earliest possible date and its provisions implemented without delay,

Considering that the text of the Convention should be made known throughout the world,

1. Adopts and opens for signature and ratification the International Convention against Apartheid in Sports, the text of which is annexed to the present resolution;

2. Appeals to all States to sign and ratify the Convention as soon as possible;

3. Requests all Governments and intergovernmental and non-governmental organizations to acquaint the public as widely as possible with the text of the Convention, using all the information media at their disposal;

4. Requests the Secretary-General to ensure the urgent and wide dissemination of the Convention and, for that purpose, to publish and circulate its text;

5. Commends the efforts of the Special Committee against Apartheid and requests it to continue to publish the Register of Sports Contacts with South Africa until the establishment of the Commission against Apartheid in Sports.

ANNEX

International Convention against Apartheid in Sports

The States Parties to the present Convention,

Recalling the provisions of the Charter of the United Nations, in which all Members pledged themselves to take joint and separate action, in co-operation with the Organization, for the achievement of universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth in the Declaration without distinction of any kind, particularly in regard to race, colour or national origin,

Observing that, in accordance with the International Convention on the Elimination of All Forms of Racial Discrimination, States Parties to that Convention particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in all fields,

Observing that the General Assembly of the United Nations has adopted a number of resolutions condemning the practice of apartheid in sports and has affirmed its unqualified support for the Olympic principle that no discrimination be allowed on the grounds of race, religion or political affiliation and that merit should be the sole criterion for participation in sports activities,

Considering that the International Declaration against Apartheid in Sports, which was adopted by the General Assembly on 14 December 1977, solemnly affirms the necessity for the speedy elimination of apartheid in sports,

Recalling the provisions of the International Convention on the Suppression and Punishment of the Crime of Apartheid and recognizing, in particular, that participation in sports exchanges with teams selected on the basis of apartheid directly abets and encourages the commission of the crime of apartheid, as defined in that Convention,

Resolved to adopt all necessary measures to eradicate the practice of apartheid in sports and to promote international sports contacts based on the Olympic principle,

Recognizing that sports contact with any country practising apartheid in sports condones and strengthens apartheid in violation of the Olympic principle and thereby becomes the legitimate concern of all Governments,

Desiring to implement the principles embodied in the International Declaration against Apartheid in Sports and to secure the earliest adoption of practical measures to that end,

Convinced that the adoption of an International Convention against Apartheid in Sports would result in more effective measures at the international and national levels, with a view to eliminating apartheid in sports,

Have agreed as follows:

Article I

For the purposes of the present Convention:

(a) The expression "apartheid" shall mean a system of institutionalized racial segregation and discrimination for the purpose of establishing and maintaining domination by one racial group of persons over another racial group of persons and systematically oppressing them, such as that pursued by South Africa, and "apartheid in sports" shall mean the application of the policies and practices of such a system in sports activities, whether organized on a professional or an amateur basis;

(b) The expression "national sports facilities" shall mean any sports facility operated within the framework of a sports programme conducted under the auspices of a national government;

(c) The expression "Olympic principle" shall mean the principle that no discrimination be allowed on the grounds of race, religion or political affiliation;

(d) The expression "sports contracts" shall mean any contract concluded for the organization, promotion, performance or derivative rights, including servicing, of any sports activity;

(e) The expression "sports bodies" shall mean any organization constituted to organize sports activities at the national level, including national Olympic committees, national sports federations or national governing sports committees;

(f) The expression "team" shall mean a group of sportsmen organized for the purpose of participating in sports activities in competition with other such organized groups;

(g) The expression "sportsmen" shall mean men and women who participate in sports activities on an individual or team basis, as well as managers, coaches, trainers and other officials whose functions are essential for the operation of a team.

Article 2

States Parties strongly condemn apartheid and undertake to pursue immediately by all appropriate means

the policy of eliminating the practice of apartheid in all its forms from sports.

Article 3

States Parties shall not permit sports contact with a country practising apartheid and shall take appropriate action to ensure that their sports bodies, teams, and individual sportsmen do not have such contact.

Article 4

States Parties shall take all possible measures to prevent sports contact with a country practising apartheid and shall ensure that effective means exist for bringing about compliance with such measures.

Article 5

States Parties shall refuse to provide financial or other assistance to enable their sports bodies, teams and individual sportsmen to participate in sports activities in a country practising apartheid or with teams or individual sportsmen selected on the basis of apartheid.

Article 6

Each State Party shall take appropriate action against its sports bodies, teams and individual sportsmen that participate in sports activities in a country practising apartheid or with teams representing a country practising apartheid, which in particular shall include:

- (a) Refusal to provide financial or other assistance for any purpose to such sports bodies, teams and individual sportsmen;
- (b) Restriction of access to national sports facilities by such sports bodies, teams and individual sportsmen;
- (c) Non-enforceability of all sports contracts which involve sports activities in a country practising apartheid or with teams or individual sportsmen selected on the basis of apartheid;
- (d) Denial and withdrawal of national honours or awards in sports to such teams and individual sportsmen;
- (e) Denial of official receptions in honour of such teams or sportsmen.

Article 7

States Parties shall deny visas and/or entry to representatives of sports bodies, teams and individual sportsmen representing a country practising apartheid.

Article 8

States Parties shall take all appropriate action to secure the expulsion of a country practising apartheid from international and regional sports bodies,

Article 9

States Parties shall take all appropriate measures to prevent international sports bodies from imposing financial or other penalties on affiliated bodies which, in accordance with United Nations resolutions, the provisions of the present Convention and the spirit of the Olympic principle, refuse to participate in sports with a country practising apartheid.

Article 10

1. States Parties shall use their best endeavours to ensure universal compliance with the Olympic principle of non-discrimination and the provisions of the present Convention.

2. Towards this end, States Parties shall prohibit entry into their countries of members of teams and individual sportsmen participating or who have participated in sports competitions in South Africa and shall prohibit entry into

their countries of representatives of sports bodies, members of teams and individual sportsmen who invite on their own initiative sports bodies, teams and sportsmen officially representing a country practising apartheid and participating under its flag. States Parties may also prohibit entry of representatives of sports bodies, members of teams or individual sportsmen who maintain sports contacts with sports bodies, teams or sportsmen representing a country practising apartheid and participating under its flag. Prohibition of entry should not violate the regulations of the relevant sports federations which support the elimination of apartheid in sports and shall apply only to participation in sports activities.

3. States Parties shall advise their national representatives to international sports federations to take all possible and practical steps to prevent the participation of the sports bodies, teams and sportsmen referred to in paragraph 2 above in international sports competitions and shall, through their representatives in international sports organizations, take every possible measure:

(a) To ensure the expulsion of South Africa from all federations in which it still holds membership as well as to deny South Africa reinstatement to membership in any federation from which it has been expelled;

(b) In case of national federations condoning sports exchanges with a country practising apartheid, to impose sanctions against such national federations including, if necessary, expulsion from the relevant international sports organization and exclusion of their representatives from participation in international sports competitions.

4. In cases of flagrant violations of the provisions of the present Convention, States Parties shall take appropriate action as they deem fit, including, where necessary, steps aimed at the exclusion of the responsible national sports governing bodies, national sports federations or sportsmen of the countries concerned from international sports competition.

5. The provisions of the present article relating specifically to South Africa shall cease to apply when the system of apartheid is abolished in that country.

Article 11

1. There shall be established a Commission against Apartheid in Sports (hereinafter referred to as "the Commission") consisting of fifteen members of high moral character and committed to the struggle against apartheid, particular attention being paid to participation of persons having experience in sports administration, elected by the States Parties from among their nationals, having regard to the most equitable geographical distribution and the representation of the principal legal systems.

2. The members of the Commission shall be elected by secret ballot from a list of persons nominated by the States Parties. Each State Party may nominate one person from among its own nationals.

3. The initial election shall be held six months after the date of the entry into force of the present Convention. At least three months before the date of each election, the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.

4. Elections of the members of the Commission shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Commission shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

5. The members of the Commission shall be elected for a term of four years. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these nine members shall be chosen by lot by the Chairman of the Commission.

6. For the tilling of casual vacancies, the State Party whose national has ceased to function as a member of the Commission shall appoint another person from among its nationals, subject to the approval of the Commission.

7. States Parties shall be responsible for the expenses of the members of the Commission while they are in performance of Commission duties.

Article 12

1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Commission, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention within one year of its entry into force and thereafter every two years. The Commission may request further information from the States Parties.

2. The Commission shall report annually through the Secretary-General to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of the reports and information received from the States Parties. Such suggestions and recommendations shall be reported to the General Assembly together with comments, if any, from States Parties concerned.

3. The Commission shall examine, in particular, the implementation of the provisions of article 10 of the present Convention and make recommendations on action to be undertaken.

4. A meeting of States Parties shall be convened by the Secretary-General at the request of a majority of the States Parties to consider further action with respect to the implementation of the provisions of article 10 of the present Convention. In cases of flagrant violation of the provisions of the present Convention, a meeting of States Parties shall be convened by the Secretary-General at the request of the Commission.

Article 13

1. Any State Party may at any time declare that it recognizes the competence of the Commission to receive and examine complaints concerning breaches of the provisions of the present Convention submitted by States Parties which have also made such a declaration. The Commission may decide on the appropriate measures to be taken in respect of breaches.

2. States Parties against which a complaint has been made, in accordance with paragraph 1 of the present article, shall be entitled to be represented and take part in the proceedings of the Commission.

Article 14

1. The Commission shall meet at least once a year.

2. The Commission shall adopt its own rules of procedure.

3. The secretariat of the Commission shall be provided by the Secretary-General of the United Nations.

4. The meetings of the Commission shall normally be held at United-Nations Headquarters.

5. The Secretary-General shall convene the initial meeting of the Commission.

Article 15

The Secretary-General of the United Nations shall be the depositary of the present Convention.

Article 16

1. The present Convention shall be open for signature at United Nations Headquarters by all States until its entry into force.

2. The present Convention shall be subject to ratification, acceptance or approval by the signatory States.

Article 17

The present Convention shall be open for accession by all States.

Article 18

1. The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twenty-seventh instrument of ratification, acceptance, approval or accession.

2. For each State ratifying, accepting, approving or acceding to the present Convention after its entry into force, the Convention shall enter into force on the thirtieth day after the date of deposit of the relevant instrument.

Article 19

Any dispute between States Parties arising out of the interpretation, application or implementation of the present Convention which is not settled by negotiation shall be brought before the International Court of Justice at the request and with the mutual consent of the States Parties to the dispute, save where the Parties to the dispute have agreed on some other form of settlement.

Article 20

1. Any State Party may propose an amendment or revision to the present Convention and file it with the depositary. The Secretary-General of the United Nations shall thereupon communicate the proposed amendment or revision to the States Parties with a request that they notify him whether they favour a conference of States Parties for the purpose of considering and voting upon the proposal. In the event that at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment or revision adopted by the majority of the States Parties present and voting at the conference shall be submitted to the General Assembly of the United Nations for approval.

2. Amendments or revisions shall come into force when they have been approved by the General Assembly and accepted by a two-thirds majority of the States Parties, in accordance with their respective constitutional processes.

3. When amendments or revisions come into force, they shall be binding on those States Parties which have accepted them, other States Parties still being bound by the provisions of the present Convention and any earlier amendment or revision which they have accepted.

Article 21

A State Party may withdraw from the present Convention by written notification to the depositary. Such withdrawal shall take effect one year after the date of receipt of the notification by the depositary.

Article 22

The present Convention has been concluded in Arabic, Chinese, English, French, Russian and Spanish, all texts being equally authentic.

General Assembly resolution 40/64 G

10 December 1985 Meeting 111 125-0-24 (recorded vote)

60-nation draft (A/40/L.32 & Corr.1); agenda item 35.

Sponsors: Afghanistan, Algeria, Angola, Antigua and Barbuda, Barbados, Benin, Burkina Faso, Burundi, Cameroon, Cape Verde, Comoros, Congo, Cuba, Democratic Yemen, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran, Iraq, Jamaica, Kenya, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Nicaragua, Niger, Nigeria, Papua New Guinea, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, Tunisia, Uganda, Ukrainian SSR, United Republic of Tanzania, Viet Nam, Yugoslavia, Zaire, Zambia, Zimbabwe.

Financial implications. 5th Committee, A/40/1022; S-G, A/C.5/40/76.

Meeting numbers. GA 40th session: 5th Committee 58; plenary 51-57, 111.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Israel, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Italy, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Portugal, Solomon Islands, Spain, Sweden, United Kingdom, United States.

Speaking in explanation of vote, Austria, Belgium, Canada, France, Greece, Ireland, Italy, Luxembourg (for the EC members, Portugal and Spain), the Netherlands, New Zealand, Norway (for the Nordic States), the United Kingdom and the United States said that, although they supported the broad objectives of the Convention, they would be unable to vote for the resolution or accede to the Convention due to various legal or constitutional difficulties. Austria explained that it had taken measures aimed at further limiting sports relations with South Africa. Belgium stressed that its authorities would continue discouraging sports contacts and banning the entry into Belgium of South African sportspersons

wishing to participate in competitions. Canada expressed support for the principle of sporting boycotts against South Africa. France pointed out that it had discouraged the sports contacts in question. Greece objected to certain elements of the resolution owing to constitutional constraints. Stating its intention to continue to discourage sports contacts, Italy found some unacceptable elements in the Convention, in particular articles 3, 4, 6, 7 and 10, but it would recommend that its national organizations implement articles 2, 5 and 9. Ireland, which had supported the drafting of a Convention and intended to prevent international sporting contacts, said articles 3, 6 and 10 were incompatible with the Irish Constitution.

Luxembourg (for EC, Portugal and Spain) observed that sports activities were organized in their respective countries on private initiative. The Netherlands believed that a sports boycott was an effective instrument towards eradicating apartheid and it had introduced visa requirements for South Africans to control their participation in sports events. New Zealand spoke similarly, adding that it had discouraged its sportspersons from having contacts with South Africa. Norway (speaking for the Nordic countries) noted their strict policy against sports contacts with South Africa. The United Kingdom also discouraged such contacts. The United States said it could not support a resolution that urged States to adopt legal measures contrary to its own laws.

Costa Rica said signature and ratification of the Convention would be subject to approval by its Legislative Assembly.

In resolution 40/64 A, the Assembly requested States that had not done so, pending action by the Security Council, to take legislative or other measures to ensure isolation of South Africa, including the observance of a sports boycott.

Aid programmes and inter-agency co-operation

United Nations aid to victims of apartheid was provided through national liberation movements or directly to individuals for educational and training purposes. The United Nations Trust Fund for South Africa provided legal assistance, relief and education grants to persons persecuted under repressive and discriminatory legislation of South Africa. Other assistance was provided for education by the United Nations Educational and Training Programme for Southern Africa.

National liberation movements

In 1985, several United Nations organizations continued to provide assistance to national liberation movements, particularly the United Nations

Development Programme (UNDP) and the United Nations Industrial Development Organization (UNIDO). The United Nations Commission on Human Settlements also provided aid to victims of apartheid and colonialism in Africa (see ECONOMIC AND SOCIAL QUESTIONS, Chapter XVII), and educational assistance was provided by the United Nations Educational and Training Programme for Southern Africa (see p. 200).

UNDP action. In March 1985, the UNDP Administrator submitted a report to the Governing Council,⁽¹⁵⁷⁾ describing UNDP's 1984 assistance programmes to national liberation movements of southern Africa recognized by OAU—ANC and PAC of South Africa and SWAPO of Namibia—worth \$2.9 million.⁽¹⁵⁸⁾ On 28 June 1985,⁽¹⁵⁹⁾ the Council endorsed the Administrator's plans to evaluate ongoing assistance projects to determine the thrust of development assistance over the 1987-1991 programming cycle. It requested him to continue to assist the movements flexibly, to ensure that such assistance was delivered expeditiously and that quality and effectiveness were maintained, and to report on trends and developments relating to the administration, management and effectiveness of the assistance.

UNDP in 1985 provided \$2.4 million for technical assistance to national liberation movements recognized by OAU.⁽¹⁶⁰⁾ Nine of the 16 projects under way in 1985 were for education and training, accounting for 76 per cent of total expenditure. Other projects were designed to promote self-reliance in agriculture, health and education.

UNIDO action. UNIDO continued to provide technical assistance to the South African national liberation movements recognized by OAU (ANC and PAC), as reported by the Executive Director to the Industrial Development Board.⁽¹⁶¹⁾ In 1985, assistance was provided for two projects—establishment in the United Republic of Tanzania of a mechanical workshop organized by ANC at Mazimbu, and of a women's garment manufacturing workshop for the benefit of PAC members located in Botswana, Lesotho, the United Republic of Tanzania and Zimbabwe.

On 31 May,⁽¹⁶²⁾ the Board, mindful of the low level of UNDP resources during 1982-1984, which led to the exclusion of some UNIDO projects for assistance to the movements from the priority list of UNDP-funded projects, urged the UNDP Governing Council to ensure adequate funds for UNIDO projects. It appealed to member States, United Nations organizations and NGOs to provide assistance through the South African national liberation movements for the establishment and development of technical co-operation projects in the industrial sector aimed at enhancing the self-reliance of the oppressed black majority of South Africa. The UNIDO secretariat was requested to increase its technical assistance to those

movements recognized by OAU and to report on technical assistance to them.

Activities of the Committee against Apartheid. The Special Committee against Apartheid also appealed for more assistance to the oppressed people of South Africa and the South African liberation movements recognized by OAU, emphasizing the need for all possible political, moral, humanitarian, educational, material and other assistance.⁽¹⁾ It said there was an urgent need for direct assistance, as a demonstration, by action, of support to their legitimate struggle. The Committee urged the General Assembly to address an urgent appeal for such assistance.

Action by the Commission on Human Rights. On 26 February,⁽²⁾ the Commission on Human Rights appealed to States, specialized agencies and NGOs to extend all possible co-operation to the liberation movements of southern Africa recognized by the United Nations and OAU.

Action by the Committee on colonial countries. The Committee on colonial countries, on 9 August,⁽³⁾ expressed concern that the assistance extended so far by United Nations organizations to colonial peoples, particularly the people of Namibia and their national liberation movement, SWAPO, was inadequate.

ECONOMIC AND SOCIAL COUNCIL ACTION

In **resolution 1985/59** of 26 July, the Economic and Social Council requested United Nations organizations, in view of the deteriorating situation in South Africa and the acts of aggression and destabilization by the régime against States in the region (see p. 178), to increase assistance to the liberation movements in South Africa. The Council noted with satisfaction the arrangements made by several United Nations bodies which enabled representatives of the movements recognized by OAU to participate as observers during discussions of matters concerning their respective countries, and called on those international institutions which had not done so to make the necessary arrangements, including defraying the costs of their participation.

GENERAL ASSEMBLY ACTION

The General Assembly took action on many occasions in 1985 on assistance to the national liberation movements recognized by OAU.

It decided to continue authorizing financial provisions in the regular United Nations budget to enable the South African liberation movements—ANC and PAC—to maintain New York offices in order to participate in appropriate deliberations (**resolution 40/64 B**).

The Assembly reiterated its appeal to States, organizations and institutions for increased support for those movements (**resolution 40/64 D**) and

called for an increase in assistance to the victims of apartheid through their movements (40/25).

United Nations organizations were urged to continue to expand their co-operation with OAU and, through it, their assistance to the movements it recognized (40/20). The Assembly recommended that a separate item on such assistance be included in the agenda of high-level meetings between the OAU General Secretariat and the secretariats of United Nations organizations with a view to strengthening co-ordination to ensure the best use of available resources for assistance to colonial peoples; it noted with satisfaction the arrangements made by several such organizations enabling representatives of the liberation movements recognized by OAU to participate as observers in matters concerning their countries, and called on those organizations that had not done so to follow that example (40/53).

UN Trust Fund for South Africa

In October 1985,⁽¹⁶³⁾ the Secretary-General reported that the United Nations Trust Fund for South Africa, established in 1965⁽¹⁶⁴⁾ to provide voluntary assistance to persons persecuted under discriminatory legislation in South Africa and Namibia, made eight grants totalling \$2,115,000 in 1985. The Fund received \$2,309,081 in 1985 (see table below). As at 15 October, total income to the Fund since its inception, including private donations and interest, was \$22,204,868 and the total amount of grants was \$21,615,627, leaving a balance of \$589,241.

CONTRIBUTIONS TO THE UNITED NATIONS TRUST FUND FOR SOUTH AFRICA, 1985

(as at 31 December 1985, in US dollar equivalent)

Country	Amount
Algeria	10,000
Australia	49,014
Austria	37,200
Barbados	500
Brazil	20,000
Bulgaria	1,000
Cameroon	3,763
Canada	21,492
China	30,000
Cyprus	(39)
Denmark	280,047
Egypt	2,834
Finland	106,050
France	69,892
Germany, Federal Republic of	49,912
Greece	4,500
Hungary	2,500
India	2,000
Indonesia	3,000
Iran	4,400
Ireland	25,288
Italy	15,258
Jamaica	2,000
Japan	20,000
Kuwait	4,000
Malaysia	1,000
Maldives	1,000
Netherlands	73,099

Country	Amount
New Zealand	5,260
Norway	402,685
Pakistan	2,495
Sri Lanka	1,000
Sweden	340,716
Thailand	1,000
Trinidad and Tobago	1,250
Turkey	1,500
United States	686,000
Venezuela	1,000
Yugoslavia	4,000
Zimbabwe	22,465
Total	2,309,081

SOURCE: Accounts for the 12-month period of the biennium 1984-1985 ended 31 December 1985—schedules of individual trust funds.

GENERAL ASSEMBLY ACTION

On 10 December, the General Assembly adopted **resolution 40/64 H** without vote.

United Nations Trust Fund for South Africa

The General Assembly,

Having considered the report of the Secretary-General on the United Nations Trust Fund for South Africa, to which is annexed the report of the Committee of Trustees of the Trust Fund,

Alarmed by the increasing number of political trials and detentions and the harsh sentences, including the death penalty, imposed on opponents of apartheid,

Gravely concerned at the imposition of the state of emergency in South Africa and the increased repression of thousands of opponents of apartheid, including leaders of democratic political mass organizations, community and church leaders, students and trade unionists,

Reaffirming that increased humanitarian and legal assistance by the international community to those persecuted under repressive and discriminatory legislation in South Africa and Namibia is appropriate and essential,

Recognizing that increased contributions to the Trust Fund and to the voluntary agencies concerned are necessary to enable them to meet the growing needs for humanitarian and legal assistance,

1. Commends the Secretary-General and the Committee of Trustees of the United Nations Trust Fund for South Africa for their persistent efforts to promote humanitarian and legal assistance to persons persecuted under repressive and discriminatory legislation in South Africa and Namibia, as well as assistance to their families and to refugees from South Africa;

2. Expresses its appreciation to the Governments, organizations and individuals that have contributed to the Trust Fund and to the voluntary agencies engaged in rendering humanitarian and legal assistance to the victims of apartheid and racial discrimination;

3. Appeals for generous and increased contributions to the Trust Fund;

4. Also appeals for direct contributions to the voluntary agencies engaged in assistance to the victims of apartheid and racial discrimination in South Africa and Namibia.

General Assembly resolution 40/64 H

10 December 1985 Meeting 111 Adopted without vote

45-nation draft (A/40/L.39 & Add.1); agenda item 36.

Sponsors: Argentina, Australia, Austria, Brazil, Canada, Cape Verde, China, Congo, Denmark, Egypt, Finland, France, Gambia, Germany, Federal Republic of, Greece, Guinea, Guyana, Iceland, India, Indonesia, Ireland, Italy, Japan, Kenya, Lesotho,

Madagascar, Malaysia, Malta, Mozambique, Netherlands, Nicaragua, Nigeria, Norway, Pakistan, Sierra Leone, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, United Republic of Tanzania, Venezuela, Yugoslavia, Zambia.

Meeting numbers. GA 40th session: plenary 51-57, 111.

Other aspects

Public information

The Special Committee against Apartheid, in response to a 1984 request of the General Assembly,⁽¹⁶⁵⁾ issued in October 1985 a special report on its efforts to inform world public opinion and encourage wider action in support of the struggle of the oppressed people of South Africa.⁽⁶⁾

The Committee noted that over the years it had organized hearings with media representatives and other events to generate an understanding of the true character of apartheid. Further public information activities were needed since South Africa had been devoting more resources to propaganda, directed primarily at the United States and the United Kingdom. Because those two States had veto power in the Security Council, their continued support had been regarded by South Africa as crucial in its campaign against the imposition of economic sanctions. South Africa had been trying to convince public opinion, particularly in Western countries, that white-ruled South Africa was a valuable strategic ally of the West. Furthermore, South Africa had attempted to portray black South Africans as culturally, ethnically and politically fragmented into mutually hostile and diverse "tribes" and therefore unable to govern themselves. It had attempted to convince public opinion that the liberation movements were "Communist dominated" and that any political change in South Africa would endanger the West's sea route around the Cape and the supply of strategically important minerals.

The Committee's activities to counteract South Africa's efforts included publication of a biannual Register of Sports Contacts with South Africa (see p. 164) and an annual register of entertainers, actors and others who had performed in South Africa (see p. 135), as part of the sports and cultural boycotts. In May 1985, the Centre against Apartheid initiated an occasional News Digest to inform organizations of United Nations-related activities against apartheid, and to promote an exchange of information on the international campaign against it. Other Secretariat activities included the dissemination of information, including audio-visual material, by the Department of Public Information (DPI).

The Committee made a number of recommendations for further information activities. It called for co-operative arrangements with UNDP and specialized agencies for information distribution wherever United Nations information centres had not been established. DPI was called on to prepare, in co-operation with the Centre against Apartheid,

special information kits on apartheid for use by the media and organizations. The Centre was urged to produce more information material for use by special groups, such as trade unions, churches, and women's, student and youth organizations, relating to specific aspects of the international campaign. The Committee recommended that DPI, the Centre and other Secretariat bodies produce and disseminate audio-visual material on apartheid. It stressed the need to expand liaison with the media, and suggested that a special supplement be prepared for insertion in wide-circulation newspapers during the observance of international days related to the struggle against apartheid. The Committee found that concerts and other events of a promotional nature involving prominent cultural and sports personalities and entertainers had been effective in drawing media attention. It suggested that the United Nations Postal Administration, as well as Member States, issue commemorative postage stamps publicizing the struggle against apartheid.

In the Committee's view, the Centre should be provided with greater resources to strengthen its dissemination activities. In order to carry out its recommendations, the Committee urged Member States to make larger contributions to the Trust Fund for Publicity against Apartheid.

On 7 November,⁽⁶⁾ the Acting Chairman of the Committee condemned the restrictions imposed by South Africa to curb the reporting of unrest and repression, and called on journalists, academicians, liberation movements, Governments, organizations and individuals to combat South African attempts in that regard.

The Committee and the secretariat of the Commonwealth countries organized a Media Workshop on Countering Apartheid Propaganda (London, 20-22 May).⁽¹⁶⁶⁾ Participants, including representatives of Commonwealth Governments, the media, anti-apartheid and other organizations and liberation movements, as well as experts, discussed the nature and objective of apartheid propaganda, impediments to exposure of the truth about apartheid and possible future action. Among a number of recommendations, the Workshop called on the Commonwealth secretariat and the Centre against Apartheid to assist third world media in establishing direct access to news and events in southern Africa. It also recommended that an apartheid monitoring unit be set up within the Commonwealth secretariat, that a study be commissioned on how selected Western media handled South African and Namibian issues, and that educational exchanges be instituted between Commonwealth trade unions and emerging black trade unions in South Africa.

On 2 and 3 December, the Committee against Apartheid met with the Commonwealth Committee on Southern Africa to review their respective activities, and agreed on measures to generate and

request increased television and radio coverage of resistance in South Africa and to counter propaganda. Further, they decided to co-sponsor events designed to promote media coverage of developments in southern Africa and international action against apartheid.

Other United Nations bodies also called for dissemination of information on apartheid. In its June Vienna Declaration,⁽³⁰⁾ the Council for Namibia noted with satisfaction the pressures being exerted by parliamentarians, NGOs and individuals in Western countries to promote the severance of economic and other links with South Africa as part of a concerted public campaign against apartheid. It urged the campaign to work for comprehensive mandatory sanctions against South Africa (see p. 138).

The Committee on colonial countries, on 7 August,⁽³²⁾ appealed to mass media, trade unions and other NGOs, as well as individuals, to coordinate and intensify their efforts to mobilize international public opinion against the policy of the apartheid régime and to work for the enforcement of sanctions and for systematic divestment in corporations doing business in South Africa.

On 26 February,⁽³⁾ the Commission on Human Rights called on States, specialized agencies, intergovernmental organizations and NGOs to intensify their campaign to mobilize public opinion for the enforcement of economic and other sanctions.

The Conference of African Ministers of Information (Cairo, Egypt, 23-25 November) adopted a number of resolutions,⁽²⁶⁾ including one on the responsibilities of the Pan African News Agency (PANA) and the African press in the struggle against apartheid. By that text, it urged the African media, particularly PANA, to include among their priority objectives the sensitization of African and international public opinion to the struggle for freedom waged by the national liberation movements and the peoples of South Africa and Namibia; it directed the PANA Director General to assign competent journalists in southern Africa to inform Africa and the world about the struggle against apartheid.

GENERAL ASSEMBLY ACTION

On 10 December, the General Assembly adopted **resolution 40/64 D** by recorded vote.

Public information and public action against apartheid

The General Assembly,

Reaffirming its resolutions on public information and public action against apartheid, including in particular resolution 39/72 E of 13 December 1984,

Having considered the special report of the Special Committee against Apartheid on concerted international action for the elimination of apartheid,

Recognizing the inescapable moral challenge by the inhuman system of apartheid in South Africa,

Reaffirming its solidarity with the just struggle of the people of South Africa for the elimination of apartheid and the exercise of the right of self-determination by that people as a whole, irrespective of race, colour or creed,

Recognizing the important role of public information and public involvement in international efforts for the elimination of apartheid,

Condemning the racist régime of South Africa and its collaborators for their nefarious propaganda to confuse and divert public attention from the evils of apartheid,

Considering that the United Nations has a special responsibility to disseminate as widely as possible information on the inhumanity of apartheid, including the escalation of racist violence by the régime against the black majority, the just struggle of the oppressed people of South Africa and the action by the international community for the elimination of apartheid,

Recognizing the importance of contributions by Governments, non-governmental organizations, information media and individuals towards such efforts,

Welcoming and commending the relevant activities of many trade unions, artists, athletes and other individuals committed to freedom and human dignity,

Noting with concern the recent measure imposed by the racist régime further to restrict the freedom of the press and information media to report on the situation prevailing in South Africa,

1. Commends the efforts of the Special Committee against Apartheid and endorses the recommendations contained in its special report to further enhance the dissemination of information on the evils of apartheid;

1. Encourages the Special Committee and the Centre against Apartheid of the Secretariat to intensify their activities designed to inform world public opinion of the situation in South Africa, and promote public action in support of the just struggle of the oppressed people and the objectives of the United Nations;

3. Requests the Secretary-General, as a matter of high priority, to take all appropriate steps to ensure full co-operation by the Department of Public Information of the Secretariat and all organizations within the United Nations system with the Special Committee and the Centre against Apartheid in dissemination of information on the evils of apartheid;

4. Requests the Department of Public Information to ensure the widest dissemination of information on atrocities and crimes committed by the apartheid régime;

5. Appeals to all Governments, information media, non-governmental organizations and individuals to lend their co-operation to the United Nations in disseminating information against apartheid;

6. Appeals to all Governments, information media, non-governmental organizations and individuals to intensify further the international campaign for the release of Nelson Mandela, Zephania Mothopeng and all South African political prisoners and detainees;

7. Appeals to all Governments to contribute generously to the Trust Fund for Publicity against Apartheid and to information activities of non-governmental organizations engaged in programmes against apartheid;

8. Launches an appeal to all information media, intellectuals and other public leaders to contribute to efforts to arouse the conscience of the world against apartheid;

9. Fully supports the efforts of the information media to continue, in the face of great difficulty, danger and official curbs, to keep the world informed of the truth.

General Assembly resolution 40/64 D

10 December 1985 Meeting 111 150-5 (recorded vote)

62-nation draft (A/40/L29 & Corr.1); agenda item 35.

Sponsors: Afghanistan, Algeria, Angola, Antigua and Barbuda, Benin, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Comoros, Congo, Cuba, Democratic Yemen, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran, Iraq, Kenya, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Papua New Guinea, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, Tunisia, Uganda, Ukrainian SSR, United Republic of Tanzania, Viet Nam, Yugoslavia, Zaire, Zambia, Zimbabwe.

Financial implications. 5th Committee, A/40/1022; S-G, A/C.5/40/76.

Meeting numbers. GA 40th session: 5th Committee 58; plenary 51-57, 111.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Grenada, Israel, Malawi, United Kingdom, United States.

Speaking in explanation of vote, the United States said it did not believe that States' reactions to apartheid should be mandated by the Assembly. Ireland considered it important that information about apartheid practices have wide dissemination, and it expressed concern at the current restrictions on the media in South Africa in relation to their reporting of the situation there. Belgium voted for the resolution despite serious reservations on some paragraphs.

The Assembly took related action in **resolution** 40/64 E, in which it requested the Secretary-General to render, through DPI and the Centre against Apartheid, assistance to the Committee against Apartheid in disseminating information on the collaboration between Israel and South Africa. In **resolution** 40/52, it appealed to mass media, trade unions and other NGOs, as well as individuals, to intensify efforts to mobilize international public opinion against apartheid and to work for the enforcement of economic and other sanctions against South Africa and for systematic divestment in corporations doing business there.

By **resolution** 40/164 A, the Assembly urged DPI and the mass media world-wide to intensify their dissemination of apartheid information, taking account of recent measures and official censorship imposed on the media. The Assembly also

approved the recommendations of the Committee on Information, among them a proposal that the Secretary-General be requested to intensify his efforts, within existing resources, to disseminate information on the struggle of the oppressed people of South Africa; another called for DPI to ensure a more coherent coverage of the United Nations, especially in its priority areas, including the struggle against apartheid.

Non-governmental organizations

The Special Committee against Apartheid reported that non-governmental organizations, in particular anti-apartheid movements, had intensified their activities in support of the liberation struggle in South Africa.⁽¹⁾ On 25 and 26 November 1985, the Committee invited several NGOs and anti-apartheid organizations to discuss the programme of action against apartheid. Their representatives and those of national liberation movements and some individuals concerned with the situation in southern Africa participated in the strategy session and adopted a statement setting out recommendations for action by NGOs.⁽¹⁶⁷⁾ The session agreed on the necessity for the Committee, in co-operation with anti-apartheid movements, to intensify the campaign to secure the imposition by the United Nations of mandatory comprehensive sanctions against South Africa in order to eradicate apartheid, halt South Africa's aggression against the front-line States, and compel it to end its occupation of Namibia. The session believed that the campaign should be aimed at exposing the role of the United States and the United Kingdom, which had blocked the adoption of sanctions, to end their support of the régime.

In addition to enforcing the mandatory arms embargo, the session called for mandatory embargoes on oil, nuclear collaboration and high technology exports, including computers and electronic equipment. It recommended a campaign to stop all air links with South Africa and Namibia, as well as sports, cultural, academic and similar boycotts. It requested the Committee to ensure monitoring and to develop co-operation with anti-apartheid movements.

GENERAL ASSEMBLY ACTION

The General Assembly, in **resolution** 40/64 D, appealed to NGOs, among others, to co-operate with the United Nations in disseminating information against apartheid, and to intensify the international campaign for the release of all South African political prisoners and detainees (see p. 161).

Meetings, missions and observances

As part of its work to promote the international campaign against apartheid, the Special

Committee against Apartheid organized or co-sponsored a number of meetings, missions and observances in 1985.⁽¹⁾ It was also represented at conferences, meetings and events throughout the world.

Meetings. The Committee, in co-operation with the Hungarian Solidarity Committee, organized the International Seminar on Racist Ideologies, Attitudes and Organizations Hindering Efforts for the Elimination of Apartheid and Means to Combat Them (Siofok, 9-11 September).⁽¹⁶⁸⁾ The Seminar adopted a declaration⁽¹⁶⁹⁾ in which it considered comprehensive mandatory sanctions against South Africa to be one of the most effective and the only peaceful means to eradicate apartheid, and recommended joint action by Member States, intergovernmental organizations and NGOs to expose and combat apartheid and racism.

The Committee helped organize three international meetings in May—the International Conference on Women and Children under Apartheid (Arusha, United Republic of Tanzania) (see ECONOMIC AND SOCIAL QUESTIONS, Chapter XIX), the International Conference on Sports Boycott against South Africa (Paris) (see p. 165), and the Media Workshop on Countering Apartheid Propaganda (London) (see p. 172).

On 7 May, the Committee invited several student leaders from the United States to discuss action against apartheid, and many made statements.

Missions. In preparation for the International Conference on Women and Children under Apartheid, the Committee sent a mission to Angola, Zambia and the United Republic of Tanzania from 3 to 16 April to evaluate the needs of assistance to women and children refugees as well as to the front-line States. Besides holding talks with representatives of those Governments and of ANC, PAC and SWAPO, it visited various projects operated by the national liberation movements: a settlement operated by SWAPO at Kwanza-Sul, an ANC construction site at Viana, near Luanda, and a SWAPO transit camp at Viana, all in Angola; a SWAPO transit camp, an ANC day-care centre, a printing shop and a farm at Lusaka, Zambia; and an ANC settlement at Morogoro and a PAC temporary work centre at Dar es Salaam, both in the United Republic of Tanzania.

On-the-spot inspection of the settlements revealed the intolerable conditions under which thousands of women, children and elderly refugees were living as a result of the invasions and aggression by South Africa. The mission found, however, that the settlements, in particular those of SWAPO and ANC, were efficiently run and well organized. Angola had been particularly affected, since occupation by South African forces had resulted in an increased movement of displaced persons towards the north. The mission commended Governments, in particular the Nordic and socialist countries, for having provided material support to the oppressed people of

South Africa and Namibia. It called for increased assistance to the national liberation movements for their women's programmes and for opportunities to be made available for training women, listing specific assistance needs for those programmes.

In its report,⁽¹⁷⁰⁾ the mission concluded that women and children fleeing apartheid, who constituted the majority of the refugee population from South Africa and Namibia in the neighbouring countries, needed durable asylum, food, medical care and legal protection as well as education, training and employment. Short-term or emergency assistance was the first priority. There was an increasing need to mobilize public opinion on the plight of those refugees from South Africa and Namibia. The mission suggested that the International Conference on Women and Children under Apartheid urge the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women (see ECONOMIC AND SOCIAL QUESTIONS, Chapter XIX) to give priority to the question of assistance to women in southern Africa.

The Committee Chairman undertook three missions in 1985 to hold discussions with governmental leaders on international action against apartheid. He visited New Zealand, Vanuatu and India from 19 February to 8 March; the USSR and France from 24 to 30 May; and the Republic of Korea, Japan and China from 4 to 12 November.

The Chairman informed the Prime Minister of New Zealand of the Committee's appreciation for his Government's position in regard to apartheid, and particularly for breaking consular relations with South Africa and its statements of opposition to the impending tour of the All Blacks rugby team to South Africa (see p. 164). In Vanuatu, the Chairman was informed that the Government was mobilizing the support of the States of the South Pacific Forum for further action against South Africa. At New Delhi, the Prime Minister said that India would contribute to mobilizing the international community towards eliminating apartheid. The Supreme Soviet and the Foreign Ministry of the USSR expressed support for the Committee's activities in seeking comprehensive and mandatory sanctions against South Africa. In France, the Minister for External Relations and the Chairman agreed that there had been no meaningful change in South Africa and the Minister pledged his Government's support for the Committee's work. In the Republic of Korea, the Chairman called for the establishment of an anti-apartheid movement there. In Japan, he gave interviews to major media networks and met with anti-apartheid organizations to review their strategies for public action. After talks with Government officials in China, the Chairman addressed the Chinese People's Institute for Foreign Affairs under the sponsorship of the China United Nations Association.

Observances. In 1985, as in previous years, the Committee held solemn meetings in observance of the International Day for the Elimination of Racial Discrimination (21 March), the International Day of Solidarity with the Struggling People of South Africa (16 June), the International Day of Solidarity with the Struggle of Women of South Africa and Namibia (9 August), and the Day of Solidarity with South African Political Prisoners (11 October).

In addition, the Committee held a special session on 22 March to commemorate the twenty-fifth anniversary of the Sharpeville massacre, with the theme "Sharpeville, Soweto and Sebokeng: Struggle for Liberation in South Africa and International Response". In a declaration adopted at the conclusion of the session on 28 March,⁽¹⁷⁾ the Committee condemned the killings and other atrocities against unarmed demonstrators by the régime, and the attack on mourners at the funeral procession in Uitenhage on 21 March. Pending the imposition by the Security Council of comprehensive mandatory sanctions, it called on States to adopt measures on boycotts and sanctions against South Africa. Furthermore, it rejected South Africa's attempt to create the illusion that it was introducing change and reform, for example, by creating the so-called new constitution.⁽⁷⁾ The Committee reaffirmed the legitimacy of the struggle of the oppressed people of South Africa and their liberation movements by all available means, including armed struggle. It declared that freedom fighters captured during the struggle for national liberation were entitled to prisoner-of-war status and treatment in accordance with Additional Protocol I to the Geneva Conventions of 12 August 1949. The Committee condemned policies of "constructive engagement" and active collaboration with the régime followed by the United States and certain Western States.

On 26 June, the Committee held a special meeting in observance of the thirtieth anniversary of the Freedom Charter of South Africa; the Acting Chairman pointed out that the Freedom Charter had served to foster in the international community a better understanding of the struggle of the oppressed people for their just cause.

Work programme of the Committee against Apartheid

In its annual report,⁽¹⁾ the Special Committee against Apartheid outlined its programme of work, stating its intention to give particular attention to consultations with Governments, intergovernmental organizations and NGOs in order to promote international action in support of the legitimate struggle of the South African people for a non-racial society, to promote increased assistance to the oppressed people of South Africa and their national liberation movements and to increase public

awareness of the situation. It would continue to promote action by the public in all countries in the campaign against apartheid. Among its activities, the Committee would send missions, organize and support conferences and seminars, hold hearings and other events and commission and publicize expert studies. It would seek the advice and assistance of leaders of campaigns against apartheid, as well as of publicists and other experts, as special consultants. The Committee requested a special allocation of \$500,000 from the regular United Nations budget for 1986 for special projects to be decided by it, as well as adequate resources for other activities.

GENERAL ASSEMBLY ACTION

On 10 December, the General Assembly adopted **resolution 40/64 F** by recorded vote.

Programme of work of the Special Committee against Apartheid

The General Assembly,

Having considered the report of the Special Committee against Apartheid,

1. Commends the Special Committee against Apartheid for its vigorous efforts to promote concerted international action in support of the legitimate aspirations of the oppressed people of South Africa and in implementation of relevant United Nations resolutions;

2. Endorses the recommendations contained in paragraphs 400 to 404 of the report of the Special Committee relating to its programme of work and activities to promote the international campaign against apartheid;

3. Authorizes the Special Committee to organize or co-sponsor conferences, seminars or other events, to send missions to Governments, organizations and conferences and to assist campaigns against apartheid as it may deem necessary in the discharge of its responsibilities, within the financial resources allocated under the present resolution, and requests the Secretary-General to provide the necessary staff and services for such activities;

4. Decides to make a special allocation of \$500,000 to the Special Committee for 1986 from the regular budget of the United Nations for the cost of special projects to be decided upon by the Committee in order to promote the international campaign against apartheid;

5. Again requests Governments and organizations to make voluntary contributions or provide other assistance for the special projects of the Special Committee and to make generous contributions to the Trust Fund for Publicity against Apartheid.

General Assembly resolution 40/64 F

10 December 1985 Meeting 111 141-2-12 (recorded vote)

56-nation draft (A/40/L.31 & Corr.1); agenda item 35.

Sponsors: Afghanistan, Algeria, Angola, Benin, Burkina Faso, Burundi, Cameroon, Comoros, Congo, Cuba, Democratic Yemen, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran, Iraq, Kenya, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Papua New Guinea, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, Tunisia, Uganda, Ukrainian SSR, United Republic of Tanzania, Zaire, Zambia, Zimbabwe.

Financial implications. 5th Committee, A/40/1022; S-G, A/C.5/40/76.

Meeting numbers. GA 40th session: 5th Committee 58; plenary 51-57, 111.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United Kingdom, United States.

Abstaining: Belgium, Belize, France, Germany, Federal Republic of, Grenada, Israel, Italy, Luxembourg, Malawi, Netherlands, Portugal, Spain.

Speaking in explanation of vote, the Netherlands was concerned that the allocation for the Committee had been increased in spite of the pressing need for budgetary restraint. New Zealand expressed reservations about some aspects of the work programme and the funding approved. The United Kingdom regretted that the Committee had failed to heed the chorus of disapproval which had been expressed in the Assembly over the past few years and which led to the United Kingdom's inability to approve the Committee's work programme—the Committee's report was an example of that tendency. The United States opposed the text because it was unable to support a resolution that commended the work of a committee advocating mandatory sanctions; furthermore, it did not believe it was desirable to increase the allocation for the Committee's work programme during the current financial difficulties.

In other resolutions, the Assembly endorsed the Committee's 1985 report;(1) requested it to intensify its activities for the total isolation of the apartheid régime, for promoting comprehensive and mandatory sanctions against South Africa and for mobilizing public opinion and encouraging public action against collaboration with South Africa; and requested it to keep the matter of collaboration between South Africa and Israel and between South Africa and other States under review and to report to the Assembly and the Security Council as appropriate (40/64 A). The Assembly requested the Committee, with the assistance of DPI and the Centre against Apartheid, to continue to publicize information on Israel-South Africa relations (40/64 E).

The Assembly endorsed the Committee's recommendations to enhance the dissemination of information on apartheid and encouraged the Committee and the Centre to intensify their activities to inform world public opinion and promote action in support of the struggle of the oppressed people

and United Nations objectives; United Nations organizations, and DPI in particular, were requested to co-operate with the Committee and the Centre in disseminating information on apartheid's evils (40/64 D).

REFERENCES

- (1)A/40/22-S/17562. (2)A/41/22-S/18360. (3)A/40/22/Add.1-S/17562/Add.1. (4)A/40/22/Add.2-S/17562/Add.2. (5)A/40/22/Add.3-S/17562/Add.3. (6)A/40/22/Add.4-S/17562/Add.4. (7)YUN 1984, p. 157. (8)E/1985/22 (res. 1985/6). (9)Ibid. (res. 1985/9). (10)A/40/276-S/17138. (11)A/40/308. (12)A/40/564 & Corr.1. (13)A/40/592-S/17425, A/40/594-S/17430. (14)A/40/593. (15)A/40/601-S/17436 & Corr.1. (16)A/40/602-S/17437. (17)A/40/651-S/17470. (18)A/40/661-S/17478. (19)A/40/733-S/17546. (20)A/40/749. (21)A/40/758-S/17570. (22)A/40/761-S/17573. (23)A/40/837. (24)A/40/817. (25)A/40/840-S/17605. (26)A/40/980. (27)A/40/805. (28)YUN 1984, p. 133, GA res. 39/72 G, 13 Dec. 1984. (29)Ibid., p. 138. (30)A/40/24. (31)A/40/23 (A/AC.109/830). (32)Ibid. (A/AC.109/840). (33)Ibid. (A/AC.109/841). (34)S/16957. (35)S/16986. (36)S/17006. (37)S/17108. (38)A/40/475-S/17336. (39)A/40/555-S/17402. (40)A/40/565-S/17411. (41)S/17429. (42)A/40/666. (43)A/40/745-S/17563. (44)A/40/784-S/17583. (45)YUN 1984, p. 143, SC res. 558/1984, 13 Dec. 1984. (46)A/40/265-S/17125. (47)YUN 1978, p. 915, SC res. 435(1978) 29 Sep. 1978. (48)YUN 1983, p. 1045. (49)YUN 1981, p. 165. (50)YUN 1980, p. 200. (51)YUN 1977, p. 162, SC res. 421(1977) 9 Dec. 1977. (52)Ibid., p. 161, SC res. 418(1977), 4 Nov. 1977. (53)E/C.10/AC.4/1985/4. (54)A/40/455-S/17322 & Corr.1. (55)A/40/464-S/17326. (56)S/17368. (57)S/AC.20/37. (58)S/AC.20/38 & Add.1-6. (59)S/16966. (60)S/16947. (61)S/17061. (62)S/17053. (63)S/17113. (64)S/17076. (65)S/17040. (66)S/17183. (67)S/17056. (68)S/17048. (69)S/16924. (70)S/17429. (71)S/16950. (72)S/16918. (73)S/17140 & Add.1. (74)A/40/892-S/17632. (75)E/1985/28. (76)YUN 1984, p. 147, ESC res. 1984/53, 25 July 1984. (77)E/C.10/1985/7 & Corr.1. (78)E/C.10/1985/9. (79)YUN 1984, p. 146. (80)Ibid., p. 857, GA res. 39/15, 23 Nov. 1984. (81)E/CN.4/1986/5 (res. 1985/3). (82)E/C.10/1985/8. (83)E/C.10/1986/9. (84)E/C.10/AC.4/1985/2 & Add.1. (85)E/C.10/AC.4/1985/3. (86)E/C.10/AC.4/1985/5. (87)E/C.10/AC.4/1985/6. (88)E/C.10/1985/18 & Corr.1. (89)YUN 1973, p. 103, GA res. 3068(XXXVIII), annex, 30 Nov. 1973. (90)A/40/23 (A/AC.109/843). (91)YUN 1983, p. 147. (92)A/AC.115/L.627. (93)E/1985/22 (res. 1985/8). (94)E/CN.4/1986/5 (res. 1985/36). (95)S/16991. (96)S/17050. (97)S/17051. (98)S/17351. (99)S/17356. (100)S/17363. (101)S/17413. (102)S/17426. (103)A/40/18 (dec. 1(XXXII)). (104)YUN 1965, p. 440, GA res. 2106 A (XX), annex, 21 Dec. 1965. (105)A/40/164-S/17009. (106)A/40/514-S/17367. (107)A/40/585-S/17421. (108)S/17065. (109)A/40/518-S/17372. (110)A/41/63-S/17696. (111)A/40/217. (112)S/17071. (113)A/40/222-S/17079. (114)A/40/280-S/17145. (115)A/40/229-S/17092. (116)A/40/355. (117)A/40/521. (118)A/40/502-S/17355. (119)A/40/508-S/17362. (120)A/40/577-S/17419. (121)S/17364. (122)S/17360. (123)A/40/515-S/17369. (124)S/17374. (125)A/40/532-S/17384. (126)A/41/67-S/17699. (127)A/40/530-S/17382. (128)A/40/557-S/17405. (129)A/40/539-S/17391. (130)A/40/547-S/17398. (131)A/40/559-S/17406. (132)A/40/574-S/17418. (133)A/40/571-S/17415. (134)A/41/59-S/17691. (135)A/41/72-S/17709. (136)A/40/1026-S/17678 & Corr.1. (137)A/41/60-S/17693. (138)YUN 1977, p. 706. (139)YUN 1948-49, p. 535, GA res. 217 A (II), 10 Dec. 1948. (140)A/40/560 (S/17407). (141)A/40/749. (142)YUN 1984, p. 156. (143)S/17408. (144)S/17575. (145)A/40/572-S/17416. (146)A/40/763. (147)A/40/767-S/17577. (148)A/40/744-S/17580. (149)A/40/799-S/17589. (150)A/40/804. (151)A/40/820-S/17593. (152)A/AC.115/L.624 & Corr.1. (153)A/40/343-S/17224. (154)YUN 1976, p. 136, GA res. 31/6 F, 9 Nov. 1976. (155)A/40/36. (156)A/AC.192/L.4. (157)DP/1985/17. (158)YUN 1984, p. 168. (159)E/1985/32 (dec. 1985/14). (160)DP/1986/21. (161)ID/B/344. (162)A/40/16 (conclusion 1985/14). (163)A/40/780. (164)YUN 1965, p. 115, GA res. 2054 B (XX), 15 Dec. 1965. (165)YUN 1984,

p. 171, GA res. 39/72 E, 13 Dec. 1984. ⁽¹⁶⁶⁾A/40/696-S/17511. ⁽¹⁶⁷⁾A/AC.115/L.633. ⁽¹⁶⁸⁾A/AC.115/L.634. ⁽¹⁶⁹⁾A/40/660-S/17477. ⁽¹⁷⁰⁾A/AC.115/L.621. ⁽¹⁷¹⁾A/40/213 & Corr.1 (S/17142).

South Africa and the front-line and other States of southern Africa

In 1985, South Africa carried out aggression against some neighbouring States, for which it was condemned by several United Nations bodies. The States of southern Africa which shared security concerns—Angola, Botswana, Mozambique, the United Republic of Tanzania, Zambia and Zimbabwe—were known as the front-line States. South Africa's aggression particularly against Angola, Botswana and Lesotho was condemned by the Security Council in several 1985 resolutions.

The situation in Angola was particularly serious, and the Council took action on South Africa's attacks against and occupation of that country on four occasions during the year—on 20 June, 20 September, 7 October and 6 December. It demanded that South Africa withdraw all its forces and decided to send a commission to evaluate the damage resulting from the invasion. After the commission visited Angola and made recommendations for assistance, the Council endorsed its report, demanded that South Africa compensate Angola for the damage to life and property, and requested Member States and international organizations to provide assistance for its reconstruction.

The Council reacted similarly on 21 June following South Africa's attack on Gaborone, the capital of Botswana. It demanded that South Africa pay compensation and requested the Secretary-General to send a mission to assess the damage. On 30 September, the Council endorsed the mission's report and called for assistance to Botswana.

Lesotho also complained about an attack by South Africa during which six South African refugees and three Lesotho nationals were killed. Condemning the violence for which it held South Africa responsible, the Council, on 30 December, demanded that it pay compensation, reaffirmed Lesotho's right to receive victims of apartheid, called on the parties to use established channels of communication on matters of mutual concern, and requested Member States to give economic assistance to Lesotho so that it could receive South African refugees.

In October, Mozambique complained that South Africa was assisting bandits in Mozambique, in contravention of a 1984 bilateral agreement to improve relations. South Africa responded that it was only acting to help Mozambique resist opposition forces.

Activities of the Committee against Apartheid. In its annual report to the General Assembly issued in October 1985,⁽¹⁾ the Special Committee against Apartheid said that South Africa, despite accords and understandings with some of its neighbouring States, had committed acts of aggression and destabilization against them, in its effort to counter the national liberation movements of South Africa and to extract the acquiescence of the neighbouring States to its policies. South Africa claimed that the unrest in South Africa was the work of revolutionary elements who were returning to the country illegally after undergoing military training in neighbouring countries, and that it was trying to ensure that the countries concerned refused bases to those fighters. According to the Committee, the agreements brought no peace, as they were ignored by South Africa; peace in southern Africa was not possible unless apartheid was eliminated and Namibia achieved independence.

Since gaining independence a decade earlier, Angola had been invaded more than 12 times by South Africa, which also supported the forces of the União Nacional para a Independência Total de Angola (UNITA), concentrated in southern Angola. Although Angola and South Africa had reached agreement in February 1984 on the withdrawal of South African forces from Angola (an agreement known as the Lusaka Understanding),⁽²⁾ South Africa withdrew its forces only after a long delay, leaving behind about 60 soldiers, and continued to support UNITA forces.

In May 1985, Angolan troops killed two South African commandos and captured another during their attempt to sabotage oil installations at Malonga, Cabinda province, in southern Angola. The captured commando confessed that his unit had carried out several other attacks on strategic installations in Angola. In the same month, Angolan authorities intercepted two South African night parachute drops of weapons to UNITA in the northern part of the country. As a result, Angola called off scheduled talks with South Africa. South Africa sent ground and air forces into Angola on 16 September to support UNITA forces against an effective drive of Angolan troops towards southern Angola. It admitted that it had provided aid to UNITA. Further acts of aggression by South Africa took place in October and December.⁽³⁾

In Gaborone, Botswana, two South African refugees were injured in February when their house was bombed, and a leader of a black South African trade union was killed in a car bomb explosion in May. South African forces raided Gaborone on 14 June, allegedly to attack ANC bases; 12 persons were killed. The aggression was condemned by the Commonwealth Committee on Southern Africa at an emergency meeting on 24 June.

South Africa's destabilization efforts continued against Mozambique, despite a non-aggression agreement, known as the Nkomati Accord, signed with that country in March 1984.⁽⁷⁾ Mozambique claimed that South African agents continued to supply the rebel National Resistance Movement (MNR) with arms and ammunition. Although South Africa denied giving support to MNR after signing the accord, Mozambique obtained evidence of South African involvement when its forces destroyed camps of the MNR forces. On 13 June 1985, the Presidents of Mozambique, the United Republic of Tanzania and Zimbabwe held a one-day meeting at Harare, Zimbabwe, to discuss Mozambique's security situation and to explore ways of increasing co-operation with it. The South African Foreign Minister said at a press conference on 19 September that South Africa maintained radio links with MNR, had constructed a landing strip for its forces, and dropped supplies.

South Africa also supported rebels in Lesotho—the so-called Lesotho Liberation Army. In October, Lesotho was shelled from South African territory. South African soldiers in December killed six recently exiled members of ANC and three Lesotho citizens in an attack against Maseru, Lesotho.

Action by the Committee on colonial countries. On 16 May,⁽⁴⁾ the Committee on colonial countries paid tribute to the front-line and other African States for their commitment to an independent Namibia. It deemed it imperative that the international community increase its support to the front-line States to enable them to resolve their own economic difficulties, which were a consequence of South Africa's policies of aggression and subversion, and to defend themselves against South Africa's attempts to destabilize them. The Committee urged States to assist the Southern African Development Co-ordination Conference (SADCC) in its efforts to promote regional economic co-operation and development and to reduce the economic dependence of countries of the area on South Africa.

The Committee, on 7 August,⁽⁵⁾ noted that South Africa had repeatedly committed armed aggression against neighbouring countries, particularly Angola and Botswana, causing extensive loss of human lives and destruction of the economic infrastructure.

On 9 August,⁽⁶⁾ the Committee urged United Nations organizations to extend, as a matter of priority, material assistance to the front-line States to enable them to support the Namibian people's struggle for independence and to resist the violation of their territorial integrity by South Africa, directly or, as in Angola and Mozambique, through puppet traitor groups in the service of Pretoria.

Action by the Commission on Human Rights and its Sub-Commission. The Commission on Human Rights also condemned South Africa's ag-

gression against front-line and other neighbouring States. On 26 February, it called the acts wanton and unprovoked,⁽⁷⁾ condemned South Africa for its military pressure on front-line States and for its support to bandits who sought to destabilize the States in question,⁽⁸⁾ and demanded that South Africa cease its aggression aimed at undermining the economies and destabilizing the political institutions of its neighbours.⁽⁹⁾

On 30 August,⁽¹⁰⁾ the Sub-Commission on Prevention of Discrimination and Protection of Minorities condemned South Africa for continued acts of international terrorism against those States.

Activities of the Council for Namibia. The United Nations Council for Namibia, in its 1985 report to the General Assembly,⁽¹¹⁾ said that the increased militarization of southern Africa and the aggression and destabilization perpetrated by South Africa had impeded the development of the front-line States. In its efforts to intimidate the people of Namibia and South Africa and their national liberation movements recognized by OAU, South Africa had subjected Angola, Botswana, Lesotho, Mozambique, Zambia and Zimbabwe to subversion, military aggression, incursions and other forms of destabilization. Furthermore, South Africa had recruited, trained, financed and equipped mercenaries to cause instability, and supplied puppet groups with military hardware and funds.

In its Vienna Declaration and Programme of Action adopted on 7 June,⁽¹²⁾ the Council condemned South Africa's latest act of aggression against Angola and reaffirmed that the support of the front-line States for Namibia continued to be an important factor in efforts to bring about independence. It called on Governments to assist the States to enable them to defend themselves, and to support SADCC, with a view to reducing their economic dependence on South Africa and to enable them to resist its aggression and destabilization efforts.

Communications. A number of countries addressed communications to the Secretary-General in 1985 on South Africa's aggression (for letters dealing with aggression against a particular State, see also pp. 181, 183, 189, 193 and 196).

Spain forwarded its Foreign Ministry's 19 June communiqué on events in southern Africa.⁽¹³⁾ Noting the 1984 Lusaka and Nkomati agreements, Spain condemned South Africa's covert mission to capture oil installations in Angola's Cabinda province as well as its military incursion into Gaborone, Botswana, and urged South Africa to settle disputes peacefully. The Libyan Arab Jamahiriya, on 15 July,⁽¹⁴⁾ called attention to the dangers arising from South Africa's aggression, particularly against Angola, in violation of the United Nations Charter and Security Council resolutions. On 18 September,⁽¹⁵⁾ Madagascar forwarded the resolutions adopted by the OAU Council of Ministers

(Addis Ababa, 10-17 July). In one, the Council condemned South Africa for the aggression against Angola and Botswana, during which scores of innocent civilians and refugees were killed under the pretext of hot pursuit of ANC and SWAPO fighters and the elimination of non-existent military bases; it commended the front-line States and Lesotho for their commitment and readiness to sacrifice for Namibia's independence and majority rule in South Africa.

The Bahamas forwarded a communiqué adopted by heads of Commonwealth Governments on 22 October.⁽¹⁶⁾ Recalling that South Africa had entered into pacts with Angola and Mozambique in 1984, they said that South Africa had nevertheless continued to occupy Angolan territory, to launch attacks against it and to support rebel movements in those two countries; they condemned South Africa's attacks on those neighbouring countries which had refused to enter into pacts with it, and especially deplored the June attack against Botswana. The President of Senegal, current OAU Chairman, in a statement of 5 November,⁽¹⁷⁾ condemned the attacks on Angola, Botswana and Mozambique, said UNITA had become a movement serving South African policies, and appealed to Governments to denounce South Africa's moves.

Angola, on 5 November,⁽¹⁸⁾ forwarded the Final Political Declaration adopted by the Conference of Foreign Ministers of Non-Aligned Countries (Luanda, 4-7 September). They stressed the positive role played by the front-line States, condemned South Africa for the continued military occupation of Angola, decided to increase material support to Angola, expressed concern about the concentration of South African troops along the Angolan-Namibian border as well as destabilization efforts against Mozambique, condemned the repeal by the United States Congress of the 1975 Clark Amendment which was designed to terminate United States involvement in Angola's internal affairs, condemned the June 1985 meeting in Angola of subversive renegades and mercenary groups under the auspices of the United States which constituted interference in Angola's internal affairs, condemned the use of South African territory for the infiltration into Mozambique of armed bandits which attacked the defenceless population, called for assistance to Mozambique for defence purposes, and condemned the aggression against Botswana and Lesotho.

On 23 December,⁽¹⁹⁾ China condemned the recent South African invasion of southern Angola and commando raid of Lesotho, which showed the regime's continued hostility towards the black masses.

ECONOMIC AND SOCIAL COUNCIL ACTION

In resolution 1985/59, the Economic and Social Council requested United Nations organizations, in view of the deteriorating situation in South Africa

and the acts of aggression and destabilization against States in the region, to increase assistance to the front-line and neighbouring States and to the liberation movements in South Africa.

GENERAL ASSEMBLY ACTION

In numerous 1985 resolutions, the General Assembly condemned South Africa's aggression, subversion, terrorism and destabilization against African States. It did so in resolutions 40/56, 40/64 A and 40/64 I, and in the last also condemned those actions aimed against refugees from South Africa and Namibia, demanded that South Africa immediately withdraw its troops from southern Angola and end the destabilization of front-line and other States, and appealed to States, organizations and institutions to increase assistance to the front-line States and SADCC in order to increase their economic strength and independence from South Africa.

The Assembly again urged the international community to increase support to the front-line States to enable them to resolve their own economic difficulties, caused largely by Pretoria's policies of aggression and to defend themselves better against South Africa's persistent destabilization attempts; Member States were also urged to assist Angola and other front-line States in strengthening their defence capacity, and South Africa was condemned for its use of Namibia as a springboard for perpetrating acts of aggression against neighbouring States (40/97 A). Similar condemnations were contained in resolution 40/25 and the Assembly also condemned South Africa's use of armed terrorist groups with a view to pitting them against the national liberation movements and destabilizing the Governments of southern Africa; it called on the international community to increase assistance to the countries so that they could defend their sovereignty and rebuild and develop.

The Assembly again urged United Nations organizations to assist the front-line States to enable them to resist attacks by South African forces (40/53). Noting with concern that a critical situation prevailed in southern Africa, the Assembly stated that the régime had resorted to desperate measures in order to suppress by force the legitimate aspirations of the people of southern Africa and had repeatedly committed acts of armed aggression against neighbouring States, particularly Angola and Botswana, causing extensive loss of human lives and destruction of the economic infrastructure (decision 40/415).

Angola-South Africa armed incidents and South African occupation of Angola

Following increased South African aggression against and occupation of Angola in 1985, the

Security Council adopted four resolutions condemning that action—on 20 June (567(1985)), 20 September (571(1985)), 7 October (574(1985)) and 6 December (577(1985)). The Council also sent an investigative commission to Angola to assess damage resulting from South Africa's invasion; it endorsed the commission's report in December.

The Commission on Human Rights, the Council for Namibia and the General Assembly similarly condemned South Africa's aggression against Angola.

Action by the Commission on Human Rights. On 26 February, the Commission on Human Rights demanded that South Africa put an immediate, total and unconditional end to its unprovoked acts of aggression and withdraw its forces from Angola,⁽⁷⁾ and condemned South Africa for its persistent acts of subversion and aggression against Angola, including the continued occupation of parts of its territory in violation of Angolan sovereignty and all norms of international law.⁽⁸⁾ Again on that day,⁽⁹⁾ the Commission similarly condemned South Africa for aggression against Angola.

Action by the Council for Namibia. The Council for Namibia, in its June Vienna Declaration,⁽¹²⁾ condemned South Africa's latest act of aggression against Angola, which it said exposed Pretoria's duplicity and bad faith, and rejected Pretoria's arrogated right to transgress the borders of front-line States. It also rejected the attempts by the United States and South Africa to establish a "linkage" between Namibia's independence and the withdrawal of Cuban forces from Angola (see TRUSTEESHIP AND DECOLONIZATION, Chapter III).

Communications (April-June). In a letter of 15 April 1985 to the Secretary-General,⁽²¹⁾ South Africa said that it remained ready, as had been agreed in November 1984 with Angola, to move the office of the Joint Monitoring Commission (Angola, Cuba, South Africa) to the Angola/Namibia border area, in order to complete the disengagement process. Ministerial talks on that move had not taken place; the move had recently been delayed due to the SWAPO annual rainy season offensive. Despite these activities, South Africa had instructed its forces to withdraw from southern Angola within a week; it trusted that this would be conducive to the withdrawal of Cuban forces from Angola, thus paving the way for a peaceful resolution of regional problems, including Namibia's independence. Over the previous 16 months, South Africa said, it had established a working relationship with Angola, having held five bilateral ministerial meetings, and it hoped the relationship would help in achieving a peaceful resolution of the problems in the region.

Angola addressed three letters to the President of the Security Council in June, reporting a deterioration in the situation. In a 6 June message,⁽²²⁾ Angola stated that on 21 May its forces had captured South African commandos intending to

sabotage the Cabinda Gulf Oil Company compound at Malongo; their objective was to destroy the credibility of the Angolan Government with the Western Governments with which it had economic relations, and to destabilize Angola's economy and make those Governments believe that the UNITA puppet group was a valid party in a peaceful solution in southern Africa. The South African action was particularly reprehensible as it was in violation of the 1984 Lusaka Understanding.⁽²⁾

On 12 June,⁽²³⁾ Angola said that over the previous fortnight there had been an increased violation of its airspace as well as a concentration of South African motorized brigades and battalions along the Angolan border, leading Angola to surmise that the increased activity at the beginning of the dry season was a sign that a new invasion was being prepared.

The following day,⁽²⁴⁾ Angola requested that the Council convene to deal with the continuous acts of aggression and violence perpetuated by South African forces, resulting in the violation of Angolan territorial integrity and sovereignty.

On 20 June,⁽²⁵⁾ Brazil transmitted a 6 June telegram it had sent to Angola repudiating the South African incursion and the 8 June reply by Angola acknowledging Brazil's support.

SECURITY COUNCIL ACTION (June)

In response to Angola's complaint against South Africa, the Security Council held two meetings on 20 June. It invited Angola, Argentina, the Bahamas, the Congo, Cuba, the German Democratic Republic, Liberia, Pakistan, Sao Tome and Principe, South Africa, the Sudan, the United Republic of Tanzania and Yugoslavia, at their request, to participate without the right to vote.

Angola recapitulated the May events surrounding the capture of the South African commandos, who it said were planning to attack the Cabinda Gulf Oil compound at Malongo, more than 2,000 kilometres from the Namibian border. The arms seized by Angola, including explosives, incendiary bombs and land-mines, showed the absurdity of South Africa's claim that the operation was intended to locate SWAPO and ANC bases. Some weeks earlier, even as Angola and South Africa were preparing a ministerial-level meeting on re-establishing peace in southern Africa, plans were being made for the commando operation and South Africa was funneling military aid to UNITA rebels. Despite South Africa's statements about withdrawing its troops from Angola, its forces remained there.

South Africa said the Angolan Government was providing facilities for thousands of ANC terrorists, actively assisting ANC in training, arming and planning for terrorism against the people of South Africa. South Africa had sought a peaceful resolution of its dispute with Angola, and had repeatedly urged

it to remove ANC terrorists from its territory and to cease assisting them, but Angola had failed to respond. South Africa, which had acted in accordance with international law, would not apologize for having taken appropriate action to counteract the threat and would take whatever action was necessary to defend itself. South Africa had not recognized the Angolan régime because, among other things, it was not in control of the greater part of Angola, and because it would be incapable of maintaining itself without the support of foreign troops. South Africa called on all Council members to join it in calling for an international agreement for the withdrawal of all foreign forces from Angola.

All speakers condemned South Africa's aggression against Angola. Many countries—Burkina Faso, China, the Congo, Cuba, Egypt, the German Democratic Republic, India, Liberia, Madagascar, Pakistan, Sao Tome and Principe (on behalf of African countries whose official language was Portuguese), the Ukrainian SSR, the USSR and Yugoslavia—urged the Council to adopt effective sanctions against South Africa to deter it from its acts of aggression. India, Peru and Thailand endorsed Angola's right to compensation for the losses it had suffered.

A number of countries said South Africa's attack was a threat to regional and international security and an attempt to destabilize neighbouring States. For example, the Bahamas (on behalf of the Latin American and Caribbean Group) said that for this reason, South Africa's unconstrained behaviour ought not to be tolerated by the international community. China said South Africa remained the root of the trouble in the region, and Denmark said its conduct not only threatened regional stability but had wider implications for international peace and security. The Sudan joined those condemning the acts as a threat to international peace and security. Sao Tome and Principe, speaking also on behalf of Cape Verde, Guinea-Bissau and Mozambique, said South Africa was a permanent source of destabilization in the region as proved by its terrorist acts against Angola and Botswana. Asserting that South Africa was pursuing a policy of brutal pressure against regional countries and striving to weaken their already shaky economies, France condemned such destabilization efforts.

According to Madagascar, South Africa was responsible for repressing democratic liberation movements, the illegal occupation of an international territory and acts of aggression against States in the region.

In view of South Africa's persistent aggression, Trinidad and Tobago believed that Angola would have to continue to rely on international support to preserve its sovereignty and territorial integrity.

Yugoslavia perceived the aggression against Angola as pressure against all non-aligned countries.

Some countries, such as Australia, condemned South Africa's actions as a violation of international law. Egypt said South Africa had decided to challenge the entire international community by its raids on sovereign States, and Peru described its actions as colonialist and racist.

Some States believed that South Africa's conduct had been encouraged by the support of certain countries. Among those expressing such a view, Burkina Faso said support came from countries which had opposed sanctions against South Africa. Cuba, as well as the German Democratic Republic on behalf of the Group of Eastern European States, spoke similarly. The latter added that South Africa's actions in Angola showed that its declarations of peace were null and void. The USSR said the provocative conduct and the challenging statements made by South Africa in the Council were the result of the support given to it by Western countries, particularly the United States and the United Kingdom, and of the alliance between Pretoria and the authors of the policy of so-called constructive engagement.

The United Kingdom regarded the involvement of South African military personnel in Cabinda as illegal and an unjustifiable act of force; however, it did not endorse every formulation in the resolution before the Council (see below). Also deploring the South African action, the United States was particularly disturbed by evidence that the action had threatened the lives and property of United States citizens and companies, and it added that such instances of violence in the region underscored the importance of moving rapidly to a negotiated settlement.

Liberia, on behalf of the African Group, deplored the fact that South Africa arrogated to itself the right to transgress the borders of front-line States in violation of the 1984 Lusaka Understanding. Argentina said South Africa's actions challenged the credibility of the United Nations, while the Congo perceived them as attempts to extend of bantustanization outside South Africa.

At the conclusion of the second meeting on 20 June, the Council unanimously adopted **resolution 567(1985)**.

The Security Council,

Having heard the statement of the Minister for External Relations of the People's Republic of Angola,

Recalling its resolutions 387(1976), 418(1977), 428(1978), 447(1979), 454(1979), 475(1980), 545(1983) and 546(1984),

Gravely concerned at the renewed escalation of unprovoked and persistent acts of aggression committed by the racist régime of South Africa in violation of the sovereignty, airspace and territorial integrity of Angola, as evidenced by the recent military attack in the province of Cabinda,

Conscious of the need to take effective steps for the prevention and removal of all threats to international peace and security posed by South Africa's military attacks,

1. Strongly condemns South Africa for its recent act of aggression against the territory of Angola in the province of Cabinda as well as for its renewed intensified, premeditated and unprovoked acts of aggression, which constitute a flagrant violation of the sovereignty and territorial integrity of that country and seriously endanger international peace and security;

2. Further strongly condemns South Africa for its utilization of the international Territory of Namibia as a springboard for perpetrating its armed attacks as well as sustaining its occupation of parts of the territory of Angola;

3. Demands that South Africa should unconditionally withdraw forthwith all its occupation forces from the territory of Angola, cease all acts of aggression against that State and scrupulously respect the sovereignty and territorial integrity of the People's Republic of Angola;

4. Considers that Angola is entitled to appropriate redress and compensation for any material damage it has suffered;

5. Requests the Secretary-General to monitor the implementation of the present resolution and report to the Security Council;

6. Decides to remain seized of the matter.

Security Council resolution 567(1985)

20 June 1985

Meeting 2597

Adopted unanimously

6-nation draft (S/17286).

Sponsors: Burkina Faso, Egypt, India, Madagascar, Peru, Trinidad and Tobago.

Meeting numbers. SC 2596, 2597.

Communications (September-November). In late 1985, a number of countries addressed letters to either the President of the Security Council or the Secretary-General concerning South African aggression against Angola.

Angola, on 18 September,⁽²⁶⁾ said that South African forces had again crossed into Angola on 16 September and engaged in acts of destruction and brutality, under the pretext of countering non-existent pre-emptive strikes by Namibians. The next day,⁽²⁷⁾ Angola requested that the Council convene, in view of the South African invasion and its threat to regional and international peace and security. After the Council took action on 20 September (see below), Angola made a similar request on 1 October.⁽²⁸⁾

Brazil transmitted a telegram it had sent to Angola on 17 September⁽²⁹⁾ expressing its solidarity with Angola following South Africa's latest aggression. On 19 September,⁽³⁰⁾ Botswana expressed concern over press reports about South Africa's land and air attack, condemned the invasion, called on South Africa to withdraw immediately from Angola and appealed to the United States to continue efforts to restrain South Africa from such aggression. Mongolia, on 20 September,⁽³¹⁾ also demanded that South Africa withdraw its troops immediately, and called on the Council to put an end to the aggression and to condemn the States which encouraged South Africa in such acts.

Also condemning the South African aggression, the USSR, in a statement of 21 September,⁽³²⁾ said that South Africa, by its incursion into Angola, was attempting to save UNITA—the puppet organization used by South Africa and its Western supporters to destabilize the Government—from inevitable defeat. Noting that the invading forces had penetrated up to 190 kilometres into Angola, Viet Nam made a similar statement on 20 September,⁽³³⁾ demanding that South Africa immediately halt its aggression, which was aimed at aiding UNITA.

India forwarded a special communiqué adopted on 1 October by the Meeting of Ministers and Heads of Delegation of Non-Aligned Countries to the 1985 session of the General Assembly in which they condemned South Africa for its latest aggression against Angola.⁽³⁴⁾ Similarly, India forwarded a communiqué adopted on 25 November⁽³⁵⁾ by the Coordinating Bureau of the Movement of Non-Aligned Countries regarding the situation in southern Africa following the repeal of the 1975 Clark Amendment by the United States Congress. Noting that the Amendment was designed to terminate United States involvement in Angola's internal affairs, the Bureau expressed concern that its repeal indicated that the United States was contemplating assistance to Angolan rebels, and it urged the United States to refrain from assisting South Africa and rebels aided by it to subvert or overthrow Governments of southern Africa. Earlier, in September, the Conference of Foreign Ministers of Non-Aligned Countries had also condemned the repeal of the Clark Amendment (see p. 180).

Angola forwarded on 20 November⁽³⁶⁾ a statement made by the Political Bureau of the Central Committee of the MPLA/Workers' Party (Movimento Popular de Libertação de Angola-Partido do Trabalho) on the tenth anniversary of Angola's independence. The Bureau said that the developments in Angola, with direct South African intervention in support of puppet insurgent groups, were evidence of the imperialist forces' intention of thwarting Angola's revolution through South Africa to preserve their interests in the region. Encouraged by the United States, South Africa was developing a policy of open confrontation with and destabilization of countries in the region. The repeal of the Clark Amendment had neutralized any chance of success for the United States policy of "constructive engagement" towards South Africa.

SECURITY COUNCIL ACTION (September-December)

September. On 20 September, the Security Council held two meetings on Angola's complaint.⁽²⁷⁾ At their request, the Council invited Angola, Argentina, Brazil, Cuba, Cyprus, Greece, Guyana, Qatar, Senegal, South Africa, Sri Lanka and Zambia to participate, without vote, in the discussion. The Chairman of the Special Committee

against Apartheid was also invited, under rule 39 of the Council's provisional rules of procedure.^c

Opening the debate, Angola said that on 17 September South African armed forces had launched a massive invasion of Angola, including air raids and attacks on Angolan military units in the provinces of Cunene, Cuando Cubango and Moxico, 275 kilometres from the border with Namibia. The attack was directed against Angola's forces which were advancing towards the UNITA rebel base in Cuando Cubango. On 19 September, South African Mirage jets had bombed the Mavinga area and vast quantities of arms, weapons and other military equipment had been air-dropped by the South African forces in the Cazombo area in eastern Angola. There were no SWAPO bases in Cuando Cubango and Moxico and South Africa's actions were intended exclusively to save the UNITA rebels who could not survive without such assistance. The attack was part of a pattern of similar aggression against Botswana and Mozambique. Appealing to the Council for assistance, Angola asserted that the continuation of such attacks might force it to take recourse under Article 51 of the United Nations Charter, granting States the right to individual or collective self-defence against armed attack.

South Africa said that since the disengagement of its forces as it had announced on 18 April, SWAPO forces had returned to the southern Angola border area in ever-larger numbers and had stated their intention to increase attacks on civilian targets in Namibia. Information was obtained from two SWAPO terrorists, part of a reconnaissance and sabotage team, and the tracks of some 30 others were followed to the border with Angola; South Africa then launched an operation into southern Angola, where further large arms caches for use in Namibia had been found. The contingents involved in that operation had been ordered to commence their withdrawal. South Africa remained willing to enter into discussions with Angola as soon as possible, since that dialogue was essential to resolve the region's problems, particularly the volatile Angola-Namibia border situation. According to South Africa, Cuban and Soviet combat elements were directly involved in fighting against opposition groups in southern Angola.

Several speakers rejected South Africa's justification of hot pursuit for its incursions. Burkina Faso said South Africa's pretext was fallacious. Also rejecting South Africa's pretext, France said its operations were linked to its illegal presence in Namibia and its refusal to accept the United Nations plan for Namibia's independence. India said South Africa had no business in Namibia in the first place. Madagascar, speaking on behalf of the African Group, said that South Africa's theory of preventive action was unacceptable in the

framework of positive international law since South Africa was occupying Namibia illegally. Speaking for OAU, Senegal said South Africa's act of destabilization constituted undeniable aggression. Thailand said South Africa's incursions into a neighbouring country, on any pretext whatsoever, constituted a gross violation of international law and the United Nations Charter. Trinidad and Tobago said the international community should send a strong signal to South Africa that it would not allow Namibia to be used as a springboard for armed attacks against Angola. The United States said it was not sympathetic to South Africa's assertion of its right to pursuit stemming from its illegal occupation of Namibia. The USSR said South Africa was concocting inventions about a Cuban-Soviet danger in the area and it would not have the temerity to counter the will of the overwhelming majority of States without the support of a number of Western powers, primarily the United States. The Ukrainian SSR expressed a similar view. Australia, Brazil, Cyprus, Qatar (on behalf of the Arab Group) and Zambia also rejected South Africa's pretext of preventive attacks.

Brazil, Burkina Faso, China, Cuba, Egypt, Madagascar, Peru, Qatar, Senegal, Sri Lanka, Trinidad and Tobago, the Ukrainian SSR, the USSR and Zambia called for strong measures by the Council against South Africa.

Touching on other aspects of the issue, Australia questioned South Africa's proclaimed wish for good relations in southern Africa in view of its policies of destabilization in Angola, Botswana and Mozambique. Burkina Faso and Egypt said South Africa's attack on Angola was an act of defiance against the Council. Asserting that South Africa had no intention of solving the problem of southern Africa through peaceful talks, China said it had to be compelled to implement all Council resolutions. Denmark expressed satisfaction that, within the white minority in South Africa itself, the country's policy of aggression against Angola was being questioned.

Peru said the source of weapons with which South Africa carried out its attacks had to be determined. Thailand stressed that Angola had to be fully compensated for the attack. Calling on South Africa to withdraw its troops immediately, the United Kingdom stressed that it did not accept paragraph 5 of the text before the Council (see below) as endorsing the intervention of combat troops from other countries in the region, since that risked widening the conflict and exacerbating regional problems. The United States cautioned all parties to act with restraint and urged South Africa to withdraw immediately its forces from Angola.

^c See footnote a on p. 154.

The Chairman of the Committee against Apartheid said South Africa, under the pretext of self-defence, was subverting and destabilizing the Angolan Government, and called on the Council to act under Chapter VII of the United Nations Charter.

At the conclusion of the second meeting on 20 September, the Council, at the request of the United States, voted on paragraph 5 of the draft resolution before it. The paragraph was adopted by 14 votes to none, with 1 abstention (United States). The Council then unanimously adopted **resolution 571(1985)**.

The Security Council,

Having considered the request by the Permanent Representative of the People's Republic of Angola to the United Nations, contained in document S/17474,

Having heard the statement of the Permanent Representative of Angola,

Recalling its resolutions 387(1976), 428(1978), 447(1979), 454(1979), 475(1980), 545(1983), and 567(1985), in which it, inter alia, condemned South Africa's aggression against the People's Republic of Angola and demanded that South Africa scrupulously respect the independence, sovereignty and territorial integrity of Angola,

Gravely concerned at the further renewed escalation of hostile, unprovoked and persistent acts of aggression and sustained armed invasions committed by the racist régime of South Africa, in violation of the sovereignty, airspace and territorial integrity of the People's Republic of Angola,

Convinced that the intensity and timing of these acts of armed invasions are intended to frustrate efforts at negotiated settlements in southern Africa, particularly in regard to the implementation of Security Council resolutions 385(1976) and 435(1978),

Grieved at the tragic loss of human life, mainly that of civilians, and concerned about the damage and destruction of property, including bridges and livestock, resulting from the escalated acts of aggression and armed incursions by the racist régime of South Africa against the People's Republic of Angola,

Gravely concerned that these wanton acts of aggression by South Africa form a consistent and sustained pattern of violations and are aimed at weakening the unrelenting support of front-line States for the movements for freedom and national liberation of the peoples of Namibia and South Africa,

Conscious of the need to take effective steps for the prevention and removal of all threats to international peace and security posed by South Africa's military attacks,

1. Strongly condemns the racist régime of South Africa for its premeditated, persistent and sustained armed invasions of the People's Republic of Angola, which constitute a flagrant violation of the sovereignty and territorial integrity of that country, as well as a serious threat to international peace and security;

2. Strongly condemns also South Africa for its utilization of the international Territory of Namibia as a springboard for perpetrating armed invasions and destabilization of the People's Republic of Angola;

3. Demands that South Africa withdraw forthwith and unconditionally all its military forces from the territory of the People's Republic of Angola, cease all acts of aggression against that State and scrupulously respect the sovereignty and territorial integrity of Angola;

4. Calls upon all States to implement fully the arms embargo imposed against South Africa in resolution 418(1977);

5. Requests Member States urgently to extend all necessary assistance to the People's Republic of Angola and other front-line States, in order to strengthen their defence capacity against South Africa's acts of aggression;

6. Calls for payment of full and adequate compensation to the People's Republic of Angola for the damage to life and property resulting from those acts of aggression;

7. Decides to appoint and send immediately to Angola a commission of investigation, comprising three members of the Security Council, in order to evaluate the damage resulting from the invasion by South African forces and to report to the Council not later than 15 November 1985;

8. Urges Member States, pending the report of the Commission of Investigation, to take prompt, appropriate and effective action to bring pressure to bear upon the Government of South Africa to comply with the provisions of the present resolution and of the Charter of the United Nations, to respect the sovereignty and territorial integrity of Angola, and to desist from all acts of aggression against neighbouring States;

9. Decides to remain seized of the matter.

Security Council resolution 571(1985)

20 September 1985 Meeting 2607 Adopted unanimously

6-nation draft (S/17481), orally revised.

Sponsors: Burkina Faso, Egypt, India, Madagascar, Peru, Trinidad and Tobago.
Meeting numbers. SC 2606, 2607.

On 30 September,⁽³⁷⁾ the Council President reported that agreement had been reached in consultations with Council members that the Commission of Investigation would be composed of Australia, Egypt and Peru.

October. Meeting again at the request of Angola,⁽³⁸⁾ the Security Council held four meetings on 3, 4 and 7 October. It invited, at their request, Afghanistan, Algeria, Angola, Botswana, Cameroon, Cuba, Ethiopia, Ghana, Iran, Kuwait, Morocco, Mozambique, Nicaragua, Nigeria, Senegal, South Africa, Tunisia, the United Arab Emirates, the United Republic of Tanzania, Viet Nam, Yugoslavia, Zambia and Zimbabwe to participate, without voting rights. Under rule 39 of the provisional rules of procedure,^d the Council invited, at Burkina Faso's request,⁽³⁸⁾ Peter Mueshihange of SWAPO and, at the request of Burkina Faso, Egypt and Madagascar,⁽³⁹⁾ Mfanafuthi J. Makatini of ANC.

South Africa on 3 October put forward a draft resolution,⁽⁴⁰⁾ by which the Council would have demanded that all foreign military forces withdraw unconditionally from Angola, called on all States to respect the sovereignty and territorial integrity of Angola, requested the various Angolan factions

^dSee footnote a on p. 154.

to settle their differences through peaceful negotiation, and requested Member States not to intervene in the domestic affairs of Angola. No action was taken on South Africa's draft.

Angola said that from 28 to 30 September South African planes had violated Angola's airspace. Eight planes had bombed Angolan troops near Mavinga, 250 kilometres from the Namibian border, incurring more than 65 casualties, wounding hundreds and destroying six Angolan helicopters. The South African action had taken place just as Angola's armed forces were breaking through the last defensive position of UNITA.

South Africa said some Soviet pilots were flying Angolan planes and that the USSR was militarily involved in Angola, that it was commanding the current MPLA offensive, and that it was seeking to expand its influence in Africa. SWAPO was sending units southward as part of its terrorist campaign against the people of Namibia. South Africa would not shed its responsibilities for the region or for the security of the South African and Namibian people.

The other speakers called for the withdrawal of South African troops from Angola. Nigeria, speaking for the African Group, said there was no reason or circumstances that could justify South Africa's unprovoked aggression. It called on the Council to apply without delay comprehensive and mandatory sanctions and consider other measures against South Africa, including those specified in Article 42 of the Charter. Also calling for the application of mandatory sanctions were Burkina Faso, China, Cuba, Egypt, Ethiopia, Ghana, India, Madagascar, Nicaragua, Trinidad and Tobago, the Ukrainian SSR, the USSR, the United Arab Emirates, the United Republic of Tanzania, Viet Nam, Yugoslavia, Zambia and Zimbabwe.

Egypt, saying South Africa had proved it would not abide by Council resolutions until the Council took the steps provided for in the Charter, urged the Council to act decisively. Nicaragua, while welcoming unilateral measures adopted by certain countries to increase pressure on South Africa, said that was not enough and urged the Council to act more forcefully. Peru said that while the draft resolution before the Council (see below) was significant, it was more important for the Council to adopt a qualitatively different position and make effective use of all recourse measures available under the Charter. Zambia urged the Council to go beyond passing resolutions of mere condemnation and adopt tougher, action-oriented resolutions.

A number of speakers agreed with Angola that South Africa's attack was aimed primarily at saving the UNITA rebels. They were Cuba, Denmark, Mozambique, Nigeria, the Ukrainian SSR, the USSR, Viet Nam and Zimbabwe (for the African Group). Mozambique noted that South Africa had abandoned its justification of hot pursuit and had

acknowledged that its aggression against Angola and Mozambique was aimed at propping up its puppets in those countries.

The USSR accused the United States of preparing to provide open support to the UNITA rebels and encouraging South Africa's aggressive behaviour in the region by adopting a policy of so-called constructive engagement with South Africa. According to Viet Nam, South Africa's actions resulted from the comfort it enjoyed from its North American ally.

The United States rejected claims that it was supplying arms to South Africa and reminded the Council that it had placed an embargo on such sales; it accused certain forces outside the region of fueling the conflict to further their own interests at the expense of peace and security in the region.

Among those condemning South Africa for its aggression, Australia said it could not condone the doctrine of tutorial or punitive aggression. Ghana took issue with some Council members' definition of South Africa's aggression as mere cross-border violence, and said those actions were a deliberate, systematic pattern of aggression aimed at destabilizing Angola. Thailand said South Africa, by maintaining forces in Angola, was defying the Council. The United Arab Emirates rejected South Africa's invoking the justification of the right of self-defence in attacking Angola as contrary to international law and called it nothing but a flagrant act of aggression.

Some countries saw South Africa's actions as a threat to international peace and security. Cameroon stated that South Africa had acquired a nuclear capability, thereby increasing the chances of escalating the arms race in the subregion and further endangering international peace and security. According to Madagascar, South Africa's latest incursion into Angola unquestionably constituted aggression as defined by the General Assembly.⁽⁴¹⁾

Botswana and Denmark emphasized the regional aspects of the issue. Botswana asserted that the problem in southern Africa was not the presence of Cuban forces in Angola but the illegal occupation of Namibia by South Africa and the tyranny of apartheid. Denmark, while urging Member States to take prompt and effective action to force South Africa to comply with Council resolutions, said the problem had to be approached not in an East-West context but in a regional one.

The United Kingdom said Angolans should resolve their internal affairs without intervention by foreign troops, and condemned South Africa's action as improper, illegitimate and counter-productive.

Several countries mentioned their support for Angola in resisting South Africa. Algeria said the non-aligned countries had consistently lent their support to southern Africa, as shown by holding their recent ministerial meeting in Luanda and by deciding to meet in 1986 in Zimbabwe at the highest

level. China urged the Council to strengthen its support and assistance to Angola. According to Ethiopia, the front-line States could not alone cope with South Africa's repeated aggression and destabilization schemes and had to be assisted by nations committed to maintaining peace and security. India reassured Angola of its support and that of the Non-Aligned Movement in the face of continuing South African aggression.

Trinidad and Tobago called on the Council to reaffirm Angola's right, under Article 51 of the Charter, to defend itself.

Both Mr. Mueshihange of SWAPO and Mr. Makatini of ANC stated that certain permanent Council members had blocked the adoption of effective enforcement measures by the Council. The former singled out the United States for co-operating with South Africa to protect the UNITA rebels.

At the conclusion of the debate on 7 October, the Council, at the request of the United States, voted on paragraph 6 of the draft resolution before it; the paragraph was adopted by 14 votes to none, with 1 abstention (United States). **Resolution 574(1985)** as a whole was then adopted unanimously.

The Security Council,

Having considered the request of the Permanent Representative of the People's Republic of Angola to the United Nations contained in document S/17510,

Having heard the statement of the Permanent Representative of Angola,

Bearing in mind that all Member States are obliged to refrain in their international relations from the threat or use of force against the sovereignty, territorial integrity or political independence of any State and from acting in any other manner inconsistent with the principles and purposes of the United Nations,

Recalling its resolutions 387(1976), 428(1978), 447(1979), 454(1979), 475(1980), 545(1983), 546(1984), 567(1985) and 571(1985), which, inter alia, condemned South Africa's aggression against the People's Republic of Angola and demanded that South Africa should scrupulously respect the independence, sovereignty and territorial integrity of Angola,

Gravely concerned at the persistent, hostile and unprovoked acts of aggression and sustained armed invasions committed by the racist régime of South Africa in violation of the sovereignty, airspace and territorial integrity of the People's Republic of Angola and, in particular, the armed invasion of Angola carried out on 28 September 1985,

Conscious of the need to take effective steps for the prevention and removal of all threats to international peace and security posed by South Africa's acts of aggression,

1. Strongly condemns the racist régime of South Africa for its latest premeditated and unprovoked aggression against the People's Republic of Angola, as well as its continuing occupation of parts of the territory of that State, which constitute a flagrant violation of the sovereignty and territorial integrity of Angola and seriously endanger international peace and security;

2. Strongly condemns also South Africa for its utilization of the illegally occupied Territory of Namibia as a springboard for perpetrating acts of aggression against the People's Republic of Angola, as well as sustaining its occupation of part of the territory of that country;

3. Demands once again that South Africa cease immediately all acts of aggression and unconditionally withdraw forthwith all military forces occupying Angolan territory, as well as scrupulously respect the sovereignty, airspace, territorial integrity and independence of the People's Republic of Angola;

4. Reaffirms the right of the People's Republic of Angola, in accordance with the relevant provisions of the Charter of the United Nations, in particular Article 51, to take all the measures necessary to defend and safeguard its sovereignty, territorial integrity and independence;

5. Calls upon all States to implement fully the arms embargo imposed against South Africa in Security Council resolution 418(1977);

6. Renews its request to Member States to extend all necessary assistance to the People's Republic of Angola in order to strengthen its defence capability in the face of South Africa's escalating acts of aggression and the occupation of parts of its territory by the South African military forces;

7. Requests the Security Council Commission of Investigation established in pursuance of resolution 571(1985), consisting of Australia, Egypt and Peru, to report urgently on its evaluation of the damage resulting from South African aggression, including the latest bombings;

8. Decides to meet again in the event of non-compliance by South Africa with the present resolution in order to consider the adoption of more effective measures in accordance with the appropriate provisions of the Charter;

9. Decides to remain seized of the matter.

Security Council resolution 574(1985)

7 October 1985 Meeting 2617 Adopted unanimously

6-nation draft (S/17531).

Sponsors: Burkina Faso, Egypt, India, Madagascar, Peru, Trinidad and Tobago.
Meeting numbers. SC 2612, 2614, 2616, 2617.

November/December. On 15 November,⁽⁴²⁾ the Security Council President stated that the Chairman of the Council's Commission of Investigation had requested an extension of the deadline for submission of its report by one week, until 22 November. Following informal consultations among Council members, the request was granted.

The Commission stated in its report⁽⁴³⁾ that it had visited Angola from 13 to 23 October, stopping in six provinces including Cazombo in Moxico province (eastern Angola) where military operations had occurred in September. Because of ongoing hostilities, it was unable to visit Mavinga in Cuando Cubango province (south-eastern Angola), which had also been the subject of Angola's complaint. The Commission's reconstruction of the events surrounding the reported South African interventions in September and October was based mainly on accounts of Angolan government and military officials. As far

as possible, they were verified against personal observation, individual interviews and other available information.

As a result of its observations in Cazombo, the Commission estimated that material damage attributed to the September events amounted to \$604,000, which took into account damage to buildings, plants and equipment, the cost of repairing a bridge over the Zambezi River, restoring electricity and water supplies and repairing an airstrip. The Angolan Government provided information about losses in the Mavinga region, where South African forces had been engaged in September and October. The Government assessed the losses at \$36,084,508, and the Commission believed that the assessment accurately reflected the situation.

The Commission stressed that the estimates did not fully reflect the extent of damage suffered by Angola and did not include compensation for losses to human life and injuries, as called for in Security Council resolution 571(1985). According to Angolan figures, 86 military personnel were killed and 83 wounded in the Mavinga region. Furthermore, the estimates did not include the consequences of the latest fighting because of lack of data, or the costs of maintaining displaced persons; therefore, the real cost of damage was substantially higher than the total estimate. The Commission believed international assistance was needed to alleviate the suffering of the people affected by South African aggression, as well as refugees from Namibia, South Africa and elsewhere. International organizations, including UNDP and UNICEF, had contributed, but further assistance was needed for rehabilitation and reconstruction. The UNDP Resident Representative in Angola submitted a list of the most urgently needed items for displaced persons, which the Commission annexed to its report.

South Africa, in a 27 November statement by its Foreign Minister,⁽⁴⁾ rejected the Commission's report as one-sided and as misrepresenting the facts, and stated that it was part of the United Nations and Angola's propaganda against South Africa. According to South Africa, the situation in Angola was the result of the civil war being waged between MPLA and UNITA; instead of allowing the people to decide their own future, MPLA had imported more than 35,000 Cuban troops and thousands of Soviet surrogates. The Commission should have reported on the suffering inflicted on the Angolan people and the exploitation of its natural resources by those elements, and should have assessed the damage done in Namibia by SWAPO terrorists operating from bases in Angola. South Africa said it was regrettable that the Council did not send a fact-finding mission to the area to establish who was fighting whom, who was directing the operations, what armaments were being used and what the Angolans wanted for their country.

The Council, meeting on 6 December to consider the Commission's report, invited Angola, Burundi and South Africa, at their request, to participate in the discussion without vote.

Presenting the report, the Commission's Chairman, Egypt, said the Commission had interviewed some hospitalized Angolan military personnel whose helicopters had been shot down by South African planes at Mavinga, as well as refugees who had fled from there. The Commission concluded that the plight of the civilian population was one of the more tragic aspects of the situation, which called for further humanitarian assistance by the international community without prejudice to South Africa's obligation to pay compensation.

Rejecting the report, South Africa again asserted that the situation in Angola was the result of civil war and that the Commission's report was nothing more than an attempt to lend credence to Angolan propaganda against South Africa. It said the Commission had ignored the presence of thousands of foreign troops in Angola and the suffering they had inflicted. Furthermore, the Council had ignored South Africa's suggestion that a fact-finding mission be sent to the area (see above).

Angola urged the Council to demand that South Africa make full and immediate reparation to Angola and to indict, punish and penalize the aggressor; failure to do so would only embolden the South African régime to continue its aggression and to undermine all that the United Nations Charter stood for.

India and Burundi concurred with the Commission's conclusion that there was need for international aid without diminishing South Africa's responsibility fully to compensate Angola.

The United Kingdom said it supported the draft resolution before the Council (see below) because it condemned South Africa's incursions into Angola, but it did not interpret anything in the text as endorsing the intervention of foreign troops, as encouraging a policy of armed struggle or as falling within the provisions of Chapter VII of the United Nations Charter. Similarly, the United States also could not support any request for assistance to strengthen Angola's military structure.

At the conclusion of the meeting on 6 December, the Council voted on paragraph 6, at the United States request. The paragraph was adopted by 14 votes to none, with 1 abstention (United States). The Council then unanimously adopted resolution 577(1985).

The Security Council,

Having examined the report of the Security Council Commission of Investigation established under resolution 571(1985),

Having considered the statement of the Permanent Representative of the People's Republic of Angola to the United Nations,

Gravely concerned at the numerous hostile and unprovoked acts of aggression committed by the racist régime of South Africa violating the sovereignty, airspace and territorial integrity of the People's Republic of Angola,

Grieved at the tragic loss of human life and concerned about the damage to and destruction of property resulting from repeated acts of aggression committed by the South African racist régime,

Convinced that these wanton acts of aggression by the minority racist régime in South Africa form a consistent and sustained pattern of violations aimed at destroying the economic infrastructure of the People's Republic of Angola and weakening its support of the struggle of the people of Namibia for freedom and national liberation.

Recalling its resolutions 571(1985) and 574(1985) by which it, *inter alia*, strongly condemned South Africa's armed invasion perpetrated against the People's Republic of Angola and demanded that South Africa should scrupulously respect the independence, sovereignty and territorial integrity of Angola,

Reaffirming that the pursuance of these acts of aggression against Angola constitutes a threat to international peace and security,

Conscious of the need to take immediate and effective steps for the prevention and removal of all threats to international peace and security,

1. Endorses the report of the Security Council Commission of Investigation established under resolution 571(1985) and expresses its appreciation to the members of the Commission;

2. Strongly condemns the racist South African régime for its continued, intensified and unprovoked acts of aggression against the People's Republic of Angola, which constitute a flagrant violation of the sovereignty and territorial integrity of Angola;

3. Strongly condemns South Africa's utilization of the international Territory of Namibia as a springboard for armed invasions and destabilization of the People's Republic of Angola;

4. Demands once again that South Africa cease immediately all acts of aggression against the People's Republic of Angola and unconditionally withdraw forthwith all forces occupying Angolan territory as well as scrupulously respect the sovereignty, airspace, territorial integrity and independence of Angola;

5. Commends the People's Republic of Angola for its steadfast support for the people of Namibia in their just and legitimate struggle against the illegal occupation of their territory by South Africa and for the enjoyment of their inalienable rights to self-determination and national independence;

6. Requests Member States urgently to extend all necessary assistance to the People's Republic of Angola, in order to strengthen its defence capacity;

7. Demands that South Africa pay full and adequate compensation to the People's Republic of Angola for the damage to life and property resulting from the acts of aggression;

8. Requests Member States and international organizations urgently to extend material and other forms of assistance to the People's Republic of Angola

in order to facilitate the immediate reconstruction of its economic infrastructure;

9. Requests the Secretary-General to monitor developments in this situation and report to the Security Council as necessary, but no later than 30 June 1986, on the implementation of the present resolution and, in particular, of paragraphs 7 and 8 thereof;

10. Decides to remain seized of the matter.

Security Council resolution 577(1985)

6 December 1985 Meeting 2631 Adopted unanimously
6-nation draft (S/17667).

Sponsors: Burkina Faso, Egypt, India, Madagascar, Peru, Trinidad and Tobago.

GENERAL ASSEMBLY ACTION

On several occasions in 1985, the General Assembly condemned the repeated acts of aggression and the continued occupation of southern Angola and demanded the immediate and unconditional withdrawal of the South African troops. It did so in resolutions 40/25, 40/64 B, 40/64 I and 40/97 A.

Botswana-South Africa armed incidents

In 1985, the Security Council adopted two resolutions after Botswana complained that South Africa had attacked its capital, Gaborone. In June (resolution 568(1985)), the Council condemned the attack and requested the Secretary-General to send a mission to assess the damage and to propose how to strengthen Botswana's capacity to receive South African refugees. The Council endorsed the mission's report in September (resolution 572(1985)).

Communications. On 14 June,(45) Botswana informed the President of the Security Council that, during an attack on Gaborone that morning by South African forces, 12 persons were killed, including three women and a five-year-old child, and six injured, and four houses were demolished. The raiders apparently entered the country by road. Such violence was particularly deplorable considering Botswana's repeated assurances that it did not permit its territory to be used to launch attacks against neighbouring countries. On 17 June,(46) Botswana requested that the Council convene to consider the situation arising from the attack.

In a statement of 14 June,(47) South Africa provided its version of the events. It said it had repeatedly warned Botswana to curtail the activities of ANC members inside Botswana and in particular their planning and execution of terrorist activities in South Africa, and had provided Botswana with information on such activities. South Africa had no alternative but to protect itself from the increasing terrorist attacks emanating from Botswana.

Several letters were sent to the Council President or the Secretary-General condemning the attack. On 14 June,(48) Zimbabwe said the raid, following closely on the raid into Angola (see p. 180), showed that South Africa was ready to intensify its military aggression against and destabilization of regional

States and also showed the culpability of those nations which continued to support Pretoria. Democratic Kampuchea, on 17 June,(49) said the attack was another premeditated crime by South Africa and demanded that it end its aggression, destabilization and intimidation against its neighbours. Italy forwarded a 19 June EC declaration,(50) stating that South Africa's action ran counter to the continuation of a dialogue aimed at seeking peaceful solutions to the region's problems. Liberia transmitted a 20 June letter(51) from Oliver Tambo, President of ANC, stating that South Africa had undertaken the raid under the pretext of dealing with so-called terrorism, when all Botswana had done was to provide refuge to people in accordance with international law and morality; ANC urged the Council to impose comprehensive mandatory sanctions against South Africa. Brazil expressed solidarity with Botswana on 20 June,(52) as did the Sudan, on 21 June;(53) the latter also called on the Council to take deterrent measures such as comprehensive mandatory sanctions.

SECURITY COUNCIL ACTION (June)

The Council held two meetings on 21 June to consider Botswana's complaint. It invited the Bahamas, Benin, Botswana, the German Democratic Republic, Lesotho, Liberia, Seychelles, South Africa, the Sudan, Swaziland and the United Republic of Tanzania, at their request, to participate without vote in the discussion. It also invited, under rule 39 of its provisional rules of procedure,^e a Vice-Chairman of the Special Committee against Apartheid.

Opening the debate, Botswana said that the invasion was the culmination of a progressively aggressive South African attitude towards Botswana that had intensified as agitation for change had grown inside South Africa. Botswana had never allowed and would not allow its territory to be used as a base for ANC guerrilla operations against South Africa, and South African commandos had not found one military camp or centre in Gaborone. However, Botswana gave political asylum to South African refugees and would continue to do so regardless of the consequences. Botswana believed that a solution to the region's problems lay solely in ending apartheid in South Africa.

South Africa said it had sent a message to Botswana expressing regret at the loss of innocent life in the operation against ANC targets. The operation was begun after repeated requests to Botswana to curtail ANC's terrorist activities against South Africa originating from its territory went unheeded. Botswana's failure to do so left South Africa no alternative but to take steps to prevent such acts from being planned and executed from Botswana and other neighbouring States. South Africa said that although it was committed to resolving differences with its neighbours

peacefully, it would not hesitate to take whatever action was necessary for its defence.

All other speakers condemned South Africa's attack and several urged the Council to act effectively. They were Benin, Burkina Faso, China, Denmark, Egypt, France, the German Democratic Republic, India, Lesotho, Liberia, the Sudan, the Ukrainian SSR, the USSR and the United Republic of Tanzania.

Some countries drew a parallel between South Africa's attack against Botswana and other conflicts in the region. The Bahamas, for example, said South Africa's actions in Namibia, Angola and Botswana proved that it could not be coaxed into peaceful change. France said the attack, which coincided with developments in Namibia, underlined the close interconnection of the problems of southern Africa. According to the USSR, the events in Botswana and Angola showed that they formed an inseparable part of South Africa's policy of force and destabilization of the sovereign States of the region, to preserve apartheid at any cost. However, Australia believed that notwithstanding the coincidence of three consecutive Council debates in the previous few days on developments in Namibia, Angola and Botswana, the issues had to be stated clearly and unequivocally in response to each specific situation.

A number of countries raised questions about South Africa's sincerity in explaining its reasons for the attack. Denmark said South Africa's assertion that its attack against Botswana had been carried out after careful deliberations and calculations confirmed South Africa's hypocrisy when it declared its willingness to co-operate with its neighbours in controlling cross-border violations. Egypt saw it as ironic for South Africa to call on Botswana, which had no army, to enter into a non-aggression pact. Lesotho observed that the reasons given by South Africa for its attack were nearly identical to the reasons advanced for the attacks against its other neighbours. The Sudan said all military operations undertaken by national liberation movements were being planned and executed from within South Africa itself and not from the territory of front-line States. India rejected South Africa's invoking international law to justify its attack on Botswana, and Swaziland rejected its invoking Article 51 of the Charter which recognized the right of self-defence.

Benin criticized the lack of political will on the part of some Powers to act firmly in the face of South Africa's aggressive actions. Similarly, Liberia criticized certain permanent Council members for tolerating those actions. The German Democratic Republic accused imperialist circles of collaboration with the South African régime. The Ukrainian SSR believed that certain Western Powers shared responsibility for South Africa's

^e See footnote a on p. 154.

acts. The United Republic of Tanzania called on countries providing support to South Africa to cease appeasing it.

While recognizing the complexities of the internal situation in South Africa, the United Kingdom remained convinced that apartheid had to be dismantled from within, not from without. Thailand agreed with Botswana's assertion that the region's salvation lay solely in dismantling apartheid.

China said South Africa's invasion, at a time when the Council was considering the question of Namibia, not only violated Botswana's sovereignty but also constituted an open provocation of the international community. Peru expressed concern that South Africa's repeated actions jeopardized the legitimate right of the countries of southern Africa to live in peace, independently and in equality.

Madagascar hoped that the mission to be dispatched by the Secretary-General to Botswana, as envisaged in the draft resolution before the Council, would enable the international community to provide assistance to Botswana to defend itself and to harbour refugees fleeing South Africa. Trinidad and Tobago said South Africa must make full reparation for its attack.

Pointing out that Botswana and South Africa had affirmed their willingness to control cross-border violence, the United States hoped that mechanisms already in place would be utilized and that the dialogue which had been under way before the raid would be resumed; it added that the draft resolution contained inappropriate language and reiterated the view that nothing in the text implied that action under Chapter VII of the Charter was contemplated. The United Kingdom said it did not interpret the text as falling within those Charter provisions or as a decision which had specific consequences under the Charter.

The Vice-Chairman of the Committee against Apartheid called on the Western Powers to join in the demands for effective, punitive action against South Africa, asserting that the Council's failure to adopt mandatory sanctions had encouraged South Africa's defiance of the United Nations and world opinion.

On 21 June, the Council unanimously adopted resolution 568(1985).

The Security Council.

Taking note of the letter dated 17 June 1985 from the Permanent Representative of Botswana to the United Nations and having heard the statement of the Minister for External Affairs of Botswana concerning the recent acts of aggression by the racist régime of South Africa against the Republic of Botswana,

Expressing its shock and indignation at the loss of human life, the injuries inflicted, and the extensive damage as a result of that action,

Affirming the urgent need to safeguard the territorial integrity of Botswana and maintain peace and security in southern Africa,

Reaffirming the obligation of all States to refrain in their international relations from the threat or use of force against the sovereignty and territorial integrity of any State,

Expressing its profound concern that the racist régime resorted to the use of military force against the defenceless and peace-loving nation of Botswana,

Gravely concerned that such acts of aggression can only serve to aggravate the already volatile and dangerous situation in southern Africa,

Bearing in mind that this latest incident is one in a series of provocative actions carried out by South Africa against Botswana and that the racist régime has declared that it will continue and escalate such attacks,

Commending Botswana for its unflagging adherence to the conventions relating to the status of refugees and of stateless persons and for the sacrifices it has made and continues to make in giving asylum to victims of apartheid,

1. Strongly condemns South Africa's recent unprovoked and unwarranted military attack on the capital of Botswana as an act of aggression against that country and a gross violation of its territorial integrity and national sovereignty;

2. Further condemns all acts of aggression, provocation and harassment, including murder, blackmail, kidnapping and destruction of property committed by the racist régime of South Africa against Botswana;

3. Demands the immediate, total and unconditional cessation of all acts of aggression by South Africa against Botswana;

4. Denounces and rejects racist South Africa's practice of "hot pursuit" to terrorize and destabilize Botswana and other countries in southern Africa;

5. Demands full and adequate compensation by South Africa to Botswana for the damage to life and property resulting from such acts of aggression;

6. Affirms Botswana's right to receive and give sanctuary to the victims of apartheid in accordance with its traditional practice, humanitarian principles and international obligations;

7. Requests the Secretary-General to enter into immediate consultation with the Government of Botswana and the relevant United Nations agencies on measures to be undertaken to assist the Government of Botswana in ensuring the safety, protection and welfare of the refugees in Botswana;

8. Requests the Secretary-General to send a mission to visit Botswana for the purpose of:

(a) Assessing the damage caused by South Africa's unprovoked and premeditated acts of aggression;

(b) Proposing measures to strengthen Botswana's capacity to receive and provide assistance to South African refugees;

(c) Determining the consequent level of assistance required by Botswana;

and to report thereon to the Security Council;

9. Requests all States and relevant agencies and organizations of the United Nations system urgently to extend all necessary assistance to Botswana;

10. Requests the Secretary-General to monitor developments related to this question and to report to the Security Council as the situation demands;

11. Decides to remain seized of the matter.

Security Council resolution 568(1985)
 21 June 1985 Meeting 2599 Adopted unanimously
 6-nation draft (S/17291).
 Sponsors: Burkina Faso, Egypt, India, Madagascar, Peru, Trinidad and Tobago.
 Meeting numbers. SC 2598, 2599.

Report of the mission. In response to the Council's request, the Secretary-General sent a mission to Botswana from 27 July to 2 August. In its report,(54) the mission stated that the unprovoked military attack on Gaborone had resulted in the death of 12 people and injury to 7 others; several houses, believed by the South African attackers to be occupied by ANC members, had also been blown up. The mission underlined the precarious security situation of Botswana.

Under the circumstances, the Government felt it essential to increase its defence capacity to permit it to patrol its borders. It estimated its immediate defence needs at \$5.9 million. In addition, as a result of the 14 June events, there was a pressing need to improve Botswana's capacity to receive, process and administer its refugee community. Botswana had proposed at the Second (1984) International Conference on Assistance to Refugees in Africa(55) to strengthen its administrative, technical and logistic support to facilitate the reception and screening of refugees, which was later revised in the light of changing circumstances. The revised proposal estimated the cost of strengthening that support to \$5,885,000, which would cover needs for housing, education and vocational training, communication equipment, transport and health facilities.

In spite of the circumstances, Botswana was determined to keep its doors open to South African refugees. The mission said the international community should enhance its assistance to Botswana in order to ensure the refugees' safety, protection and welfare. It concluded that the right of refugee-asylum countries to be secure from attack or coercion by refugee-producing countries—a principle of international agreements on refugees—was at stake.

SECURITY COUNCIL ACTION (September)

On 26 September,(56) Botswana requested that the Council convene to consider and adopt the report. Meeting on 30 September, the Council invited Botswana, at its request, to participate without the right to vote.

Addressing the Council, Botswana said the mission's report confirmed Botswana's 21 June charges and also that the attack was unprovoked and unwarranted. The fact that a state of emergency had been declared in South Africa proved that South Africa's problems were internal and not a consequence of external conspiracy. Botswana had a right to demand compensation for the damage caused to life and property. The 14 June attack was not only a serious challenge to Botswana but to the international community as a whole. Botswana called

for international assistance in strengthening its security, if it was expected to provide security for the refugees residing there.

Madagascar, speaking for the African Group, expressed satisfaction with the mission's report and praised Botswana for providing assistance to refugees from South Africa despite its economic problems and geographical situation. In this connection, Madagascar emphasized Botswana's commitment to continue, as a party to the 1951 Convention relating to the Status of Refugees(57) and a signatory to the 1969 OAU Convention on specific aspects of the problems of African refugees, to honour its obligations as a State of asylum. Madagascar also welcomed the co-operation between the United Nations High Commissioner for Refugees (UNHCR) and Botswana.

At the conclusion of the meeting on 30 September, the Council unanimously adopted resolution 572(1985).

The Security Council,
 Recalling its resolution 568(1985),

Having considered the report of the mission to Botswana appointed by the Secretary-General in accordance with resolution 568(1985),

Having heard the statement of the Permanent Representative of Botswana to the United Nations expressing the deep concern of his Government over the attack by South Africa against the territorial integrity of Botswana,

Deeply concerned that the attack by South Africa resulted in the loss of life and casualties to many residents and refugees in Gaborone as well as the destruction of and damage to property,

Noting with satisfaction the policy which Botswana follows in regard to the granting of asylum to people fleeing from the oppression of apartheid as well as its respect for and adherence to the international conventions on the status of refugees,

Reaffirming its opposition to the system of apartheid and the right of all countries to receive refugees fleeing from the oppression of apartheid,

Noting further the urgent needs of Botswana to provide adequate shelter and facilities to refugees seeking asylum in Botswana,

Convinced of the importance of international support for Botswana,

1. Commends the Government of Botswana for its steadfast opposition to apartheid and for the humanitarian policies it is following in regard to refugees;

2. Expresses its appreciation to the Secretary-General for having arranged to send a mission to Botswana to assess the damage caused by South Africa's unprovoked and premeditated acts of aggression and for proposing measures to strengthen Botswana's capacity to receive and provide assistance to South African refugees as well as for determining the level of assistance required by Botswana to cope with the situation resulting from the attack;

3. Endorses the report of the mission to Botswana under resolution 568(1985);

4. Demands that South Africa pay full and adequate compensation to Botswana for the loss of life and damage to property resulting from its act of aggression;

5. Requests Member States, international organizations and financial institutions to assist Botswana in the fields identified in the report of the mission to Botswana;

6. Requests the Secretary-General to give the matter of assistance to Botswana his continued attention and to keep the Security Council informed;

7. Decides to remain seized of the situation.

Security Council resolution 572(1985)

30 September 1985 Meeting 2609 Adopted unanimously

7-nation draft (S/17503).

Sponsors: Botswana, Burkina Faso, Egypt, India, Madagascar, Peru, Trinidad and Tobago.

Referring to resolution 572(1985) in a letter to the Secretary-General of 21 October,(58) South Africa said it did not accept that it was under any obligation to pay compensation to Botswana, and rejected inferences in the resolution that it had carried out aggression against that country or that terrorist groups established in and operating from Botswana were synonymous with "refugees". South Africa had made its position clear as recently as 25 September during talks between the Foreign Ministers of Botswana and South Africa. South Africa added that it had exercised its right of self-defence in order to curtail further imminent violence in South Africa.

GENERAL ASSEMBLY ACTION

The General Assembly, in resolution 40/25, condemned the unprovoked and unwarranted military attack on the capital of Botswana and demanded that South Africa pay full and adequate compensation for the loss of life and damage to property. In decision 40/415, the Assembly also called for the scrupulous observance of Security Council resolution 572(1985).

Lesotho-South Africa dispute

On several occasions in 1985, Lesotho complained of aggression or destabilization attempts by South Africa. Acting on such a complaint in December, the Security Council adopted resolution 580(1985), by which it condemned the violence and requested the Secretary-General to establish a civilian presence in Maseru to report any development affecting Lesotho's territorial integrity.

In its first 1985 complaint, made to the Council President on 9 September,(59) Lesotho expressed concern over statements broadcast from South Africa that Lesotho's general elections scheduled for 17 and 18 September had been cancelled. The facts were that the ruling Basotho National Party's candidates had been returned unopposed because opposition parties had failed to field or nominate candidates on 14 August, the day declared for their nomination. Lesotho also protested a South African radio broadcast by the leader of a splinter group of the Basutoland Congress Party of Lesotho that he would continue his acts of sabotage, murder and

destruction in Lesotho; in addition, Lesotho accused South Africa of involvement in the subsequent murder of a Basotho National Party candidate, his wife, daughter-in-law and four others. Lesotho denied South African charges that it had allowed Oliver Tambo, President of ANC, to speak over Radio Lesotho.

Further letters were addressed to the Secretary-General. On 7 October,(60) Lesotho stated that the day before, Maseru had been attacked by mortar fire from South Africa which damaged property. Responding on 18 October,(61) South Africa said it had investigated Lesotho's claim and had determined that the attack did not originate from South African territory; it appeared that the attack was carried out by persons intending to harm relations between the two countries.

A series of telexes exchanged between South Africa and Lesotho from 13 to 19 December were transmitted by the latter.(62) As background, Lesotho said that the number of South African refugees flowing into Lesotho had increased as a result of growing unrest in South Africa. A plane carrying some refugees from Lesotho to Zambia was forced to return to Lesotho by South African authorities, but later they left on four smaller charter flights, under arrangements made by UNHCR. On 4 December, bandits entered Lesotho from South Africa and murdered seven innocent nationals before returning. Lesotho requested the Secretary-General to use his good offices to stop South Africa from carrying out a threatened armed attack against it.

By the first telex, South Africa requested clarification about claims that it was involved in the recent murders and responsible for supplying arms to Lesotho opposition forces. In reply, Lesotho said it had evidence of the murders being committed by terrorists from South Africa, who had been seen crossing the border. South Africa charged that ANC had a large number of trained terrorists in Lesotho, which indicated that it had not carried out its undertaking to prevent its territory from being used as a springboard for terrorist activities against South Africa; Lesotho's failure to address South Africa's security concerns was impeding South Africa's efforts to promote good relations between the two countries. Lesotho replied that it was not aware of the existence of any ANC organizations, and that political refugees were the responsibility of UNHCR. Rejecting that response as unacceptable, South Africa again urged Lesotho to ensure that its territory was not used for terrorist attacks, and added that if such actions took place, South Africa reserved the right to take whatever action might be necessary. Lesotho said it could not take meaningful action because South Africa had not provided sufficient information, such as who and where ANC terrorists were, nor had Lesotho learned of any planned attacks from Lesotho; furthermore, Lesotho reiterated that

refugees who misused the privilege of asylum would not be allowed to remain. In regard to South Africa's reserving the right to take action, Lesotho said it preferred negotiation and exchange of information on all matters of mutual concern.

Lesotho, on 23 December,⁽⁶³⁾ requested that the Council convene to deal with the situation created by unprovoked armed aggression by South Africa on 19 December, when its forces invaded Maseru and murdered four registered refugees, two South Africans and three Lesotho nationals, all with ANC affiliation, who were lured into a would-be party and killed.

Cuba, condemning the attack on 24 December,⁽⁶⁴⁾ said Pretoria was attempting to intimidate the countries of the region and to make international public opinion believe that the difficult internal situation was due to external causes.

SECURITY COUNCIL ACTION

The Security Council considered Lesotho's complaint against South Africa at two meetings on 30 December. At their request, the Council invited Burundi, Lesotho, Senegal and South Africa to participate in the debate, without vote. At the request of Burkina Faso, Egypt and Madagascar,⁽⁶⁵⁾ the Council invited Neo Mnumzana, ANC representative to the United Nations, under rule 39 of its provisional rules of procedure.^f

Speaking about the December 1985 attack, Lesotho reminded the Council that in December 1982 South Africa had carried out a similar attack. Despite the Council's action,⁽⁶⁶⁾ South Africa had continued its destabilization campaign through the so-called Lesotho Liberation Army, which was based, trained and armed in South Africa. Prior to the 1985 attack, South Africa had alleged that ANC members were planning attacks from Lesotho and had stated that if such action took place, it reserved the right to defend itself; however, South Africa had no tangible evidence. Acknowledging that it received refugees from South Africa, Lesotho explained that UNHCR made arrangements for moving them to second countries of asylum. Due to the situation in South Africa, Lesotho believed it likely that more would arrive in the neighbouring countries, and unless South Africa was checked there was a risk that it would behave with increasing lawlessness towards the refugees and its neighbours. By creating transit problems for people and goods, South Africa was placing Lesotho's security and economic development in jeopardy. Stating its willingness to resolve differences through negotiation, Lesotho called on the Council to pronounce the unacceptability of South Africa's conduct.

Rejecting the charges, South Africa said Lesotho was attempting to deflect attention from its internal instability and from the alienation of part of

its population from the Government, which had spawned armed resistance inside the country. There was also resentment at the presence of an organization funded, sponsored and organized by the USSR and imposed on the Lesotho people by their Government. Furthermore, elements within Lesotho's security forces were sympathizers and collaborators with ANC, and dissident groups in Lesotho viewed those pro-ANC elements as their enemies. Lesotho was endeavouring to exploit the situation by addressing appeals for financial aid to the international community. South Africa had on numerous occasions sought Lesotho's co-operation to address mutual security problems and had proposed a joint monitoring mechanism, but Lesotho was unwilling. South Africa had experienced terrorist violence emanating from Lesotho, where ANC was given sanctuary under the guise of refugee status. The real question at issue, according to South Africa, concerned terrorists operating from Lesotho. It called on the Council to prevail on Lesotho to co-operate with South Africa in order to eliminate terrorism in the region.

All other speakers condemned South Africa's aggression. A number of countries, including Burundi, China, Egypt, India, Madagascar, Peru, Senegal, the Ukrainian SSR, the USSR and the United Kingdom, remarked on the recent aggression against other neighbouring States, such as Angola (see p. 180). According to India, South Africa had been engaged in a series of actions of State terrorism under the pretext of hot pursuit of ANC activists and, on the basis of such arguments, justifying them in terms of its own security, but in reality it was another instance to pursue its policy of destabilizing Governments in front-line and other neighbouring States. Madagascar noted that to date the Council had adopted seven resolutions in 1985 condemning South Africa for maintaining apartheid and for its aggression against neighbouring countries, but South Africa continued to ignore United Nations resolutions; Madagascar did not recognize that South Africa had a right to justify its aggression against neighbouring States by alleging that terrorist activities had been launched from them.

Burkina Faso, Burundi, China, India, Madagascar and the USSR said that South Africa's action was a violation of international law and/or the United Nations Charter. In the view of Burundi, China and Senegal, that action was a threat to international peace and security.

Among those calling for the Council to demand compensation for Lesotho were Burundi, China, Egypt, India, Madagascar, Senegal and Thailand. Senegal, for example, said that Africa called for a mission to be sent to Lesotho to assess the damage resulting from the attack, and it added that

^fSee footnote a on p. 154.

compensation to Lesotho and the victims was the very minimum that the Council could determine. In addition to calling on the Council to demand adequate compensation, Burundi, speaking for the African Group, called on the international community to provide economic assistance to Lesotho, to resist South African aggression and to strengthen its ability to receive refugees.

China, India, Senegal, the Ukrainian SSR and the USSR believed that the Council should adopt comprehensive and mandatory sanctions against South Africa. The Ukrainian SSR said that two permanent members of the Council had blocked effective measures provided for in the Charter, thereby supporting and encouraging South Africa to continue its repression, aggression and State terrorism. Similarly, the USSR said that if the protection of the apartheid régime in the Council continued through use of the veto by certain Western permanent members, then South Africa would continue to threaten neighbouring States and to widen the scope of its terrorism against them. Burkina Faso said that despite repeated Council warnings, South Africa continued to ignore it due to those whose aid permitted it to defy the Council's resolutions without fear of punishment.

China said South Africa, in order to cover up its own crimes, was attempting to divert public opinion and to subvert right and wrong by drawing a parallel between the South African people against apartheid and the acts of terrorism elsewhere in the world.

India and Thailand praised Lesotho for its policy of accepting refugees. Thailand added that any humanitarian policy regarding refugees from apartheid could be maintained by the neighbouring States only at the risk of border incursions and armed attacks by South Africa. Egypt supported Lesotho's view that South Africa had implicitly and explicitly threatened Lesotho, and added that the Council had a responsibility to protect Lesotho and help it receive refugees.

Both the United Kingdom and the United States called for a dialogue as a means of finding a solution. The United Kingdom said it was clear that Lesotho harboured no aggressive designs against South Africa and therefore there could be no excuse for the violation of its sovereignty and territorial integrity; the United Kingdom and the other Commonwealth countries, as stated in the Bahamas in October, appealed for initiation of dialogue and the suspension of violence. The United States said it had made clear to South Africa that it could not accept the idea that South Africa might dispatch troops for military actions beyond its borders; the solution to South Africa's problems lay rather in the elimination of apartheid and in strengthening its dialogue with its neighbours through all channels and at all levels.

On 30 December, the Council unanimously adopted resolution 580(1985).

The Security Council,

Taking note of the letter dated 23 December 1985 from the Permanent Representative of the Kingdom of Lesotho to the United Nations addressed to the President of the Security Council,

Having heard the statement by the Honourable Minister for Foreign Affairs of the Kingdom of Lesotho, Mr. M. V. Makhele,

Bearing in mind that all Member States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or acting in any other manner inconsistent with the purposes of the Charter of the United Nations,

Recalling its resolution 527(1982),

Gravely concerned at the recent unprovoked and premeditated killings for which South Africa is responsible, in violation of the sovereignty and territorial integrity of the Kingdom of Lesotho, and their consequences for peace and security in southern Africa,

Gravely concerned that this act of aggression is aimed at weakening the determined and unrelenting humanitarian support given by Lesotho to South African refugees,

Grieved at the tragic loss of life of six South African refugees and three nationals of Lesotho resulting from this act of aggression committed against Lesotho,

Alarmed at the fact that the continued existence of apartheid in South Africa is the root cause of increased violence both within South Africa and from South Africa against neighbouring countries,

1. Strongly condemns these killings and recent acts of unprovoked and premeditated violence, for which South Africa is responsible, against the Kingdom of Lesotho in flagrant violation of the sovereignty and territorial integrity of that country;

2. Demands the payment by South Africa of full and adequate compensation to the Kingdom of Lesotho for the damage and loss of life resulting from this act of aggression;

3. Calls upon all parties to normalize their relations and to employ established channels of communication on all matters of mutual concern;

4. Reaffirms Lesotho's right to receive and give sanctuary to the victims of apartheid in accordance with its traditional practice, humanitarian principles and its international obligations;

5. Requests Member States to extend urgently all necessary economic assistance to Lesotho in order to strengthen its capacity to receive, maintain and protect South African refugees in Lesotho;

6. Calls upon the South African Government to resort to peaceful means in resolving international problems in accordance with the Charter of the United Nations and the Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations;

7. Further calls upon South Africa to live up to its commitment not to destabilize neighbouring countries nor to allow its territory to be used as a springboard for attacks against neighbouring countries and to declare publicly that it will, in future, comply with provisions

of the Charter of the United Nations and that it will not commit acts of violence against Lesotho, either directly or through its proxies;

8. Demands that South Africa forthwith take meaningful steps towards the dismantling of apartheid;

9. Requests the Secretary-General to establish, in consultation with the Government of Lesotho, an appropriate presence comprising one or two civilians in Maseru, for the purpose of keeping him informed of any development affecting the territorial integrity of Lesotho;

10. Further request the Secretary-General, through appropriate means, to monitor the implementation of the present resolution and the prevailing situation and to report to the Security Council as the situation demands;

11. Decides to remain seized of the matter.

Security Council resolution 580(1985)

30 December 1985 Meeting 2639 Adopted unanimously

6-nation draft (S/17701).

Sponsors: Burkina Faso, Egypt, India, Madagascar, Peru, Trinidad and Tobago. Meeting numbers. SC 2638, 2639.

GENERAL ASSEMBLY ACTION

The General Assembly, by resolution 40/25, condemned South Africa for its acts of destabilization, armed aggression and economic blockade against Lesotho and urged the international community to extend maximum assistance to Lesotho to enable it to fulfil its international humanitarian obligations towards refugees and to use influence on South Africa so that it would desist from such terrorist acts,

Mozambique-South Africa relations

In 1985, Mozambique complained of South Africa's attempts to destabilize the Mozambique Government by aiding opposition forces.

On 31 October,(67) it submitted photocopies of extracts from documents it said were seized from armed bandits at Gorongosa, in Sofala province of Mozambique, which confirmed the continuing support the bandits were receiving from South Africa in violation of the Agreement on Non-Aggression and Good Neighbourliness (the Nkomati Accord) signed by Mozambique and South Africa. in March 1984.(68) South Africa, responding on 6 December 1985,(69) reaffirmed its commitment to the Nkomati Accord, South Africa said that at a meeting of the Foreign Ministers of the two countries at Maputo on 16 September, Mozambique had submitted a list of alleged South African violations of the Accord, which South Africa had investigated. The allegations were in general correct, but they had arisen from South Africa's efforts, at Mozambique's request, to bring about a possible cease-fire between Mozambique and a rebel group. The results of the investigation were conveyed to Mozambique at a meeting at Komatiport on 19 September; since then, Mozambique had not communicated to South Africa any further allegations.

The Non-Aligned Movement condemned South Africa's use of armed bandits against Mozambique on 7 September(18) (see p. 180).

REFERENCES

- (1)A/40/22-S/17562. (2)YUN 1984, p. 178. (3)A/41/22-S/18360. (4)A/40/23 (A/AC.109/830). (5)Ibid. (A/AC.109/841). (6)Ibid. (A/AC.109/843). (7)E/1985/22 (res. 1985/6). (8)Ibid. (res. 1985/8). (9)Ibid. (res. 1985/9). (10)E/CN.4/1986/5 (res. 1985/6). (11)A/40/24. (12)A/40/375-S/17262. (13)A/40/395-S/17288. (14)A/40/485-S/17341. (15)A/40/666. (16)A/40/817. (17)A/40/857. (18)A/40/854-S/17610 & Corr.1. (19)A/41/63-S/17696. (20)E/1985/22 (res. 1985/7). (21)A/40/233-S/17101. (22)S/17246. (23)S/17263. (24)S/17267. (25)S/17294. (26)S/17472. (27)S/17474. (28)S/17510. (29)A/40/658-S/17475. (30)A/40/665-S/17480. (31)S/17487. (32)A/40/676-S/17491. (33)A/40/683-S/17498. (34)A/40/699-S/17518. (35)A/40/951-S/17656. (36)S/17645. (37)S/17506. (38)S/17525. (39)S/17541. (40)S/17522. (41)YUN 1974, p. 847, GA res. 3314((XXIX), annex, 14 Dec. 1974. (42)S/17635. (43)S/17648. (44)S/17662. (45)S/17274. (46)S/17279. (47)S/17282. (48)S/17278. (49)S/17283. (50)A/40/396-S/17289. (51)S/17290. (52)S/17314. (53)A/40/418-S/17310. (54)S/17453. (55)YUN 1984, p. 943. (56)S/17497. (57)YUN 1951, p. 520. (58)S/17586. (59)S/17454. (60)S/17547. (61)S/17579. (62)S/17689. (63)S/17692. (64)A/41/68-S/17704. (65)S/17700. (66)YUN 1982, p. 317, sc res. 527(1982), 15 Dec. 1982. (67)A/40/839-S/17604. (68)YUN 1984, p. 184. (69)A/40/1004-S/17677.

Chad-Libyan Arab Jamahiriya dispute

The territorial dispute between Chad and the Libyan Arab Jamahiriya was again brought before the United Nations in 1985 (for other questions concerning the Libyan Arab Jamahiriya, see p. 258 and LEGAL QUESTIONS, Chapter I). The two States again made charges against each other through letters to the President of the Security Council and at a Council meeting. In January, the Council met at Chad's request but took no action.

On 25 January,(1) Chad called for a Council meeting to resume consideration of its August 1983 complaint against the Libyan Arab Jamahiriya,(2) charging that the Jamahiriya was occupying 550,000 square kilometres of Chadian territory, that it refused to follow the terms of the Council's April 1983 statement(3) in which the two countries were called on to settle their differences quickly and peacefully, and that the Libyan Government was planning an attack on Chad's President, Hissein Habré. Three days later, Chad again called for a Council meeting to consider the situation,(4) reiterating its charges and adding that the Tripoli régime had plotted to eliminate physically the President and all members of the Chadian Government.

These claims were denied by the Libyan Arab Jamahiriya on 28 January.(5) It stated that it had no forces in Chad and that it did not wish to deal with the so-called Government of Hissein Habré, since it considered him a rebel with no right to

speak for Chad, who was leading the opposition in a civil war against the legal Government there.

On 30 January, the Council met to consider Chad's complaint.

Meeting number. SC 2567.

The Council invited Chad and the Libyan Arab Jamahiriya to participate in the discussion without the right to vote.

Chad said that over the previous 20 years the Libyan Arab Jamahiriya had attempted to annex Chad. Currently, the entire prefecture of Borkou-Ennedi-Tibesti was occupied. The Jamahiriya based its claim on the 1935 Laval-Mussolini Treaty, which had no legal validity since there had never been an exchange of instruments of ratification between France and Italy. Suffering from drought and hunger, Chad had limited resources and could ill afford the war imposed on it by the Tripoli régime. In Chad's view, President Habré was the main obstacle to the Jamahiriya's expansionist designs. Chad appealed to Member States to condemn the assassination plot fomented by the Jamahiriya. Chad hoped that its providing data on the plot, supported by a video tape showing what it described as an attempt to place an explosive device in the Chamber of Commerce in N'Djamena, would contribute to international efforts to foil terrorism.

Rejecting the allegations, the Libyan Arab Jamahiriya said it did not interfere in Chad and had no presence on its territory. What had been described by some as a presence of Libyan forces were only forces of the legitimate Government which controlled northern Chad and were present throughout the country. The purpose of Mr. Habré in convening the Council meeting was to slander the Jamahiriya by depicting it as an aggressor; to belittle the military power of the legitimate Government of Chad, headed by Goukouni Weddey; and to create justification for Mr. Habré to obtain more weapons, foreign forces and mercenaries to use against his opponents. Mr. Habré had impeded conciliation efforts between the warring factions in Chad by insisting on his being recognized as head of State. The only solution to the civil war was national reconciliation in accordance with the Lagos Accord signed by the 11 Chadian parties on 18 August 1979, under OAU supervision. The Libyan Arab Jamahiriya remained ready to contribute again to reconciliation efforts within the OAU framework to achieve peace and security in Chad. The Jamahiriya asserted that the so-called Aouzou Strip was an integral part of its territory which it had inherited from Italian colonialism.

The President of the Council pointed out that the complaint under consideration came from the internationally recognized Government of Chad,

whose legitimacy could not be challenged in the Council. It was at that Government's request that the Council President, speaking on behalf of its members, had made known in April 1983(3) the recommendations of the Council regarding the settlement of the dispute between Chad and the Libyan Arab Jamahiriya.

At the end of the meeting, the President stated that the date of the next Council meeting to consider Chad's complaint would be decided during consultations with Council members. No further meetings on the subject were held in 1985.

The Libyan Arab Jamahiriya, in a letter of 1 February,(6) stated that the remarks made by the Council's January President (France) at the conclusion of the meeting represented the viewpoint of France alone. The Jamahiriya noted with regret that this was the second occasion on which a Council President has exceeded his/her power and used the presidency to express the view of his/her country. In that connection the Jamahiriya cited the April 1983 statement(3) made by the then Council President (United States). In response, France requested the Office of Legal Affairs of the Secretariat to give its opinion on the question, which France transmitted on 5 February.(7) The Office noted that the Credentials Committee of the 1984 General Assembly session had accepted, without dissent, credentials for Chad signed by President Hissein Habré, and therefore the Assembly had recognized the right of the Government concerned to represent Chad in the United Nations at that time.

On 4 February,(8) Chad transmitted a White Paper entitled "Kadhafi's terrorism in Chad", describing alleged attacks against it by the Libyan Arab Jamahiriya.

The OAU Assembly of Heads of State and Government (Addis Ababa, Ethiopia, 18-20 July) adopted a resolution(9) renewing the mandate of the President of the Congo, in close collaboration with the current OAU Chairman, to pursue the search for peace and national reconciliation in Chad and appealing to all conflicting parties to co-operate fully. In the Final Political Declaration adopted by the Conference of Foreign Ministers of Non-Aligned Countries (Luanda, Angola, 4-7 September),(10) the Conference expressed support for OAU efforts for national reconciliation and the establishment of a lasting peace in Chad without foreign interference, and urged the international community to contribute to Chad's national reconstruction.

REFERENCES

- (1)S/16906. (2)YUN 1983, p. 184. (3)Ibid., p. 183. (4)S/16911. (5)S/16912. (6)S/16922. (7)S/16942. (8)S/16923. (9)A/40/666. (10)A/40/854-S/17610 & Corr.1.

Burkina Faso-Mali dispute

On 31 December 1985,(1) Senegal transmitted to the Secretary-General an appeal that its President, in his capacity as current Chairman of OAU, had sent to Burkina Faso and Mali, asking them to order an immediate cease-fire following serious developments on 25 December in the ongoing frontier dispute between the two countries. It was noted in the appeal that the International Court of Justice was already seized of the legal aspect of the dispute (see LEGAL QUESTIONS, Chapter I) and that the OAU Council of Ministers of the Agreement on Non-Aggression and Assistance in Matters of Defence was scheduled to meet on 28 December in order to take practical measures required in the disputed area.

REFERENCE

(1)A/41/71.

Ethiopia-Somalia dispute

Somalia, in a 20 September letter to the Secretary-General,(1) said that on 15 and 16 September Ethiopian forces had carried out artillery and aerial attacks on the populated areas of Awdal, Mudugh, Abud-Waaq and north-west regions of Somalia, killing 23 people, wounding 36, and destroying houses. Ethiopia responded on 25 September,(2) rejecting the charges and stating that the people of Somalia who were opposed to the dictatorial regime of Siad Barre were engaged in armed rebellion; the reasons for the baseless allegations against Ethiopia could be understood only in the context of Somalia's attempts to divert world attention from its internal difficulties arising from the ongoing civil war.

REFERENCES

(1)A/40/671-S/17484. (2)A/40/680-S/17495.

Comorian island of Mayotte

The question of Mayotte—one of a group of four islands in the Indian Ocean Comoro Archipelago—remained before the United Nations in 1985. The issue was raised after a 1974 referendum, followed by France granting independence to the other three islands but not to Mayotte, whose inhabitants had voted to remain associated with France.

Secretary-General's report. The Secretary-General, as requested by the General Assembly in 1984,(1) reported in October 1985(2) on developments concerning Mayotte. In June, he had requested the Comoros and France, as well as OAU, to provide him with information and their responses, were included in his report.

The Comoros stated that, despite its many contacts with France, including consultative meetings at the highest level as recommended by the Assembly, no positive result had been achieved. Although it was willing to participate in a dialogue to find a speedy solution, the Comoros said that it had been confronted by a barrier of incomprehension on the French side and that the situation in Mayotte was deteriorating and affecting national unity.

In its reply, France said that since December 1976, Mayotte had been a territorial community (collectivité territoriale) of the French Republic. On 20 December 1984, France had submitted to the French Parliament a bill stating that the population of Mayotte would be consulted on whether or not it wished to remain part of France. France's policy continued to take into account the regional context of Mayotte; thus, it encouraged the development and normalization of relations between Mayotte and neighbouring States, particularly the Comoros. Action had been taken to establish good-neighbourly relations between the Comoros and Mayotte and to promote complementarity of aid supplied for the development of the two communities.

OAU responded that its Council of Ministers, in July 1985(3) had requested the OAU Ad Hoc Committee of Seven, in co-operation with the Comoros, to consider ways of implementing the Committee's 1981 recommendations on returning the island to the Comoros(4) and of accelerating the negotiation process between France and the Comoros, with a view to reaching a peaceful solution. No date or venue had been fixed for the Committee meeting, OAU reported, but Gabon, the Committee's Chairman, was consulting on the matter.

Communications. In 1985, three intergovernmental organizations conveyed to the Secretary-General their policy on Mayotte. OAU put forward its position in a July resolution (see above), included with others forwarded by Madagascar on 18 September.(3) The Organization of the Islamic Conference's policy, as stated in a resolution adopted by its Foreign Ministers (Sanaa, 18-22 December 1984), was forwarded by Yemen on 11 March.(5) The Conference reaffirmed the territorial unity of the Comoros and its sovereignty over Mayotte, reaffirmed support for a global application of the results of the 1974 referendum to the whole of the Comoro territory, rejected any proposal to carry out a referendum in Mayotte, urged France to reinstate Mayotte in the Comorian entity, and called on Islamic Conference members to urge France to engage in a dialogue with the Comoros. The non-aligned countries expressed their position in a Political Declaration adopted by their Conference of Foreign

Ministers (Luanda, 4-7 September) and transmitted by Angola on 5 November.(6) They considered the island to be an integral part of the Comoros which was still under French occupation and regretted that France had not taken any initiative that could lead to an acceptable solution.

GENERAL ASSEMBLY ACTION

On 9 December, the General Assembly adopted resolution 40/62 by recorded vote.

Question of the Comorian island of Mayotte The General Assembly,

Recalling its resolutions 1514(XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and 2621(XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration,

Recalling also its previous resolutions, in particular resolutions 3161(XXVIII) of 14 December 1973, 3291(XXIX) of 13 December 1974, 31/4 of 21 October 1976, 32/7 of 1 November 1977, 34/69 of 6 December 1979, 35/43 of 28 November 1980, 36/105 of 10 December 1981, 37/65 of 3 December 1982, 38/13 of 21 November 1983 and 39/48 of 11 December 1984, in which it, *inter alia*, affirmed the unity and territorial integrity of the Comoros,

Recalling, in particular, its resolution 3385(XXX) of 12 November 1975 on the admission of the Comoros to membership in the United Nations, in which it reaffirmed the necessity of respecting the unity and territorial integrity of the Comoro Archipelago, composed of the islands of Anjouan, Grande-Comore, Mayotte, and Mohéli,

Recalling further that, in accordance with the agreements between the Comoros and France, signed on 15 June 1973, concerning the accession of the Comoros to independence, the results of the referendum of 22 December 1974 were to be considered on a global basis and not island by island,

Convinced that a just and lasting solution to the question of Mayotte is to be found in respect for the sovereignty, unity and territorial integrity of the Comoro Archipelago,

Convinced further that a speedy solution of the problem is essential for the preservation of the peace and security which prevail in the region,

Bearing in mind the wish expressed by the President of the French Republic to seek actively a just solution to the problem,

Taking note of the repeated wish of the Government of the Comoros to initiate as soon as possible a frank and serious dialogue with the French Government with a view to accelerating the return of the Comorian island of Mayotte to the Islamic Federal Republic of the Comoros,

Taking note of the report of the Secretary-General,

Bearing in mind the decisions of the Organization of African Unity, the Movement of Non-Aligned Countries and the Organization of the Islamic Conference on this question,

1. Reaffirms the sovereignty of the Islamic Federal Republic of the Comoros over the island of Mayotte;

2. Invites the Government of France to honour the commitments entered into prior to the referendum on the self-determination of the Comoro Archipelago of 22 December 1974 concerning respect for the unity and territorial integrity of the Comoros;

3. Calls for the translation into practice of the wish expressed by the President of the French Republic to seek actively a just solution to the question of Mayotte;

4. Urges the Government of France to open negotiations with the Government of the Comoros with a view to ensuring the effective and prompt return of the island of Mayotte to the Comoros;

5. Requests the Secretary-General of the United Nations to maintain continuous contact with the Secretary-General of the Organization of African Unity with regard to this problem and to make available his good offices in the search for a peaceful negotiated solution to the problem;

6. Further requests the Secretary-General to report on this matter to the General Assembly at its forty-first session;

7. Decides to include in the provisional agenda of its forty-first session the item entitled "Question of the Comorian island of Mayotte".

General Assembly resolution 40/62

9 December 1985 Meeting 109 117-1-22 (recorded vote)

34-nation draft (A/40/L.38 & Add.1); agenda item 32.

Sponsors: Bahrain, Benin, Botswana, Burkina Faso, Comoros, Cuba, Ecuador, Equatorial Guinea, Ethiopia, Gambia, Ghana, Guinea-Bissau, Guyana, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mauritania, Mauritius, Morocco, Nigeria, Oman, Papua New Guinea, Qatar, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen, Zambia.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Cuba, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia Zimbabwe

Against: France.

Abstaining: Australia, Austria, Belgium, Canada, Cyprus, Denmark, Germany, Federal Republic of, Greece, Grenada, Iceland, Ireland, Israel, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Saint Lucia, Spain, United Kingdom, United States.

The Comoros called on France to honour its commitment to the unity of the Archipelago made prior to granting independence to the Comoros. In the view of the Comoros, the solution was not to be found in the repeated organization of a referendum in Mayotte; it could only be the result of dialogue between France and the Comoros.

France, stating that it shared with the Comoros a readiness for agreement on the question, said that it would consult with the population of Mayotte by referendum to ascertain whether or not it wished the island to remain a part of France. France did not exclude any development that was in keeping with international law and the French Constitution and respected the rights of the population concerned.

The United Kingdom said it had abstained in the vote because the resolution was silent on the

rights of the inhabitants of Mayotte to self-determination and therefore implied that they should be considered an exception to the universal principle that all peoples have that right.

The Assembly took related action in resolution 40/25, by which it noted the contacts between the Comoros and France in the search for a just solution to the problem of the integration of Mayotte into the Comoros, in accordance with the resolutions of OAU and the United Nations. In resolution 40/223, the Assembly called for special economic assistance for the Comoros, a least developed country.

REFERENCES

- (1)YUN 1984, p. 188, GA res. 39/48, 11 Dec. 1984. (2)A/40/619. (3)A/40/666. (4)YUN 1981, p. 223. (5)A/40/173-S/17033. (6)A/40/854-S/17610 & Corr.1.

Malagasy islands question

In 1985, the General Assembly did not debate the question of the Malagasy islands of Glorieuses, Juan de Nova, Europa and Bassas da India (islands north and west of Madagascar), but decided to include the item in its provisional agenda for the following year. The Assembly had postponed debate in each of the previous four years, and had not taken action since 1980(1) when it reaffirmed its first action on the question (in 1979),(2) inviting France to negotiate with Madagascar on reintegrating the islands with Madagascar..

The Conference of Foreign Ministers of Non-Aligned Countries (Luanda, 4-7 September),(3) in its Final Political Declaration, reaffirmed the need to preserve the national unity and territorial integrity of Madagascar and urged all parties concerned to initiate immediate negotiations in conformity with the resolutions of the United Nations, OAU and the Movement of Non-Aligned Countries.

GENERAL ASSEMBLY ACTION

The Chairman of the Special Political Committee informed its members on 4 December that he had held consultations with the interested parties, in particular France and Madagascar. In view of discussions being held by the two countries, he proposed that the Assembly postpone consideration of the item until 1986. Subsequently, the Committee recommended that action to the Assembly(4) which, in turn, by decision 40/429 adopted without vote on 16 December, decided to include the item in the provisional agenda of its 1986 session.

REFERENCES

- (1)YUN 1980, p. 262, GA res. 35/123, 11 Dec. 1980. (2)YUN 1979, p. 270, GA res. 34/91, 12 Dec. 1979. (3)A/40/854-S/17610 & Corr.1. (4)A/40/992.

UN Educational and Training Programme for Southern Africa

The United Nations Educational and Training Programme for Southern Africa, financed by a trust fund made up of voluntary contributions from States, organizations and individuals, granted scholarships to 929 persons in 1984/85. The Secretary-General described the Programme's activities in a report covering the period from 1 October 1984 to 15 October 1985.(1) Scholarships were given to 766 South Africans, 145 Namibians (see TRUSTEESHIP AND DECOLONIZATION, Chapter III) and 18 Zimbabweans. The Programme granted new scholarships only to students from South Africa and Namibia, but assistance was continued to students from Zimbabwe for a transitional period, while they completed courses for which grants had been made previously. During the reporting period, 318 new awards were granted while 611 awards were extended. New awards went to 218 South Africans and 100 Namibians. In addition to cash contributions, the Programme received offers of scholarships for training in their own countries from 29 States. The awards were granted for general university studies as well as a wide variety of professional, commercial and technical training programmes in 26 countries. Those receiving scholarships attended schools in the following regions: Africa (467 students), North America (276), Asia (155), Europe (30), and Latin America and the Caribbean(1).

The Secretary-General stated that due to inflation and rising scholarship costs, the 1985 contributions and pledges (totalling \$3,124,430) represented, in real terms, a drastic decrease in resources over the previous year when they totalled \$3,303,064. Given the worsening political situation and believing that there would be larger outflows of South African and Namibian refugees in search of educational and training opportunities, the Programme's Advisory Committee made recommendations to promote the expansion and development of the Programme. It proposed that arrangements should be made with the Commonwealth Fund for Technical Assistance to take advantage of Commonwealth countries' offer to provide placement facilities and administer scholarship awards at no cost to the Programme, and to expand a programme for South Africans in the United Republic of Tanzania. Other proposals included the use of the World University Service's large counselling network in Africa; co-operation with scholarship agencies in fund-raising, the search

for applicants, and administration of scholarship awards; and promotion of co-financing and tuition waivers by universities.

Financial contributions

In 1985, 37 States contributed \$3,246,427 to the Programme (see table following), as compared with \$3,276,925 in 1984.

CONTRIBUTIONS TO THE UN EDUCATIONAL AND TRAINING PROGRAMME FOR SOUTHERN AFRICA, 1985

(as at 31 December 1985; in US dollars)

Country	1985 payment
Algeria	10,000
Argentina	10,000
Australia	73,521
Austria	37,200
Bahamas	1,000
Brazil	10,000
Burma	1,000
Cameroon	2,070
Canada	254,156
Cyprus	(39)
Denmark	326,721
Egypt	2,834
Finland	106,050
France	78,947
Germany, Federal Republic of	49,912
Greece	9,000
Haiti	2,000
India	2,000
Indonesia	3,000
Ireland	25,288
Italy	34,178
Japan	200,000
Kuwait	1,000
Malaysia	1,000
Netherlands	58,480
New Zealand	10,520
Norway	626,398
Republic of Korea	5,000
Spain	18,138
Sweden	113,572
Switzerland	71,531
Trinidad and Tobago	1,250
Turkey	1,500
United Kingdom	60,825
United States	1,000,000
Venezuela	5,000
Yugoslavia	2,000
Zimbabwe	31,375
Total	3,246,427

NOTE: Figure in parentheses indicates a loss due to changes in exchange rates.

SOURCE: Accounts for the 12-month period of the biennium 1984-1985 ended 31 December 1985-schedules of individual trust funds,

GENERAL ASSEMBLY ACTION

On 2 December, the General Assembly, on the recommendation of the Fourth Committee, adopted resolution 40/54 without vote.

United Nations Educational and Training Programme for Southern Africa

The General Assembly,

Recalling its earlier resolutions on the United Nations Educational and Training Programme for Southern Africa, in particular resolution 39/44 of 5 December 1984,

Having considered the report of the Secretary-General containing an account of the work of the Advisory Com-

mittee on the United Nations Educational and Training Programme for Southern Africa and the administration of the Programme for the period from 1 October 1984 to 15 October 1985,

Recognising the valuable assistance rendered by the Programme to the peoples of South Africa and Namibia,

Noting with satisfaction that educational and technical assistance for southern Africa has become a growing concern of the international community,

Fully recognising the need at this critical juncture in southern Africa to provide educational opportunities and counselling to a greater number of student refugees in a wide variety of professional, cultural and linguistic disciplines, as well as opportunities for vocational and technical training and for advanced studies at graduate and post-graduate levels in the priority fields of study,

Strongly convinced that the continuation and expansion of the Programme is essential in order to meet the increasing demand for educational and training assistance to students from South Africa and Namibia,

1. Endorses the report of the Secretary-General on the United Nations Educational and Training Programme for Southern Africa;

2. Commends the Secretary-General and the Advisory Committee on the United Nations Educational and Training Programme for Southern Africa for their continued efforts to promote generous contributions to the Programme and to enhance co-operation with governmental, intergovernmental and non-governmental agencies involved in educational and technical assistance for southern Africa;

3. Expresses its appreciation to all those that have supported the Programme by providing contributions, scholarships or places in their educational institutions;

4. Appeals to all States, institutions, organizations and individuals to offer greater financial and other support to the Programme in order to secure its continuation and steady expansion.

General Assembly resolution 40/54

2 December 1985 Meeting 99 Adopted without vote

Approved by Fourth Committee (A/40/886) Without vote, 8 November (meeting 20); 43-nation draft (A/C.4/40/L.5); agenda item 112.

Sponsors: Australia, Bangladesh, Brazil, Burkina Faso, Burundi, Byelorussian SSR, Canada, Colombia, Cyprus, Denmark, Egypt, Finland, France, Germany, Federal Republic of, Guinea, Guinea-Bissau, Guyana, Iceland, India, Indonesia, Ireland, Italy, Japan, Kenya, Lesotho, Mali, Mauritania, Netherlands, Nicaragua, Nigeria, Norway, Papua New Guinea, Romania, Sweden, Tunisia, Turkey, United Kingdom, United Republic of Tanzania, United States, Venezuela, Zaire, Zambia, Zimbabwe. Meeting numbers. GA 40th session: 4th Committee 11, 12, 15-20; plenary 99.

REFERENCE

(1)A/40/781.

Co-operation between OAU and the UN system

Co-operation between the United Nations and the Organization of African Unity continued in 1985, as requested by the General Assembly in 1984.(1) The Secretary-General, in an August report to the Assembly,(2) described that co-operation.

The Secretary-General addressed the Assembly of Heads of State and Government of OAU (Addis

Ababa, 18-20 July). The declarations and resolutions adopted at that meeting were forwarded to the Secretary-General by Madagascar on 18 September.⁽³⁾ On 19 July, the USSR also forwarded its message to the OAU summit,⁽⁴⁾ in which it stressed support for OAU efforts to strengthen its members' political independence and economic self-sufficiency.

At the meeting, the Secretary-General said that only through co-ordinated measures and international co-operation would it be possible to avert economic catastrophe and relaunch the process of long-term development in Africa. He described some activities undertaken by the United Nations Office for Emergency Operations in Africa (see ECONOMIC AND SOCIAL QUESTIONS, Chapter III), including ascertaining the critical needs of each country concerned and then mobilizing international aid. The March 1985 International Conference on the Emergency Situation in Africa had been successful in mobilizing additional resources for relief operations, although they were insufficient to meet the considerable needs. He emphasized that priority attention should be given to food and agriculture and called for the mobilization of additional resources to rehabilitate the devastated economies of Africa. As to the situation in southern Africa, he said that States there had to contend with externally supported acts of sabotage and destabilization and with violations of their territorial integrity. The interim government installed in Namibia by South Africa would not be recognized by the United Nations or any Member State, he added (see TRUSTEESHIP AND DECOLONIZATION, Chapter III).

In October, the OAU Chairman and its Secretary-General met with the United Nations Secretary-General in New York.

The proposed meeting between the United Nations system and OAU, as called for by the Assembly in 1984,⁽¹⁾ was postponed at the request of OAU due to unforeseen developments. Co-operation continued between OAU and United Nations organizations, including the Economic Commission for Africa, the Centre for Human Rights, DPI, FAO, IFAD, IMO, ITU, UNCTAD, UNIDO, UNCHS, UNHCR, UNESCO, UPU, the World Bank, WFP and WHO. UNDP provided assistance to the national liberation movements recognized by OAU (see p. 170).

ECONOMIC AND SOCIAL COUNCIL ACTION

The Economic and Social Council, in resolution 1985/59, recommended that an item on assistance to national liberation movements recognized by OAU be included in the agenda of high-level meetings of the OAU General Secretariat and the secretariats of the United Nations and other organizations within the system, with a view to strengthening existing co-ordination measures to ensure the best use of available resources for assistance to the peoples of colonial territories.

GENERAL ASSEMBLY ACTION

On 21 November, the General Assembly adopted resolution 40/20 without vote.

Co-operation between the United Nations and the Organization of African Unity

The General Assembly,

Having considered the report of the Secretary-General on co-operation between the United Nations and the Organization of African Unity,

Recalling its previous resolutions on the promotion of co-operation between the United Nations and the Organization of African Unity and the practical measures taken for their implementation, in particular resolution 39/8 of 8 November 1984, and its resolution 39/29 of 3 December 1984 on the critical economic situation in Africa and the Declaration annexed thereto,

Taking note of the relevant resolutions, decisions and declarations adopted by the Council of Ministers of the Organization of African Unity at its forty-second ordinary session and by the Assembly of Heads of State and Government of that organization at its twenty-first ordinary session, which were held at Addis Ababa from 10 to 17 July and from 18 to 20 July 1985, respectively,

Taking note also of the resolutions, decisions and declarations adopted by the Organization of African Unity on the promotion of co-operation between the United Nations and the Organization of African Unity,

Noting, in particular, the Declaration on the Economic Situation in Africa and Africa's Priority Programme for Economic Recovery 1986-1990, annexed thereto, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-first session, which was devoted mainly to the critical economic situation in Africa,

Considering the important statement by the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity of 21 October 1985, particularly with regard to the critical economic situation in Africa as well as other matters of concern to the two organizations,

Gravely concerned about the serious and deteriorating economic situation in Africa, in particular the effects of the prolonged drought, desertification and the adverse effects of the international economic environment on the African States,

Recalling, in this connection, the Lagos Plan of Action for the Implementation of the Monrovia Strategy for the Economic Development of Africa, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its second extraordinary session, held at Lagos on 28 and 29 April 1980,

Recognising the need for closer co-operation between the Organization of African Unity and all specialized agencies, organizations and bodies of the United Nations system in realizing the goals and objectives set forth in the Lagos Plan of Action,

Gravely concerned at the deteriorating situation in southern Africa arising from the continued domination of the peoples of the area by the minority racist régime of South Africa and conscious of the need to provide increased assistance to the peoples of the region and to their liberation movements in their struggle against colonialism, racial discrimination and apartheid,

Conscious of its responsibilities to provide economic, material and humanitarian assistance to independent States in southern Africa to help them cope with the situation caused by the acts of aggression committed against their territories by the apartheid régime of South Africa,

Deeply concerned at the gravity of the situation of the refugees in Africa and the urgent need for increased international assistance to help African countries of asylum cope with the heavy social, economic and administrative burden imposed on their fragile economies,

Recognizing the important role which the various information units and departments of the United Nations system can play in disseminating information to bring about a greater awareness of the grave situation prevailing in southern Africa as well as the social and economic problems and the needs of African States and their regional and subregional institutions,

Aware of the need for continuous liaison, consultations on matters of common concern, exchange of information at the secretariat level and technical co-operation on such matters as training and research between the Organization of African Unity and the United Nations,

1. Takes note of the report of the Secretary-General on co-operation between the United Nations and the Organization of African Unity and commends his efforts to strengthen such co-operation;

2. Notes with appreciation the increasing and continued participation of the Organization of African Unity in the work of the United Nations and the specialized agencies and its constructive contribution to that work;

3. Commends the continued efforts of the Organization of African Unity to promote multilateral co-operation among African States and to find solutions to African problems of vital importance to the international community and notes with satisfaction the increased collaboration of various organizations of the United Nations system in support of those efforts;

4. Reaffirms the determination of the United Nations to work closely with the Organization of African Unity towards the establishment of the new international economic order in accordance with the resolutions adopted by the General Assembly and, in that regard, to take full account of the Lagos Plan of Action for the Implementation of the Monrovia Strategy for the Economic Development of Africa and Africa's Priority Programme for Economic Recovery 1986-1990, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-first session, in the implementation of the International Development Strategy for the Third United Nations Development Decade;

5. Calls upon all Member States and regional and international organizations, in particular those of the United Nations system, to implement fully General Assembly resolution 39/29 on the critical economic situation in Africa and the Declaration annexed thereto;

6. Also calls upon all Member States, and regional and international organizations, in particular those of the United Nations system, to give their maximum support to Africa's Priority Programme for Economic Recovery 1986-1990;

7. Requests the Secretary-General to draw the attention of the specialized agencies and other organizations of the United Nations system to the need to give increasingly wide publicity to all matters relating to the social and economic development of Africa, in particular to General Assembly resolution 39/29 on the critical economic situation in Africa and the Declaration annexed thereto;

8. Expresses its appreciation to the Secretary-General for the timely initiative he has taken to alert the international community to the critical economic and social situation in Africa and welcomes the measures he has taken to facilitate international co-operation and co-ordination to assist Africa, in particular through the establishment of the Office for Emergency Operations in Africa;

9. Commends the Office for Emergency Operations in Africa for its efforts to sensitize the international community to the emergency situation in Africa, to co-ordinate the efforts of the international community and to monitor the situation in the affected African countries;

10. Expresses its appreciation to donor countries, the European Economic Community and other intergovernmental and non-governmental organizations for their participation in the round-table and consultative groups and for their response to the emergency food situation in Africa;

11. Expresses its appreciation also to the United Nations Development Programme, the Office of the United Nations Disaster Relief Co-ordinator, the World Food Programme, the Food and Agriculture Organization of the United Nations, the World Health Organization, the United Nations Children's Fund and the United Nations High Commissioner for Refugees for the assistance so far tendered to the African States in dealing with the emergency situation as well as with the critical economic problems that exist on the African continent;

12. Calls upon all Member States and organizations of the United Nations system to increase their assistance to the African States affected by serious economic problems, in particular problems of displaced persons resulting from natural and other disasters, by implementing fully General Assembly resolution 39/29 and Africa's Priority Programme for Economic Recovery 1986-1990;

13. Invites the Secretary-General to continue his commendable efforts in alerting and sensitizing the international community to the plight of African countries, in mobilizing additional assistance to Africa, in co-ordinating the activities of the United Nations system in Africa, and in monitoring the situation and presenting periodic reports thereon;

14. Reiterates its appreciation to the Secretary-General for his efforts, on behalf of the international community, to organize and mobilize special programmes of economic assistance for African States experiencing grave economic difficulties, as well as for the front-line States and other independent States of southern Africa, to help them cope with the situation caused by the acts of aggression committed against their territories by the apartheid régime of South Africa;

15. Expresses its appreciation to the World Bank, the United Nations Development Programme and other interested international financial institutions for their response to the critical economic situation in Africa as well as their assistance in the organization of round-table and donor conferences in favour of the least developed countries of Africa, as well as in the implementation of those special programmes of economic assistance;

16. Requests the Secretary-General to continue to keep the Organization of African Unity informed periodically of the response of the international community to those special programmes of economic assistance and to continue to co-ordinate efforts with all similar programmes initiated by that organization;

17. Calls upon the international community to provide generous assistance on a long-term basis to all African States affected by the economic crisis, particularly those suffering calamities such as drought and flood, in accordance with General Assembly resolution 39/29 and Africa's Priority Programme for Economic Recovery, 1986-1990;

18. Reiterates the determination of the United Nations, in co-operation with the Organization of African Unity, to intensify its efforts to eliminate colonialism, racial discrimination and apartheid in southern Africa;

19. Requests the Secretary-General to take the necessary measures to strengthen co-operation at the political, economic, cultural and administrative levels between the United Nations and the Organization of African Unity in accordance with the relevant resolutions of the General Assembly, particularly with regard to the provision of assistance to the victims of colonialism and apartheid in southern Africa, and, in this connection, draws once again the attention of the international community to the need to contribute to the Assistance Fund for the Struggle against Colonialism and Apartheid established by the Organization of African Unity;

20. Urges the specialized agencies and other organizations concerned within the United Nations system to continue to expand their co-operation with the Organization of African Unity and, through it, their assistance to the liberation movements recognized by that organization;

21. Reaffirms its willingness to co-operate with the Organization of African Unity and its organs in the implementation of resolutions and decisions of mutual concern;

22. Calls upon the competent organs, specialized agencies and other organizations of the United Nations system to continue to ensure that their personnel and recruitment policies provide for the just and equitable representation of Africa at all levels at their respective headquarters and in their regional and field operations;

23. Urges all Member States and regional and international organizations, in particular those of the United Nations system, and non-governmental organizations to provide material and economic assistance to help African countries of asylum cope with the heavy burden imposed on their limited resources and weak infrastructures by the presence of large numbers of refugees;

24. Invites Member States and regional and international organizations, in particular those of the United Nations system, and non-governmental organizations to contribute generously and effectively to the implementation of the Declaration and Programme of Action of the Second International Conference on Assistance to Refugees in Africa;

25. Calls upon United Nations organs in particular the Security Council, the Economic and Social Council, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Special Committee against Apartheid and the United Nations Council for Namibia to continue to associate closely the Organization of African Unity with all their work concerning Africa;

26. Requests the Secretary-General to ensure that adequate facilities continue to be made available to facilitate continued liaison and consultations on matters of common interest as well as for the provision of technical assistance to the General Secretariat of the Organization of African Unity, as required;

27. Also requests the Secretary-General, in consultation with the Secretary-General of the Organization of African Unity, to arrange the date and venue for the next meeting between representatives of the General Secretariat of that organization and the secretariats of the United Nations and other organizations of the United Nations system;

28. Further requests the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution and on the development of co-operation between the Organization of African Unity and the organizations concerned within the United Nations system.

General Assembly resolution 40/20

21 November 1985 Meeting 87 Adopted without vote

49-nation draft (A/40/L.17 & Add.1); agenda item 25.

Sponsors: Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Ivory Coast, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, Sudan, Swaziland, Togo, Tunisia, Uganda, United Republic of Tanzania, Zaire, Zambia, Zimbabwe.
Meeting numbers. GA 40th session: plenary 42, 87.

The Assembly called for United Nations-OAU co-operation in other 1985 resolutions. In resolution 40/53, it echoed the action recommended by the Economic and Social Council (see p. 202) on assistance to the movements recognized by OAU. The Assembly welcomed the efforts of the OAU Chairman and the United Nations Secretary-General to promote a solution to the Western Sahara problem, and called on them to persuade the conflicting parties to negotiate a cease-fire and referendum (40/50). It requested the Secretary-General to publicize United Nations work in decolonization and to maintain a close working relationship with OAU by consulting periodically and by exchanging information (40/58).

The Assembly requested the Secretary-General to assist OAU to implement the 1964 Declaration on the Denuclearization of Africa (40/89 A). It decided to establish a United Nations Regional Centre for Peace and Disarmament in Africa to support disarmament efforts in the region, in co-operation with OAU, as well as to co-ordinate the implementation of regional activities in Africa under the World Disarmament Campaign (40/151 G).

The Assembly decided to organize, in co-operation with OAU and the Movement of Non-Aligned Countries, a World Conference on Sanctions against Racist South Africa (40/64 C). Noting the interest of African States in Antarctica as shown by the OAU Council of Ministers July meeting,⁽³⁾ the Assembly viewed with concern the continued status of South Africa as a Consultative Party to the Antarctic Treaty (40/156 C).

REFERENCES

- (1)YUN 1984 p. 192, GA res. 39/8, 8 Nov. 1984. (2)A/40/536. (3)A/40/666. (4)A/40/497.