

**UNITED NATIONS
AND
THE AFRICAN NATIONAL CONGRESS**

Partners in the Struggle against Apartheid

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[Mr. Reddy became interested in the struggle for freedom in South Africa during his student days in India in the 1940s. He met the delegation led by Dr. Xuma to the UN in New York in 1946 and joined a demonstration against South African racism organised by the Council on African Affairs. He is the only person who has followed the UN discussions on the situation in South Africa from 1946 to 1994. Most of his career in the UN Secretariat (1949-1985) was devoted to the question of South Africa. He was appointed principal secretary of the Special Committee against Apartheid in 1963, director of the Centre against Apartheid in 1976 and Assistant Secretary-General of the UN in 1983.]

INTRODUCTION

The United Nations (UN) began consideration of the racial situation in South Africa at the first session of its General Assembly in 1946 when India complained to the UN about the treatment of Indians in South Africa in violation of agreements between the two countries and the principles of the UN Charter. In the same year, the African National Congress of South Africa (ANC) became the first liberation movement to appeal to the UN for solidarity. Six years later, when the ANC and the South African Indian Congress (SAIC) launched the Campaign of Defiance against Unjust Laws, the UN began consideration of the problem of apartheid and its repercussions for peace.

The cooperation between the UN and the ANC from 1946 to the election of a democratic government in South Africa in 1994 deserves study for an understanding of the potentials and limitations of the UN and of the role of international solidarity in assisting peoples struggling against oppression.

There is hardly an issue on which the UN devoted as much effort, or took so wide a range of actions, as on the problem of apartheid. In the course of its consideration of this problem, the ANC began as a petitioner rose to become a participant in the process of decision-making.

Until the end of the 1950s, the ANC sought only moral support from the international community. The UN General Assembly annually adopted resolutions with increasing majorities, calling on the South African government to abandon the policy of apartheid.

After the Sharpeville massacre of 1960 and the emergence of many African states to independence, there was universal condemnation of apartheid. The UN General Assembly appealed to governments in 1961 to take separate and collective action to bring about the abandonment of apartheid. Even the United Kingdom, which had consistently opposed all earlier resolutions on apartheid, joined the consensus in 1961.

The adoption by the General Assembly in 1962 of a resolution requesting member states to impose specific economic and other sanctions against South Africa, and establishing a Special Committee to ensure continuous attention to the situation in South Africa, began a new stage in UN action.

The Special Committee acted as a powerful lobby for action against the apartheid regime and for assistance to the liberation struggle. It frequently consulted Oliver Tambo and other ANC leaders in exile. Since the establishment of the Special Committee, the UN provided an international forum for the ANC whenever it sought to inform the world of the situation in South Africa, the struggle of the people for freedom and the support they seek from the international community.

Well over thirty leaders and representatives of the ANC addressed meetings and conferences of the UN.¹

Between 1963 and 1966, the UN took a series of actions in solidarity with the struggle in South Africa. The Security Council called on states to impose an embargo on the supply to South Africa of arms and ammunition, as well as material for the manufacture of arms and ammunition. The General Assembly adopted a resolution, with only South Africa voting against, calling on the South African government to abandon the Rivonia trial of Nelson Mandela and other ANC leaders and end all repression against opponents of apartheid. It invited governments to contribute to assistance to political prisoners and their families in South Africa and set up a Trust Fund for that purpose. It established a programme of scholarships to enable South Africans to study abroad, in non-racial institutions, with a view to enable them to contribute to the development of the country. It began publicity on the evils of apartheid and its efforts for its elimination.²

Based on this experience, the Special Committee proposed in 1966 an international campaign against apartheid under the auspices of the UN, and it was approved by the General Assembly.

The Special Committee greatly extended its relations with anti-apartheid groups, as well as churches, trade unions and other NGOs, and began to encourage and lend support to campaigns for the economic boycott of South Africa, to exclude South Africa from international organisations and conferences, to boycott sports teams selected under apartheid regulations, etc.

It also developed close relations with the Organisation of African Unity (OAU) and other intergovernmental organisations, and helped build a coalition of governments and NGOs against apartheid.

The unceasing efforts by the UN in isolating the apartheid regime and helping the movement for freedom was particularly valuable in the period when the ANC was recovering from the reverses in 1963-65 when many its leaders were imprisoned.

The General Assembly decided annually since 1965 not to recognise the credentials of the delegation of the South African government, to demonstrate its condemnation of apartheid and as a warning to that regime. In 1974, the Assembly decided by a majority vote to exclude that delegation from its meetings. Soon South Africa was excluded from almost all UN bodies and from organisations within the UN family. At the same time, the liberation movements recognised

¹ The ANC speeches I collected and transcribed may be found on the website of the ANC – www.anc.org.za.

² Many of the publications of the UN were written by leaders and activists of the ANC and movements of solidarity. The UN published a collection of speeches of Albert Luthuli, the statements from the dock by Nelson Mandela in November 1962 and April 1964, the Freedom Charter and many other documents of the liberation movement in several languages.

by the OAU – ANC and the Pan Africanist Congress of Azania (PAC) – were declared authentic representatives of the great majority of the South African people and granted observer status so that they were able to participate in discussions on action against apartheid and in support of the struggle for liberation.

The Soweto massacre of students in June 1976 persuaded Nordic and other countries to stop new investments in South Africa. A mass movement in universities in the United States and Britain focussed on demands to end investments in South Africa, and in corporations with investments in South Africa. The movement led not only to action by many universities but also by local authorities. It exerted pressure on corporations and banks.

In 1977, with the Carter administration in the United States and the escalation of repression in South Africa, the major Western Powers – United States, Britain and France - supported a decision by the Security Council, binding on all states, for an arms embargo against South Africa. That was a measure the UN had not adopted against any country.

In 1978, the UN promoted the world-wide observance of the sixtieth birthday of Nelson Mandela, an action unprecedented in the UN and for many governments. Since then, Mandela became a symbol of resistance and the “Free Mandela” campaign contributed greatly to the mobilisation of people in support of the liberation struggle.

The upsurge of resistance in South Africa in 1984 and the declaration of a State of Emergency provoked irresistible public demands for action by the governments of the main trading partners of South Africa. They were forced to take effective measures, though short of total economic sanctions, to exert pressure on the apartheid regime.

By the end of the decade, when international sanctions and the mass democratic movement forced the regime to recognise that it could not continue its disastrous course, the UN adopted a unanimous declaration in support of the ANC call for a negotiated solution. It retained sanctions during the period of negotiations, and exerted pressure on the South African regime to end violence in the country. It sent observers to ensure calm and facilitate the peace process. In 1994 it sent almost two thousand observers to monitor the democratic elections.

While the UN provided or promoted enormous support to the struggle of the South African people, the process has been long and difficult, as was the struggle of the people in South Africa. There were many vested interests abroad which benefitted from apartheid and the “cold war” complicated the situation as a few powerful governments regarded South Africa as a valuable ally. The great majority of governments and world public opinion were able to channel ever increasing support to the liberation struggle and eventually oblige the recalcitrant governments to join in exerting pressure on the apartheid regime to force it to negotiate with the leaders of the

great majority of the people. The United Nations was able to act with unanimity during the transition from 1990 to 1994. Every country in the world contributed, in some measure, in enabling the South African people to achieve freedom and democracy. Influential officials in the United States who predicted that apartheid could not be defeated by the people in the twentieth century were proved short-sighted.

Those who did not understand the UN and expected it to deliver freedom to the people of South Africa have often expressed disappointment with the organisation for its inability to enforce international economic sanctions against South Africa. But that feeling was not shared by the leaders of the ANC who recognised that liberation would come only through the struggle of the people. They appreciated the role of the UN as a forum where pressure was exerted against the governments collaborating with the South African regime. The UN, for its part, recognised, and the Special Committee emphasised, that the primary responsibility for liberation belonged to the people of South Africa and their liberation movement and that the role of the UN and the international community was secondary and supportive.

Appreciation by the ANC

Leaders of the ANC have repeatedly acknowledged the significant role of the UN and its Special Committee against Apartheid in support of the struggle for liberation. In his first public statement at the UN on 8 October 1963, Oliver Tambo, then deputy president of the ANC, referred to the “supreme effort” which the UN was making to induce the South African regime to abandon its racist policies. He said on 18 June 1968 that the Special Committee had been “an inspiring example of devotion to the cause of freedom for the people of South Africa” and was “in a way an important wing of the liberation struggle of the people of South Africa”. On 12 January 1982, he saluted the Special Committee “which has been a fighting weapon of the people of South Africa and which has taken the kind of initiatives through which the international community is virtually united today in support of the struggle of the people of South Africa”.

Nelson Mandela, in his address to the Special Committee on 22 June 1990, paid tribute to the UN for the decisions and actions it took to expunge the crime of apartheid, and to the Special Committee as “a very important instrument in our struggle”. He praised the UN Declaration on Apartheid, adopted by consensus in December 1989, as a “vital statement underlining the unity of the world community on the South African question and its resolution”.

Thabo Mbeki, then first deputy president of South Africa, acknowledged at a meeting of the Security Council on 25 May 1994 “the outstanding contribution this organisation has made in bringing South Africa to the happy situation in which it is today”. He made special reference to the observers dispatched by the UN who played an important role in helping to deal with the problem of political violence and in ensuring the success of the first democratic and non-racial election in 1994. He declared: “The victory that has been won in South Africa belongs as much to the people of our country as to this organisation and the peoples of the world”.

President Jacob Zuma had fulsome praise for the support of the UN to the struggle for liberation in his address to a symposium at the UN on September 22, 2011:

“Long before the ANC was banned in April 1960 and forced into a 30-year life of exile, the UN was already on our side, having passed resolution after resolution against the policies of racial oppression in our country.

“When the apartheid regime arrested our leaders in the Rivonia trial of the 1960s, the UN stood up and called for their release...

“When the youth of our country took to the streets in June 1976, the UN listened and adopted a comprehensive programme of action against apartheid...

“The ANC’s long association with the UN is immortalised in documents that were generated by the Special Committee against Apartheid...

“The UN Center against Apartheid was a resource that very few could match in its analysis of apartheid and our struggle...

“In walking together in the fight for justice, the ANC and the UN enriched each other.

“The ANC would not be what it is today had it not been for the experience it gained at the United Nations, including our unwavering commitment to multilateralism.

“Similarly, the many campaigns that the UN undertook against apartheid helped mould this organisation into what it is today”.

While the assistance of the UN to the liberation movement of South Africa is fairly well documented, little attention has been given by scholars to the contribution of the ANC to the UN and the international community.³

The ANC, the first liberation movement in sub-Saharan Africa, encouraged and helped the formation of liberation movements in all the neighbouring countries. These movements together played an important role in the struggle for the emancipation of Africa and the elimination of colonialism, and thereby contributed to the universality of the UN. The ANC inspired movements in other countries, including the United States, against colonialism and racism. It presented a challenge to the apartheid rulers and all other racists in the world who claimed that people of different colours or racial origins cannot live together in harmony. It promoted solidarity movements which sensitised public opinion to the inhumanity of racism and

³ Please see my Luthuli Memorial Lecture in Dublin in March 1985, available at www.sahistory.org.za/archive/freedom_movement_south_africa_its_international_impact-es_reddy

colonialism, and called for morality in foreign policy and in operations of transnational corporations.

The activities of the ANC and the solidarity movements helped create a climate in which the UN could function more effectively. Consideration of apartheid resulted in recognition that gross violation of human rights was not a domestic matter of member states and that the UN was competent to consider such violations. It led the UN to give serious attention to the broader problem of racism. In 1963 the UN adopted the Declaration on the Elimination of All Forms of Racial Discrimination, followed by an International Convention in 1965. It called for the observance of 1971 as the International Year to Combat Racism and Racial Discrimination and thereafter proclaimed decades against racism. The discussion of the grave situation in South Africa also promoted UN action on such matters as ill-treatment and torture of prisoners, capital punishment, social responsibility of transnational corporations and the Olympic principle of non-racialism in sport.

This paper, prepared for the centenary of the ANC, contains in its first part a brief review of UN consideration of the racial problem in South Africa. Part II refers specifically to assistance provided by the UN to the liberation struggle. It is based not only on published documents but on my reminiscences as the official in the UN Secretariat in charge of action against apartheid from 1963 to 1984.⁴

Reference must be made to the fact that the UN accepted the decision of the OAU in 1963 on the recognition of two South African organisations – ANC and PAC - as authentic liberation movements. In subsequent years, the PAC faced a series of crises and could not overcome the effects of repression by the regime while the ANC recovered from the setbacks in the 1960s and became the vanguard of the national liberation movement. Virtually all the anti-apartheid and solidarity movements, as well as numerous NGOs, were associated with the ANC. Several governments which decided to assist the liberation struggle supported only the ANC. The failure

of the OAU to recognise the change in the situation until the 1980s hindered, to some extent, UN action against apartheid.⁵

⁴ At the request of the Committee, I not only followed the situation in South Africa but held consultations with governments, liberation movements and NGOs, and suggested initiatives for approval of the Special Committee and the General Assembly.

⁵ In the Special Committee, the PAC was concerned mainly with asking for equal treatment with the ANC and tried to persuade the Committee to press anti-apartheid groups to do likewise.

At the World Conference for Action against Apartheid in Lagos in August 1977, I suggested in the drafting committee that we should use the term “national liberation movement” in singular as it is like a mighty river with many tributaries, and use the plural only when there is reference to organisations recognised by the OAU. That was accepted by the members, as well as the ANC and PAC, and became the practice of the Special Committee. A year later the PAC asked that the Special Committee abandon the decision and revert to the previous practice. The OAU

UNITED NATIONS CONSIDERATION OF THE RACIAL SITUATION IN SOUTH AFRICA: A BRIEF REVIEW⁶

Visit of Dr. A.B. Xuma, President-General of ANC, to the UN in 1946 and Rejection of Apartheid by UN in 1950

The ANC was conscious of the importance of the UN from the inception of the international organisation. One of the first communications received by the UN after it began its work in 1946 was a cable from Dr. A. B. Xuma, President-General of the ANC, opposing the proposal of the Smuts government for the annexation of South West Africa, and pointing to denial of political and economic rights to Africans in South Africa. He wrote:

“AFRICANS IN SOUTH WEST AFRICA NO SHARE IN GOVERNMENT
THEREFORE NO PART IN INCORPORATION NEGOTIATIONS. SOUTH AFRICA
DENIES POLITICAL AND ECONOMIC RIGHTS TO 8,000,000 AFRICANS. 83 PER
CENT OF LAND RESERVED FOR 2,000,000 EUROPEANS. ONLY LESS THAN 17
½ PER CENT LAND FOR 8,000,000 AFRICANS. ONLY 40 PER CENT OF
AFRICAN CHILDREN ACCOMMODATED IN MISSION SCHOOLS. 95 PER CENT
OF AFRICANS IMPRISONED UNDER DISCRIMINATORY REGULATIONS
AGAINST AFRICANS ONLY. SOUTH AFRICA MUST FIRST REMOVE THE
COLOUR BAR, RESTRICTIONS, DISCRIMINATION AT HOME”.⁷

This cable received little notice at the time, but Dr. Xuma got an opportunity to press the ANC case later in 1946 when the General Assembly resumed its first session.

The Natal and the Transvaal Indian Congresses launched a passive resistance campaign in June 1946 against the “Ghetto Act” extending segregation of Indians. The Indian Government recalled its High Commissioner in South Africa and requested the UN General Assembly to consider the “treatment of Indians in South Africa”. At the request of the Indian Congresses, Dr. Xuma, who

was persuaded by the PAC to advise the Committee to use the plural, so that the image of a divided liberation movement was restored.

⁶ Much of this section is based on a paper I prepared for the South Africa Democracy Education Trust (SADET). For a more detailed account of United Nations consideration of the racial situation in South Africa, please see *The Road to Democracy in South Africa, Volume 3, International Solidarity, Part I* (published by UNISA Press for the South African Democracy Education Trust, 2008), Chapter 2, “United Nations and Apartheid”, pp. 41-140. Please see also *The United Nations and Apartheid 1948-1994*. United Nations Blue Book Series, Volume I, 1994.

⁷ Thomas Karis and Gwendolen M. Carter (eds.), *From Protest to Challenge*, vol. 2 (Stanford, California: Hoover Institution Press, 1973), pp. 262-63. The letters and telegrams of the ANC to the UN, which I collected, are on the website of the ANC, www.anc.org.za.

supported the passive resistance, led a delegation to New York in October to advise the Indian delegation to the Assembly and lobby the UN⁸.

The delegation of India treated him with respect and facilitated his access to meetings at the UN.

Dr. Xuma sent the UN Secretary-General a “Memorandum Outlining the Views of the Africans in the Union of South Africa, South West Africa and Bechuanaland Protectorate concerning the Incorporation of the Mandate Territory of South West Africa and its Bearing on the Treatment of Non-Europeans in South Africa”. After outlining the denial of rights to Africans in South Africa, as well as South West Africa, and refuting the claims of the South African Government about its consultations with the people of South West Africa, he wrote:

“To Native Africans the case of incorporation of South West Africa and the Asiatic Act against the Indians in South Africa are a test of the seriousness and sincerity of the United Nations towards the so-called backward peoples and Non-Self-Governing Territories. If incorporation of South West Africa is supported by the United Nations, a dangerous precedent, which if followed by other mandatory powers may nullify all efforts towards the establishment of the Trusteeship Council. In fact, to us, both incorporation and the rejection of the appeal of the Indians in South Africa will be tantamount to the repudiation of the letter and spirit of the Charter itself. The United Nations thereafter will be a strong body in a political, economic and military sense with no moral or ethical basis. In other words, it will be a body without a soul”.

This memorandum deserves much more attention than it has received from students of the South African liberation struggle.⁹

The Council on African Affairs, led by Paul Robeson, and especially its educational director, Dr. Alpheus Hunton, assisted Dr. Xuma in publicising the ANC case and in circulating information on South West Africa to delegates at the UN, most of whom were unaware of the situation in that territory.

⁸ The other members of the delegation were H. A. Naidoo of Natal Indian Congress, Sorabjee Rustomjee of Transvaal Indian Congress and H. M. Basner, a Senator representing the African voters.

I was fortunate to meet Dr. Xuma during his visit, listen to the briefing by the delegation to American organisations, join a demonstration against South Africa organised by the Council on African Affairs and attend a rally addressed by the South African leaders at the Abyssinian Church in Harlem.

⁹ This memorandum was published as a pamphlet in New York by H. A. Naidoo and Sorabjee Rustomjee under the title: *South West Africa: Annexation or United Nations Trusteeship*. Please see <http://www.anc.org.za/show.php?id=9367>

Dr. Xuma happened to meet Field Marshall Smuts in New York. He was reported to have said later: “I have had to fly 10,000 miles to meet my Prime Minister. He talks about us but won’t talk to us”.¹⁰

The decision of the UN rejecting South Africa’s contention that racial discrimination against Indians was its own internal affair and declaring that the treatment of Indians should be in conformity with the UN Charter was a source of great encouragement to African leaders in South Africa. Moreover, the General Assembly rejected South Africa’s plans to annex South West Africa and thereby preserved the integrity of that territory which was later to achieve independence as Namibia.

Smuts was shocked by the reverses at the UN and the reaction of the African people in South Africa. He wrote:

“The fully publicised discussions at UNO are having a great effect in all directions. We even hear about them from our domestic and farm Natives who really have nothing to complain of, but are deeply stirred by all this talk of equality and non-discrimination”.¹¹

The annual conference of ANC in December adopted a resolution hailing the decisions of the UN General Assembly:

“... this Conference hails the decision of the United Nations General Assembly on the treatment of the Indian minority in South Africa and the rejection of the Union’s claim to annex South West Africa as a condemnation of the South African Government’s policy of white supremacy as a flagrant violation of the UNO Charter and the principles of justice and human rights”.

The annual discussions of the Indian complaint by the UN General Assembly facilitated moves to obtain international attention to the racial problem and apartheid in South Africa.

In 1950, the apartheid government agreed to discuss a round-table conference with India, without prejudice to its position that the treatment of Indians was its own internal affair. India sent a delegation, led by Hriday Nath Kunzru, to South Africa to discuss the arrangements. The delegation was welcomed at a meeting in Johannesburg addressed by Dr. Yusuf Dadoo and

¹⁰ Anna Cunningham, “Alfred Bitini Xuma: Pioneer Black Doctor and Politician” in *Journal of the Johannesburg Historical Foundation*, Volume 16, 1995, pp. 46-55.

¹¹ Smuts Papers, Volume 84, no. 195, 2 January 1947. Quoted by Timothy Bennett-Smyth in “Transnational Connections: Alfred B. Xuma and the African National Congress on the World Stage”. May be accessed at <http://www.anc.org.za/search2.php?search=Bennett-Smyth&sa=GO>.

Nelson Mandela.¹² The talks broke down as the Pretoria Government enacted the obnoxious Group Areas Act, one of the pillars of apartheid, and refused to suspend its implementation.

In a resolution that year, the General Assembly declared that a policy of racial segregation (apartheid) was necessarily based on doctrines of racial discrimination, thereby rejecting the South African propaganda that apartheid was not discrimination but “separate development”.¹³

The Defiance Campaign, 1952, and the Establishment of a UN Commission

On June 26, 1952, the ANC and the SAIC jointly launched the Campaign of Defiance against Unjust Laws in which over 8,000 people of all racial origins were to court imprisonment.

Thirteen Asian and Arab governments wrote to the UN requesting that the General Assembly consider “the question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Union of South Africa”.¹⁴

The General Assembly rejected South Africa’s objections and the item was discussed in its Special Political Committee. Professor Z. K. Matthews, President of the Cape ANC and professor at Fort Hare who was then a visiting professor at the Union Theological Seminary, sent a letter on behalf of the ANC and it was published as a UN document at the request of Haiti.¹⁵ A proposal by Liberia to invite Prof. Matthews to make a statement in the Committee was, however, not pressed to a vote following a request by the Chairman of the Committee who said it would set a precedent of hearing petitioners against member states.

Prof. Matthews indicated that when his possible appearance in the Committee became known, the South African government had threatened him and the University College of Fort Hare. The United States government also pressed Prof. Matthews not to insist on speaking at the UN.¹⁶ A 40-page memorandum sent to the UN by the ANC was merely circulated to members by the delegation of Haiti.

¹² Mr. Mandela told me about this meeting when I called on him in September 1991.

¹³ Resolution 395 (V) of December 2, 1950

¹⁴ Though neither the ANC nor the SAIC appealed for UN consideration of the situation, Prime Minister Jawaharlal Nehru of India requested President Nasser of Egypt to canvass for sponsors, to avoid the impression that India was taking up the matter because of its dispute with South Africa. (Information from T. G. Ramamuthi, a former official of the Ministry of External Affairs of India, who studied the records of the Ministry.)

¹⁵ United Nations document A/AC.6/L.14

¹⁶ George M. Houser, leader of “American Supporters of the Defiance Campaign”, said in a statement at a meeting of the Special Committee on June 25, 1982, to commemorate the 30th anniversary of the Defiance Campaign:

“I recall a visit to Matthews’ apartment in McGiffert Hall of Union Seminary at about this time. As I entered the apartment, two gentlemen were just leaving. After they departed, Z. K. Matthews said, ‘Do you know who those men are?’ I didn’t, so he explained, ‘They were from the U.S. State Department and came here to urge me not to insist on speaking at the UN’”.

Two resolutions were presented to the General Assembly. A resolution by India and other countries called for the establishment of a Commission to study the racial situation in South Africa and report to the General Assembly. The other resolution, moved by Denmark, made no reference to South Africa. It declared that in a multi-racial society, human rights and the peaceful development of a unified community were best assured when legislation ensured equality before the law of all persons and when economic, social, cultural and political participation of all racial groups was on a basis of equality. Both resolutions were adopted by the Assembly. None of the Western countries voted for the paragraph establishing the Commission.

Reports of UN Commission on the Racial Situation in the Union of South Africa (UNCORS)

The Commission was composed of Hernan Santa Cruz of Chile as Chairman-Rapporteur, Dantas Bellegarde of Haiti and Henri Laugier of France. The mandate of the Commission was extended twice and it submitted three detailed reports. It received memoranda from the ANC, the SAIC and the Congress of Democrats. It heard E. S. (“Solly”) Sachs and the Reverend Michael Scott. Some of the conclusions of the Commission deserve to be recalled.

In the first report in 1953,¹⁷ it said:

“It is highly unlikely, and indeed improbable, that the policy of apartheid will ever be willingly accepted by the masses subjected to discrimination ... As the apartheid policy develops, the situation it has made is constantly being aggravated and daily becomes less open to settlement by conciliation, persuasion, information or education, daily more explosive and more menacing to internal peace and to the foreign relations of the Union of South Africa. Soon any solution will be precluded and the only way out will be through violence, with all its inevitable and incalculable dangers...”

In the second report in 1954,¹⁸ it made a number of suggestions to ameliorate the position of the Africans, and added:

“Although the commission appreciates the importance of securing equal economic opportunities for all, regardless of differences in race, colour or belief, it feels bound to state its conviction that steps to achieve political equality among ethnic groups are of prime importance and cannot be continually deferred without serious danger”.

In a joint memorandum in 1954, the ANC and the SAIC informed UNCORS of their intention to convene a Congress of the People to frame a Freedom Charter.¹⁹ The Commission noted this initiative with satisfaction.²⁰

¹⁷ UN document A/2505

¹⁸ UN document A/2719

¹⁹ Ibid., paragraph 203

In the third report,²¹ it reproduced an article by Manilal Gandhi about the Congress of the People. It warned:

“Apartheid in education, symbolised by the words ‘Bantu education’ – a term detested by all the non-Europeans ... – is liable to accentuate even more and to spread among the entire Native population a Bantu nationalism with a strong anti-White orientation. The Commission believes that the Nationalist Government, in carrying its policy of school segregation to extremes, may receive some sad surprises, including a stiffening in the anti-European attitude of the Bantu population. Should this occur, apartheid in this as no doubt in other fields would produce an effect very contrary to the pacification and reduced friction which its proponents say they hope to achieve”.

In 1955, the Western Powers, especially the United States, lobbied against the Commission. The paragraph in the resolution on South Africa to extend the Commission for another year was rejected as it received one vote less than the two-thirds majority.

On the other hand, the National Executive Committee to the ANC said in its report to Annual Conference in December 1954:

“As you all know, the Defiance Campaign of 1952 sharply focussed the attention of the United Nations on the problem of racial discrimination in South Africa. We once more wish to record our highest appreciation to the United Nations Organisation for the continuous support it has given us, particularly do we want to do so to the United Nations Commission on racial discrimination in South Africa and those countries who have supported our cause despite strong opposition from the imperialist countries, who are in league with South Africa.”

South Africa announced in 1955 that it would recall its delegation from the UN and maintain only token representation at the UN. The United States began to exert strong pressure on delegations to moderate resolutions though repression in South Africa was increasing. The subsequent resolutions made no reference to the Treason Trial or to the other serious developments in South Africa.²² The ANC sent a long memorandum to the Assembly session in 1959, but only the Indian delegate, V. K. Krishna Menon, referred to it in his speech.

Meanwhile, Ghana attained independence in March 1957 and began to take the lead in Assembly debates on apartheid. An African group of States was formed and the resolutions on apartheid began receiving increasing majorities.

ANC Request for Sanctions and Hammarskjold Mission to South Africa

²⁰ Ibid., paragraph 371

²¹ UN document A/2953

²² South Africa resumed participation in the UN after a “conciliatory” resolution in 1958.

In 1958 the ANC launched a boycott of potatoes and other products produced by racists and appealed for an international boycott of South Africa. In December that year, the African People's Conference in Accra called for an international boycott of South Africa. A Boycott Committee was formed in London in June 1959. Many governments and trade unions began to boycott South African goods.

Soon after the Sharpeville massacre, Oliver Tambo, Deputy President of the ANC, left South Africa for London to set up an external mission to seek international support for the resistance. A South African United Front – composed of ANC, PAC, SAIC and the South West Africa National Union – was formed and was in existence until 1962.

The UN Security Council considered the situation in South Africa for the first time in March-April 1960 at the request of 29 Asian-African States and adopted a resolution recognising that the situation in South Africa “if continued might endanger international peace and security”. The resolution called upon the South African government “to initiate measures aimed at bringing about racial harmony based on equality... and to abandon its policies of apartheid and racial discrimination”, and requested the Secretary-General “in consultation with the Government of the Union of South Africa, to make such arrangements as would adequately help in upholding the purposes and principles of the Charter and to report to the Security Council whenever necessary and appropriate”. It was a mild resolution to secure the support of the United States.²³ Britain and France abstained on the vote.

The Secretary-General, Dag Hammarskjold, met the South African Foreign Minister, Eric Louw, in May in London and received an invitation to visit South Africa, on the understanding that the visit “did not imply any recognition by the Union Government of the United Nations authority in relation to South Africa's domestic affairs”.

Oliver Tambo, then head of the ANC external mission in London, requested to meet Mr. Hammarskjold. Received by an assistant, Heindrich Weischoff, Mr. Tambo pressed that the Secretary-General should meet Chief Luthuli and other African leaders during his visit to South Africa. Mr. Wieschoff warned him against any publicity for the meeting.²⁴

Mr. Hammarskjold could not visit South Africa for several months as he was preoccupied with the crisis in the Congo and other matters. He finally visited South Africa from 6 to 12 January 1961. Shortly before his visit, a consultative conference of African leaders held in Orlando in December, on the initiative of the ANC, sent the following cable to Mr. Hammarskjold:

“CONFERENCE OF AFRICAN LEADERS WELCOME SECURITY COUNCIL
RESOLUTION ON SOUTH AFRICA AND PROPOSED VISIT OF

²³ General Dwight Eisenhower was then President of the United States.

²⁴ Robert Resha, an ANC leader and a close colleague of Mr. Tambo, told me about this meeting in July 1963.

SECRETARY-GENERAL FIRMLY URGE GET TRUE PICTURE OF SOUTH AFRICA BY MEETING AFRICAN LEADERS. PONDOLAND SITUATION ALARMING. MILITARY OPERATIONS AGAINST UNARMED AFRICANS. RECOMMEND U.N.O. SEND COMMISSION OF OBSERVERS.

“SUPPORT DEMAND SOUTH WEST AFRICAN PEOPLE FOR INDEPENDENCE. NATIONALIST GOVERNMENT NO MORAL NOR LEGAL RIGHT TO RULE.

W. B. NGAKANE
JOHANNESBURG”

Despite several requests to Mr. Hammarskjold to meet Chief Luthuli, who was then banned, and other African leaders, he was unable to meet them as his movements were controlled by the South African government and his mandate referred only to consultations with the government.²⁵

On 24 June 1960, the Second Conference of Independent African States in Addis Ababa adopted a resolution recommending that all African States impose a series of sanctions against South Africa.²⁶ It asked Arab and African States to impose an oil embargo against South Africa, and called for the exclusion of South Africa from the Commonwealth. It recommended that the UN take action under Article 41 of the its Charter which provides for such non-military measures as “complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations”.

Mr. Tambo came to the UN later in the year and met members of the non-aligned group of states, including especially U Thant of Burma, chairman of its subcommittee on South Africa, who was to become Secretary-General of the UN.²⁷

At the fifteenth and sixteenth sessions of the General Assembly in 1961, African States proposed a series of measures against South Africa, but could not obtain a two-thirds majority. Instead, at the sixteenth session, the Assembly adopted Resolution 1663 (XVI) sponsored by India and other countries which included a much stronger condemnation of apartheid than before. Under the resolution, the Assembly reaffirmed that “the racial policies being pursued by the Government of South Africa are a flagrant violation of the Charter of the United Nations and the Universal

²⁵ For details about the visit, see Chris Saunders “Hammarskjold’s visit to South Africa” and Tor Sellstrom “Hammarskjold and apartheid South Africa: mission unaccomplished” in *African Journal on Conflict Resolution*, Durban, Volume 11, No. 1, 2011.

²⁶ Mr. Tambo attended the conference.

²⁷ U Thant had great regard for Mr. Tambo. This was the first time that I met Mr. Tambo.

Declaration of Human Rights and are totally inconsistent with South Africa's obligations as a Member State”, and urged all states “to take such separate and collective action as is open to them in conformity with the Charter to bring about an abandonment of those policies.” Only Portugal and South Africa voted against the resolution. The United Kingdom, for the first time, voted for a resolution on apartheid. Its delegate said that apartheid was now so exceptional as to be *sui generis*.

General Assembly Resolution 1761 (XVII) of 6 November 1962 Calling for Sanctions

At the seventeenth session of the General Assembly in 1962, the African delegations again moved a draft resolution calling for a series of measures against South Africa. The sponsors opposed separate votes on paragraphs of the draft and it was then adopted on 6 November 1962 as Resolution 1761 (XVII). By this resolution, the General Assembly requested member states to take the following measures to bring about the abandonment of the policies of apartheid:

- (a) Breaking off diplomatic relations with the South African government or refraining from establishing such relations;
- (b) Closing their ports to all vessels flying the South African flag;
- (c) Enacting legislation prohibiting their ships from entering South African ports;
- (d) Boycotting all South African goods and refraining from exporting goods, including all arms and ammunition, to South Africa;
- (e) Refusing landing and passage facilities to all aircraft belonging to the South African government and companies registered under the laws of South Africa.

The Assembly requested the Security Council to take appropriate measures, including sanctions, to secure South Africa’s compliance with UN resolutions and, if necessary, to consider expulsion of South Africa from the UN.

The Assembly decided to establish a Special Committee²⁸ to keep the racial policies of the South African government under review when the Assembly was not in session and to report to the Assembly or the Security Council or both, as may be appropriate.

Nelson Mandela declared, in his speech from the dock the following day: “South Africa is out of step with the rest of the civilised world, as is shown by the resolution adopted last night by the General Assembly of the United Nations...”

²⁸ The Committee was initially named the “Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa”. The General Assembly shortened its name in 1971 to “Special Committee on Apartheid”, and renamed it in 1974 as the “Special Committee against Apartheid”.

All the main trading partners of South Africa – some Western countries and Japan – voted against the resolution and its economic impact was negligible.²⁹ But South Africa felt its isolation with only about twenty countries maintaining diplomatic missions in the country. Its aircraft had to follow circuitous routes to Europe as independent African countries prohibited flights over their territories.

Special Committee against Apartheid Begins Work

In February 1963, the President of the General Assembly, after consultations with regional groups of states, announced the membership of the Special Committee against Apartheid. None of the Western countries had accepted membership. The committee met on April 2, 1963, and, undeterred by the Western boycott, proceeded, under the chairmanship of Diallo Telli of Guinea, to become the main force propelling the UN toward effective action in support of the liberation struggle. The absence of Western members enabled it to act swiftly as needed and with unanimity. While its mandate was merely to review developments in South Africa, it decided that its task was not to compile relevant information but to assist in UN efforts to dissuade the South African government from pursuing apartheid and to promote individual and collective efforts by Member States to secure a speedy and effective solution of the grave situation in South Africa. Within a few months, it managed to gain the respect of even the Western Powers by its determination and political maturity.

²⁹ A spokesman of the South African government said that the states which voted for General Assembly Resolution 1761 (XVII) accounted for less than one-sixth of South Africa's foreign trade, while those opposed to it accounted for nearly two-thirds. He claimed that South Africa's strategic position was so important and its role in the "cold war" so significant that the Western powers could not implement effective measures against it.



U Thant, UN Secretary-General, opening the first meeting of the Special Committee



Diallo Telli of Guinea, first Chairman of the Committee

I was appointed Principal Secretary of the Special Committee and enjoyed its full confidence. The Chairman and other officers suggested that since their delegations with their small staff and many responsibilities could not follow the developments in South Africa adequately, I should review the situation, make suggestions for action and prepare drafts for their approval. Many of the initiatives of the Committee until I retired in 1985, were based on my suggestions. I prepared not only drafts of reports of the Committee but of its conclusions and recommendations, as well as statements by the Chairmen and Rapporteurs and drafts of resolutions for the General Assembly. Almost all my suggestions were approved by the Committee.

With a sense of urgency, in view of massive repression in South Africa at the time, the Special Committee submitted an interim report on 6 May.³⁰ Its recommendations were endorsed by the Summit Conference of Independent African States in Addis Ababa later that month.³¹ The Conference decided to call on the UN Security Council to consider the situation in South Africa and authorised four foreign ministers to represent the continent of Africa at its meetings.

Meanwhile, the Special Committee announced that it would hear or receive memoranda from organisations and individuals who could provide it with information on the situation in South Africa. It heard a delegation of the ANC – composed of Duma Nokwe, Secretary-General, Robert Resha and Tennyson Makiwane – on 10 July. Mr. Resha stayed for several days after the hearing and we were able to hold extensive consultations.³²

³⁰ UN document A/5418

³¹ Diallo Telli was chairman of the Political Committee of the conference which prepared the draft of the resolution on South Africa for approval by the Heads of State and Government.

³² Patrick Duncan, representative of the PAC in London, appeared before the Special Committee on 8 July, instead of Nana Mahomo, the representative for North America and Europe. Nana Mahomo also failed to appear at a meeting convened in March 1964 to hear him. Both Nana Mahomo and Patrick Duncan were expelled from the PAC by 1965.



ANC delegation to the Special Committee, July 1963: Duma Nokwe, Tennyson Makiwane and Robert Resha

The Special Committee submitted a second interim report³³ in July 1963 stressing the urgent need for a comprehensive arms embargo against South Africa. It submitted in September a detailed report on the situation in South Africa,³⁴ with several recommendations. This report set a pattern so that the annual reports of the Special Committee constitute an important source for the history of South Africa, especially of the liberation struggle from 1963 to 1994.

Security Council Recommends an Arms Embargo

The Security Council discussed the situation in South Africa from 31 July to 7 August 1963, with the participation of the four African foreign ministers. The Kennedy administration in the United States announced on 1 August its decision to impose an arms embargo against South Africa, except for the fulfilment of existing contracts.

The Security Council, in a resolution on 7 August, called upon all states “to cease forthwith the sale and shipment of arms, ammunition of all types and military vehicles to South Africa”.³⁵

The Council, in a further resolution on 4 December 1963, called upon all states “to cease forthwith the sale and shipment of equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa”.³⁶

Britain and France abstained on these resolutions. Britain imposed an arms embargo after the Labour Party came to power in October 1964, and France became the main supplier of arms to

³³ UN document A/5453

³⁴ UN document A/5497

³⁵ Resolution 181 (1963)

³⁶ Resolution 182 (1963)

South Africa. Many years of diplomatic and public pressure were needed to persuade the major Western Powers to support an embargo binding on all states.

Under Chapter VII of the UN Charter concerning action with respect to threats to the peace, breaches of the peace and acts of aggression, the Security Council can impose sanctions such as interruption of economic relations and means of communication. The Western Powers which were entitled to the right of veto on Security Council decisions stubbornly opposed determination of the situation in South Africa as a threat to the peace, thus preventing decisions binding on all states. They agreed to a binding arms embargo in 1977, with a determination that “the acquisition by South Africa of arms and related materiel” – not the situation in that country – “constitutes a threat to the maintenance of international peace and security”.³⁷

The General Assembly, where the African, non-aligned and socialist states had a large majority, repeatedly declared that the situation in South Africa constituted a threat to the peace.

Visit of Oliver Tambo to the UN and Decisions by the UN General Assembly and the Security Council, October-December 1963

Mr. Tambo came to New York to follow the session of the General Assembly and stayed on from October to December 1963. I had the opportunity to consult him frequently and we developed a life-long friendship. I was greatly impressed by his integrity and statesmanship.

I recall that at 8 a.m. on 8 October, I heard on the radio that Nelson Mandela and others were brought before the court in what became known as the “Rivonia Trial”. I phoned Diallo Telli and rushed to the UN. Diallo Telli immediately called for a meeting of African delegations that morning to decide on action to be taken. That afternoon, at a meeting of the Special Political Committee of the General Assembly which was to decide on the order of agenda items to be discussed, he proposed that the question of apartheid be taken up immediately in view of the new developments in South Africa and that the Committee hear Oliver Tambo.³⁸

A resolution co-sponsored by 55 delegations was introduced on 10 October and adopted on the same day as a special case. In the evening, at a reception hosted by the UN Secretary-General, Diallo Telli, accompanied by me, met the leaders of the nine Western delegations which had abstained on the vote and appealed for their support. The next day the resolution was voted in the plenary by roll call and all the Western delegations voted in favour to the cheers of the non-aligned countries. The vote was 106 to 1, with only South Africa voting against; the delegation of Portugal left the Assembly Hall to avoid casting a vote.

The resolution was a landmark in the consideration of the situation in South Africa. It condemned the repression by the South African government and asked it “to abandon the

³⁷ Resolution 418 (1977)

³⁸ The text of the speech of Mr. Tambo was published as UN document A/SPC/80 and is reproduced in E. S. Reddy (ed.) *Oliver Tambo: Apartheid and the International Community: Addresses to United Nations Committees and Conferences*. Published by Sterling Publishers, New Delhi, and Kliptown Press, London, in 1991.

arbitrary trial now in progress and forthwith to grant unconditional release to all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid”.³⁹

Mr. Tambo was heard again by the Special Political Committee on 29 October when he made a statement on the situation in South Africa and called for effective sanctions.

The day before this statement, I arranged, in the name of the bureau of the Special Committee, a reception in honour of Mr. Tambo, Bishop Ambrose Reeves (who also appeared before the Special Political Committee) and Ms. Miriam Makeba (who had appeared earlier before the Special Committee against Apartheid). A reception in honour of the leader of a liberation movement at the UN Headquarters was unprecedented. It was attended by U Thant, the Secretary-General of the UN, the American and British ambassadors and many other diplomats, officials and journalists. I was able to arrange similar receptions in honour of Oliver Tambo and other leaders of the ANC and anti-apartheid movements in subsequent years.



United States ambassador greeting the guests of honour

In December the General Assembly declared, on the recommendation of the Special Committee, that assistance to the families of persons persecuted for their opposition to apartheid was

³⁹ The date of this resolution, 11 October, was observed from 1973 as the “Day of Solidarity with South African Political Prisoners”.

consonant with the purposes and principles of the UN, and requested the Secretary-General to seek ways and means of providing such assistance through appropriate international agencies.⁴⁰ That too was unprecedented.

Meanwhile, the Security Council met again and adopted a resolution on 4 December and approved a Nordic proposal to request the Secretary-General to establish a small group of experts “to examine methods of resolving the present situation in South Africa through full, peaceful and orderly application of human rights and fundamental freedoms to all inhabitants of the territory as a whole, regardless of race, colour or creed, and to consider what part the United Nations might play in the achievement of that end”.⁴¹

Group of Experts on South Africa

The group was chaired by Mrs. Alva Myrdal of Sweden. Sir Hugh Foot of the United Kingdom was the Rapporteur.

⁴⁰ Resolution 1978B (XVIII) of 16 December 1963.

I had read in the press that Canon Collins, President of the Defence and Aid Fund in London, had appealed for greater support as it was becoming difficult to cope with the mass of detentions and trials with the level of public contributions received in Britain. The Special Committee recommended an appeal by the UN at my suggestion.

Mr. Tambo was apprehensive that an appeal by the UN for assistance to prisoners and their families might divert from the demand for sanctions but we assured him that we would make it clear that humanitarian assistance was not an alternative to political action. After returning to London he wrote to me that the resolution was welcomed by organisations providing assistance to political prisoners in South Africa. When I went to London in February 1964, Mr. Tambo and Mr. Resha arranged for me to meet the Reverend Canon L. John Collins, President of Defence and Aid Fund, Mrs. Clara Urquhart of Amnesty International, Dr. Yusuf M. Dadoo, representative of the SAIC, and others for consultations on assistance.

⁴¹ In a conversation with me, Mr. Tambo expressed concern that the Nordic initiative seemed to be concerned more with the fears of the whites than the rights of the African people and that there was a hint of UN peacekeeping (which was unpopular after the assassination of Patrice Lumumba in the Congo). He said to me somewhat as follows: “There will need to be an armistice even after a war. We can then negotiate with our adversary and make concessions. We cannot make concessions to others now”. He had always conceived negotiations in the future.

I accepted assignment as secretary of the Group, in addition to my responsibilities as principal secretary of the Special Committee, and helped assure Mr. Tambo. When I informed Mrs. Alva Myrdal of the concerns of Mr. Tambo, she reassured him at the first opportunity.



Mrs. Alva Myrdal of Sweden, Chairperson of the UN Group of Experts on South Africa, 1964

The Group held consultations with the ANC (Oliver Tambo and Robert Resha) as well as SAIC (Dr. Yusuf Dadoo) and the South African Coloured People's Congress (Barney Desai) which were associated with the ANC in the Congress Alliance. It also heard Nana Mahomo of PAC.

In its report on 20 April 1964, the Group stressed that "all the people of South Africa should be brought into consultations and should thus be enabled to decide the future of their country at the national level". In order to give effect to this basic principle, it said that "all efforts should be directed to the establishment of a National Convention fully representative of the whole population". It noted that this had long been the objective of the national movement of the majority of South Africans. A prerequisite for the national convention, it pointed out, was an amnesty for all opponents of apartheid, whether they were under trial or in prison or under restriction or in exile.

If the South African government was intransigent, the Group declared, the UN Security Council "would be left with no effective peaceful means for assisting to resolve the situation, except to apply economic sanctions". It suggested an examination of the logistics of sanctions.⁴²

The Group also proposed the immediate establishment of an educational and training programme to train South Africans abroad in order to enable as many South Africans as possible to contribute to the political, economic and social advancement of the country.⁴³

⁴² This was suggested by Sir Hugh Foot. He had been persuaded by Ronald Segal of the need for, and feasibility of, sanctions.

⁴³ Mrs. Myrdal suggested this after consultation with the UNESCO and with Professor Z.K. Matthews who was then director of Inter-Church Aid in the World Council of Churches in Geneva.

I showed a copy of the report to Oliver Tambo and Robert Resha in London, in advance of its publication, and they expressed satisfaction.⁴⁴

Appeal against the Executions of Patriots, March 1964

Meanwhile, the Special Committee began intense activity to save the lives of the accused in the Rivonia trial and other leaders and activists facing death sentences. It heard Oliver Tambo and Tennyson Makiwane on 12 March 1964.

Vuyisile Mini, Wilson Khayinga and Zinakile Mkaba, three activists of the ANC in Port Elizabeth, were charged with acts of sabotage and with recruiting men for military training in foreign countries. They were also accused of the murder of Sipo Mange, who was to have been a State witness in various sabotage cases. They were sentenced to death on 16 March 1964.

In an interim report on 23 March, the Special Committee recommended that the Security Council should, as a first step, demand that the South African government refrain from the execution of persons sentenced to death for offences arising from opposition to its racial policies, end immediately trials proceeding under arbitrary laws, and grant an amnesty to all political prisoners.

The Committee transmitted the report to Heads of State and Government, and to many organisations and prominent personalities around the world, and appealed to them to exert all their influence to induce the government of South Africa:

"(1) To refrain from executing the condemned political leaders and to spare the lives of the persons threatened with the death penalty in South Africa;

"(2) To put an end to the tortures and the various humiliations inflicted on the opponents of apartheid in South Africa;

"(3) To liberate the political prisoners whose only crime is their opposition to the South African Government's policy of apartheid;

"(4) To abandon its policy of apartheid, which is contrary to the United Nations Charter and the Universal Declaration of Human Rights."

A large number of Member States, including several Western States, replied informing the Committee of action taken in response to this appeal.⁴⁵

⁴⁴ Mr. Tambo wrote to me a few days later:

"I have received a very nice letter from Mrs. Myrdal and will be writing to her. I have also received a copy of the Experts' report, which is in many respects a happy surprise, considering my apprehensions last year".

⁴⁵ The texts of the replies are in Annex I to the Special Committee's annual report in 1964, UN document A/5825.

Secretary-General U Thant made an urgent appeal to the South African government to spare the lives of those facing execution or death sentences in order to prevent an aggravation of the situation and to facilitate peaceful efforts to resolve the situation.

Sanctions Conference and Hearings in London

The Special Committee sent a delegation to attend the International Conference for Sanctions against South Africa, held in London from 14 to 17 April 1964. It was organised by the Anti-Apartheid Movement, with Ronald Segal as convenor. Oliver Tambo was the keynote speaker.

During that visit the delegation of the Special Committee held two meetings at Church Centre. It heard: Ms. Barbara Castle, honorary president of the Anti-Apartheid Movement; Canon L. John Collins, chairman of the Defence and Aid Fund for South Africa; Barney Desai, president of the Coloured People's Congress of South Africa; Ms. Ruth First, who had recently been released from a long period of solitary detention in South Africa; Canon J. Joost de Blank, former Anglican Archbishop of Cape Town; Thabo Mbeki, son of one of the accused in the Rivonia Trial; Dr. Yusuf M. Dadoo, representative of the SAIC; Leon Levy, national president and official representative abroad of the South African Congress of Trade Unions; and A. Manchanda, representative of the Committee of Afro-Asian Caribbean Organisations, on behalf of six members who had been on hunger strike in protest against the trials and repression in South Africa.⁴⁶

On 25 May, the Special Committee submitted another interim report to the General Assembly and the Security Council reviewing the developments since March and transmitting its report on the Sanctions Conference.

Meetings of the Security Council, June 1964

The Security Council met at the request of 58 member States and discussed the situation at nine meetings between 8 and 18 June.

In view of the impending judgement in the Rivonia Trial, it adopted resolution 190 (1964) on 9 June, urging the South African government: (a) to renounce the execution of the persons sentenced to death for acts resulting from their opposition to the policy of apartheid; (b) to end the Rivonia Trial; and (c) to grant an amnesty to all persons already imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid.

The resolution received 7 votes in favour and none against. Four countries – Brazil, France, the United Kingdom and the United States – abstained on the grounds that the Council should refrain from any action which might be construed as intervention in the due process of law of a member state. At a meeting on 12 June, after life sentences were imposed on eight of the accused in the

⁴⁶ As I was preoccupied with the final meetings of the Group of Experts, Robert Resha contacted the organizations and individuals at my request. I informed the PAC of the hearings but it did not request a hearing.

Rivonia Trial, the representative of Morocco read a statement by Albert Luthuli, President of the ANC, which was given to him by Robert Resha.⁴⁷

The Council continued consideration of the matter and adopted resolution 191 (1964) on 16 June by 8 votes to 0, with 3 abstentions (Czechoslovakia, France, and the Soviet Union). It condemned the apartheid policies of the South African government and the legislation supporting those policies, such as the General Law Amendment Act, and in particular its ninety-day detention clause; and urgently appealed to it to:

“(a) renounce the execution of any persons sentenced to death for their opposition to the policy of apartheid;

(b) grant immediate amnesty to all persons detained or on trial, as well as clemency to all persons sentenced for their opposition to the government’s racial policies;

(c) abolish the practice of imprisonment without charges, without access to counsel or without the right of prompt trial.”

The Council endorsed the main conclusion of the Group of Experts that “all the people of South Africa should be brought into consultation and should thus be enabled to decide the future of their country at the national level”, but not its recommendation for a national convention. It established an Expert Committee, composed of the members of the Security Council, to undertake a technical and practical study “as to the feasibility, effectiveness, and implications of measures which could, as appropriate, be taken by the Security Council under the UN Charter”.⁴⁸

The Council invited the Secretary-General, in consultation with appropriate UN specialised agencies, to establish a UN Educational and Training Programme for South Africans. The programme was established in 1965.

Execution of Vuyisile Mini, Wilson Khayinga and Zinakile Mkaba

Supporters of the liberation struggle in South Africa were relieved when the accused in the Rivonia trial were spared the death sentence. But continued repression in the country remained a cause of grave concern.

⁴⁷ Mr. Resha came to New York with a statement by Chief Luthuli in which the first sentence had to be revised in the light of the sentence. The statement was retyped in my office and I took Mr. Resha to the Security Council chamber to meet the delegate of Morocco.

⁴⁸ The so-called “Expert Committee” held 38 meetings and submitted a lengthy report on 27 February 1965. France did not participate in the committee. Three proposals for conclusions were submitted to the committee, but none of them obtained the majority required for a decision by the Security Council. The report of the committee was not considered by the Council. In fact, the Security Council did not resume consideration of the situation in South Africa until 1970.

The appeal of three ANC members – Vuyisile Mini, Wilson Khayinga and Zinakile Mkaba – against death sentences was rejected in October 1964. The Special Committee unanimously decided on 9 October to issue a communiqué expressing its grave concern. It appealed to all States, organisations and individuals “to utilise all their influence to save the lives of Vuyisile Mini, Wilson Khayinga and Zinakile Mkaba and to persuade the South African government to grant an amnesty to all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid”.⁴⁹

At its request, the Secretary-General transmitted the communiqué to the South African ambassador, along with an appeal by President Gamal Abdel Nasser of the United Arab Republic on behalf of the Second Conference of the Heads of State or Government of the Non-Aligned Countries. He expressed the hope that the South African government would see fit to show clemency to the men sentenced to death, in the spirit of the Security Council’s resolution of 9 June 1964.⁵⁰

Mr. Tambo wrote to me from Dar es Salaam on 15 October:

“We welcome the statement issued by the Special Committee on Apartheid on the case of Mini and others. In our view the Committee discharged a very important duty to all concerned when it warned of the dangerous implications of South Africa's habit of killing our people under the pretext that they have committed a crime. Nothing that the South African Government's Courts do or say can ever alter the fact that the criminals are those who are perpetrating or assisting in the perpetration of the heinous crime known as apartheid. South Africa will surely find some day that it has taken one life too many from those it has learnt to decimate with impunity.

“Thanking you and your Committee on behalf of my organisation and people...”

The Special Committee held an emergency meeting on 6 November 1964 on receiving the news that Vuyisile Mini, Wilson Khayinga and Zinakile Mkaba had been executed that morning in the Pretoria Central jail. It observed a minute of silence in memory of these three men. Members of the Committee expressed shock and indignation at the news and emphasised the need for effective international action to avoid the rapid aggravation of the situation.

The Committee issued a communiqué strongly condemning “this ruthless and criminal act which not only constitutes a challenge to world public opinion, but also a flagrant violation of resolutions of the General Assembly and Security Council.”

Deadlock on Sanctions, but Progress on Other Actions to Support the Struggle for Liberation

⁴⁹ UN Press Release GA/AP/38, 9 October 1964.

⁵⁰ The South African government replied on 21 October that it had “no intention whatsoever of answering the communications to which your letter gave cover and which are obviously yet another attempt organised under Communist influence by political forces hostile to South Africa to interfere in the judicial processes of a Member State”. UN document A/AC.115/L.93.

By the end of 1964, it was clear that there was a deadlock on sanctions. The major Western Powers, which had the power of veto in the Security Council, were not even prepared to support partial sanctions.

The Special Committee had to focus on measures which it could take by itself or recommend to the General Assembly where the non-aligned and Socialist States had a large majority. It continued to expose the continued, even increasing, collaboration of major Western Powers and multinational corporations with South Africa, and to demand that they desist from supporting apartheid. The General Assembly approved resolutions condemning these governments by large majorities.

The Special Committee decided to encourage the activities of anti-apartheid groups and other organisations which were exerting public pressure on governments in the Western countries. Such encouragement could be regarded by governments as interference in their internal affairs. But most governments did not protest as no government wanted to appear as defending the obnoxious system of apartheid.

Another strategy to exert pressure was to isolate the major Western Powers within the Group of Western States. In 1965, aware of the strength of public opinion in Sweden, I consulted with the Swedish ambassador, Sverker C. Astrom, about a formulation that does not call for specific sanctions but would call on the Security Council to decide on sanctions.⁵¹ He agreed that Sweden could consider the following formulation:

" Draws the attention of the Security Council to the fact that the situation in South Africa constitutes a threat to international peace and security, that action under Chapter VII of the Charter is essential in order to solve the problem of apartheid and that universally applied economic sanctions are the only means of achieving a peaceful solution".

It was approved by the Special Committee and later by the General Assembly. Sweden and Denmark voted for the resolution. This was the beginning of a process in which more and more smaller Western countries began to support sanctions in principle, thereby isolating major Western Powers. Within a few years we could claim that a majority of the smaller Western States had dissociated themselves from the position of the major Western Powers.

Establishment of UN Trust Fund for South Africa

The Special Committee attached great importance to assistance to political prisoners and their families in South Africa. While it stressed that it was a humanitarian programme and that it should not detract from the need for total sanctions, it recognised the political importance of the assistance in relation to the liberation struggle.

⁵¹ Sweden and other governments felt that sanctions could only be imposed by the Security Council and did not support calls by the General Assembly for sanctions as in Resolution 1761 (XVII).

After the adoption of the General Assembly resolution on assistance to families of prisoners, I went to Geneva, on instructions from the Secretary-General, to discuss the matter with the head of the International Committee of the Red Cross (ICRC) and the UN High Commissioner for Refugees (UNHCR). It became clear that they could not administer the assistance we had in mind.

Later, in consultation with the ANC, I contacted the agencies which were already providing assistance, but needed additional funds because of greatly increased needs. I obtained information from those agencies and the Special Committee sent an appeal to member states, through the Secretary-General, for contributions to the Defence and Aid Fund for South Africa, the World Council of Churches, Amnesty International and the Joint Committee on the High Commission Territories.⁵² The following countries sent contributions in response to the appeal:

Denmark 250,000 Danish kroner (about \$37,000)
 Greece \$1,000
 Hungary 100,000 forints (about \$1,750)
 India 25,000 rupees (about \$5,250)
 Iraq \$2,800
 Malaysia \$5,000
 Netherlands 100,000 Dutch guilders (about \$27,760)
 Nigeria \$1,400
 Pakistan 23,800 rupees (about \$5,000)
 Philippines \$2,500
 Sweden \$200,000
 USSR \$10,000

Most of the contributions went to the Defence and Aid Fund for South Africa, which joined with other groups in 1964 to form the International Defence and Aid Fund for Southern Africa (IDAF).⁵³

Many governments which approved the assistance did not normally contribute to non-governmental organisations (NGOs). To facilitate contributions from them, on the recommendation of the Special Committee, the General Assembly established a United Nations Trust Fund for South Africa.⁵⁴ The Trust Fund, financed by voluntary contributions, was to make grants to organisations providing assistance: for legal defence of political prisoners; maintenance

⁵² The text of the appeal is in UN document A/AC.115/L.98 of 5 November 1964.

⁵³ ANC leaders had advised me that while they appreciated assistance by other organizations, they preferred the Defence and Aid Fund as the main channel for assistance to prisoners and their families.

⁵⁴ General Assembly resolution 2054B (XX) of 15 December 1965

of dependents of those persecuted by the regime; education of prisoners, their children and other dependants; and relief for refugees from South Africa. It was administered by a Committee of five countries. The Committee was always chaired by the ambassador of Sweden, with the ambassador of Nigeria as Vice-Chairman. Well over half of the grants from the Fund were given to IDAF.⁵⁵

The provision of funds for the legal defence of political prisoners helped save the lives of some prisoners and mitigate the sentences on some others, while publicising torture of prisoners and the struggle for liberation.

This humanitarian assistance did not divert attention from the demand for the release of all prisoners and banned persons. The Special Committee was constantly reporting on arrests and sentences, publicising the biographies of the prisoners, and stressing that they were the genuine representatives of the people of South Africa. It published affidavits it received on the ill-treatment of political prisoners as UN documents,⁵⁶ but refrained from any appeals to the South African government for improvement of conditions in prisons, in order not to detract from its demand for the unconditional release of the prisoners. Instead, it requested the Secretary-General to send the information it had to the Commission on Human Rights with a request for international investigation.

South Africa could not ignore the Commission as it included the Western Powers. It invited the ICRC to visit the prisons and made some improvements. But these were only for convicted prisoners as it denied ICRC access to persons in police custody or under trial.⁵⁷ The Commission established a Working Group to investigate prison conditions and later expanded its mandate to include all human rights violations. As it was not allowed access into South Africa, the Working Group held hearings with former prisoners who had come into exile and others with information on the subject.

The reports and documents of the Commission – some of which are still restricted or unpublished - contain a valuable archive on the liberation struggle.

International Campaign against Apartheid

⁵⁵ In 1966, when the South African government banned the Defence and Aid Fund, making it an offence to receive funds from it, the Committee of Trustees decided to keep its records and grants confidential and continued to make grants to IDAF. See Denis Herbstein, *White Lies: Canon Collins and the Secret War against Apartheid*. HCRC Press, Cape Town and James Curry Publishers, London, 2004.

⁵⁶ In 1964, the Special Committee received from Ms. Diana Russell, through George Houser, copies of statements by South Africans detained under the 90-day law (UN document A/AC.115/L.53) and three sworn statements of former political prisoners on Robben Island from Ms. Ruth First (UN document A/AC.115/L.73).

⁵⁷ The torture was mainly in police custody before trial and conviction.

Early in 1966, I met Oliver Tambo at his home in London. I was troubled by statements by some activists that economic sanctions was the only means by which the international community could secure or promote the liberation of South Africa, implying that nothing else was important. But there was no prospect of mandatory sanctions by the Security Council because of the opposition of the three Western Powers with vetoes. Mere repetition of calls for sanctions would be of little value. I felt that while pressing for sanctions and denouncing governments which collaborated with South Africa, we should explore possibilities of action which the Special Committee and the General Assembly could take.

Mr. Tambo replied that the ANC had never said that sanctions was the solution. It was the struggle of the South African people which would end apartheid and secure the liberation of the country. The best assistance to the struggle was international sanctions against South Africa. But other measures such as those I indicated were also useful.

Later in 1966, I prepared a draft proposal for a “comprehensive international campaign against apartheid under the auspices of the United Nations” – based on the experience of the Special Committee, the consultation with Oliver Tambo and the recommendations of a UN Seminar on Apartheid in Brasilia in August-September 1966 – for inclusion in the annual report of the Special Committee. The Special Committee approved the draft and the campaign was endorsed by the General Assembly in resolution 2202A (XXI) of 16 December 1966. The resolution reflected the conviction that the UN had a fundamental interest in combatting the doctrine of apartheid and taking all measures to secure its elimination.

The campaign was, above all, based on the recognition that the primary force for the elimination of apartheid was the struggle of the South African people for liberation. As the chairman of the Special Committee, Achkar Marof of Guinea, said in a message to the European Conference against Apartheid (Paris, 6 May 1967):

“The struggle for freedom in South Africa is certainly the right, the responsibility and the privilege of the people of South Africa... Whatever we do at the international level – whether as governments or in anti-apartheid movements and other popular organisations – we need to recognise in all humility that our role is but secondary. We do not aspire to liberate... but to assist the liberation, as that is our duty if we are loyal to our own convictions. We can discharge this duty only if we avoid any pity or paternalism and remain at all times responsive to the needs and desires of the liberation movement”.

The purpose of international action was to enable the national liberation movement to attain its legitimate objective with the least amount of violence and suffering. Partial sanctions and boycotts, recognition and assistance to the movement, humanitarian and educational assistance to the victims of apartheid and publicity against apartheid were all helpful in that context.

The strategy was to build the broadest coalition of governments and intergovernmental and non-governmental organisations to promote all appropriate activities which would assist the South African people in their difficult struggle for a democratic society.

The Special Committee had established close co-operation with Asian and African states and the Socialist states, as well as the Nordic states, and with the OAU, the Non-Aligned Movement (NAM) and the specialised agencies. It had also developed contacts with a number of anti-apartheid movements and other NGOs. The international campaign envisaged the extension of these contacts, and a concerted effort at governmental and public level to isolate the South African regime and support the liberation struggle.

The mobilisation of the public in the major Western countries was essential to make their governments heed the appeals of the great majority of member states of the UN, or, at a minimum, restrain them from allying with the apartheid regime against the South African people. For this purpose, the Special Committee recognised, it was essential to encourage boycotts (or people's sanctions) which had already been organised by the anti-apartheid movements with the support of trade unions, churches and organisations of students, youth and women etc., in Western countries.

The programme for the international campaign emerged in consultations by the Special Committee with governments, the OAU and other intergovernmental bodies, liberation movements, anti-apartheid movements and other NGOs. It was revised and extended from time to time in further consultations in the light of developments in South Africa and internationally.

The consultations were pursued in many seminars and conferences organised or co-sponsored by the Special Committee. Representatives of anti-apartheid movements and other NGOs played a prominent part in the discussions and were even elected as officers of the conferences and seminars. This was unprecedented in the practice of the UN. These forums provided an opportunity not only for consultations by the Special Committee, but for discussions among anti-apartheid groups on internationalisation of campaigns. They helped to develop contacts and co-operation between anti-apartheid groups, the OAU and governments committed to the liberation of South Africa. Many of the recommendations by the Special Committee to the General Assembly, as well as its own initiatives, emerged from these consultations.

After a seminar in Havana in May 1976, I prepared a detailed programme of action – and it was endorsed by the General Assembly in Resolution 31/6 J of 9 November 1976. A revised and expanded programme was approved in Resolution 38/39B of 5 December 1983.

Kitwe Seminar on Southern Africa, 1977

The UN organised, on the proposal of the Special Committee, an International Seminar on Apartheid, Racial Discrimination and Colonialism in Southern Africa at Kitwe, Zambia, in July–August 1967.⁵⁸ In a paper for the seminar, the chairman of the Special Committee, Achkar Marof (Guinea), wrote:

“We can no more speak in the UN, as was done before, of persuading the South African regime to abandon apartheid or dissuading it from racialism. That has proved to be impossible. We need to encourage world opinion to support democratic changes in South Africa and a reconstruction of its society by a revolutionary process.”⁵⁹



Kitwe Seminar, 1967. John Malecela (Tanzania), Chairman, and E. S. Reddy, Secretary

There was general recognition at the Seminar that the South African regime – which sought to become a regional power with hegemony over the whole of southern Africa – was the main enemy of liberation and that effective pressure against that regime was essential to facilitate the liberation of colonial territories.

⁵⁸ At that time there was a feeling in the OAU that priority should be given to liberation of colonial territories; the liberation movements of South Africa received the least assistance. I suggested the Seminar in order stress the importance of action against the racist regime in South Africa for the liberation of southern Africa.

Oliver Tambo attended the opening session of the Seminar and met several of the participants, but had to leave as the joint ANC-ZAPU operation in Rhodesia began soon after.

⁵⁹ “The Crisis in Southern Africa”, Paper presented to the International Seminar on Apartheid, Racial Discrimination and Colonialism in Southern Africa, Kitwe, Zambia, 25 July–4 August 1967, at <http://www.anc.org.za/un/crisis.html>

Special Session of the Special Committee in Europe

In June 1968, the Special Committee held special sessions in Stockholm, London and Geneva. Oliver Tambo and Canon Collins were invited as special guests to the session in Stockholm, which was attended by representatives of many organisations and prominent individuals from all the Nordic countries. At that session Mr. Tambo paid a handsome tribute to the Special Committee. He said:

“Your Committee, Mr. Chairman,⁶⁰ which has been entrusted with one of the most difficult tasks by the United Nations, has been an inspiring example of devotion to the cause of freedom for the people of South Africa. Your own inspired and capable leadership of this Committee, the resourcefulness of your Secretary⁶¹ and the devotion of the members of the Committee has made this organ of the United Nations in a way an important wing of the liberation struggle of the people of South Africa.”⁶²

He called for direct assistance by governments to liberation movements. The Swedish Government began such assistance in 1969.⁶³

A number of conclusions emerged from the discussions during these sessions, especially the meetings in London which were attended by anti-apartheid movements and several other NGOs. The Special Committee took them into account in its annual report. On its recommendation, the General Assembly declared, in Resolution 2396 (XXIII) of 2 December 1968, that “freedom fighters should be treated as prisoners of war under international law, particularly the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949.”

But the most important result of the discussions was the decision by the Special Committee, after consultations with anti-apartheid groups and the South African Non-Racial Olympic Committee for Open Sport (SANROC), that the UN should actively support sports and other boycotts of South Africa.⁶⁴ The General Assembly, in Resolution 2396 (XXIII), requested all states and organisations “to suspend cultural, educational, sporting and other exchanges with the racist regime and with organisations or institutions in South Africa which practise apartheid.”

⁶⁰ Achkar Marof of Guinea

⁶¹ E. S. Reddy

⁶² E. S. Reddy (ed.) *Oliver Tambo: Apartheid and the International Community, Addresses to United Nations Committees and Conferences* (New Delhi: Sterling Publishers and London: Kliptown Books, 1991), p. 27.

⁶³ Until then, the ANC received only small grants from the Swedish Social Democratic Party. Sweden became the first Western government to make grants to the ANC. In subsequent years the Swedish Government made grants totalling tens of millions of dollars to the ANC. See Tor Sellstrom, *Sweden and National Liberation in Southern Africa, Volume II: Solidarity and Assistance 1970-1994* (Uppsala: Nordiska Afrikainstitutet, 2002).

⁶⁴ The Special Committee had reported boycotts by anti-apartheid groups, but had not actively promoted the boycotts until then in order to avoid accusations that a governmental body was interfering with sports and cultural activities. But by 1968, the blatant interference of the apartheid regime in sports competitions called for action by other governments.

From 1970, the Special Committee began to recommend a series of draft resolutions to the General Assembly on various aspects of the campaign against apartheid, instead of one resolution which would emphasise division of opinion rather than progress in achieving a consensus on action. Resolutions on the release of political prisoners, the UN Trust Fund for South Africa, denunciation of the “bantustans”, dissemination of information on apartheid, and women and children under apartheid received unanimous support. Declarations on the objectives of the UN with regard to South Africa were adopted by consensus. Resolutions on the arms embargo and sports and cultural boycotts were adopted by overwhelming majorities. One resolution at each session contained provisions which most Western countries were not yet prepared to support.

The votes in successive sessions of the General Assembly reflected progress in international consensus on action, and isolated the governments which continued to resist effective action.

International Conference of Trade Unions against Apartheid

The Special Committee decided to find ways to approach different segments of the public and encourage concerted action against apartheid. Recognising the importance of action by the trade union movement, it began consultations in 1971 with the confederations of trade unions and the International Labour Organisation (ILO) on the convening of an international conference of trade unions for action against apartheid. After intensive consultations, it was agreed that the conference would be convened by the Workers’ Group of the ILO in cooperation with the Special Committee. The first conference was held in Geneva in 1973. There were further conferences in 1977 and 1983, and these proved effective in promoting action by the trade union movement and the ILO.

In later years the committee co-sponsored or assisted international conferences of women, students and youth, and parliamentarians. It also organised regional conferences of governments and organisations in Asia, Latin America, Arab countries and North America.

Granting of Observer Status to Liberation Movements

The Special Committee and I had established close relations with the ANC since 1963. I met Mr. Tambo and Mr. Resha on many occasions in New York and London, and at various conferences. I had also met several other leaders of the ANC in exile and was impressed by them. I kept Mr. Tambo and Mr. Resha informed of the developments at the UN through personal and confidential letters. They attended several meetings of the Special Committee, so that all members could consult with them.

The ANC set up an office in New York around 1971, with Thami Mhlambiso as its representative.

The International Conference of Experts for the Support of Victims of Colonialism and Apartheid in Southern Africa, held in Oslo in April 1973, recommended that UN bodies take

action “to ensure full representation and participation by liberation movements as the authentic representatives of their peoples and countries”.

Later that year, the General Assembly declared “that the South African regime has no right to represent the people of South Africa” and that the liberation movements recognised by the OAU were “the authentic representatives of the overwhelming majority of the South African people”. It authorised the Special Committee “to associate the South African liberation movements closely with its work”. It requested all specialised agencies and other intergovernmental organisations “to deny membership or privileges of membership to the South African regime” and to invite representatives of the ANC and PAC to participate in their meetings.

On 21 March 1974, the Special Committee invited the ANC and PAC to attend its meetings as observers.⁶⁵ They were subsequently invited to meetings of the working group which prepared proposals for action by the committee. They had, since then, a greater voice in the preparation of resolutions for the General Assembly than the members of the Special Committee, except its Chairman, as they were represented not only in the Special Committee and its working group, but also in the African Group and its Southern Africa Sub-Committee, and the Nonaligned Group.

Denial of legitimacy to the Racist Regime

In October 1974, at the request of the General Assembly, the Security Council considered the “relationship between the UN and South Africa.” The ANC and the PAC were invited to participate in the meetings. A proposal to recommend to the General Assembly the immediate expulsion of South Africa from the UN received ten votes in favour but was not adopted because of the negative votes of three permanent members of the Security Council.⁶⁶

After the failure of the Security Council to take action, the General Assembly rejected the credentials of the delegation of South Africa, and approved the ruling of its president, Abdelaziz Bouteflika of Algeria, that South Africa could not participate in the work of the General Assembly.⁶⁷ South Africa was soon excluded from other UN bodies and thus effectively deprived of almost all the privileges of membership of the UN.

On the other hand, on 20 November 1975, the General Assembly proclaimed that “the UN and the international community have a special responsibility towards the oppressed people of South Africa and their liberation movements, and towards those imprisoned, restricted or exiled for their struggle against apartheid.”⁶⁸

⁶⁵ Though their representatives were formally observers who could speak with the permission of the Committee, they were invited to speak whenever they wished and actively took part in discussions.

⁶⁶ The Security Council consisted of 15 members at that time. Resolutions of the Council required 9 votes in favour, but any of the five permanent members could veto them by voting against. France, the United Kingdom and the United States voted against this proposal. Among other Western members, Australia voted in favour and Austria abstained.

⁶⁷ A/PV.2281, 12 November 1974.

⁶⁸ Resolution 3411 C (XXX).

Soweto Massacre and Beginning of Unilateral Sanctions by Some Western Governments

The Security Council met three days after the Soweto massacre of 16 June 1976, and adopted by consensus a resolution strongly condemning the South African government for its “resort to massive violence against and killings of the African people including schoolchildren and students and others opposing racial discrimination”; recognising “the legitimacy of the struggle of the South African people for the elimination of apartheid and racial discrimination”; and calling upon the South African government “urgently to end violence against the African people and to take urgent steps to eliminate apartheid and racial discrimination.”⁶⁹

The General Assembly decided at its session in September that year to discuss the item on apartheid in plenary meetings and to hear liberation movements in plenary meetings.⁷⁰

The governments of Norway and Sweden decided, after the Soweto massacre, to prohibit new investments in South Africa. This was the first time that any Western state was prepared to impose even partial economic sanctions against South Africa without a Security Council decision. At the next session of the General Assembly, Sweden proposed a draft resolution urging the Security Council “to consider steps to achieve the cessation of further foreign investments in South Africa.” Several African and other governments joined as co-sponsors. The resolution was adopted by 124 votes to none, with 16 abstentions.⁷¹ The resolution was repeated annually and received an increasing number of votes. Several Western governments took action which was significant though very limited.

The Soweto massacre and the continued repression of student protests led to student solidarity action in many universities in the United States and Britain. Because of demands of students and members of faculties, a number of universities withdrew investments in South Africa, as well as in corporations investing in South Africa. Trade unions, churches and local authorities also began to take such action. The movement for “people’s sanctions” encouraged by the Special Committee, exerted pressure on corporations, banks and governments.

Denunciation of “Independence” of the Transkei and Other Bantustans

Meanwhile, the apartheid regime proceeded with its plans to declare the “independence” of the Transkei as a step towards denationalising all the Africans of the country and restricting them to a few unviable bantustans with sham independence.

On 26 October 1976, within hours after the Pretoria regime had declared the “independence” of the Transkei, the General Assembly took up the matter, heard Oliver Tambo and adopted Resolution 31/6 A, strongly condemning the establishment of bantustans as designed to

⁶⁹ Security Council Resolution 392 (1976), 19 June 1976.

⁷⁰ Until then, the item was discussed in the Special Political Committee of the General Assembly. The resolutions recommended by the Committee were voted in the plenary. The decision to discuss the item in the plenary was intended to stress the importance attached to the item. While the liberation movements spoke in plenary, NGOs and individuals were heard in the Committee.

⁷¹ Resolution 31/6 K, 9 November 1976.

consolidate the inhuman policies of apartheid, to destroy the territorial integrity of the country, to perpetuate white minority domination and to dispossess the African people of South Africa of their inalienable rights. It rejected and declared invalid the declaration of “independence” of the Transkei. It called upon all governments to deny any form of recognition to the so-called independent Transkei, and “to take effective measures to prohibit all individuals, corporations and other institutions under their jurisdiction from having any dealings with the so-called independent Transkei or other bantustans.”⁷²

In later years, the General Assembly and the Security Council also condemned the declarations of “independence” of Bophuthatswana (1977), Venda (1979) and Ciskei (1981). No other government recognised these bantustans.

World Conference for Action against Apartheid

On the proposal of the Special Committee, endorsed by the General Assembly, a World Conference for Action against Apartheid was organised in Lagos from 22 to 26 August 1977. The conference was an impressive demonstration of international concern over the situation in South Africa and of commitment to support the struggle of the South African people for majority rule.

The declaration of the conference reflected its endorsement of the main provision of the Freedom Charter:

“It (the conference) declares that South Africa belongs to all its people irrespective of race, colour or creed and that all have the right to live and work there in conditions of full equality. The system of racist domination must be replaced by majority rule and the participation of all the people on the basis of equality in all phases of national life, in freely determining the political, economic and social character of their society and in freely disposing their natural resources.”

President Jimmy Carter of the United States said, in a message to the conference, that “South Africa must embark immediately on the progressive transformation of its society to one that accords full and equitable participation in the political process to all its people.”⁷³ He warned that if there was no significant movement to begin such fundamental change that would affect the relationship between the United States and South Africa.

⁷² I had learnt of the intention of the South African government to declare the “independence” of the Transkei on 26 October, and suggested to Mr. Tambo to arrive in New York. The Chairman of the Special Committee ensured that the General Assembly would be considering the item on apartheid on that day.

During this visit, I arranged a reception at the UN for Mr. Tambo on his birthday. The UN Secretary-General, Kurt Waldheim, came down to greet him.

⁷³ Report of the World Conference for Action against Apartheid, Lagos, Nigeria, 22-26 August 1977, United Nations Publications, Sales No: E.77.XIV.2.

The following month, Vice President Walter F. Mondale of the United States met Prime Minister Vorster in Vienna and the talks ended in public disagreement. The death in prison of Steve Biko that month led to strong protests in the United States and other countries. Defying world opinion, apartheid regime banned 17 organisations and two newspapers, as well as several individuals, in October.

Security Council Imposes a Mandatory Arms Embargo

The Security Council met to consider the situation and adopted two resolutions.

On 31 October, it adopted Resolution 417 (1977), moved by African states, strongly condemning “the South African racist regime” and demanding that it end repression and violence, abolish the “Bantu education” system, end the policy of bantustanisation, abandon the policy of apartheid and ensure majority rule based on justice and equality.

The next day, it adopted Resolution 418 (1977), proposed by Canada and West Germany, instituting an arms embargo against South Africa under Chapter VII of the UN Charter so that it was binding on all States. Expressing grave concern that South Africa was at the threshold of producing nuclear weapons, the Council decided that all states “shall refrain from any co-operation with South Africa in the manufacture and development of nuclear weapons.”

Both resolutions were adopted unanimously. The UN Secretary-General stated after the adoption of Resolution 418:

“The adoption of this resolution marks the first time in the 32-year history of the Organisation that action has been taken under Chapter VII of the Charter against a member state ... It is also significant that this momentous step is based on the unanimous agreement of the Council members. Thus we enter a new and significantly different phase of the long-standing efforts of the international community to obtain redress of these grievous wrongs.”

Hopes that there would be further sanctions against South Africa with the co-operation of the major Western powers were, however, frustrated. The Security Council again discussed the situation in South Africa in January 1978, but the Western powers blocked any further action on the grounds that they needed the co-operation of the South African regime for peaceful settlements in Southern Rhodesia and Namibia.

International Anti-Apartheid Year and Observance of the 60th Birthday of Nelson Mandela

The General Assembly proclaimed the year from 21 March 1978 as the International Anti-Apartheid Year and the UN promoted activities around the world.

One of the initiatives of the Special Committee during the Anti-Apartheid year was to appeal for an international observance of the sixtieth birthday of Nelson Mandela on 18 July 1978, to pay tribute to him for his outstanding contribution to the struggle for liberation in South Africa, to publicise the struggle to which he dedicated his life, and to demand the release of all political

prisoners, detainees and those who had been restricted in South Africa.⁷⁴ The response was beyond the expectations of the Special Committee.

The Special Committee supported the Free Mandela Campaign which became a significant component of the solidarity movement.⁷⁵ It encouraged governments, cities, organisations and institutions to honour Nelson Mandela and other leaders of the struggle against apartheid, as part of the campaign for the release of political prisoners in South Africa. India decided to bestow on Mr. Mandela the Nehru Award for International Understanding. No prisoner in history received awards and honours all over the world comparable with those bestowed on Mandela.

Declaration on South Africa

The attitudes of major Western powers, with their cold war thinking and vast economic interests in South Africa, led to some apprehension that they might intervene to defend the apartheid regime if it was threatened by an advance of the liberation struggle. Responding to the proposal of non-aligned countries,⁷⁶ the General Assembly adopted a Declaration on South Africa⁷⁷ on 12 December 1979. Paragraph 3 of the declaration read:

“All states shall solemnly pledge to refrain from overt or covert military intervention in support or defence of the Pretoria regime in its effort to repress the legitimate aspirations and struggle of the African people of South Africa against it in the exercise of their right of self-determination... or in its threats or acts of aggression against the African states committed to the establishment of a democratic government of South Africa based on the will of the people as a whole, regardless of race, colour or creed, as the imperative guarantee to lasting peace and security in southern Africa.”

The declaration was approved without a vote.

As the South African regime resorted to increasing repression against schoolchildren, churchmen and others to counter growing resistance, the Security Council adopted Resolution 473 (1980) on 13 June 1980, condemning the South African regime. In that resolution, the Council called upon the regime “to release all political prisoners, including Nelson Mandela and all other Black

⁷⁴ I had proposed the international observance of the 60th birthday of Mandela, following a suggestion by Mac Maharaj, and wrote personal letters to a number of governments and organisations. I intended to follow up with honours to other leaders of the liberation movement, but Oliver Tambo advised me that the ANC wished to focus on Mandela as the symbol. Mr. Tambo, who was greatly admired in many countries, discouraged honours to himself.

⁷⁵ See E. S. Reddy “Free Nelson Mandela: An Account of the Campaign to Free Nelson Mandela and All Other Political Prisoners in South Africa” at <http://www.anc.org.za/ancdocs/history/campaigns/prisoner.html>.

⁷⁶ This was proposed at the Extraordinary Session of the Coordinating Bureau of Non-Aligned Countries, in Maputo in January-February 1979, and endorsed by the 6th Conference of Heads of State and Government of Non-Aligned Countries at Havana in September 1979.

⁷⁷ Resolution 34/93 O.

leaders with whom it must deal in any meaningful discussions of the future of the country". The resolution was adopted unanimously.⁷⁸

Rejection of Reagan Administration's Policy of "Constructive Engagement"

In 1981, the Reagan administration came to power in the United States. With its policy of "constructive engagement" with the South African regime, it proceeded to attack liberation movements for "cross-border violence" and to oppose condemnation of the apartheid regime for its repeated acts of aggression against frontline states. It was often supported by the Thatcher administration in the United Kingdom. Many of the resolutions of the General Assembly and the Security Council during the Reagan administration had only the United States, or the United States and the United Kingdom, voting against or abstaining.

The UN, on the proposal of the Special Committee, organised an International Conference on Sanctions on South Africa, in co-operation with the OAU, at UNESCO House, Paris, from 20 to 27 May 1981. Shortly before the conference, a new socialist government came to power in France with François Mitterrand as President. It supported action against apartheid, so that there were only two intransigent permanent members of the Security Council instead of three. The conference urged those powers which had so far opposed sanctions to heed the views of the rest of the international community and harmonise their policies in order to facilitate concerted international action.

The conference was particularly significant as it demonstrated that the rest of the world was opposed to the policy of "constructive engagement."

In December 1982, the General Assembly, by a large majority vote, expressed grave concern "at the pronouncements, policies and actions of the Government of the United States of America which have provided comfort and encouragement to the racist regime of South Africa."⁷⁹

Denunciation of the New Racist Constitution

On 2 November 1983, the white electorate in South Africa endorsed "constitutional proposals" of the regime designed to entrench white domination. On 15 November, the General Assembly declared that the so-called "constitutional proposals" were contrary to the principles of the Charter of the UN, that the results of the referendum were of no validity whatsoever and that the enforcement of the proposed "constitution" would inevitably aggravate tension and conflict in South Africa and in southern Africa as a whole; and further 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 non-fragmented South Africa, can lead to a just and lasting solution of the explosive situation in South Africa."⁸⁰

⁷⁸ The resolution was drafted and piloted by B. A. Clark of Nigeria, Chairman of the Special Committee against Apartheid.

⁷⁹ Resolution 37/69 A of 9 December 1982, adopted by 118 votes in favour, 14 against and 11 abstentions.

⁸⁰ Resolution 38/11.

The Security Council, in Resolution 554 (1984) of 17 August 1984, rejected and declared as null and void the so-called “new constitution” and the “elections” to be organised that month for the Coloured people and people of Asian origin. It rejected any so-called “negotiated settlement” based on bantustan structures or on the “new constitution”. It urged all governments and organisations not to accord recognition to the results of the so-called elections and to take appropriate action, in co-operation with the UN and the OAU, to assist the oppressed people of South Africa in their legitimate struggle for a non-racial, democratic society.

Resolutions on “Concerted Action against Apartheid”

The South African regime was able to cause enormous human and material damage to Angola and Mozambique by aggression, subversion and destabilisation. The government of Mozambique felt obliged to sign an agreement on Non-Aggression and Good Neighbourliness with South Africa at Nkomati on 16 March 1984.

Despite the seeming success of the South African regime in intimidating neighbouring states, the spirit of resistance inside South Africa was greater than ever. The Special Committee was convinced that it was necessary greatly to increase assistance to the liberation movements, as well as the trade union movement, the United Democratic Front (UDF) and other groups inside the country which were resisting apartheid.

With its encouragement and after extensive consultations, 22 delegations, including some from several Western states, tabled a draft resolution in the General Assembly on “concerted international action for the elimination of apartheid.”⁸¹ It was moved by Sweden and adopted on 13 December 1984 by 146 votes to 2, with 6 abstentions, as Resolution 39/72 G. Only the United Kingdom and the United States voted against it. The resolution called for a series of measures against the apartheid regime and in support of the liberation movements. It represented a commitment by a majority of Western states to adopt unilateral sanctions. It appealed to all states that had 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 regime of South Africa, such as:

- (a) Cessation of further investments in, and financial loans to, South Africa;
- (b) An end to all promotion of trade with South Africa;

⁸¹ I attended the Conference of leaders of Socialist Parties in Western Europe, frontline states, ANC and SWAPO, held in Arusha in September 1984. The declaration of the conference reflected a greater commitment by the Socialist parties to support the liberation struggle. On return to New York, I invited the Chairman of the Special Committee, General J. N. Garba of Nigeria, and Nordic ambassadors to lunch and suggested a resolution based on the Arusha declaration moved by a Nordic state in the General Assembly and co-sponsored by a number of Western and non-aligned states. My suggestion was welcomed by the Nordic ambassadors. General Garba and I visited Nordic capitals for consultations and found that the governments warmly supported the proposal. The resolution was drafted by a committee which was chaired by the ambassador of Sweden and included representatives of ANC and PAC. Australia, Denmark, Finland, Greece, Iceland, Ireland, New Zealand, Norway and Sweden were among the sponsors of the resolution.

- (c) Cessation of all forms of military, police or intelligence co-operation with the authorities of South Africa; and
- (d) An end to nuclear collaboration with South Africa.

It also appealed to all states, organisations and institutions:

- (a) To increase humanitarian, legal, educational and other assistance to the victims of apartheid;
- (b) To increase support for the liberation movements recognised by the OAU and to all those struggling against apartheid and for a non-racial, democratic society;
- (c) To increase assistance to the front-line states and the Southern African Development Co-ordination Conference; and
- (d) To take appropriate action for the cessation of all academic, cultural, scientific and sport relations that would support the apartheid regime of South Africa as well as relations with individuals, institutions and other bodies endorsing or based on apartheid, while strengthening contacts with those opposed to apartheid.

Resolutions on concerted action were adopted in subsequent years, with more requests to member states.

Meanwhile, in South Africa there was a tremendous upsurge of resistance when the regime imposed the new constitution. The United Democratic Front, composed of numerous organisations in the country, led peaceful resistance. Media coverage of the events, especially by television, made millions of people aware of the brutality of the Pretoria regime and led to widespread demands by the public, especially in the United States and the United Kingdom, for urgent and effective action by their governments.

In the United States, for instance, the “Free South Africa” movement was launched in December 1984 and over 5,000 people courted imprisonment in solidarity with the South African people.



General J. N. Garba (Nigeria), second from right, Chairman of the Special Committee and E. S. Reddy, left, with Zac Yacoub and Murphy Morobe, representatives of the United Democratic Front, 1984

State of Emergency to Harare Declaration, 1985–1989

The South African regime resorted to mass detentions, even of children, but was unable to suppress the resistance. On 21 July 1985, it imposed a state of emergency in 36 magisterial districts. The crisis in South Africa had serious economic repercussions and led to a new level of international action. In mid-1985 several major international banks decided to stop loans to South Africa because of public pressure and the deterioration of the economic situation in that country. Major foreign corporations began to sell their holdings in South Africa.

On 26 July 1985, the Security Council adopted Resolution 569 (1985), sponsored by Denmark and France, urging member states to take action along the lines of the 1984 General Assembly resolution on concerted action against apartheid. It was adopted by 13 votes with none against, but the United Kingdom and the United States abstained. Though the resolution was not binding on member states, it reflected substantial progress in consensus for action and encouraged meaningful measures by Western states. On 8 September 1985, the President of the United States announced limited measures against South Africa. On 25 September, the twelve governments of the European Communities agreed on a number of sanctions, followed by Japan on 9 October. With increasing public pressure, the United States Congress, overriding the veto of the president, enacted the Comprehensive Anti-Apartheid Act on 2 October 1986.

The UN organised a World Conference on Sanctions against Racist South Africa in Paris from 16 to 20 June 1986. The Conference declared:

“Apartheid cannot be reformed and no encouragement should be given to any so-called reform. It must be totally uprooted and destroyed. The destiny of South Africa must be decided by all the people of the country exercising their right to self-determination – irrespective of race, colour, sex or creed – on the basis of complete equality.”

It stressed that the indispensable prerequisites for a “negotiated, just and lasting solution in South Africa” were:

- (a) Acceptance of the objective of the speedy and total elimination of apartheid and the establishment of a non-racial democratic society;
- (b) Immediate and unconditional release of all political prisoners, abrogation of bans on political organisations and measures that prohibit full and free political organisation and expression, and an end to censorship; and
- (c) Negotiations with the genuine leaders of the oppressed people of South Africa.

With the further advance of the liberation struggle, the ANC decided, after wide consultations, that the conditions were opportune for a negotiated solution. At its request, the OAU *Ad Hoc* Committee on Southern Africa – consisting of several Heads of State – met in Harare on 21 August and adopted a declaration based on the ANC position. The Harare Declaration recognised that “a conjuncture of circumstances exists which, if there is a demonstrable readiness on the part of the Pretoria regime to engage in negotiations genuinely and sincerely, could create the possibility to end apartheid through negotiations.” It laid down a statement of principles, a list of measures to create the necessary climate for negotiations and guidelines to the process of negotiation. The declaration was endorsed by the Movement of Non-Aligned States and by a conference for a Democratic Future in South Africa, held in South Africa on 9–10 December with the participation of 4,600 delegates representing 2,100 organisations.

The UN General Assembly, meeting in a special session in December 1989, adopted by consensus a declaration based on the Harare Declaration. The UN declaration – in General Assembly Resolution S-16/1 of 14 December 1989 – envisaged the transformation of South Africa into a united, non-racial and democratic state in which all the people enjoy equal rights regardless of race, colour, sex or creed. In order to create the necessary climate for negotiations, it called on South Africa to:

- (a) Release all political prisoners and detainees unconditionally and refrain from imposing any restrictions on them;
- (b) Lift all bans and restrictions on all proscribed and restricted organisations and persons;
- (c) Remove all troops from the townships;
- (d) End the state of emergency and repeal all legislation, such as the Internal Security Act, designed to circumscribe political activity; and

(e) Cease all political trials and political executions.

The declaration recommended that the parties concerned should then negotiate the future of their country in good faith in an atmosphere free of violence. It included a programme of action to exert pressure on the South African regime until there was clear evidence of profound and irreversible changes in South Africa.

UN Action During the Period of Transition

The declaration was a turning point in UN action on South Africa. With the change in the attitudes of the United States and Britain, the General Assembly and the Security Council were able to act with unanimity. The South African regime was obliged to take measures towards creating a climate conducive to negotiations. It rescinded the bans on the ANC, the PAC, the South African Communist Party and *Umkhonto we Sizwe*, released Nelson Mandela and a number of other political prisoners, allowed the leaders of banned organisations to return to South Africa, and abolished several repressive measures.



Nelson Mandela addressing Special Committee against Apartheid, June 22, 1990

The UN monitored the situation and called upon the South African government to stop violence against members of the ANC and implement the declaration in full. The government was under continued pressure as sanctions and other measures remained in force. It agreed, under pressure from the UN, to acceptable procedures for the return of refugees and exiles, thereby removing a serious obstacle to negotiations.

The UN sent representatives to the sessions of the Conference for a Democratic South Africa (CODESA) in December 1991 and May 1992. As violence in the country continued, culminating

in the Boipatong massacre of 17 June 1992, the ANC suspended talks with the government and prepared for mass action.

The Security Council met on 15–16 July 1992 with the participation of the South African government, the ANC and the PAC, as well as nine other political groups to consider the serious crisis in efforts for a peaceful solution.. In Resolution 765 (1992), adopted unanimously on 16 July, the Council emphasised the primary responsibility of the South African government to stop all violence. The Secretary-General appointed Cyrus Vance, former Secretary of State of the United States, as a special representative to South Africa to recommend, after discussion with the relevant parties, “measures which would assist in bringing an effective end to the violence and in creating conditions for negotiations leading towards a peaceful transition to a democratic, non-racial and united South Africa.”

Acting on the recommendation of the mission, the UN sent a team of observers to South Africa, as suggested by Nelson Mandela, to ensure peace during the mass action launched by the ANC. This team was later expanded to a United Nations Observer Mission in South Africa (UNOMSA), headed by Ms. Angela King. The UN also invited the OAU, the Commonwealth and the European Community to send observers. Working with the structures set up under the National Peace Accord of South Africa these observers helped ease tensions, curb violence and facilitate the resumption of the peace process.

Resumed negotiations led to an agreement to hold elections on 27 April 1994 and to create a Transitional Executive Council (TEC) to oversee government operations and facilitate the transition to a democratic system of government by holding free and fair elections. The TEC was established on 23 September and the next day, at a meeting of the Special Committee in New York, Mandela said: “The countdown to democracy in South Africa has begun. The date for the demise of the White minority regime has been determined, agreed and set”. He appealed to the international community to lift economic sanctions against South Africa in response to these historic advances.

On 8 October, by Resolution 48/1, the General Assembly called upon states to terminate restrictions on economic relations with South Africa immediately, and end the oil embargo once the TEC became operational.⁸²

The TEC decided, at its first meeting on 7 December, to request the UN to provide a sufficient number of international observers to monitor the electoral process and to co-ordinate the deployment of international observers provided by the OAU, the European Union, the Commonwealth, individual governments and NGOs from abroad.

On 14 January 1994, the Security Council, in Resolution 894 (1994), endorsed the proposal of the Secretary-General that the mandate of UNOMSA be expanded to include monitoring the electoral process at every stage and assessing the ultimate freedom and fairness of the elections. Lakhdar Brahimi, former Foreign Minister of Algeria, was appointed head of UNOMSA during the election process, with Ms. Angela King as deputy. A coordinating committee was established

⁸² On 9 December, the president of the General Assembly announced the repeal of its oil embargo. (A/48/PV.72).

comprising the chiefs of the four intergovernmental observer missions. The Secretary-General set up a special Trust Fund, made up of voluntary contributions, to finance the participation of observers from African and developing countries so that there would be a balance in the geographical distribution of foreign observers.

The UN provided 1,985 election observers from about 120 member states. Six hundred observers were sent by individual member states, 596 by other intergovernmental organisations and well over 2,000 by NGOs. Nearly 6,000 international observers monitored the elections in addition to 9,000 South African monitors.

After the elections in April 1994, the international observer missions declared that the outcome of the elections reflected the will of the people of South Africa.

On 25 May, the Security Council, responding to a request from President Mandela, terminated the arms embargo, the last remaining sanction against South Africa.⁸³ The Special Committee against Apartheid reported, after a visit by its mission to South Africa from 6 to 10 June, that apartheid had been brought to an end and that the mandate of the Special Committee had been successfully fulfilled.⁸⁴

On 23 June, the General Assembly accepted the credentials of the South African delegation led by the new foreign minister, Alfred Nzo. In its last resolution on apartheid – Resolution 48/258 A, adopted on the same day without a vote – the General Assembly congratulated “all South Africans and their political leaders on their success in bringing apartheid to an end and in laying, through broad-based negotiations, the foundations for a new, non-racial and democratic South Africa with equal and guaranteed rights for each and all.

South Africa re-entered the UN and the international community as a respected member with an enormous goodwill which had been generated in the many years of international solidarity with its people. This was reflected, for instance, in the unanimous decision of the General Assembly – in Resolution 50/83 of 15 December 1995 – to waive South Africa’s arrears in contributions to the UN budget from 1974 to 1994. In effect the other member states agreed to share the burden of almost \$100 million – in addition to the hundreds of millions of dollars spent by the organisation in its efforts for the elimination of apartheid.

SOME NOTES ON UN ASSISTANCE TO THE LIBERATION STRUGGLE

Since the apartheid regime came to power and began its disastrous course of attempting to perpetuate white domination by repression against African and other non-white organisations and leaders, as well as white opponents of apartheid, there has been serious concern in the world

⁸³ S/RES/919 (1994)

⁸⁴ UN document A/48/22/Add.1

that the situation in South Africa might lead to a bloody racial conflict with unpredictable consequences in Africa and beyond.

When thirteen Asian-African countries wrote to the UN in 1952 requesting consideration of the situation in South Africa, the agenda item they proposed was entitled: “The question of racial conflict in South Africa resulting from the policies of apartheid of the Government of the Union of South Africa”.⁸⁵

U Thant, the Secretary-General of the UN in the 1960s, declared that the continuation of the efforts to impose policies decided by one racial group in South Africa and the closing up of possibilities for a peaceful change may increasingly lead to violence which is likely to have widespread international repercussions. He warned in an address in Algiers on 3 February 1964:

“There is the clear prospect that racial conflict, if we cannot curb and finally eliminate it, will grow into a destructive monster compared to which the religious or ideological conflicts of the past and present will seem like small family quarrels.”

A leader of the ANC told me in 1977 and I am quoting from memory:

“We know that in all struggles for freedom, many more people among the oppressed will be killed than among the oppressors. But we have no choice but to fight for our freedom. In Algeria, a country with a million white settlers, two million Algerians had to die to achieve independence. How many will have to die in South Africa with four million whites? That depends on the ability of international community to impose effective sanctions against South Africa.”

I believe that the UN made a great contribution to freedom and peace by building a coalition of governments and peoples in support of the aspirations of the leaders of the ANC to attain not only freedom from racist tyranny but reconciliation in the country while averting a bloody conflict. The credit for the “miracle” of 1994 belongs to the ANC and the UN, as well as governments of the world, the OAU and the Non-aligned Movement, NGOs and individuals. The UN was able to promote solidarity in all regions of the world, largely because of the leadership of the Special Committee against Apartheid and the Centre against Apartheid. No other liberation movement had obtained such wide international support. The African people could see that, in their struggle against the apartheid regime, they enjoyed the support not only of democratic whites in South Africa but of people of all racial origins in other countries. This helped prevent the rise of reverse racism.

Equally important, I believe, is the fact that the UN and ANC helped make peoples of the world more sensitive to racism. Until the UN was established, oppression of Africans, including killing of peaceful demonstrators, were hardly reported by international media and evoked little or no reaction in Western countries. But from 1946, the annual UN debates on racism in South Africa

⁸⁵ UN document A/2183

and other UN activities, as well as the adherence of the ANC to the principles of the Freedom Charter, promoted sensitivity to the crimes against the African people and respect for their struggles for freedom and human rights.

By 1994, colonialism was ended in almost all of Africa and the people of South Africa were able to exercise genuine self-determination. A shameful era in the history of Africa and the world was brought to an end. Both the UN and ANC were among those who contributed to this result.

Another significant contribution of the UN was to sustain the morale of the African, Indian and Coloured people during the course of their struggle. Annual resolutions of the UN General Assembly condemning apartheid helped sustain their faith that freedom and justice would prevail.

In December 1961, Chief Albert Luthuli, President-General of the ANC, said in his Nobel address:

“In their fight for lasting values, there are many things that have sustained the spirit of the freedom-loving people of South Africa... High amongst them - the things that have sustained us - stand the magnificent support of the progressive people and governments throughout the world... the United Nations Organisation jointly and some of its member nations singly. In their defence of peace in the world through actively upholding the equality of man all these groups have reinforced our undying faith in the unassailable rightness and justness of our cause.”⁸⁶

Nelson Mandela was enthused by General Assembly resolution 1761 (XVIII) of 6 November 1962 when he was under trial. I was informed that the accused in the Rivonia trial were moved when informed by Bram Fischer, the head of their legal team, that all nations of the world (except the South African regime) voted for General Assembly resolution 1881 (XVIII) calling for the abandonment of the Rivonia trial and an amnesty for all those persecuted for their opposition to apartheid.

One of the main, though unstated, purposes of the UN Trust Fund for South Africa was to sustain the morale of the prisoners and their families while action against apartheid was growing outside.

I was greatly encouraged and inspired by messages received not only from ANC members in exile but from families of prisoners, ex-prisoners and banned persons in South Africa expressing appreciation for my work. I was deeply moved to hear even from the Robben Island prison.⁸⁷

⁸⁶ He added: “We South Africans, however, equally understand that much as others might do for us, our freedom cannot come to us as a gift from abroad. Our freedom we must make ourselves.”

⁸⁷ Indres Naidoo, who spent ten years as a prisoner in Robben Island, wrote:

The previous section of this paper contains a brief review of United Nations discussions and actions and the evolution of international support for the liberation of South Africa. The following pages are devoted to an account of some of the most significant UN actions which helped the struggle for liberation.

Sanctions and boycotts

The UN promoted sanctions against South Africa since 1962 when the General Assembly adopted Resolution 1761 (XVII) recommending a series of specific economic and other measures against South Africa.

Most of the “third world” countries and Socialist states imposed sanctions against South Africa by mid-1963.⁸⁸ This involved substantial sacrifice for some African countries. South African aircraft could not fly over the airspace of independent African countries and had to follow a circuitous route to Europe. Less than twenty countries exchanged diplomatic missions with South Africa, as a result of diplomatic measures. But the economic sanctions did not have much impact as the share of these countries in South Africa’s foreign trade was rather small.

It took many years of diplomatic action as well as public pressure in their own countries to persuade the major trading partners in Western countries and Japan to take such action.

Under Chapter VII of the UN Charter, the Security Council alone has the authority to impose sanctions binding on all states in case of threats to the peace or acts of aggression. The United States, Britain and France, which had the power of veto in the Council, opposed sanctions against South Africa despite requests by an overwhelming majority of states. In the absence of a Security Council decision, even smaller Western countries, which supported sanctions in principle after 1965 took no action for several years

In 1976, after the Soweto massacre, Norway and Sweden prohibited loans to, and new investments in, South Africa, thus setting a precedent for unilateral actions by individual Western countries..

“We were particularly encouraged by the news we got of the work being done in the outside world by various anti-apartheid bodies who were keeping the world informed about our conditions on Robben Island. Many names became familiar to us: Canon Collins of the Defence and Aid Fund, E. S. Reddy of the UN Unit on Apartheid, Leslie Harriman of the UN Special Committee, Ethel de Keyser and Abdul Minty of the British Anti-Apartheid Movement and others; these were household names to us, if you can use that term in a prison.” Indres Naidoo, *Island in Chains*, second edition (Penguin Books, 2000), p. 178

⁸⁸ On 24 June 1960, the Second Conference of Independent African States called upon member states “to sever diplomatic relations or refrain from establishing diplomatic relations, as the case may be, to close African ports to all vessels flying the South African flag, to enact legislation prohibiting their ships from entering South African ports, to boycott all South African goods, to refuse landing and passage facilities to all aircraft belonging to the government and companies registered under the laws of the Union of South Africa and to prohibit all South African aircraft from flying over the airspace of the Independent African States.”

African states began taking such measures from that time. India had imposed sanctions earlier in 1946. At that time, South Africa accounted for five percent of India’s exports and one percent of imports.

In 1977, as noted earlier, the Security Council adopted a resolution, under Chapter VII of the Charter, for an arms embargo against South Africa. But the three major Powers continued to oppose economic sanctions.

Meanwhile,, local authorities, trade unions, churches and universities in the United States and Britain began to impose their own sanctions, withdrawing investments in South Africa and in companies with investments in South Africa, in response to campaigns by students and anti-apartheid groups. In 1985 major banks stopped loans to South Africa because of public pressure and the deteriorating situation in South Africa.

After the South African regime imposed a State of Emergency in 1985 following a mass uprising, world public opinion was aroused and many governments imposed various sanctions.

The Special Committee, in its report in 1989,⁸⁹ referred to some studies which suggested that, without sanctions, South Africa's economy could have been 20 to 35 per cent larger than it was. The white community began to suffer from the sanctions. The sports, cultural and other boycotts had a great psychological effect on the white community in South Africa while boosting the morale of the opponents of apartheid. The government had to re-think its policy.

Arms embargo

Chief Luthuli, President-General of the ANC, made a fervent appeal in March 1963 for an arms embargo against South Africa.⁹⁰

The UN General Assembly in 1962 and the Security Council in August 1963 recommended that all states embargo the supply of arms to South Africa. Among the main arms suppliers to South Africa, the United States imposed an embargo in 1963 and Britain in 1964; they permitted, however, the fulfilment of existing contracts and the sale of "dual purpose" items which could be used for military and civilian purposes. France announced only that it would not supply arms for repression, and became the main source of arms to South Africa. The Special Committee and the General Assembly pressed repeatedly for a comprehensive arms embargo by the Security Council, but the latter failed to take action until 1977.

Several developments in 1977 – the killing of Steve Biko in prison, the banning of many organisations, evidence of South Africa's intention to test a nuclear explosion and growing international pressure for sanctions against South Africa – persuaded the Carter administration in the United States and other Western powers to favour further action against the South African regime.

On 4 November 1977, the Security Council unanimously adopted Resolution 418 (1977) for a mandatory arms embargo against South Africa. The Special Committee encouraged the

⁸⁹ UN document A/44/22

⁹⁰ The appeal was sent to the Anti-apartheid Movement in London. For text, see: <http://www.anc.org.za/ancdocs/history/lutuli/lutuli3.html>. He said: "I would ask you in particular to unite in protesting, vociferously and unremittingly, against the shipment of arms to South Africa. On this issue let your voice be clear and untiring: No arms for South Africa".

establishment of the World Campaign against Military and Nuclear Collaboration with South Africa, with Abdul S. Minty as director. The World Campaign was able to obtain information, mainly through anti-apartheid groups, on violations of the arms embargo and contributed greatly to the monitoring of the embargo.

Despite the restrictive interpretations by some governments and the inadequate monitoring which enabled South Africa to purchase some equipment by secret and illicit deals, the arms embargo had a significant effect. South Africa was unable to obtain many items of military equipment it desired and much of its equipment had become outdated by the late 1980s. Its weakness was revealed when Cuban and Angolan forces were able to force South African troops to withdraw from Angola.

The UN repeatedly called on all governments to desist from co-operation with South Africa in the nuclear field, including provision of computers and technology. As a result, as President de Klerk announced in parliament on 24 March 1993, the South African government, after a 15-year clandestine nuclear-weapon programme, had produced only six crude atomic bombs.

Oil embargo

While the Security Council never decided even to recommend an oil embargo, the persistent efforts of the Special Committee and resolutions of the General Assembly, as well as actions by the OAU and anti-apartheid groups, encouraged many oil producing countries to stop the supply of oil to South Africa.

The Special Committee supported the Shipping Research Bureau, set up in 1980 by the Holland Committee on Southern Africa and Working Group Kairos, two Dutch anti-apartheid groups, to monitor the implementation of the oil embargoes.

Following the recommendation of a UN Seminar on Oil Embargo against South Africa (Oslo, June 1986), the General Assembly established an Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa.

The Group said, in its 1991 report, that the oil embargo had imposed massive costs on South Africa, conservatively estimated at between \$25 billion and \$30 billion over the preceding 12 years.

Other economic measures

The Special Committee encouraged public campaigns for disinvestment and “divestment” from South Africa.

At the session of the General Assembly in 1984, Sweden, with the encouragement of the Special Committee, moved a draft resolution, co-sponsored by several Western and non-aligned states, on “concerted international action for the elimination of apartheid.” It appealed to all states that had not yet done so, to consider, among other measures, “cessation of further investments in, and

financial loans to, South Africa” and “an end to all promotion of trade with South Africa.” It was adopted by the General Assembly on 13 December 1984 by 146 votes to 2, with 6 abstentions.

On 26 July 1985, the Security Council adopted Resolution 569 (1985) urging states members to take measures such as suspension of new investment, prohibition of sale of Krugerrand and other coins minted in South Africa, suspension of guaranteed export loans, prohibition of new contracts in the nuclear field and prohibition of all sales of computer equipment that may be used by the South African army and police. The resolution was adopted by 13 votes to none, with the United Kingdom and the United States abstaining.

By then South Africa faced a crisis because of mass resistance. Major international banks began to stop loans to South Africa because of public pressure in their countries and the deteriorating economic situation in South Africa. Hundreds of corporations sold their investments in South Africa and several governments began to apply economic measures against South Africa. In 1986–87, the Nordic states adopted effective legislative measures to prohibit trade with South Africa. Even the United States and Britain were obliged to take action.

On 9 September 1985, the President of the United States issued an executive order for certain limited measures such as a qualified prohibition of loans to the South African regime and of supplies of computers to its military and police establishments. Subsequently, the EEC also announced very limited measures. These measures were intended to assuage public opinion which demanded stronger measures. In October 1986, the United States Congress, overriding the veto of President Reagan, adopted the Comprehensive Anti-Apartheid Act providing for selective sanctions. The European Community and Japan adopted new measures. Combined with the “people’s sanctions”, these governmental measures had a severe effect on the economy of South Africa.

Sports and Cultural Boycotts

In 1968, the UN began active support to the boycott of apartheid sport. Working in close co-operation with SAN-ROC, the Supreme Council on Sport in Africa and the anti-apartheid movements, the Special Committee publicised and denounced all sports exchanges with South Africa, encouraged groups demonstrating against apartheid teams and called on governments and sports bodies to take action. Apartheid sport became a public issue in every country with which South Africa sought sports exchanges.

By the mid-1970s it became clear that efforts to boycott and exclude South African apartheid teams were not enough. A number of sports bodies and sportsmen, especially in some Western countries, continued to play in South Africa. Many English cricketers, for instance, chose to spend their winter months in that country. Some international sports bodies, like the International Tennis Federation, not only rejected proposals to exclude South Africa, but penalised countries which boycotted apartheid teams. South Africa, in its desperation, began to offer fabulous sums of money to sportsmen to play in South Africa. Some sportsmen succumbed to its enticements, especially because of unemployment in their countries.

New types of action were required, involving especially a “third party boycott” of those collaborating with apartheid sports.

The UN General Assembly adopted the International Declaration against Apartheid in Sport on 14 December 1977, and an international convention on 10 December 1985.

The Special Committee decided to publish periodic registers of sports contacts with South Africa, with lists of sportsmen, administrators and promoters involved in such exchanges. The first register was published on 15 May 1981. The initiation of a register was enthusiastically supported by the Supreme Council on Sport in Africa and the SAN-ROC. Though the UN did not recommend any specific action, many African and other countries began to refuse visas to those on the register or otherwise prevent them from playing in their countries. Sportspersons had to choose between making money from apartheid and playing in countries committed against apartheid.

As revulsion against apartheid spread around the world in the 1980s, hundreds of city councils and local authorities in Britain and other Western countries decided to deny use of their sports facilities to persons on the UN register.

The register became a tool for persuasion and for retaliation. The Special Committee announced that it would delete from the register the name of any sportsperson who undertook not to play in South Africa again. Scores of sportspeople gave such undertakings.

A register of cultural contacts with South Africa, like the register on sports contacts, initiated by the Special Committee in October 1983, was effective in promoting the cultural boycott.

While pressing for a cultural boycott, the Special Committee and Centre against Apartheid promoted cultural projects against apartheid and in support of the liberation struggle. They encouraged and assisted art competitions against apartheid (in the United States, India, the Netherlands and Bangladesh), art exhibits against apartheid (in France, the German Democratic Republic, the United Kingdom and the United States), the production of anti-apartheid calendars (in the German Democratic Republic and the United States), recordings of anti-apartheid freedom songs (in West Germany, Nigeria, Sweden, the Union of Soviet Socialist Republics, the United Kingdom and the United States), and essay competitions against apartheid (Ireland). Books of poetry against apartheid were published in Bangladesh and the United Kingdom with the support of the Special Committee. The Committee provided financial assistance to a committee of community artists against apartheid in New York which organised a number of exhibits and other projects.

A major project of the Special Committee was an international art exhibit against apartheid. In 1981, the Special Committee encouraged the initiative of Ernest Pignon-Ernest, a French artist, in consultation with Mustapha Tlili, a UN official, to organise a committee of artists and an international art exhibit. The Committee of Artists of the World against Apartheid, which included prominent artists from many countries, with Antonio Saura of Spain as Chairman, was established on 10 December 1981. The Special Committee provided financial assistance to enable it to organise the exhibit.

The Art contre/against Apartheid exhibit, with contributions from over 80 of the world's most prominent contemporary artists, was inaugurated in Paris in 1983. It was shown in 60 museums and galleries in Denmark, Finland, Germany, Greece, Italy, Japan, Spain and the United States, and at the UN Headquarters in New York. A Cultural Foundation against Apartheid, with Nelson Mandela as an honorary trustee, was established by the Special Committee, in consultation with the Committee of World Artists, to promote the exhibit and undertake other cultural activities against apartheid. The exhibit was transferred to South Africa after the democratic elections in 1994.⁹¹

Material support by the United Nations

Assistance to liberation movements

The General Assembly repeatedly appealed to states, from 1966, to provide political, moral and material assistance to those combating the policies of apartheid, specifying in later years that assistance be given to the liberation movements recognised by the OAU.

The Special Committee drew attention to various forms of non-military assistance required by the liberation movements for the conduct of the struggle such as assistance to political prisoners and their families; asylum and educational and employment opportunities to refugees; funds for the living expenses of activists in exile, maintenance of offices, publicity and travel; broadcasting facilities; transit and travel facilities to members of the movements; funds and technical assistance for projects of the movements in southern Africa for education, food production and self-support.

The Special Committee did not recommend a UN fund for assistance to the liberation movements as the ANC advised against such a fund⁹² but appealed to all states to provide assistance. UN endorsement was essential in enabling Nordic and other governments to provide assistance to the ANC.

The UN provided fares and subsistence to representatives of liberation movements invited to UN meetings and conferences.

On 12 December 1979, the General Assembly decided to authorise financial provision in the budget of the UN to enable ANC and the PAC to maintain offices in New York "in order to ensure the due and proper representation of the South African people through their national

⁹¹ According to the report of the Special Committee in June 1994, the exhibit was then valued at an estimated \$ 15 million. (A/48/22/Add.1).

⁹² Robert Resha told me around 1965 that the ANC did not want a fund by the UN, as it was an organisation which included some governments hostile to the liberation struggle.

In August 1969, Alfred Nzo, secretary-general of the ANC, told a delegation of the Special Committee that the Special Committee should convince governments to provide assistance and create a favourable atmosphere for the ANC to hold discussions with them on various aspects of assistance and conclude bilateral agreements.

liberation movements.” By utilising this assistance, which amounted to about \$300,000 each year, the ANC was able not only to participate effectively in the UN but to develop solidarity in the United States.

With the encouragement of the UN General Assembly, the UN Development Programme (UNDP) established a National Liberation Movement Trust Fund, and included South Africa within its mandate. Assistance was provided for education and training with a view to preparing individuals for eventual administrative, technical and managerial responsibilities, and for promoting self-reliance in countries of asylum. The projects were administered by specialised agencies of the United Nations.

In 1982, for instance, the ANC received assistance for five projects estimated at \$586,551: higher training at universities and similar institutions (30 students), strengthening of a primary and secondary education facility in Tanzania (431 students), training and upgrading of personnel in curriculum development and educational administration (37 trainees), and consultancy advice on human settlements to an ANC settlement in Tanzania. In 1984, projects for the ANC were valued at \$1,014,115. The Solomon Mahlangu Freedom College of the ANC was among the institutions receiving assistance.

Assistance to Anti-apartheid Movements and Other NGOs

The Special Committee invited anti-apartheid movements and other NGOs to its meetings and conferences, and made financial provision for the travel of some of the representatives. After the Trust Fund for Publicity against Apartheid was established in 1975, the Committee was able to approve financial grants to them for the production of some information material.

The Special Committee received a special allocation for projects during the International Anti-Apartheid Year (1978-79), and was able to obtain similar allocations in subsequent years. It gave grants from these allocations for scores of projects of anti-apartheid groups such as seminars and other events co-sponsored with the Special Committee, and campaigns to mobilise public opinion in solidarity with the liberation struggle in South Africa.

UN Trust Fund for South Africa

Assistance for the legal defence of political prisoners and for their families was perhaps the most significant assistance programme by the UN during the course of the liberation struggle in South Africa. Assistance was provided by the UN Trust Fund for South Africa, through NGOs and UNHCR, to all those persecuted by the South African government for their opposition to apartheid, irrespective of their political affiliations.

About 90 governments contributed to the Trust Fund. IDAF and associated bodies – the Freedom from Fear International Charitable Foundation and the Southern Africa Education Fund of Christian Action – received well over half of the \$50 million disbursed from the fund.

UN also encouraged direct grants to the agencies providing assistance. IDAF received hundreds of million of dollars in direct grants from governments.

Assistance for Education and Training

The UN provided thousands of scholarships to South Africans through the UN Educational and Training Programme for Southern Africans (UNETPSA).

Scholarships were granted under the programme for education and training at the higher secondary and university level in non-racial institutions outside South Africa, with preference given to institutions in African countries and courses particularly relevant for the development of South Africa. Special attention was given to candidates who had suffered persecution for their opposition to apartheid.

After the student revolt and the Soweto massacre in 1976, and the continued resistance and repression which followed, many South African students fled to neighbouring countries. The UN responded with emergency assistance to the refugee students and to the countries of asylum to enable them to cope with the influx of these student refugees. Assistance was provided in Botswana, Lesotho, Swaziland and Zambia. Governments contributed about \$ 16 million for this purpose by May 1980, in response to an appeal by the UN.

In addition, the UN Trust Fund for South Africa gave grants for the education of political prisoners and other persons persecuted for their opposition to apartheid and to their dependents. These grants helped the prison education scheme and the South African Committee for Higher Education (SACHED). UNHCR general refugee assistance included assistance for children's education.

The General Assembly authorised UNETPSA in December 1991 to initiate educational and training programmes inside South Africa. As a result, the number of scholarships awarded by UNETPSA rose from 925 in 1991 to 1,787 in 1992, 2,459 in 1993 and 2,568 in 1994. The programme also assisted a number of graduate students and junior faculty in the field of educational management and other short-term specialised training courses to help strengthen black universities.

Assistance During the Period of Transition

The UNHCR organised the repatriation of refugees and political exiles after 4 September 1991 when it signed a Memorandum of Understanding with the South African government; 6,604 refugees returned under UNHCR auspices by the end of May 1993.

Member states and regional and other organisations contributed over \$27 million to the UNHCR for repatriation and reintegration, including small-scale income-generating training programmes for returnees. The office of the UNHCR announced in 1994 a \$1.2 million programme to be funded by Japan, for the training and rehabilitation of returned political exiles.

The UN incurred an expenditure of over \$70 million from 1992 to 1994 for its Observer Mission (UNOMSA) which was of great assistance in facilitating the peace process and the democratic elections.