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#### **NOTE**

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/...) are normally published in quarterly Supplements of the Official Records of the Security Council. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

#### 2398th MEETING

### Held in New York on Thursday, 23 September 1982, at 10.30 a.m.

President: Mr. Masahiro NISIBORI (Japan).

Present: The representatives of the following States: China, France, Guyana, Ireland, Japan, Jordan, Panama, Poland, Spain, Togo, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire.

#### Provisional agenda (S/Agenda/2398)

- Adoption of the agenda
- 2. The question of South Africa:

Report of the Security Council Committee established by resolution 421 (1977) concerning the question of South Africa on ways and means of making the mandatory arms embargo against South Africa more effective (S/14179)

The meeting was called to order at 11.05 a.m.

## Expression of welcome to the new representative of Poland

1. The PRESIDENT: On behalf of the members of the Council, I extend a warm welcome to the new Permanent Representative of Poland, Mr. Wlodzimierz Natorf. Mr. Natorf and I were colleagues in Geneva, and he was one of the most highly respected representatives for his diplomatic skill and political acumen. I am quite sure that we shall have the same good and co-operative relations with him as we had with his predecessor, Mr. Wyzner.

#### Adoption of the agenda

The agenda was adopted.

#### The question of South Africa:

Report of the Security Council Committee established by resolution 421 (1977) concerning the question of South Africa, on ways and means of making the mandatory arms embargo against South Africa more effective (S/14179)

2. The PRESIDENT: I should like to inform members of the Council that I have received letters from the representatives of Algeria and Ghana in which they request to be invited to participate in the discussion of the item on the agenda. In accordance with the usual practice, I propose, with the consent of the Council,

to invite those representatives to participate in the discussion without the right to vote, in conformity with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Sahnoun (Algeria) and Mr. Gbeho (Ghana) took the places reserved for them at the side of the Council chamber.

- 3. The PRESIDENT: I should also like to inform members of the Council that I have received a letter dated 21 September 1982 from the Chairman of the Special Committee against *Apartheid*, which reads as follows:
  - "I have the honour to request the Council to permit me to participate in my capacity as Chairman of the Special Committee against *Apartheid*, under the provisions of rule 39 of the Council's provisional rules of procedure, in the Council's consideration of the item 'The question of South Africa: Report of the Security Council Committee established by resolution 421 (1977) concerning the question of South Africa on ways and means of making the mandatory arms embargo against South Africa more effective (S/14179)'."
- 4. On previous occasions, the Council has extended invitations to representatives of other United Nations bodies in connection with the consideration of matters on its agenda. In accordance with past practice, therefore, I propose that the Council extend an invitation pursuant to rule 39 of the provisional rules of procedure to the Chairman of the Special Committee against *Apartheid*.

It was so decided.

- 5. The PRESIDENT: The first speaker is the representative of Ghana, who wishes to make a statement in his capacity as Chairman of the Group of African States at the United Nations for the month of September.
- 6. I invite him to take a place at the Council table and to make his statement.
- 7. Mr. GBEHO (Ghana): Mr. President, I am grateful to you and to other members of the Council for giving me the opportunity to make this submission on the question of the arms embargo against South Africa. I do so in my capacity as the Chairman of the Group of African States and, no doubt, also as an

individual who is very concerned with the continued practice of the system of apartheid in South Africa.

8. The Group of African States considers it very necessary to make its views known to the Council on this important question at this time, not only because the victims of the cruel system of *apartheid* are the black majority in South Africa, but also because the very existence of the system, which the Council stated is

"a crime against the conscience and dignity of mankind and is incompatible with the rights and dignity of man, the Charter of the United Nations and the Universal Declaration of Human Rights, and seriously disturbs international peace and security" [resolution 473 (1980)].

constitutes an affront to our freedom, independence and respective national sovereignties on the continent. We believe strongly that unless we play a leading role in giving support to the Council to strengthen and implement its arms embargo against the racist régime, a bloody war will be inevitable, with devastating consequences for Africa. We are also convinced that sanctions such as those now under consideration by the Council offer the last pacific means of eradicating apartheid and racial discrimination in South Africa.

- 9. On behalf of my African colleagues, I wish first of all to record my thanks and appreciation to the members of the Security Council Committee, formerly under the chairmanship of Mr. Khwaja Mohammed Kaiser of Bangladesh and now under Mr. Mūnoz Ledo of Mexico, for the very detailed and lucid report produced on ways and means of making the 1977 mandatory arms embargo against South Africa more effective. I refer to document S/14179. Although it took three long years for the report to be published, the extent of its coverage and the circumspection evident in its analyses, conclusions and recommendations demonstrate the diligence with which the task given the Committee has been performed.
- 10. In spite of the long period between the adoption of resolution 421 (1977) and the presentation of the Committee's report, a further time span of two years has been lost in finding an appropriate time for the Council to consider the report. No one can be blamed for the delay. In the last two years, very important issues have engaged the serious and priority attention of the Council. But all the same, they have been two long and tortuous years for those who live under the authority of apartheid South Africa or are held in its notorious prisons. It is a source of great relief, therefore, to witness today the serious resumption of the consideration of the matter by the Council.
- 11. The debate in the Council comes at a time when the situation in South Africa, and in southern Africa in general, has worsened from what it was when the Council adopted resolution 418 (1977). At that time

and in the wake of the brutalities unleashed against the young students of Soweto, the Council adjudged the situation in South Africa to be sufficiently serious to attract the Council's embargo action against the racist régime, under Chapter VII of the Charter of the United Nations. Since then, however, the racist South African régime has committed constant and more intensified acts of aggression, subversion and terrorism against neighbouring States; it has continued illegally to occupy Namibia, from where it launched a full-scale incursion into Angola; it has escalated repression in South Africa, including execution of patriots; there is armed confrontation between the forces of the racist régime and freedom fighters, and nuclear tests have been conducted and nuclear collaboration intensified with Israel and Taiwan. All this has resulted in a situation which constitutes a graver threat to international peace and security than was the case in 1977. The debate is therefore timely and appropriate. There is now every justification for reviewing the measures prescribed in resolution 418 (1977) with a view to plugging all the loopholes in it and making it more efficacious.

- 12. At the time that resolution 418 (1977) was adopted, thus imposing a mandatory arms embargo against South Africa, our joy at that achievement was sobered by the realization that the decision itself had come a little too late. Since the massacres in Sharpeville in 1960, the international community had pressed for a mandatory arms embargo against the régime, but it was not until 17 whole years later that the major Western Powers co-operated with other States on the Council to adopt resolution 418 (1977). South Africa had by then already amassed enormous military hardware and had also established a sizeable armament industry. With those assets it proceeded ruthlessly to repress internal dissension, unleash incredible violence against the schoolchildren of Soweto and against Namibians, and attack neighbouring countries like Angola and Mozambique. We nevertheless trusted in the good faith of our friends to implement strictly the terms of the then newly-adopted resolution 418 (1977) in order to end suffering under and at the hands of the apartheid régime as quickly as possible. But the next few years were to prove that our trust was misguided and misplaced. Arms have continued to reach South Africa, and its own armament industry has continued to grow through the active investments and assistance of certain Western countries. Meanwhile the international community has been engaged in what seems to be a sterile—and, one suspects, deliberately so-cerebration on the meaning of the various phrases used in a resolution that was. after all, unanimously adopted in 1977 to deal effectively with the apartheid system and its violent habits.
- 13. Our greatest surprise and disappointment since the adoption of resolution 418 (1977) has been the impression created, through the pronouncements and actions of some States, that the establishment of the mandatory arms embargo was solely the making

of the non-Western States, especially of African States, on the Council and in the United Nations. It is important to remind the international community and to emphasize here that resolution 418 (1977) was essentially the text of the Western States, as evidenced by its inherent weakness.

14. Be that as it may, we must all recall now that the resolution was adopted to serve a specific purpose, which remains one of the prime objectives of the Charter. This was poignantly stated by the then Secretary-General, Mr. Kurt Waldheim, in his statement immediately after the adoption of the resolution when he said:

"We have today clearly witnessed a historic occasion. The adoption of this resolution marks the first time in the 32-year history of the Organization that action has been taken under Chapter VII of the Charter against a Member State. It is not my purpose to seek to determine whether the Council's decision by itself is adequate to secure its objective. However, it is abundantly clear that the policy of apartheid as well as the measures taken by the South African Government to implement this policy are such a gross violation of human rights and so fraught with danger to international peace and security that a response commensurate with the gravity of the situation was required." [2046th meeting, para. 6.]

And yet, over the years we have seen a weakening of the embargo by those States which are in a more powerful and influential position to enforce it.

- 15. It was therefore very gratifying to African States when the Council eventually reviewed the effect of the embargo, decided that there was a prima facie case for strengthening it and proceeded to create the Committee to study ways and means by which the embargo against South Africa could be made more effective. The result of that Committee's work is before the Council today, and is that on which we wish to contribute our modest views.
- 16. As far as the African group is concerned, the conclusions of the Committee as outlined in document S/14179 are generally acceptable. The report touches upon certain important, indeed critical, aspects of the matter which deserve the serious consideration of the international community. For instance, it draws attention to difficulties concerning the interpretation of certain aspects of the resolution, especially paragraphs 2, 3 and 4. The debates have centred around what interpretation should be given to the phrases "arms and related matériel of all types", the "review" of "all existing contractual arrangements" and the fact that all States are called upon to "refrain" from any co-operation with South Africa in the manufacture and development of nuclear weapons.
- 17. In the first case, those eager to do business with the racist régime have argued that the term "related

matériel" did not include the supply of certain strategic items to South Africa because those items did not form clearly defined weapon systems, or that the term should not include those strategic-cum-military items that are supplied to civilian customers in South Africa, even though some might eventually find their way into the hands of the military authorities. We find it difficult to go along with these interpretations, because they obviously provide loopholes for the passing of military supplies to the racist régime.

- 18. As far as the second example is concerned, our adversaries have argued that the review of contractual arrangements called for in resolution 418 (1977) did not mandate a termination of such contracts, Again, we take the common-sense view, as indeed the Security Council Committee also does, that such an interpretation is an unfettered licence to abuse of the resolution.
- 19. In the third case, that is, the need for States to refrain from nuclear co-operation with South Africa in the manufacture of nuclear weapons, the argument has been heard that the call to refrain did not necessarily mean a boycott of the nuclear programme of South Africa and that certainly there was a difference between South Africa's nuclear programme for peaceful purposes and any programme that it might have for the development of nuclear weapons. In our view, this is playing the devil's advocate for licence to provide nuclear-weapon assistance to a paranoid régime. There is no denying the fact that, after the transfer of nuclear technology, capital equipment and fissionable material to South Africa, the transition of that country from civilian nuclear objectives to a nuclearweapon capability would be over a very thin dividingline. We therefore consider it inadvisable for any country to collaborate at all with South Africa in its nuclear programme, because such collaboration is bound to enhance South Africa's nuclear-weapon capability, which not only allows it to terrorize neighbouring countries but also prejudices the peace and security of the entire region.
- 20. We do not intend here to indulge in legal arguments with our partners on the issues upon which I have touched, because the legal questions being raised are in truth a cover for not implementing the mandatory arms embargo. It should be obvious to all that the efficacy of the mandatory arms embargo depends on the political will and commitment of States. No one can deny the fact that the embargo was instituted to bring political and economic pressure to bear on the racist régime in order to compel it to give up apartheid and other forms of brutality. We therefore believe that if nations desire success, that success can be achieved, even under the present wording of the resolution.
- 21. In our view, there are none the less serious defects in resolution 418 (1977) which can be remedied. To overcome the difficulty with definition of the

phrase "arms and related matériel", for example, we are inclined to the view that, with the assistance of the Special Committee against Apartheid, the World Campaign against Military and Nuclear Collaboration with South Africa and other such organizations, the Security Council Committee could compile a list of all the products which fall within the category for the guidance of all. No Government would be in the dark after that. In the same way, existing licences for the production of armaments and other weapon spare parts in South Africa could be carefully registered and reviewed by a United Nations authority, in accordance with the letter and spirit of the embargo, so as to prevent further investment in this area in South Africa and progressively to reduce their impact on the embargo.

- 22. Another area of concern to African States in the implementation of resolution 418 (1977) is that of the interpretation given to the reference to so-called "dual-purpose" items. These include a whole range of components, electronic equipment, computers, aircraft, aircraft parts and other ammunition spare parts which are usually supplied to civilian customers in South Africa, but the use of which not only is militarily possible but is almost invariably taken advantage of by the South African military authorities. On the surface, it is acceptable to allow such supplies to civilian companies and so on. But we all know where they eventually find their way. The question that the Council should ponder, therefore, is whether it wants quick and effective action in the eradication of apartheid. If the answer is in the affirmative, the supply of these items to South Africa should, in our view, be banned totally. This step is very necessary, because modern warfare depends heavily on electronic technology and equipment which also serve civilian purposes. To fail to include the so-called dual purpose items on the prohibited list, therefore, would be seriously to subvert the spirit and objective of resolution 418 (1977).
- 23. There is yet another area not touched upon in detail in the mandatory arms embargo of 1977, but to which the serious attention of the Council has to be drawn. I am referring to oil as an essential element in any arms embargo. Ever since armies discarded horses in warfare for the greater capacity, speed and strength of the motorized vehicle, oil has been an important military commodity. No armed force can quickly move troops on land or sea or in the air without oil. In the case of South Africa, that product has been instrumental in the repression inside South Africa as well as in the perpetration of aggression against neighbouring sovereign States. It is an uncontested fact, therefore, that no arms embargo will be complete without the total prohibition of petroleum and petroleum products. We urge the Council, in the circumstances, seriously to consider adding oil to the list under the embargo.
- 24. Section B of the report of the Security Council Committee elaborates recommendations with which

- we are generally in agreement and which we would like to support. In giving the range of recommendations our approval and support, we also wish to underline a few specific proposals that merit the serious consideration of the Council and the international community. These proposals relate to the implementational aspect of the action prescribed against the racist régime, because we feel that our common failure so far has been largely in this regard.
- 25. First of all, there is a critical need for an implementationary authority to monitor, detect and investigate all violations with a view to bringing such violations to the immediate attention of the Council for enforcement of policy.
- 26. Secondly, it is necessary that States should, as a matter of extreme urgency, bring their national laws in line with resolution 418 (1977) with a view to making the implementation of the mandatory arms embargo in their respective territories more efficient. The embargo should cover all military collaboration, direct or indirect, in accordance with General Assembly resolution 35/206 C of 16 December 1980.
- 27. Thirdly, it is important that violators of the arms embargo must attract the severest consequences and not mere verbal admonitions or token fines that preserve the profitability of the arms trade.
- 28. Fourthly, there is the urgent need to mobilize Governments, Parliaments and the public in support of the arms embargo so as to ensure the co-operation of all. The records show that it is non-governmental organizations that have always reported violations of the embargo. Governments normally do not. But the support of Governments is crucial, and all must be done to win their co-operation.
- 29. Fifthly, we trust that the Council will now adopt the recommendations of its Committee as quickly as possible so as to set in train measures to plug the loopholes that have so far rendered the mandatory arms embargo meaningless.
- 30. I said at the beginning of this submission that the employment of the instrument of sanctions was the last peaceful means for effecting change in South Africa. This is a true statement if you consider the recent waves of violent clashes that have occurred between the racist régime and freedom fighters. Violence is now commonplace in South Africa, and unless we act quickly in this Organization to bring apartheid to an end, the black and the white races in South Africa will surely continue inexorably on a collision course, the consequences of which would be very grave for international peace and security. We believe, therefore, that all who desire peace should lend support to sanctions against a régime whose policies no one of us can publicly defend or condone.
- 31. In addition, the arms embargo has an added significance, as was succinctly expressed by Mr. Emeka

Anyaoku, the Deputy Secretary-General of the Commonwealth, at the International Seminar on the Implementation and Reinforcement of the Arms Embargo against South Africa, held in London from 1 to 3 April 1981. He said:

"The arms embargo against South Africa has a symbolic importance which transcends its practical effects. It is not only the first invocation of Chapter VII of the United Nations Charter, but an expression of the international community's determination to bring about change within South Africa through peaceful means. Every breach of the arms embargo represents a weakening of that determination and resolve; and so every breach sends signals to the blind men of Pretoria that they are not without support in the world outside. The strategy of persuasion, laudable and well-intentioned, has its limits: the time has come for a strategy of pressure, wide-ranging and purposeful, that would force South Africa to understand that its fatal enterprise will no longer be underwritten by its friends abroad."

We hope that our friends and partners will join in ensuring that South Africa learns its lesson quickly, and with as little pain as possible to the black majority in that country.

- 32. South Africa is under pressure, both within and without its borders, and it is desperately trying out all its options in a futile bid to preserve the apartheid system while not losing its friends and respect abroad. The tide within South Africa itself is meanwhile turning against the régime very fast, as violence by the racist authorities is disapproved by more and more people, as black political awareness spreads, and as many whites are no longer willing to enlist in the apartheid armed forces or accept the high casualty rates that the opposing black militancy is forcing upon them. Therefore this is the time to increase international pressure to effect change. To consider only the selfish profitability factor of the arms trade is to fail to understand the simple reasoning that much more profits would accrue if South Africa were to rid itself of the tension, boycotts and international isolation that it now has to live under. It is the hope and prayer of my colleagues in the Group of African States, at the United Nations and myself that the Council will ensure the more effective implementation of the mandatory arms embargo against South Africa. This logical step in its own way is a challenge to the members of the Council, and we hope they will not let down the suffering black majority of South Africa or the Charter.
- 33. Mr. AMEGA (Togo) (interpretation from French): Mr. President, I should like first of all to convey to you the heartfelt congratulations of my delegation on your accession to the presidency of the Council for this month. You are the representative of a country well-known for its age-old civilization and for the wisdom of its people and of its leaders.

Your competence, your qualities as a shrewd diplomat and your broad experience of international relations are assets which augur well for the successful conclusion of our deliberations.

- 34. I should also like to offer to your predecessor, Mr. Noel Dorr of the Republic of Ireland, the thanks and congratulations of my delegation for the outstanding work he did when he was President last month during a particularly tense period in international life. He defended the interests of international peace and security with zeal and distinction, thus deserving the gratitude of the international community. Finally, I should like to take this opportunity to bid welcome to Sir John Adam Thomson, permanent representative of the United Kingdom. He will certainly bring to our Council his rich experience of diplomatic relations.
- 35. The same wishes go to Mr. Natorf, the permanent representative of Poland. I am sure he too will give the Council the benefit of his rich experience.
- 36. Two years ago, the report which we are taking up today was drawn up. While it was submitted to the Council in December 1980, the Council has never been able to consider the substance of the recommendations it contains. This situation is, to say the least, regrettable. But my delegation welcomes the consensus reached throughout the informal consultations which made it possible to take up this report without further delay at the request of the non-aligned members of the Council. My delegation also welcomes the fact that consideration of the report is taking place under your presidency, Sir, because your country, Japan, is one of the very few countries which have renounced war in their Constitution. What this means is that your country has renounced aggression, whereas South Africa has systematized aggression against its neighbours, the front-line countries, as a political means of perpetuating internally the vile policy of apartheid, and externally of postponing or even obstructing the emancipation of peoples. These systematic acts of aggression against the front-line countries could not have been committed by South Africa were it not for the arms supplied by certain Member States. It is that fact which prompted the African States, with the support of friendly countries belonging to the Non-Aligned Movement and others which cherish freedom, justice and peace, to attempt to set up at the national and international levels a system of law to prohibit the delivery of weapons to South Africa.
- 37. At the international level, this juridical system is based principally on three texts: Security Council resolution 418 (1977), which imposed a mandatory arms embargo against South Africa; and resolution 421 (1977), whereby the Council established a Council Committee composed of all Council members. Among other functions, the Committee, which, I stress, consists of all members of the Council, is instructed "To study ways and means by which the mandatory arms

embargo could be made more effective against South Africa . . . " and "To seek from all States further information regarding the action taken by them concerning the effective implementation of the provisions laid down in resolution 418 (1977)". Thirdly, there is resolution 473 (1980), where the Council, in paragraph 10, calls upon "all States strictly and scrupulously to implement resolution 418 (1977) and enact, as appropriate, effective national legislation for that purpose". In paragraph 11 of that resolution, the Council requests the Security Council Committee established by resolution 421 (1977) "to redouble its efforts to secure full implementation of the arms embargo . . . by recommending . . . measures to close all loopholes in the arms embargo, reinforce and make it more comprehensive".

- 38. The report before us today was prepared in implementation of paragraph 11 of resolution 473 (1980).
- 39. I should like to take this opportunity to congratulate the Chairman and the members of the Committee, many of whom are no longer with us, for the excellent work they did in drawing up this report despite all the limitations and difficulties they encountered.
- 40. An objective examination of the report of the Security Council Committee established under resolution 421 (1977) points to violations of the mandatory arms embargo against South Africa. Of course, as the report states, these violations were not carried out directly by the Governments of the countries mentioned but were committed by private companies in those countries. These violations have existed and perhaps continue to exist because, according to the report before us, inquiries were ordered by the Governments of the countries concerned, some of the companies implicated pleaded guilty and the Governments imposed sanctions on them.
- 41. While we commend the action of Governments which imposed sanctions on the companies guilty of embargo violations, my delegation would prefer effective measures to be taken to prevent such violations. We must identify the causes of the violations and look for ways of eliminating them. According to the report before us, violations are due on the one hand to the loopholes in the embargo and the difficulties in the interpretation of certain terms of expressions used in resolution 418 (1977), in particular the expression "arms and related matériel of all types" in paragraph 2. These gaps and difficulties of interpretation provide loopholes for the individuals and legal entities involved in embargo violations. Moreover, the violations are made possible by the lack of domestic legislation, particularly when such regulations do not require an indication of the final destination of shipments, thus allowing arms exports to intermediary countries which then forward them to South Africa. Furthermore, my delegation has noted, in the con-

clusions of the report, as regards the action, or rather the failure of States to act that "the 'review' by States of existing contractual arrangements with and licences granted to South Africa under the terms of paragraph 3 of resolution 418 (1977) has, in most cases, not been brought to the attention of the Committee". [S/14179, para. 77.] This implies that arrangements previous to the embargo which were not repealed or reviewed by States allow South Africa to manufacture arms at home under foreign licences.

- 42. A final point, and one of serious concern to my delegation, is the problem of nuclear co-operation with South Africa, which allows that racist, warmongering country to develop a nuclear capability constituting a serious threat not only to the non-nuclear-weapon States in the area but also to international peace and security, South Africa having always refused to accede to the Treaty on the Non-Proliferation of Nuclear Weapons<sup>2</sup> and to submit to international control. My delegation would like to say here that the Government of Togo attaches great importance to the imperative need to make the African continent a nuclear-weapon-free zone.
- 43. The causes of the violations are well known, and it is important now to seek to remedy them. In that respect, my delegation would like to draw attention to the recommendations in the report before it. All members of the Council are members of the Committee established by resolution 421 (1977), and it is the responsibility of all members of the Council under that resolution to seek means whereby "the mandatory arms embargo could be made more effective against South Africa". My delegation sincerely hopes that the Council will achieve the unanimity necessary for action to be taken on this important issue.
- 44. For the time being, my delegation believes that the Council should reach agreement quickly on improving on resolution 418 (1977); should renew the mandate of the Committee established by resolution 421 (1977); and should extend the mandate and scope of action of the Committee, in particular by giving it a permanent secretariat to enable it to resume its work and to complete its report.
- 45. I cannot conclude my statement without noting with interest the pledge of the present French Government to respect the arms embargo against South Africa. My delegation hopes that it will be followed by other similar pledges.
- 46. The PRESIDENT: I invite the Chairman of the Special Committee against *Apartheid*. Mr. Alhaji Yusuff Maitama-Sule, to take a place at the Council table and to make his statement.
- 47. Mr. MAITAMA-SULE (Nigeria), Chairman of the Special Committee against *Apartheid*: I should first of all like to express my great satisfaction that the Council is considering the question of the arms

embargo against South Africa under the presidency of the representative of Japan, a country which is wedded to peace and disarmament and which has declared its support for an effective arms embargo on military and nuclear co-operation with the racist régime of South Africa.

- 48. Since its inception almost 20 years ago, the Special Committee against *Apartheid* has constantly emphasized the need for an effective arms embargo against South Africa as a minimum first measure by the international community to prevent, or at least minimize, the danger of violent conflict in southern Africa.
- 49. The Special Committee has emphasized that the least that any nation which claims to abhor the inhuman system of apartheid can do is to stop assisting the racist régime in expanding its military arsenal and in acquiring nuclear capability.
- 50. It has called for effective mandatory action to end all military and nuclear co-operation with the racist régime of South Africa, including the training of military personnel and exchanges of military attachés; to stop all supplies, direct or indirect, to the military establishment of that régime; and to prohibit all transfer of technology and capital which might assist that régime in developing its military arsenal.
- 51. It welcomed Security Council resolutions 181 (1963) and 182 (1963), solemnly calling upon all States to cease forthwith the sale and shipment of arms, ammunition of all types and military vehicles to South Africa, and the sale and shipment of equipment and materials for the maintenance of arms and ammunition in South Africa. But that solemn call was interpreted by certain Western Powers as some kind of a voluntary embargo and proved totally inadequate.
- 52. After 14 years of appeals and efforts at persuasion, after the World Conference for Action against Apartheid held at Lagos in August 1977 and after the escalation of repression by the racist régime of South Africa, the Council adopted resolution 418 (1977), determining that "the acquisition by South Africa of arms and related matériel constitutes a threat to the maintenance of international peace and security", and instituting a mandatory arms embargo against South Africa under Chapter VII of the Charter of the United Nations,
- 53. By its resolution 421 (1977), the Council, again unanimously, decided to establish a committee of the whole to monitor the arms embargo and mandated it specifically to "study ways and means by which the mandatory arms embargo could be made more effective against South Africa and to make recommendations to the Council".
- 54. I should like to recall the statement made by the then Secretary-General, Mr. Kurt Waldheim, imme-

diately after the adoption of resolution 418 (1977). He said:

- "We have today clearly witnessed a historic occasion. The adoption of this resolution marks the first time in the 32-year history of the Organization that action has been taken under Chapter VII of the Charter against a Member State. It is not my purpose to seek to determine whether the Council's decision by itself is adequate to secure its objective. However, it is abundantly clear that the policy of apartheid as well as the measures taken by the South African Government to implement this policy are such a gross violation of human rights and so fraught with danger to international peace and security that a response commensurate with the gravity of the situation was required. 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 longstanding efforts of the international community to obtain redress of these grievous wrongs." [2046th meeting, para. 6.]
- 55. The Special Committee, for its part, recognized that the mandatory arms embargo had been instituted long after the South African régime had embarked on a military buildup in the wake of the Sharpeville massacre and the accession of African States to independence, and after that racist régime had acquired a domestic arms industry. It was also aware of the limitations of resolution 418 (1977).
- 56. At the same time, it emphasized the great importance of the mandatory decision of the Council and saw it as a first step in a programme of action against apartheid. It stressed the imperative need for the full implementation of the unanimous and historic decision of the Council.
- 57. The Chairman of the Special Committee said in a statement on 8 November 1977:
  - "On behalf of the Special Committee against Apartheid, I wish to stress that all States concerned must immediately take action to implement Security Council resolution 418 (1977) of 4 November 1977 on a mandatory arms embargo against South Africa. No delays, no equivocations and no restrictive interpretations can be justified.
  - "I would like to emphasize, in particular, that all States which have supplied military equipment to South Africa—notably the Western States and Israel—must immediately stop direct or indirect supply of spare parts and components. All contracts for the supply of military equipment must be abrogated and all licences for manufacture of such equipment must be revoked in the spirit of the resolution."

- 58. The Special Committee lent its full co-operation to the Security Council Committee established by resolution 421 (1977) on the question of South Africa.
- 59. In fact, most of the activity of the Security Council Committee in monitoring the arms embargo was based on information communicated by the Special Committee itself or by organizations or individuals with the support and encouragement of the Special Committee.
- 60. In pursuance of the decisions of the General Assembly, the Special Committee organized a seminar on South Africa's military buildup and nuclear plans, held at United Nations Headquarters on 30 May 1978: a seminar on nuclear collaboration with South Africa, held in London in February 1979, and an international seminar on the implementation and reinforcement of the arms embargo against South Africa, held in London in April 1981.
- 61. It has held a number of consultations with eminent experts, the most recent of which was on 14 June 1982, and has publicized information on the loopholes in the arms embargo and the means of reinforcing the embargo.
- 62. The International Conference on Sanctions against South Africa, held in Paris in May 1981, gave special attention to the arms embargo, and very pertinent recommendations are contained in the Paris Declaration on Sanctions against South Africa<sup>3</sup> and in the reports of the commissions.
- 63. In the light of its studies and consultations, the Special Committee was obliged to express grave concern on several occasions that Security Council resolution 418 (1977) was not being fully and effectively implemented by certain States.
- 64. Several States had failed to enact legislative or equivalent measures for the implementation of the arms embargo. Some States allowed the supply of military and related equipment to South Africa on the grounds that it was "dual purpose equipment". This exception can be stretched—and has indeed been stretched on some occasions—to make the mandatory sanction or decision of the Council meaningless. Some States have refused to take any action to prohibit the supply to South Africa of technology which could be used for military purposes, or to ban the supply of capital and technical personnel to assist the development of the arms industry in South Africa, or to require transnational corporations under their jurisdiction to stop their subsidiaries or affiliates in South Africa from providing supplies to the South African military establishment. Some States have utilized the weakness in the formulation of resolution 418 (1977) to continue collaboration with South Africa in the nuclear field.
- 65. I do not wish, at this stage, to point to individual States or transnational corporations, as much of the

- information is available in the records of the Security Council Committee and the Special Committee against Apartheid.
- 66. I only wish to recall that the Special Committee has repeatedly drawn the attention of the Council to the need for the strengthening and reinforcement of the arms embargo.
- 67. On the recommendation of the Special Committee, the General Assembly, by an overwhelming majority, requested the Security Council to take urgent mandatory action for the full implementation and reinforcement of the arms embargo.
- 68. We were somewhat encouraged when the Council, again unanimously, adopted on 13 June 1980 resolution 473 (1980), in which it called upon "all States strictly and scrupulously to implement resolution 418 (1977) and enact, as appropriate, effective national legislation for that purpose", and requested its Committee "to redouble its efforts to secure full implementation of the arms embargo against South Africa by recommending by 15 September 1980 measures to close all loopholes in the arms embargo, reinforce and make it more comprehensive".
- 69. The developments since that time have been most disappointing, and indeed, distressing.
- 70. The Security Council Committee submitted, in its report of September 1980, 16 recommendations which fall considerably short of the proposals of the Special Committee as well as the requests of the General Assembly.
- 71. Yet the United Kingdom placed a general reserve on all the recommendations. France—under its previous Government—expressed reservations on six recommendations and opposition to two recommendations. The United States—under its previous Administration—expressed reservations on five recommendations [S/14179, para. 82].
- 72. Instead of trying to consult, harmonize positions and take positive action, the Council has so far taken no action on the report of its own Committee.
- 73. As a result of this attitude of the three Western permanent members, the monitoring of the arms embargo has been paralysed.
- 74. The Special Committee has been requested by the General Assembly to co-operate with the Security Council Committee, but the latter has not even met for a long time.
- 75. The primary purpose of the arms embargo is to curb the capacity of the racist régime of South Africa to expand its military establishment and arsenal and to commit acts of aggression and terrorism against

neighbouring States as well as acts of repression against its own people.

- 76. The South African regime has committed innumerable acts of aggression and terrorism against all neighbouring States, particularly the Peoples' Republic of Angola, so that the heads of States of the Frontline States, at the conclusion of their Summit Meeting held at Maputo on 6 and 7 March 1982, described the situation in southern Africa as one of "undeclared war". The Pretoria regime has even been involved in a mercenary invasion of the islands of Seychelles.
- 77. It has been boasting of the expansion of its arms industry, and the manufacture of new and sophisticated military equipment.
- 78. Only a few days ago, on 12 September, the Sunday Times of Johannesburg reported that the South African Minister of Defence had unveiled a mobile artillery unit—G6—which can fire an entire range of North Atlantic Treaty Organization 155-millimetre shells, including American nuclear warhead projectiles.
- 79. Most alarming, of course, have been the reports on the acquisition of nuclear capability by the racist régime of South Africa. In this context, we cannot but express our great distress that the United States Government has chosen to relax its regulations on the arms and nuclear embargo against South Africa this year.
- 80. We cannot but express great concern over the report in *The Wall Street Journal* of 21 September—a day named "Peace Day" to coincide with the opening of the General Assembly session—that South Africa was able to purchase 2,500 electric shock batons from the United States. I hope that the United States Government will take urgent measures to stop such sales.
- 81. We cannot but condemn Israel for supplying missile-equipped warships to South Africa.
- 82. We cannot but express grave concern over the supply of sophisticated military communications equipment by the United Kingdom on the grounds that it is "dual purpose" equipment.
- 83. The Special Committee was therefore obliged, in its annual report adopted last Friday, 17 September, to emphasize that the resistance of certain Powers to the strengthening and even to the effective monitoring of the arms embargo, and the continued collaboration by certain States, corporations and institutions with South Africa in the military and nuclear fields, have resulted in a grave undermining of the authority of the United Nations and a betrayal of the commitments of the international community. They have caused enormous suffering and numerous breaches of the peace, as well as the threat of a wider

conflict. The Special Committee concluded in its report:

- "The international community must find ways to expose all military and nuclear collaboration with South Africa, and to stop all such collaboration",5
- 84. What is at stake is not only peace in southern Africa and the lives of the African people of that region but also the authority of the Council and the integrity of its permanent members, who bear a great responsibility for ensuring the maintenance of international peace and security.
- 85. On behalf of the Special Committee against *Apartheid*, I urge the Council to take the long-delayed action on the recommendations of its Committee, and to give urgent consideration to the requests by the General Assembly.
- 86. In its resolutions 35/206 B of 16 December 1980 and 36/172 F of 17 December 1981, the General Assembly requested the Security Council to take mandatory measures to strengthen the arms embargo and secure the immediate cessation of any form of collaboration with the racist régime of South Africa in the military and nuclear fields. In that context, it asked that the Council ensure that all States shall:
  - (a) Prevent South Africa from acquiring arms, ammunition and related materials as well as nuclear equipment and materials:
  - (b) Revoke all licences granted previously to South Africa for the manufacture of arms and related materials of all types:
  - (c) Prohibit corporations within their jurisdiction from becoming involved in the manufacture or development in South Africa or elsewhere of arms and related materials and all supplies for the use of South Africa's military and police forces and its nuclear programmes;
- (d) Prohibit the transfer of technology relating to military and nuclear industries to the racist régime of South Africa or its agencies;
- (e) Prohibit the supply of maintenance of aircraft, aircraft engines or parts, telecommunications equipment, computers and four-wheel-drive vehicles to South Africa;
- (f) Prevent investments by corporations or individuals within their jurisdiction in South Africa's military and nuclear industry, as well as its supportive institutions;
- (g) Cease all forms of nuclear collaboration with the racist regime of South Africa and terminate in particular the exchange of nuclear scientists with South Africa and the training of South African nuclear scientists and technicians:

- (h) Prohibit the recruitment of nuclear scientists and technologists by South Africa;
- (i) Prohibit the import of any arms and related materials from South Africa;
- (j) Terminate the exchange of military, air, naval and scientific attachés and of visits by military and police personnel, experts in weapons technology and employees of arms factories with South Africa, as well as the training of South African military and police personnel;
- (k) Take effective legislative and other measures to prevent the recruitment and/or enlistment, training and transit of mercenaries for service with South Africa's military and police forces;
- (1) Refrain from purchasing uranium or enriched uranium from South Africa.

States were asked to take firm steps to prevent any co-operation or contacts with the régime of South Africa by military alliances to which they are parties.

- 87. The Assembly also requested the Secretary-General to ensure more effective Secretariat services for the monitoring of the arms embargo against South Africa and maximum co-ordination towards that end.
- 88. The Special Committee attaches utmost importance to the total cessation of all nuclear collaborations with South Africa. Only a few days ago, the Special Committee learned with great concern that South Africa is a member, and even chairman, of several technical working groups of the International Atomic Energy Agency (IAEA), and it requested the IAEA General Conference to take urgent action to exclude South Africa.
- 89. The Special Committee also considers that an oil embargo is an indispensable complement to the arms embargo against South Africa.
- 90. I hope that the Council will take all necessary decisions to ensure the effective monitoring of a strengthened and enforced arms embargo against South Africa. The Special Committee, in accordance with its mandate from the General Assembly, pledges its full co-operation to the Council and its Committee in that task.
- 91. Mr. LING Qing (China) (interpretation from Chinese): Permit me at the outset, Mr. President, on behalf of the Chinese delegation, to extend our warm welcome to the new representative of Poland, Mr. Natorf. We look forward to good relations of cooperation with him in the work of the Council.
- 92. In conformity with Security Council resolution 473 (1980), the Security Council Committee established by resolution 421 (1977) concerning the

question of South Africa submitted in September 1980 a report on ways and means of making the mandatory arms embargo against South Africa more effective [S/14179]. It contains a number of concrete and positive recommendations to strengthen the arms embargo against South Africa. The Chinese delegation wishes to express its appreciation of the efforts made by the Committee.

- 93. The Council should have considered this report long ago. For various reasons, however, such consideration has been delayed for two years. Nevertheless, in view of South Africa's behaviour, it is absolutely necessary for the Council to take up the report now and to give serious and favourable consideration to its recommendations for strengthening the arms embargo against South Africa.
- 94. In spite of Security Council resolution 418 (1977) imposing the arms embargo in 1977, the South African racist régime has not shown the slightest restraint in its abominable practices, but has stepped up arms expansion and the cruel suppression of the South African people's national liberation struggle. Moreover, it has intensified the barbarous policy of apartheid and accelerated bantustanization by creating phoney independent black homelands. Most recently. it has wantonly suppressed workers' strikes. Large numbers of African workers have been laid off and forcibly repatriated to black homelands. Pretoria is pushing a power-sharing plan which would deprive Africans, who comprise 70 per cent of the population, of all political rights. All this shows that the so-called reforms to improve racial relations are no more than a deceptive ploy designed to bolster the racist rule.
- 95. Moreover, the South African régime is stubbornly clinging to its illegal occupation and colonial rule in Namibia, in total defiance of world censure. It resorts to massive military power in its brutal suppression of the Namibian people's armed struggle, led by the South West Africa People's Organization (SWAPO), and, using Namibia as a staging platform, to make repeated forays into Angola and other neighbouring African countries. Moreover, it has tried by every means to sabotage negotiations so that no headway can be made in the implementation of Security Council resolution 435 (1978), and Namibia has yet to achieve independence. Over a period of time, Pretoria has also stepped up subversion and sabotage against Mozambique, Zimbabwe and other front-line States. These outrages have seriously threatened the peace and stability of southern Africa and the continent as a whole.
- 96. In order to protect their vested interests, certain Western countries, especially a super-Power, have, regrettably, supported or connived with the South African régime in many respects and directly or indirectly provided it with military equipment, material and know-how, and have even extended their collaboration in the nuclear field. All this has made it dif-

ficult to implement resolution 418 (1977) effectively and has served only to increase the audacity and truculence of the South African régime.

- 97. In these circumstances, the African countries and peoples and the international community as a whole have vigorously condemned Pretoria's conduct and strengthened their support for the just struggle of the peoples of South Africa and Namibia. They strongly insist that the United Nations should apply rigorous sanctions against the South African régime in accordance with Chapter VII of the Charter. First and foremost, Security Council resolution 418 (1977) should be strictly implemented and the arms embargo against South Africa should be effectively enforced. All this is entirely just and reasonable.
- 98. China has always firmly supported the just cause of the peoples of Namibia and South Africa. We strongly condemn the policy of apartheid and the illegal occupation of Namibia by the South African régime. Accordingly, we support the just demands of the African States and are in favour of sanctions and the strict enforcement of an arms embargo against South Africa. In our view, the effective implementation of resolution 418 (1977) requires some more specific provisions and, above all, a clear political will on the part of certain countries. We therefore believe that the Council should give serious consideration to the report of the arms embargo Committee, especially the recommendations therein, and give the Committee a clear mandate to reactivate itself forthwith.
- 99. Mr. NUSEIBEH (Jordan): I should like at the outset to extend the warm welcome of my delegation to the new representative of Poland. I am certain that his wide experience will enrich the work of the Council.
- 100. The Council is resuming its deliberations on a strict observance of its resolution 418 (1977), which created certain concrete obligations for States and which imposed for the first time a mandatory arms embargo against South Africa. In an effort to promote the implementation of that resolution, the Security Council subsequently adopted resolution 421 (1977), by which it established a committee of the whole to study ways and means by which the embargo could be made more effective, and to make recommendations to the Council.
- 101. The Committee has submitted three reports. The last report on ways and means of making the mandatory arms embargo against South Africa more effective was submitted in September 1980 in document S/14179. It is regrettable that two years have already elapsed before the Security Council has addressed itself to that report.
- 102. While the conclusions contained in the latest report were adopted unanimously, there were some reservations on the recommendations on the part of

three permanent members of the Council. We do hope that in our informal consultations those reservations will be withdrawn so that the Council may emerge with a unanimous resolution to strengthen the implementation of its resolutions.

- 103. The last Chairman of the Committee was Mr. Muñoz Ledo of Mexico, who served in 1981. Mr. Muñoz Ledo was Vice-Chairman in 1980 and played an active role in the formulation of the conclusions and recommendations contained in the last report. When that last report was introduced in the Council on 19 September 1980, the then President of the Council stated that consultations would be held among members with a view to continuing consideration of the item. It is now more urgent than ever before that such consultations be initiated in earnest. in the light of the intensifying oppression and repression being practised by the racist régime of South Africa against the majority population of South Africa. as well as of South Africa's refusal to concede the independence which Namibia deserves and which is a trust of the United Nations itself-a direct trust.
- 104. It is also to be hoped that the Council will, in its wisdom, include in a formal resolution the conclusions and the many recommendations contained in the last report of the Committee, perhaps with such additions as the Council might deem necessary. It is equally urgent that the Committee be reconstituted and accorded new terms of reference in the light of the loopholes which have appeared during the functioning of the Committee. The full implementation of resolution 421 (1977) has become more compelling inasmuch as South Africa has become possibly the tenth largest arms exporter in the world, as well as a nuclear menace not only to the region, not only to the African continent, but to the world at large. A very informative and authoritative article published in the Christian Science Monitor of Monday, 13 September, as well as other authoritative publications, prove beyond any doubt that South Africa is openly launching a vigorous campaign to sell the arms it manufactures to practically the whole world. It is said that South Africa is selling the arms it manufactures to what it regards as friendly countries. I need hardly state that many of those weapons have been developed by means of imported arms and technology-including nuclear technology and matériel-in violation of the Council's resolutions, and with the participation of several countries but primarily of Israel.
- 105. I entirely agree with the firm request of the representative of Ghana that an oil embargo should be included in the enforcement measures. I feel duty-bound, however, to stress in the strongest terms that the oil sales which are being made to South Africa constitute an act committed by the multinational corporations and not by the oil-producing countries. As soon as a tanker leaves the port of an oil-producing country, those companies that are purchasing that petroleum become the culprits which sell them wherever they see fit.

- 106. We know from our recent experience that Governments, even those in free-enterprise countries, can and do influence the behaviour of their corporations whenever they decide to impose an embargo against another country. We have seen this recently. Therefore the fact that any disregard of the Council's mandatory resolutions is by corporations should in no way exonerate the countries to which they belong from responsibility for the defiance of those resolutions.
- 107. The Committee deserves the Council's highest commendation for identifying the areas where loopholes abort the Security Council's resolutions. The Committee certainly needs some kind of follow-up mechanism to carry out its task on behalf of the Council. The question of such a mechanism should take pride of place in consultations among members of the Council in the hope of reaching a feasible consensus or unanimity.
- 108. The Council benefited greatly from the presentation of the last report by Mr. Muñoz Ledo, the Chairman of the Committee for 1981. This has certainly reinforced the need somehow to profit from his experience, if the proposed reconstitution of the Committee, which is a Council committee of the whole, does not preclude this because Mexico is no longer a member of the Council. Obviously, while the embargo Committee is a Council committee of the whole, it cannot achieve much in the absence of a full-time secretariat, machinery, mechanism or whatever. This must be established to carry out on a day-to-day basis the meticulous implementation of the Council's resolutions. Obviously, although we pass resolutions, even though they be mandatory they will come to naught unless there is a mechanism, machinery, somewhere in the Secretariat that can see to it on a day-to-day basis and as a full-time assignment that the mandatory resolutions adopted unanimously by the Council are scrupulously observed.
- 109. The PRESIDENT: The next speaker is the representative of Algeria. I invite him to take a place at the Council table and to make his statement.
- 110. Mr. SAHNOUN (Algeria): Mr. President, the last time I spoke before the Council I could not pay a deserved tribute to you, owing to the tragic circumstances under which the Council was meeting. Allow me now to express our whole-hearted congratulations to you on your assumption of the presidency for the month of September. We know from past experience that you will be able to lead the work of this body with great style and efficiency.
- 111. I should like to take this opportunity to congratulate also your predecessor, the representative of Ireland, who I hear was indeed an excellent President during the month of August.
- 112. I intervene in this discussion because some months ago I presided over a seminar in London on

- the arms embargo against South Africa, organized jointly by the Special Committee against Apartheid and several governmental and non-governmental organizations. That seminar was attended by representatives of Governments in Africa, Asia, Latin America and Eastern Europe and by parliamentarians from Western Europe, and I should like to communicate to the Council the sentiments of the participants in that seminar, including those of my own delegation.
- 113. It was felt that the issue of South Africa's militarization and the racist régime's use of its military and nuclear power to threaten peace and stability is of long and unbearable duration. To buttress its system of apartheid inside South Africa and Namibia and to carry out its military adventures in neighbouring States, the South African régime has established a massive and monstrous military and police apparatus. In support of its aggressive designs, South Africa has developed a total strategy which musters all available resources in the service of its armed forces structure,
- 114. A five-year expansion programme was introduced in 1974 which tripled military spending in the following three years. It is therefore no surprise that the situation has deteriorated to the point where South Africa clearly today poses an immediate danger to our continent and, I dare say, to part of the Indian Ocean and the South Atlantic area. It resorts with great freedom and ease to tactics aimed at terrorizing most of the independent sovereign States of southern Africa. It continues with impunity to defy the United Nations by its illegal military occupation of Namibia. Its troops are still deep inside Angola. Its armed forces have carried out acts of subversion and sabotage in Mozambique and in Zimbabwe. It continues to organize and support bandit groups on the borders of neighbouring States and attempts thereby to destabilize the legitimate Governments of those countries.
- 115. All these South African designs and operations are made possible by a military machinery created with the direct or indirect assistance of overseas friends and partners in defiance of the Council's arms embargo imposed by its resolution 418 (1977). The Council itself, conscious of the need to monitor implementation of the arms embargo resolutions, decided by its resolution 421 (1977) to set up a committee to study ways and means of achieving that purpose. We all welcomed that decision as a useful and necessary step.
- 116. It was the view of the seminar in London that this Committee had worked under rather difficult conditions and, although it presented its findings to the Council in 1980, to date its recommendations and conclusions have been neither studied nor followed up by the Council. We studied this report and agreed fully with the Committee, as it underlined what we in Africa already knew—that there were numerous instances of illegal supplies of military arms and technology to South Africa, in contravention of the Council's resolution. We noted, however, that States did not

provide further information to the Committee which would enable the Council to examine specific breaches of the arms embargo with all the facts at hand. We also note that varying interpretations of some of the paragraphs of the Council's resolutions have made the work of the Committee difficult. Some States consider that licensing arrangements with South Africa for the manufacture of arms and ammunition or the sale of vehicles of any kind, even when specifically designed for military purposes, are not to be considered. This is astonishing. That is why we could not agree more with the Committee when it suggests that it is hardly possible to discharge the function of monitoring the arms embargo without the appropriate clarification, the appropriate mandate, and all the means required for such monitoring.

- 117. It is high time that the Council studied in a systematic manner the flow of arms and *matériel* to South Africa and took appropriate action. The diversionary tactics employed by South Africa's friends should be definitely proscribed. Information should be disseminated in a more effective manner to enable the public, as well as Governments, to play their role in implementing the arms embargo.
- 118. We strongly support the creation, as recommended by the Committee, of an arms embargo section in the Secretariat—in our view it should be in the office of the Secretary-General—which would be specifically entrusted with the task of assisting the Committee to discharge its duties by providing it with the necessary services, including research, documentation and communication with Member States.
- 119. It is imperative that the Council fully shoulder its responsibility in a matter that affects international peace and security and display its willingness and ability to implement its own resolution on the arms embargo against South Africa, a resolution in which, for the first time in the history of the United Nations, action was taken under Chapter VII of the Charter of the United Nations. The same countries that beg us not to call for further sanctions and that oppose any attempt to do so are today failing to fulfil their own commitments. Let them show us that they mean business when they themselves agree to invoke Chapter VII; otherwise, the Organization will become totally powerless, as the Secretary-General pointed out in his report on the work of the Organization.
- 120. I would like to quote the specific paragraph of the Secretary-General's report dealing with this:

There is a tendency in the United Nations for Governments to act as though the passage of a resolution absolved them from further responsibility for the subject in question. Nothing could be further from the intention of the Charter. In fact resolutions, particularly those unanimously adopted by the Security Council, should serve as a springboard for governmental support and determination and should

motivate their policies outside the United Nations. This indeed is the essence of the treaty obligation which the Charter imposes on Member States. In other words the best resolution in the world will have little practical effect unless Governments of Member States follow it up with the appropriate support and action."<sup>6</sup>

121. The PRESIDENT: I should like to inform members of the Council that I have just received a letter from the representative of Cuba in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Viera (Cuba) took the place reserved for him at the side of the Council chamber.

- 122. The PRESIDENT: I invite the First Deputy Minister for Foreign Affairs of Cuba, Mr. José Viera, to take a place at the Council table and to make his statement.
- 123. Mr. VIERA (Cuba) (interpretation from Spanish): Mr. President, I wish to thank you and the other members of the Council for giving me this opportunity to address the Council at a time when it is considering this important question. It is a particular pleasure for the delegation of Cuba to see you, Mr. President, presiding over the work of the Council at this time. Your experience and wisdom, as well as the dedication of your great country, Japan, to the cause of international peace and co-operation are a guarantee that you will successfully accomplish your task.
- 124. The conflict in southern Africa and the need for effective implementation of the arms embargo against the South African racist régime imposed by the Council in its resolution 418 (1977) today constitute one of the most pressing problems affecting international peace and security. The Movement of Non-Aligned Countries has repeatedly stressed the need to apply to the racist apartheid régime the sanctions provided for in Chapter VII of the Charter of the United Nations and has particularly emphasized the importance of supplementing the mandatory arms embargo imposed under the above-mentioned resolution, in view of the repeated and clear violations of that decision by South Africa with the complicity of its allies, especially the United States.
- 125. The Non-Aligned Movement, at its most recent ministerial meeting, took note with regret and concern of the fact that the Council had been unable to act in accordance with its basic responsibility for maintaining international peace and security, largely because of the veto and the policy of the United States.

which impeded the adoption of resolutions that would have implemented broad and mandatory sanctions against South Africa.

126. The seriousness of the situation in the southern part of Africa and its harmful consequences for world peace require, today more than ever before, that the decisions of the Council and the recommendations of the Security Council Committee established by resolution 421 (1977) become a reality. It is hardly necessary to describe the well-known situation that exists in southern Africa. There we see a stepping up of the threat to peace and security brought about by the continuing illegal occupation of Namibia by racist South Africa, the repeated acts of unprovoked aggression, attacks and sabotage against Angola, Mozambique, Zimbabwe, Zambia, Lesotho and other independent neighbouring States, and also the continuation of the reprehensible policy of apartheid.

127. In Namibia, South Africa is continuing to mock resolutions of the Council, of the General Assembly and of the many international bodies which have demanded the withdrawal of the racist troops from Namibia. In particular, the Pretoria racists resort to all kinds of delaying tactics to prevent the implementation of resolution 435 (1978), which is the recognized basis accepted by the international community for the independence of that people. Instead, South Africa has stepped up repression against its own people as well as against the people of Namibia, which, under the leadership of their national liberation movements, internationally recognized, is taking a heroic stand against it. The weapons provided by certain Powers—first and foremost, by the United States—are the ones making possible that brutal repression, which resorts to criminal and fascist means in a vain attempt to block the course of history in the elimination of colonialism and racism in southern Africa.

128. The delegation of Cuba pays a tribute to the members of the Committee, who have worked so hard in dealing with the question of the arms embargo against South Africa and who have provided all Mem-

ber States, and members of the Council in particular, with data, analyses and recommendations of fundamental importance. We take note in particular of the obstacles the Committee encountered in trying to carry out its task and the tenacity with which its Chairman worked to bring that task to completion.

129. We support the recommendations which have been made to the Council by the representative of Mexico for an early implementation of the arms embargo against South Africa and especially for the establishment of a sanctions office in the Secretariat, which in a practical way would help implementation of the embargo.

130. Mr. NATORF (Poland): I should like to express my sincere thanks for your cordial words of welcome to me, Mr. President, and also those of my colleagues from Togo. China and Jordan. In the days to come. I shall be looking forward to constructive co-operation with all members of the Council in the implementation of the difficult tasks of maintaining peace and security which are entrusted to this body of the United Nations.

131. Permit me also to take this opportunity to associate myself with the good wishes addressed to the newly arrived representative of the United Kingdom. Sir John Thomson, and to wish him success in his work.

The meeting rose at 12.55 p.m.

#### Notes

<sup>1</sup> A/AC.115/L.547, p. 10.

<sup>2</sup> General Assembly resolution 2373 (XXII), annex.

4 Official Records of the General Assembly, Thirty-seventh

Session, Supplement No. 22 (A/37/22), para. 370.

Report of the International Conference on Sanctions against South Africa, Paris, 20-27 May 1981 (A/CONF, 107/8), sect. X.A.

<sup>&</sup>lt;sup>5</sup> *Ibid.* para. 408.

<sup>6</sup> A/37/1, p. 3.