

DIÉ SUID-AFRIKAANSE INSTITUUT VAN INTERNASIONALE VERBANDEN
THE SOUTH AFRICAN INSTITUTE OF INTERNATIONAL AFFAIRS



Southern

Africa **Record**

Number 44

SOUTHERN AFRICA RECORD contains the original texts of, or extracts from, important statements by political leaders, government representatives and international organisations, concerning international relations in the southern region of Africa. In addition to statements on issues of current concern, some significant statements made in the past are included in the RECORD from time to time. The reproduction of these policy statements of the past and present is intended for information and reference purposes, not only for students, but also for all those who are concerned with the relations between the countries of Southern Africa.

Statements are reproduced if and when texts become available (not in chronological order), and it must be emphasised that the selection of statements included in SOUTHERN AFRICA RECORD should not be regarded in any sense as indicating a viewpoint as to the relative importance of one or other statement over another not reproduced or reproduced in a later number of the RECORD. In any case, as the Institute itself cannot, in terms of its Constitution, hold a viewpoint on any aspect of international affairs, no views expressed in any statement reproduced in the RECORD should be identified with the Institute.

Compiler: Alan Begg

Published by the South African Institute of International Affairs. Four issues per year. Subscription rate R20,00 per annum (South Africa). R30,00 elsewhere. Price per copy R5,00 (plus postage for overseas airmail).

Uitgegee deur die Suid-Afrikaanse Instituut van Internasionale Aangeleenthede. Vier uitgawes per jaar. Intekengeld R20,00 per jaar (Suid Afrika). R30,00 elders. Prys per eksemplaar R5,00 (plus posgeld vir buitelandse lugpos).

ISSN: 0377 5445

SOUTHERN AFRICA RECORD

Number Forty-four, September 1986

Contents/Inhoud

Non-Aligned Movement: Harare Conference, Aug./Sept. 1986. Extracts from Keynote Address by Cde. R.G. Mugabe and from Political Declaration:

Keynote Address by the Hon. Prime Minister of Zimbabwe, Cde. R.G. Mugabe	page 3
Role of Non-Alignment	page 11
Situation in Southern Africa	page 13
Destabilisation	page 14
Namibia	page 18
South Africa	page 23
Comoros (Mayotte)	page 26
Malagasy Islands	page 27
Mauritian sovereignty	page 27
Indian Ocean Peace Zone	page 27
Antarctica	page 28
International Terrorism	page 29
<i>New International Information and Communication Order</i>	page 30

South Africa and the United States*

Draft Sanctions Bill — Senate S. 2498, May 21 1986	page 34
Draft Sanctions Bill — House of Representatives HR. 4868, June 18 1986	page 38

South Africa and the Commonwealth

Commonwealth Communique, Aug. 5 1986	page 47
--------------------------------------	---------

South Africa and the EC

EC. Foreign Ministers' Statement Sept. 16 1986	page 51
------------------------------------------------	---------

South Africa and Australia

Extracts from Australian Hansard, Mar. 11 1986	page 53
------------------------------------------------	---------

* Final version of the Sanctions Bill as passed by Congress was only received after this *Record* had gone to press. If space permits the full revised text will be included in *Record* No. 45.

WHAT DO WE THINK?

A survey of white opinion on foreign policy issues. No. 3.

The third of the biennial series analysed by the authoritative political scientist Prof Deon Geldenhuys for the SAIIA.

What does the white electorate really think?

Does the present Government accurately reflect white views?

Is white opinion ahead of or lagging behind the Government on international and domestic issues?

This survey will give you the answers.

Available now

Price R10

Non-Aligned Movement: Harare Conference

Keynote Address by the Hon. Prime Minister of Zimbabwe, Cde. R.G. Mugabe

Majesties, Excellencies, Comrades and Friends, I welcome you to Harare, the 'city that does not sleep' and capital of Zimbabwe. Your distinguished presence amongst us bestows great honour on our young nation. You are amongst friends, amongst brothers and sisters and, above all, amongst allies in the common and arduous struggle to make our world a better place for all who live in it and for future generations. We welcome you because your firm solidarity and invaluable assistance most assuredly lightened the heavy burdens we had to bear in liberating this land from a vicious colonialism six and a half years ago.

I thank you most sincerely, Mr Prime Minister Rajiv Gandhi, for the generous and warm words you have said about my country.

Zimbabwe is a young and developing country. Hence when the Movement asked us to host the Eighth Summit Conference, just about a year ago, it came both as a great surprise and an enormous challenge to the people and Government of Zimbabwe. We were acutely conscious of the limitation of time and of our relative inexperience in organizing such a momentous event. But fortified by your faith in us and conscious of our duty to the Movement and the suffering people of Southern Africa, we took up the gauntlet. The rest is now history. All we now crave for is your indulgence for any limitations, shortfalls and discomfort you may have experienced since your arrival in our country.

The Republic of Zimbabwe may be a new independent State, but its people and their culture are neither new nor young. Scattered all over Zimbabwe and some of the neighbouring countries are nearly two hundred mainly *medieval stone-built cities, towns, palaces and courts* or '*dzimbabwes*', as we call them. It is after this stone-building civilization, whose revival is seen in the Shona stone sculpture of the twentieth century, that our country is named. Our forbears used stones to construct their dwellings and preferred rock outcrops for foundations. Today we are determined to build a new Zimbabwe on the rock of national reconciliation with the stone bricks of unity, equity, tranquillity, justice, peace and above all the brotherhood of man.

Mr Chairman, Prime Minister Rajiv Gandhi, I know I am expressing the deep sentiments of gratitude of the whole Movement when I thank you most sincerely for the dynamic and prudent manner in which you steered the Movement in the last two years. In spite of the tragic circumstances under which you assumed the mantle of Chairman of the Movement, you have carried out your duties with characteristic dedication, dignity, skill and sensitivity for which your people are justifiably renowned. Zimbabwe is indeed most fortunate to receive the torch from the healing hand of India.

I also wish to thank the many countries, bodies and individuals who have assisted us in various ways in the preparations for the Summit, including the supply of furnishings, transport, medicaments, stationery supplies, cash donations and various types of electronic equipment. Without the generosity of the many who came to our assistance, the burden of organizing this conference might have been unbearable.

Our world is faced with many challenges: the quest for economic development, for human rights, for justice and for human dignity. But all these are predicated on the assumption of the continued existence of human life. The one question therefore that today precedes all others, in that without an answer to it answers to all other questions become pointless, is the question of disarmament. Preventing the annihilation of mankind consequent upon nuclear war is the pre-condition of all our endeavours.

This fundamental fact was recognized as early as 1978 when the international community, in adopting the Final Document of the Tenth Special Session of the General Assembly, the first devoted to disarmament, stated unequivocally that: 'We must halt the arms race and proceed to disarmament or face annihilation'.

Yet in the eight years that have intervened since, we have seen more, not less, expenditure on nuclear weapons; more, not less, nuclear weapons and other weapons of mass destruction; greater, not less, insecurity. Global military expenditures are now in the order of US\$1 trillion per year.

Indeed the statistics are as gloomy as they are familiar: global military outlays currently run at two million dollars per minute. For every 100 000 people in the world there are 556 soldiers, but only 85 doctors. For every soldier the average world military expenditure is US\$20 000 while for every school-age child the average public education expenditure is a paltry US\$380. Developed countries spend twenty times as much on military expenditures as they do on economic aid. *Only one-fifth of arms expenditure, in just one year, could wipe out the scourge of world hunger by the year 2000.* All these factors illustrate the central theme of our time — the conspicuous misuse and abuse of scarce resources in the midst of poverty, hunger and disease. Surely the time has come to call mankind back to sanity: to re-order his priorities in favour of life and development, as against death and destruction.

We welcome the joint statement by the two Superpowers that a nuclear

war cannot be won and therefore must never be fought. Consequently we urge them to follow through the logic of that reasoning by abolishing from the face of the earth the means for waging such a war. It is our conviction that an essential step in this direction would be the conclusion of a comprehensive test-ban treaty; prohibiting all nuclear-weapon tests by states in all environments, for all time.

Pending the conclusion of such a treaty, it is essential that there be a moratorium on all nuclear tests by all nuclear-weapon powers. In this regard the world lauds the unilateral moratorium by the Soviet Union which ran for a year from August 1985 to August 1986 and has recently been extended till January next year. We urge the Soviet side to continue its self-imposed restraint and call on all other nuclear-weapon states, in particular the United States which, together with the Soviet Union, accounts for the bulk of such tests, to join in the moratorium. It is also essential that all nuclear-weapon states enter into internationally binding agreements on a nuclear weapon freeze. In this connection we commend the efforts of the Six-Nation Five-Continent Initiative whose proposals on these and other disarmament issues are in line with the positions espoused by our Movement. In particular we call upon the nuclear-weapon powers to seriously consider the constructive proposals on verification presented by the Six.

Confidence-building measures in disarmament in and of themselves, however, will not lead to long-lasting peace and security unless they are accompanied by similar measures in international economic relations. The current state of the world economy, especially as it relates to prospects for development in non-aligned and other developing countries, is a cause for grave concern to us. The development crisis of the early 1980s is by all accounts far from over. If anything, it has escalated. Over a third of developing countries experienced zero or negative growth rates of real gross national product per head in 1985 and in many cases the situation shows no sign of improvement this year. Commodity markets, particularly those of primary commodities, of which developing countries are major exporters, remained depressed and unstable in 1985 as they were throughout most of the 1980s.

Between 1980 and 1985 the price of primary commodities produced by developing countries declined by an average of 7,4 per cent per annum, that is over double that of manufactured goods. This, coupled with a rise in protectionism in developed markets, a general worsening in the terms of trade of developing countries, high interest rates and a decline in the flows of Official Development Assistance in real terms to developing countries, has resulted in an unprecedented 'bleeding' of the developing countries.

The truth is that the economies of the developing South are subsidizing those of the developed North. As a result we have seen a deepening of the economic crisis. For example, the United Nations 1986 World Economic Survey estimates that the decline in commodity prices, including oil, has re-

sulted in substantial gains for the developed countries of over US\$100 billion. At the same time, the net interest paid in external debt servicing by developing countries amounted to US\$54 billion in 1985 and the net income outflow on foreign direct investment amounted to US\$13 billion during the same year. Meanwhile the transfers of resources from developed to developing countries continue to decline and amounted to only US\$13 billion in loans and credit facilities, US\$14 billion in Official Development Assistance and US\$9 billion in direct investment. Such heavy financial haemorrhage coupled with severe economic undernourishment has robbed many developing countries of the capacity to service their external debts.

The debt crisis, in particular the debt service burden it imposes on economies of the debtor countries concerned, has reached grotesque proportions. The World Bank estimates that the accumulated debt of the developing world has risen to US\$812,4 billion and that the debt service payments alone account for 61,2 per cent of the overall payments of debt. This is a cause for serious concern, not only for the debtor countries concerned, but also for all of humanity interested in the survival of the world economy. The debt crisis evokes the imagery of a voracious primordial beast, of gargantuan appetite, gobbling up all the export earnings of the developing countries. The monster must be neutralized before it devours not only our earnings, but our very independence of action and sovereignty over our natural resources and economic activities. We must develop co-ordinated plans, initiatives and schemes to tackle the problem. To do nothing is suicidal. To allow the monster to deal with us on a 'case by case basis' is a recipe for disaster.

The direct relationship existing between money, trade, debt, development and stability in the international monetary and financial system cannot be overemphasized. The persistent instability in the financial markets, the prevailing high interest rates and exchange rate misalignments militate against the expansion of the world economy. Sustained and equitable economic growth, beneficial to all, can only be possible in a world economic regime free from the imbalances, inequalities and inadequacies of the present international economic system. In the light of the current situation, the establishment of the New International Economic Order, based on justice, equity and sovereign equality, remains an absolute necessity of our time. The forces ranged against us may be many, but we should not be deterred. We should continue to vigorously pursue all options available with the view to creating a new and better world.

The revival of growth in the world economy demands that dialogue between the developed and developing countries be resumed without further delay. The current stalemate in global negotiations does not augur well for the future. In this context the forthcoming meeting of UNCTAD, therefore, provides an opportune moment for both the developing and developed countries to take joint action with a view to launching a programme for

world economic recovery and the reactivation of balanced and sustained growth and development.

Increased South-South co-operation and collective self-reliance, particularly in view of the present adverse world economic environment and the continuing deadlock in the negotiations for the restructuring of international economic relations, is an indispensable and integral part of our efforts to restructure the current unjust and inequitable world economic system.

Besides reducing the vulnerability of the developing countries' economies, such co-operation further enhances our collective bargaining strength in global negotiations. It is high time that we face up to the fact that so long as the impressively long list of areas of mutual assistance and co-operation in our Action Programme for Economic Co-operation remains largely a series of blueprints, so long will our partners in the developed North remain sceptical of our resolve to bring about changes in the present world economy. Let our solidarity and mutual assistance be truly action-oriented. We should resolve, here and now, to reaffirm our commitment to action-oriented solidarity, mutual co-operation and assistance among non-aligned and other developing nations. There is much we can do to help each other. We must do it. And the time is now.

It is only through the promotion of co-operative relations, not only among the developing countries, but also between the North and South that we can arrest and reverse the present retreat from multilateralism to unilateralism and bilateralism. In the world of today, interdependence is a fact of life, and hence the promotion of international co-operation and multilateralism should be the concern of every nation.

Forces opposed to the freedom of peoples continue to frustrate the realization of the rights of peoples still under colonial domination to self-determination and independence and violate the sovereignty and territorial integrity of non-aligned countries. One such evil force is the system of *apartheid* in South Africa: a system that denies our common humanity, assails our sense of human decency, violates all norms of morality and dehumanizes both its victims and its perpetrators. It is a system which the United Nations has rightly declared to be a crime against humanity. The *apartheid* regime kills defenceless demonstrators as a matter of routine; violently uproots and relegates millions of its black citizens to wretched dust bowls and tortures and murders those whom it holds in detention. It has incarcerated Nelson Mandela, that heroic and legendary symbol of the struggling masses of South Africa, for nearly a quarter of a century just because he dared to demand the freedom of his people. In addition, it holds thousands of its opponents in jail, without trial.

The defence of *apartheid* requires not only internal repression and genocide at home but constant aggression against neighbouring states. Pretoria follows a policy of State terrorism directed at the neighbouring independent

states. Against these states South Africa has devised an integrated and comprehensive regional policy of hegemony that combines the use of economic sanctions with the fomenting of political unrest in neighbouring countries through the agency of armed bandits, recruited, armed, financed and directed by it. Through these activities of State-sponsored terrorism the regime has truly become a threat, to both regional and international peace and security.

It is common knowledge that the regime has also extended its abhorrent system to Namibia which it has continued to subject to colonial bondage two decades after the United Nations had terminated its mandate over that territory. The plight of the people of illegally occupied Namibia differs little from that of the majority of the people of South Africa. They too are oppressed, brutalized and denied the most elementary human and other rights. Furthermore, the racist regime presides over the plunder of Namibia's natural resources by transnational corporations and uses the territory of Namibia as a springboard to commit aggression against its neighbours.

Much of this analysis of the nature and character of the *apartheid* regime is well known. What is needed now is action: action to eradicate the evil system of *apartheid*; action to resist Pretoria's aggression against the neighbouring independent states; and action to stop South Africa's illegal colonial occupation of Namibia. In this context, I welcome and commend for your consideration, adoption and implementation, the recommendations of the World Conference on Sanctions Against South Africa held in Paris from 16 to 20 June 1986, and those of the International Conference for the Immediate Independence of Namibia held in Vienna from 7 to 11 July this year. Both conferences endorsed the position long held by our Movement that comprehensive mandatory sanctions are the only effective peaceful means left to force South Africa to dismantle *apartheid*; stop its naked acts of aggression and terminate its illegal occupation of Namibia. I earnestly urge that pending the adoption of comprehensive mandatory sanctions under Chapter VII of the United Nations Charter by the Security Council, members of this Movement should agree to adopt and implement for a start the voluntary selective sanctions against South Africa outlined in the declarations adopted in Paris and Vienna.

We should continue to press the key industrial countries, in particular the Government of the United Kingdom, the Federal Republic of Germany, Japan and the present United States Administration, to agree to the imposition of comprehensive mandatory sanctions against South Africa. Our actions must be co-ordinated and concerted. In this context, we may wish to consider the sending of a team of foreign ministers from our Movement to visit capitals of key industrial countries to canvass for the adoption and implementation of mandatory sanctions. Secondly, we could further decide to designate a team of foreign ministers to represent the Movement at the forthcom-

ing Special United Nations General Assembly on Namibia in September this year. Finally, we should endeavour to increase the nature and amount of concrete material assistance we render to the liberation movements of South Africa and Namibia. In this regard support for the Frontline and other independent states in the region is critical so that they may become dependable bulwarks against *apartheid*.

Our Movement's commitment to justice, freedom and equality obliges us to fully support all struggles for these cherished values not only in Africa but also in the Middle East, Central America, Asia and the Mediterranean where people are struggling to free themselves from imperialism, external interference, intervention, hegemonism, destabilization and other forms of domination.

In relation to Africa, we are appalled that in Angola naked interference with the sovereignty of that country has, beginning with the demand for the withdrawal of the Cuban forces as a condition for Namibia's independence, proceeded to assume a more dangerous dimension, that of affording military assistance to the counter-revolutionary and reactionary forces of UNITA bent on overthrowing a legitimate Government; so that UNITA now enjoys the full support of both *apartheid* South Africa and the Reagan Administration. Perhaps an even more shocking event was the recent indiscriminating bomb-attack upon Tripoli. Surely, such international 'bullyism' serves only to exacerbate rather than ameliorate tense bilateral relations and constitutes a grave threat not only to regional but also to international peace and security.

In the Middle East, Israel's continued bellicose conduct poses a serious threat to international peace and security. We support the call for an urgent international conference on the Middle East at which all the parties involved in the dispute, including the PLO, would participate. There can be no lasting solution to the Middle East problem until the Palestinian question, which is the heart of the problem, is resolved and the occupied Palestinian and other Arab lands are returned to their rightful owners.

It is most disturbing that the largest number of international hotbeds of tensions today exist mainly on the soil of non-aligned countries. This sad state of affairs is primarily due to the intensification of bloc power politics and general interference in the internal affairs of small states. We are deeply saddened by the initiation and continuation of the war between the two sister-non-aligned countries, Iran and Iraq. Use or threat of use of force in the settlement of international disputes is contrary to the Charter of the United Nations and the principles of the Movement of Non-Alignment. We earnestly appeal to our brothers of Iran and Iraq to put an end to the carnage and to respect international humanitarian law. We urge them to see their way clear to a peaceful resolution of this cruel and tragic conflict.

The situation in Cyprus continues to threaten the sovereignty of that country and peace in the entire Mediterranean region. We call upon all external powers to cease forthwith all interference in the internal affairs of Cyprus and withdraw their troops from the island state so as to facilitate negotiations between the two Cypriot communities.

There will be neither peace nor security on the Korean Peninsula for as long as foreign intervention continues to perpetuate the idea of 'Two Koreas'. Foreign interference must stop so as to enable both the North and the South to engage in the intercommunal talks aimed at the peaceful reunification of that country. It is important that all foreign troops are withdrawn from the Peninsula immediately in order to set the stage for the process of peaceful reunification.

Tension in the Central American, the Caribbean and South Atlantic regions has persisted largely due to foreign intervention aimed at destabilizing and undermining progressive governments there. In Nicaragua we are witnessing the use of military force against the territorial integrity and political independence of that country, all because it has dared to choose a political and socio-economic system which is at variance with that of the dominant power in the region. The United States Government openly finances, trains, equips, deploys and directs *contras* against Nicaragua. The *contras* have inflicted indescribable human and material damage against the peace-loving people of that country. We call on the United States to promote international law by respecting and abiding by the recent decision of the International Court of Justice. We ask that Nicaragua be allowed to pursue its chosen course of socio-economic development. We are convinced that the Contradora Peace Process is a rational route to a comprehensive regional peace plan that will satisfy the concerns of all parties in the Central American conflict.

We would similarly urge that foreign intervention, especially as expressed through the presence of foreign forces, in such countries as Afghanistan and Kampuchea should be speedily terminated and the people of these lands left to determine their own destiny.

Your Excellencies, our Movement stands for very little if it does not stand for the freedom and self-determination of colonized and oppressed people. In New Caledonia, Saharawi, Mayotte and other territories, the peoples yearn for their freedom and they must be allowed to enjoy it. Colonialism is thoroughly discredited in our day and age. It should thus be rooted out of these lands so that their people might shape their own destiny in the same manner and to the same degree as other free people.

Distinguished Heads of Delegations, Honoured Delegates, Observers and Guests, once again, I welcome you to Zimbabwe. May your stay here be the most comfortable and happiest possible. May our deliberations be attended with the positive spirit that inspired Tito, Nehru, Nasser, Sukharno, Nkrumah and others to launch our Movement a quarter of a century ago today. We

cannot and should not fail them. The struggle continues.

Thank you.

Role of non-alignment

12. The Movement of Non-Aligned Countries was conceived in the context of the struggle against colonialism and the polarization of international relations resulting from military blocs, military alliances and the Cold War. It was the most logical answer to the felt need of all the newly independent countries of Africa, Asia, Latin America and the Caribbean and other parts of the world to safeguard and strengthen their national independence and promote their full sovereignty in the political and economic spheres. For the last quarter of a century, many obstacles notwithstanding, the Movement and policy of non-alignment have scored significant victories; they have been key elements in the promotion of and support for peace and peaceful coexistence, independence, disarmament, the accelerated economic development of developing countries and the struggle for a new world order based on equality, justice and peace. The Heads of State or Government expressed their satisfaction that throughout its existence, the Movement has proved its abiding appeal and continuing relevance and vitality.

13. The policy of non-alignment, based on its original principles and character, as set out and elaborated in successive Summit Conferences from Belgrade, Cairo, Algiers, Lusaka, Colombo, Havana and New Delhi, involves the struggle against imperialism, colonialism, neo-colonialism, hegemonism, foreign aggression, occupation and domination as well as against *apartheid*, racism, Zionism, and all forms of dependence, intervention, interference and pressure as well as against great power and bloc politics. The recent evolution of the international situation has amply testified to the efficacy of the policy of non-alignment, and its principles and objectives, as a non-bloc, independent global force in international relations, which rejects all forms of subjugation, overt or covert, and all pressures — political, economic, military, diplomatic and cultural.

14. As the foremost movement for peace in the world, the Movement of Non-Aligned Countries has consistently striven for the relaxation of tensions and the promotion of peace and peaceful coexistence. In this context, the Heads of State or Government committed the Movement to work for the halting and reversal of present dangerous trends in the international situation and the promotion of conditions conducive to co-operation and peaceful coexistence among states. They stressed the importance of working for the elimination of hotbeds of tension, aggression and conflict, the promotion of just and peaceful settlement of international disputes, and working for general and complete disarmament, the maintenance of peace based on justice, as well as the removal of all structures of domination, discrimination, exploitation and inequality. They called for the free expression of the authentic na-

tional traditions and cultures of peoples and for the establishment of a system of international relations based on the principle of respect for independence, sovereignty, territorial integrity, equality, justice and co-operation among all states.

15. The Heads of State or Government reiterated that non-intervention and non-interference in the internal and external affairs of states are fundamental principles of non-alignment that must be strictly adhered to. They reaffirmed that violation of these principles is unjustifiable and unacceptable under any circumstances, and asserted the right of all states to pursue their own political, social and economic development without intimidation, hindrance or pressure. They were dismayed to note that the security and independence of non-aligned countries were being increasingly threatened by colonialist policies, by great power and bloc rivalries, by imperialist policies of domination and by the quest for spheres of influence, as well as by the persisting unjust economic system, all of which had led to military, political and economic pressures and foreign interventions against non-aligned countries. They noted with concern that an increasing number of non-aligned countries are being subjected to all kinds of pressures aimed at weakening the unity of the Movement and diverting it from its quintessential principles and objectives. In this context, they appealed for greater unity, solidarity and co-ordinated action on the part of non-aligned countries to resist such pressures. They stressed the importance of strictly observing the principles and goals of non-alignment, especially in the present period of crisis in international relations.

16. The Heads of State or Government reaffirmed their unwavering support for the complete emancipation of the peoples of Africa, Asia, Latin America and other parts of the world, and stressed their total rejection of all attempts to distort the struggles of peoples for independence and human dignity by placing them in the context of East-West confrontation. Such erroneous attempts deny the struggling peoples their inalienable right to self-determination and impede the realization of their legitimate aspirations. In this regard, the Heads of State or Government recalled the criteria for membership of the Movement of Non-Aligned Countries as agreed upon at Belgrade in 1961 and renewed their commitment not to be parties to, nor take action leading to, great power confrontation and rivalry or the strengthening of existing military alliances and interlocking arrangements arising therefrom, particularly through participation in military arrangements or through the provision of military bases and facilities for great power military presence conceived in the context of great power conflicts, or between one of these powers and member countries of the Non-Aligned Movement.

17. The Heads of State or Government expressed their determination to make every effort to strengthen further the Movement's capacity for action and to develop concrete measures to enhance the influence and impact of its

decisions on international affairs. They emphasized that the effectiveness of the Non-Aligned Movement is directly related to the fidelity of its members to the principles and spirit of non-alignment as well as their consistency in opposing injustice, regardless of its source. Bearing this in mind, they reaffirmed their commitment to adhere scrupulously to the principles and spirit of the Movement.

18. The policy of the Non-Aligned Movement has been a positive and influential force in the evolution of international political and economic relations by expressing the need for peace, freedom, independence, equality, development and prosperity for all. The Heads of State or Government noted with satisfaction the increasing interest in the policy of non-alignment as an authentic factor in seeking solutions to the critical problems in international affairs. They welcomed the growing recognition among other countries of the need for co-operation based on the principles and objectives of non-alignment.

18 bis. The Heads of State or Government, reaffirming their faith in the purposes and principles of the Charter of the United Nations, stressed the necessity for strengthening further the important role played by the non-aligned countries within the United Nations.

Situation in Southern Africa

66. The Heads of State or Government were greatly perturbed by the continuing state of war in Southern Africa. They reaffirmed their view that *apartheid* is the root cause of conflict in the region which has already jeopardized the peace and security of the sub-continent, and which poses a grave threat to international peace and security. The perpetration of genocide at home and the practice of aggression and terrorism abroad are inherent in the system of *apartheid*. The Heads of State or Government therefore reiterated that there can be no peace, stability or security in Southern Africa until the obnoxious system is completely eradicated.

67. Rightly declared a crime against humanity and an affront to the universal conscience, *apartheid* emanates from the same racist and bellicose ideology which provoked the Second World War and caused immense destruction and bloodshed. Considering that *apartheid* constituted a threat not only to the peace and security of Southern Africa but also to international peace and security, the Heads of State or Government expressed their indignation and dismay that certain Western nations, themselves former victims of fascist aggression, continued to aid and abet *apartheid* economically, financially, politically, diplomatically and militarily.

68. The Heads of State or Government strongly condemned the Pretoria regime for conducting State terrorism against the Frontline and other neighbouring independent states. In particular, they condemned the recruiting,

training, financing, directing and infiltrating of bandits and mercenaries by the racist regime for the purpose of destabilizing neighbouring independent States and of overthrowing their governments.

69. The Heads of State or Government condemned the policy of 'constructive engagement' pursued by the Government of the United States of America which they saw as giving succour and comfort to the racist regime, thus emboldening it in its brazen acts of aggression against neighbouring independent states and encouraging it in its defiance of international public opinion. Noting that the increased acts of genocide against the defenceless majority of that country by the racist South African regime were also the result of the increased arrogance of the regime which is encouraged by the policy of 'constructive engagement', the Heads of State or Government welcomed the increasing rejection of that policy, in particular within the United States itself, and called upon the Government of that country to abandon its policy whose disastrous consequences for the region have become so manifest.

69 *bis*. The Heads of State or Government undertook to support the current Chairman of OAU in his efforts on behalf of the peoples of Southern Africa in accordance with the general mandate to speed up the liberation process in that sub-region given him by the Twenty-Second Summit of OAU. They declared their readiness to support these efforts and to participate in any initiative undertaken within the Framework of the Declaration on the Critical Situation in Southern Africa adopted by that Summit.

Destabilization

70. The Heads of State or Government expressed support for the communiqué issued by the Meeting of the Heads of State or Government of the Frontline States held in Harare, Zimbabwe, on 18 July 1986, at which South Africa's increasing acts of aggression against, and destabilization of the neighbouring independent states, as well as other developments affecting the explosive situation in the region, were considered, and a call for the immediate imposition of comprehensive mandatory sanctions against racist South Africa was made.

71. They strongly condemned Pretoria's policies and acts of State terrorism perpetrated against the Frontline and other neighbouring independent States. In this context, they agreed with the analysis of the World Conference on Sanctions against Racist South Africa held in Paris from 16 to 20 June 1986, that racist South Africa's numerous acts of aggression, subversion, destabilization and terrorism against independent African States, including deliberate massacres of refugees, causing enormous human and material damage, as well as against the ships, aircraft and nationals of other countries, its instigation and support for subversive groups engaged in terrorism in those states, and its defiance of United Nations resolutions calling for an immediate

cessation of such actions and the payment of compensation to the states concerned, constituted 'a clear illustration of the policies of State terrorism'. They therefore vehemently condemned the destabilization policies and acts of State terrorism pursued by the racist Pretoria regime against the Frontline and other neighbouring independent states, which endangered not only the peace and security of the region, but also international peace and security. In this context, they called on the international community to exert pressure upon the racist regime in Pretoria to make it stop forthwith its acts of state terrorism and destabilization against the neighbouring independent states.

72. The Heads of State or Government condemned the racist Pretoria regime for its continued military occupation of parts of the territory of the People's Republic of Angola and called for the immediate, complete and unconditional withdrawal of South African troops from the territory. They also condemned the racist Pretoria regime for its repeated acts of armed aggression against the People's Republic of Angola, including those perpetrated against the commercial port of Namib, and demanded immediate payment of full and adequate compensation to the Government of the People's Republic of Angola for the loss of life and damage to property resulting from these acts of aggression, in accordance with the relevant Security Council decisions and resolutions. They called upon all members of the Non-Aligned Movement and the international community to extend increased material support to the Government of the People's Republic of Angola in order to enable it to consolidate its national independence and safeguard its sovereignty and territorial integrity.

73. The Heads of State or Government reaffirmed their view that the occupation of southern Angola by the racist Pretoria regime was in large part facilitated by the policies pursued by the United States Administration in the region, especially its support for the UNITA armed criminal bandits and its policies of 'constructive engagement' and 'linkage'.

74. In this context, the Heads of State or Government recalled that the Conference of Ministers of Non-Aligned Countries held in Luanda from 4 to 8 September 1985 had condemned the repeal of the Clarke Amendment by the United States Congress, and endorsed the Summit Declaration of the Organization of African Unity on the involvement of the United States Administration in the internal affairs of the People's Republic of Angola, AHG/Decl.1(XXII), which, *inter alia*, states:

- (a) The 1986 public announcement by the United States Administration that the bandits in Angola would be supplied with United States-made 'Stinger missiles' and the subsequent delivery of these missiles is an affront and a challenge to the OAU and constitutes a contemptuous act of undeclared war by the United States Administration against the sovereign People's Republic of Angola.
- (b) The financial and military support that the present United States Admin-

istration is giving to the bandits in Angola constitutes a serious violation of the 1970 United Nations Declaration on friendly relations among States and also a violation of the principles contained in the Charter of the United Nations.

- (c) The deliberate and overt involvement of the United States Administration in the internal affairs of the People's Republic of Angola constitutes a hostile act against the Organization of African Unity.

75. The Heads of State or Government therefore firmly condemned the United States Government for its blatant disregard for the solemn calls of the Organization of African Unity and the Movement of Non-Aligned Countries and for its continued sponsorship of terrorism in Southern Africa by supplying material assistance to the UNITA criminal bandits who are in Pretoria's service to destabilize the People's Republic of Angola. In particular, they were indignant that the United States Government had granted an official welcome to the UNITA criminal bandit leader, Jonas Savimbi, and had supplied him with further aid, including Stinger missiles and other lethal weapons. These actions by the United States Administration constituted not only a gross and unwarranted interference in the national affairs of the People's Republic of Angola, in contravention of established principles of international law regarding acceptable conduct in the relations between states, but also an act of aggression against the Organization of African Unity and the entire Movement of Non-Aligned Countries. By its disregard for the calls of the Organization of African Unity and the Movement of Non-Aligned Countries, by its gross interference in the internal affairs of Angola and by its open collaboration with the racist Pretoria regime in maintaining *apartheid* at home and aiding bandits abroad, the United States Government has become an obstacle to be removed rather than a mediator and an honest broker in the negotiating process leading to the speedy implementation of United Nations Security Council Resolution 435 (1978).

76. The Heads of State or Government commended the Government of the People's Republic of Angola for its political will and diplomatic flexibility in the search for a peaceful and negotiated solution to the problems of Southern Africa, mainly through the submission to Mr Javier Perez de Cuéllar, Secretary-General of the United Nations, on 17 November 1984, of a platform for comprehensive negotiations. They welcomed and fully supported this initiative of the Angolan Government, which constitutes an equitable basis for the re-establishment of peace and international security in the region.

77. The Heads of State or Government commended the Government of the People's Republic of Angola for its efforts, in accordance with the Lusaka Communiqué of 16 February 1984 and the Platform for Global Negotiations contained in United Nations Security Council document S/16838 of 26 November 1984, aimed at the creation of an atmosphere of peaceful coexistence and understanding conducive to the search for a lasting and just peace in

Southern Africa. The political will manifested by the Government of the People's Republic of Angola and its diplomatic flexibility in the search for viable, equitable and durable solutions to the problems of Southern Africa stood in marked contrast to the pugnacity, duplicity and irresponsibility displayed by the racist Pretoria regime in its approach to the region's problems. The Heads of State or Government welcomed the constructive attitude of the Government of the People's Republic of Angola and strongly condemned the racist Pretoria regime for its intransigence and bad faith.

78. The Heads of State or Government expressed their deep concern over the acts of political, economic and military destabilization committed by the racist regime of South Africa against the People's Republic of Mozambique. In this regard, they reaffirmed their strong condemnation of the continued recruitment, training, arming, transportation and infiltration of armed bandits into Mozambican territory by South Africa to kill the defenceless population and cause massive destruction to the economic and social infrastructure in that country. They expressed their firm rejection of this policy of State terrorism, intimidation, blackmail, economic blockade and the systematic use of armed bandits which is contrary to the most elementary norms of international law.

79. The Heads of State or Government reaffirmed their total support for the people and government of Mozambique and for the preservation of that country's peace, independence and national sovereignty. They appealed to all members of the Non-Aligned Movement and the international community as a whole to render diplomatic, political, financial and material assistance to Mozambique in order to enable it to strengthen its defence capability and to pursue its national reconstruction.

80. The Heads of State or Government condemned South Africa for its continued destabilization activities including armed attacks against the Republic of Botswana and the Kingdom of Lesotho which constitute a violation of the sovereignty and territorial integrity of those countries. They demanded the immediate cessation of the acts of aggression committed against these countries and full compliance by the racist Pretoria regime with resolutions adopted by the United Nations Security Council on this matter, including full and adequate compensation for the damage to life and property caused by these acts of aggression.

81. They condemned in the strongest terms the recent attacks by the racist Pretoria regime against the Republics of Botswana, Zambia and Zimbabwe and warned that these dastardly acts of aggression constituted an attempt by the Pretoria regime to widen the conflict in Southern Africa and posed a serious threat to the peace and security of the region and also to international peace and security. They called the attention of the international community to this grave escalation of the conflict in Southern Africa and the increased arrogance of the racist Pretoria regime in defiance of international law and

civilized practice. The Heads of State or Government were convinced that in order to avoid a further escalation of the conflict, with disastrous consequences for the whole region and for international peace and security, it was necessary that the international community immediately impose comprehensive and mandatory sanctions against the racist Pretoria regime, and they urged the Security Council of the United Nations to proceed to adopt and impose such sanctions, under Chapter VII of the Charter of the United Nations, without delay.

82. The Heads of State or Government reaffirmed the right of the Frontline and other independent States neighbouring South Africa to give sanctuary to victims of *apartheid*, minority rule and foreign occupation in accordance with their international obligations and humanitarian principles. They appealed to all members of the Movement of the Non-Aligned Countries and the international community as a whole to give the Frontline and other independent states neighbouring South Africa diplomatic, political, financial and material assistance in order to enable them the better to meet these obligations and to strengthen their defence capabilities.

82 *bis*. In this context, they called upon member states of the Non-Aligned Movement to begin in earnest the stockpiling of relief materials for appropriate use in support of Frontline and other states in Southern Africa to assist them to withstand reprisals by racist South Africa as a consequence of the imposition of sanctions by the international community.

83. The Heads of State or Government expressed solidarity with the objectives underlying the creation of the Southern African Development Co-ordination Conference (SADCC) as an expression of the felt need of Frontline and other independent Southern African states to lessen their economic dependence on South Africa, and to achieve economic growth and collective self-reliance, and as the primary vehicle for the achievement of those objectives. They reiterated their support for these objectives of SADCC and welcomed the important steps the body has taken in the last six years in initiating programmes in key economic sectors aimed at ensuring economic growth, achieving collective self-reliance and reducing the economic dependence of the concerned countries on South Africa, whose economic and military power is systematically used to destabilize its independent neighbours and cripple their national development efforts.

Namibia

84. The Heads of State or Government strongly condemned the racist South African regime for its continued illegal, colonial and brutal occupation of Namibia in flagrant violation of the resolutions of the United Nations Security Council, the United Nations General Assembly, the Organization of African Unity, the Non-Aligned Movement and other international forums. They declared that the continued illegal occupation of Namibia is an act of

aggression against the Namibian people in defiance of numerous United Nations resolutions, in particular United Nations General Assembly Resolution 3314 (XX) of 14 November 1974.

85. They emphasized the legitimacy of the Namibian people's struggle for self-determination by all available means, including armed struggle, and reaffirmed their abiding support for the just and heroic struggle of the people of Namibia under its sole, authentic and legitimate representative, the South-West Africa People's Organization (SWAPO). In this connection, they commended SWAPO for the outstanding manner in which it has led the Namibian people since its founding, the constructive manner in which it has responded to diplomatic initiatives, and the co-operation it has shown the United Nations in the search for a just, peaceful and negotiated resolution of the Namibian question. This positive attitude stands in marked contrast to the intransigence, duplicity and bad faith displayed by the racist Pretoria regime.

86. The Heads of State or Government expressed support for the efforts of the Secretary-General of the United Nations regarding the settlement of the Namibian question and urged him to commence implementation of United Nations Security Council Resolution 435 (1978) without delay.

87. They condemned the activities of foreign economic interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples with regard to Namibia, and stressed the incompatibility of these activities with the relevant resolutions of the United Nations, the advisory opinion of the International Court of Justice of 1971 and Decree No. 1 of the United Nations Council for Namibia adopted in 1974 for the protection of the natural resources of Namibia.

88. The Heads of State or Government urged all states to refrain from rendering any type of assistance to South Africa that might encourage it to continue pursuing its policy of state terrorism and systematic acts of aggression and destabilization against the neighbouring independent countries and prolonging its illegal occupation of Namibia. In particular, they requested all states to cease forthwith all political, economic, diplomatic, military, nuclear, cultural, sporting and other relations with the racist Pretoria regime, in conformity with Security Council Resolution 283 (1977), so as to hasten the termination of its illegal and colonial occupation of Namibia.

89. They also strongly condemned racist South Africa for its massive militarization of Namibia and its arrogant use of that territory as a springboard for committing acts of state terrorism, including subversion, aggression and destabilization against neighbouring independent states, particularly Angola.

90. The Heads of State or Government reiterated that the right of the Namibian people to independence must not be made hostage to East-West confrontation and categorically rejected all machinations aimed at diverting

attention from the central issue which is the realization of the Namibian people's aspirations to self-determination, freedom and national independence.

91. They endorsed the Declaration and Programme of Action adopted by the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries on Namibia, held in New Delhi, India, from 19 to 21 April 1985.

92. They welcomed the Vienna Final Document adopted by the Extraordinary Plenary Meeting of the United Nations Council for Namibia in June 1985, which they fully supported, and reaffirmed their firm support for the United Nations Council for Namibia in its role as the Legal Administering Authority of Namibia until its independence.

93. The Heads of State or Government demanded once again that all Namibian political prisoners held in racist prisons be released immediately and unconditionally and that captured freedom-fighters be accorded prisoner-of-war status in accordance with the Geneva Convention and Article 44 of its Additional Protocol.

94. In view of the intransigence of the racist South African regime regarding the implementation of the United Nations plan for Namibian independence, and recalling the urgent appeal by the forty-first session of the Co-ordinating Committee for the Liberation of Africa in February 1984 for increased material assistance to the national liberation movements, the Heads of State or Government appealed to the international community to render increased political, diplomatic, military, financial and material support to the legitimate and heroic armed struggle waged by the Namibian people under the leadership of SWAPO, their sole, authentic and legitimate representative.

95. They also called upon member states, especially those which have not yet done so, to contribute to the Solidarity Fund for Namibia in order to enhance SWAPO's capability to wage the national liberation struggle.

96. On the occasion of the twentieth anniversary of the launching of the armed struggle by SWAPO, the Heads of State or Government commended SWAPO and in particular its military wing, the People's Liberation Army of Namibia (PLAN), for successes scored in the battlefield against racist South Africa and its occupationist troops in Namibia.

96 *bis*. The Heads of State or Government, in acknowledging the efficacy of SWAPO's directive which declared 1986: Year of General Mobilization and Decisive Action for Final Victory, welcomed the stepped-up mobilization of the Namibian people and further intensification of the armed struggle as evidenced by the recent mass rallies, demonstrations and strikes, and the successful shooting down of racist South Africa's warplanes, helicopter gunships and armed attacks on its military bases in Namibia.

97. The Heads of State or Government welcomed the convening of the Second Brussels International Conference on Namibia by non-governmental or-

ganizations from 5 to 7 May 1986. They expressed their satisfaction that the Conference constituted a useful vehicle for sensitizing international opinion, particularly in the western countries, on the issues concerning the continued racist South African occupation of Namibia.

98. The Heads of State or Government welcomed the convening in Vienna of an International Conference for the Immediate Independence of Namibia from 7 to 11 July 1986. They expressed their total support for the Declaration and Programme of Action adopted by the Conference. In particular, the Heads of State or Government noted with appreciation that the Conference urged all states to refrain from rendering any type of assistance to South Africa that might encourage it to continue its policy of state terrorism and systematic acts of aggression and destabilization against the neighbouring independent countries, called on the Security Council to immediately adopt and impose comprehensive mandatory sanctions, under Chapter VII of the Charter, against South Africa, and appealed to the United States of America and the United Kingdom, permanent members of the Security Council, which have thus far prevented the Council from acting effectively, to reconsider their positions in the light of the grave situation in Southern Africa and the accumulated evidence of the past 20 years, which irrefutably points to comprehensive mandatory sanctions as the most effective peaceful means of forcing South Africa to terminate its illegal occupation in Namibia.

99. The Heads of State or Government welcomed the appeal made by the Eminent Persons at the Conference for the Immediate Independence of Namibia for comprehensive sanctions against racist South Africa and for assistance to the Frontline States and, in particular, agreed with the analysis of the Eminent Persons that those who refuse to impose comprehensive economic sanctions against racist South Africa become a party to that country's defiance of the United Nations, as well as to its suppression and repression in Namibia, and utter disregard for basic human rights.

100. The Heads of State or Government reaffirmed the inalienable right of the Namibian people to self-determination and independence within an untruncated territory, including Walvis Bay, the Penguin Islands and all adjacent offshore islands in accordance with the relevant United Nations resolutions. In this regard, they urged the Security Council in conformity with the request made by the International Conference for the Immediate Independence of Namibia, held in Vienna from 7 to 11 July 1986, to solemnly reiterate that Walvis Bay and the offshore islands are an integral part of Namibia and should not be the subject of negotiation between South Africa and an independent Namibia.

101. The Heads of State or Government strongly condemned the racist South African regime for its intransigence which is the major obstacle to the implementation of the United Nations plan for Namibian independence in accordance with Security Council Resolution 435 (1978). They were indig-

nant that the racist regime's proposal of 1 August 1986, for beginning the implementation of the settlement plan, was only a propaganda gimmick since it was linked to the extraneous issue of the withdrawal of the Cuban internationalist forces from the People's Republic of Angola, which they totally rejected as being incompatible with Security Council Resolution 435. They firmly condemned any such obstructionist tactics aimed at prolonging its illegal and colonial occupation of Namibia, and reaffirmed their total support for and commitment to the United Nations plan. In this context, the Heads of State or Government endorsed the call, by the recent International Conference for the Immediate Independence of Namibia, on all states 'to oppose resolutely, in every available forum, the universally and categorically rejected persistent attempt by the United States Administration and racist South Africa to link the implementation of the United Nations plan with irrelevant and extraneous issues, such as the presence of Cuban troops in Angola'.

102. The Heads of State or Government strongly condemned the racist Pretoria regime for the installation in Namibia of a so-called interim government in violation of Security Council Resolution 435 (1978) and reiterated their unqualified support for United Nations Security Council Resolution 566 of 1985 which declared that action to be not only illegal, but also null and void. They urged all states not to accord any form of recognition to the illegal act by the racist South African regime or to any representative or organ of the puppet regime it purports to have established. They endorsed the call by the International Conference for the Immediate Independence of Namibia demanding the immediate closure of the so-called Namibian Information Offices which the racist regime has established in the capitals of certain Western countries to legitimize its puppet institutions in Namibia.

103. The Heads of State or Government also welcomed the decision to convene a special session of the General Assembly on Namibia in 1986 during the first week of the forty-first regular session of the General Assembly. They decided to delegate certain Foreign Ministers of member states of the Movement of Non-Aligned Countries to participate in the debate of the special session in order to ensure its success. In this regard, they urged all states, in particular the Western states, to contribute to the success of the special session by refraining from introducing extraneous issues that would impede the implementation of United Nations Security Council Resolution 435 (1978) on Namibian independence.

They also noted the significant contribution which the report of the Eminent Persons Group, set up by the Commonwealth Heads of State or Government at their meeting in Nassau in October 1985, has made in stimulating a world-wide, informed discussion on the intolerable situation in South Africa.

South Africa

104. The Heads of State or Government were greatly perturbed by the rapidly worsening situation inside South Africa which was now claiming a daily toll of innocent lives reaching genocidal proportions. With regard to this, they were outraged by the racist Pretoria regime's continued intransigence in the face of international calls for a negotiated resolution of the scourge of *apartheid*, and noted that the duplicity, bad faith and arrogance of the racist regime had brought South Africa to the brink of a racial conflagration which now threatened to engulf the entire subregion.

105. The Heads of State or Government strongly condemned the racist South African regime for its obnoxious policy and practice of *apartheid* which is the root cause of all violence and instability in Southern Africa. They further condemned the racist Pretoria regime for the policy of bantustanization which serves to perpetuate the colonial situation existing in South Africa.

106. Only the complete elimination of the abominable and criminal system of *apartheid* and the establishment of a non-racial democratic society in a unitary South Africa can constitute a sound basis for a just, lasting and universally acceptable solution to the problem. The Heads of State or Government therefore called on the international community to take concrete and substantive steps to compel the racist South African regime to abandon forthwith its reprehensible policy of *apartheid*.

107. The Heads of State or Government reiterated their call for the immediate and unconditional release of all political prisoners and detainees, including Nelson Mandela and Zephania Mothopeng, the lifting of the ban on the African National Congress of South Africa (ANC), the Pan-Africanist Congress of Azania (PAC) and all other political parties, the repeal of the Internal Security Act and all other draconian measures, the removal of the racist troops from townships and the unimpeded return of all political exiles and freedom fighters, in order to establish a climate conducive to a meaningful dialogue between the regime and the authentic leaders of the oppressed people, and call for negotiations with the genuine representatives of the oppressed people for the purpose of establishing a democratic basis for the governance of the country.

108. The Heads of State or Government reaffirmed their solidarity with and support for the oppressed people of South Africa in their legitimate struggle for self-determination, freedom and justice. They strongly condemned the racist Pretoria regime for the acts of oppression, repression and discrimination it perpetrates against the vast majority of the population and the arbitrary arrests, imprisonment and detention to which it subjects those who oppose its abhorrent and indefensible *apartheid* policies and practices.

109. Convinced that *apartheid* cannot be reformed but must be totally eliminated and replaced by a non-racial democratic society based on a universal

franchise, the Heads of State or Government categorically rejected manoeuvres by the racist Pretoria regime, such as the so-called 'Natal Option', aimed at hoodwinking the international community and derailing the liberation struggle in order to prolong the oppression of the voteless majority.

110. They welcomed the intensification of the armed struggle by the heroic people of South Africa and urged all states to go beyond mere expressions of support and render effective assistance to the liberation movements recognized by the Organization of African Unity. In this regard, they appealed for greater moral, political and material support to be given to the ANC and the PAC for their legitimate struggle and for the intensification of the political mobilization of the masses within the country.

111. The Heads of State or Government asserted that the growing militarization of the racist South African regime, especially in the nuclear field, would not have occurred without the connivance and tacit support of certain western states and Israel. They were outraged that some of these states have violated the arms embargo imposed against the racist South African regime by the United Nations Security Council, the primary organ for the maintenance of international peace and security, of which they are permanent members. They were further outraged that these same states gave the racist regime a nuclear capability in violation of Paragraph 12 of the Declaration of the Final Document of the First Special Session of the General Assembly devoted to Disarmament (1978) which warned of the danger of nuclear armaments in the hands of racist regimes and, furthermore, that these states are frustrating the efforts of the United Nations Disarmament Commission in fulfilling its mandate of making recommendations to the United Nations General Assembly on how to combat the nuclear capability of the racist South African regime. They emphasized that these actions reinforced the racist regime's arrogance and intransigence, impeded the advent of freedom for the tormented and oppressed people of South Africa, and increased the threat to the peace and security of the region and of the whole world posed by the Pretoria regime.

112. They therefore vehemently condemned the continued military and nuclear collaboration between the racist South African regime and certain NATO member states and Israel and called upon all states and international organizations to stop such collaboration with the criminal and repugnant *apartheid* regime. They called on the principal trading partners of South Africa — Western Europe, the United States and Japan — not to hinder the struggle of the oppressed people of South Africa for freedom, and to assist in bringing about genuine change and democracy to South Africa.

113. The Heads of State or Government strongly condemned the increasing co-operation between the racist regimes of South Africa and Israel. They noted the similarity of repressive measures such as the policy of the iron fist and hot pursuit practised by both regimes, against the peoples of South

Africa, Namibia, Palestine, southern Lebanon and the Arab lands occupied by Israel. The Heads of State or Government called upon all states to refrain from co-operation with the regimes of Pretoria and Tel Aviv in the nuclear field, since such co-operation constitute a threat to international peace and security. They also recalled the resolutions adopted by the fortieth session of the United Nations General Assembly which reaffirmed its condemnation of the continuing nuclear collaboration between Israel and South Africa and expressed its awareness of the grave consequences for international peace and security of Isreal's collaboration with South Africa in the development of nuclear weapons and their delivery systems.

114. Noting that in spite of the increased brutality of the racist Pretoria regime and the intensification of its reign of terror, the heroic freedom-fighters of South Africa have remained steadfast in their struggle for freedom and justice in their country, the Heads of State or Government hailed the courage and fortitude of the South African people and expressed support for the intensification of the campaign through mass united action for the complete elimination of *apartheid* by rendering it unworkable and making South Africa ungovernable.

115. The Heads of State or Government fully supported the countrywide consumer boycott carried out by the oppressed people of South Africa as a weapon in their campaign for the withdrawal of racist troops from the townships, and welcomed the stand taken by the people of South Africa in calling for comprehensive and mandatory sanctions against the racist Pretoria regime.

116. The Heads of State or Government welcomed the growing sentiment and movement against *apartheid* in Western Europe, North America and the South Pacific, and noted with satisfaction the imposition of selective sanctions against South Africa by several governments in these regions.

117. The Heads of State or Government welcomed the holding in Paris, France, from 16 to 20 June 1986, of the World Conference on Sanctions Against Racist South Africa and supported the view of the Conference that governments and peoples of the world held that comprehensive mandatory sanctions are the most appropriate and effective peaceful means available to the international community for the elimination of *apartheid*, the liberation of Namibia and the maintenance of peace in Southern Africa, and the proposal for a comprehensive programme of action in which mandatory sanctions against South Africa, under Chapter VII of the Charter, must be the central element and which should also include additional actions by governments and the public to isolate the racist regime, and the rendering of all appropriate assistance to those striving for freedom and peace in Southern Africa.

118. The Heads of State or Government recalled that in 1981, the International Conference on Sanctions against South Africa had made a series of recommendations for international action to avert the growing menace to

peace in Southern Africa posed by the racist Pretoria regime, but that since then the United Nations Security Council had been prevented from taking the requisite mandatory action recommended by the negative votes of the United Kingdom and the United States of America.

They now demanded that the United Kingdom and the United States desist from collaborating with the racist Pretoria regime by impeding the Security Council from fulfilling its role as the primary organ for the maintenance of international peace and security through the abuse of their veto power against the wishes of the overwhelming majority of states and the world's peoples.

118 *bis*. The Heads of State or Government decided to mandate the following foreign ministers of the Non-Aligned Movement to visit the key industrial countries, in particular the United Kingdom, the Federal Republic of Germany, Japan and the United States of America, to press them to agree to the imposition of comprehensive mandatory sanctions against South Africa.

118 *ter*. In this connection, the Heads of State or Government noted with satisfaction that at the London Summit of Commonwealth Leaders from seven countries held in August 1986, six countries, including three from the Movement of Non-Aligned Countries, agreed to impose or have already imposed a number of economic measures against South Africa.

118 *quater*. The Heads of State or Government expressed their satisfaction at the recently concluded International Convention Against Apartheid in Sports and commended the United Nations *ad hoc* Committee on the Drafting of an International Convention Against Apartheid in Sports for their efforts in this regard. They urged the member states of the Movement of Non-Aligned Countries which have not yet done so to sign and ratify the International Convention as soon as possible so as to bring it into force as early as possible.

Mayotte

124. The Heads of State or Government reaffirmed that the Comorian Island of Mayotte, which is still under French occupation, is an integral part of the sovereign territory of the Islamic Federal Republic of Comoros. They regretted that the French Government, despite its repeated promises, had thus far not taken a single step or initiative that could lead to an acceptable solution to the problem of the Comorian Island of Mayotte.

124 *bis*. They took note of the resumption of dialogue with the French authorities aimed at inducing France promptly to restore the Comorian Island of Mayotte to the Islamic Federal Republic of Comoros in accordance with OAU Resolution CM/PLEN/RES 1(XLIV).

124 *ter*. The Heads of State or Government expressed their active solidarity with the people of the Comoros in their legitimate efforts to recover the Comorian Island of Mayotte and preserve the independence, unity and territorial integrity of the Comoros.

134 *quater*. They called on the Government of France to respect the just claim of the Islamic Federal Republic of the Comoros to the Comorian Island of Mayotte, in accordance with its undertaking given on the eve of the rest of the archipelago's independence, and they categorically rejected any new form of consultation which might be held by France in the Comorian territory of Mayotte concerning the international juridical status of the island, as the self-determination referendum held on 22 December 1974 remains the only valid consultation applicable to the entire archipelago.

Malagasy Islands

125. Regarding the Malagasy Islands—Glorieuses, Juan de Nova, Europa and Bassas da India—the Heads of State or Government reaffirmed the vital need to preserve the unity and territorial integrity of the Democratic Republic of Madagascar. In this connection, they strongly urged all the parties concerned to begin negotiations without delay in accordance with the pertinent resolutions and decisions of the United Nations, the Movement of the Non-Aligned Countries and the Organization of African Unity, in particular United Nations General Assembly Resolution 34/91 and Resolution 784 of the thirty-fifth Ministerial Conference of the Organization of African Unity.

Mauritian sovereignty over the Chagos Archipelago, including Diego Garcia

126. The Heads of State or Government fully supported Mauritian sovereignty over the Chagos Archipelago, including Diego Garcia, which was detached from the territory of Mauritius by the former colonial power in 1965 in violation of United Nations General Assembly Resolutions 1514 (XV) and 2066 (XX). The establishment and strengthening of the military base at Diego Garcia has endangered the sovereignty, territorial integrity and peaceful development of Mauritius and other states. They called for the early return of Diego Garcia to Mauritius.

Indian Ocean as a zone of peace

176. The Heads of State or Government reaffirmed the determination of the non-aligned states to continue their efforts to achieve the goals contained in the Declaration of the Indian Ocean as a Zone of Peace and as considered at the Meeting of the Littoral and Hinterland States of the Indian Ocean in July 1979, as well as at the subsequent meetings of the *ad hoc* Committee on the Indian Ocean. They reiterated their conviction that the presence in the Indian Ocean area of any manifestation of great power military presence, foreign bases, military installations, logistical supply facilities, nuclear weapons and weapons of mass destruction conceived in the context of great power rivalries constitutes a flagrant violation of the Declaration of the Indian Ocean as a Zone of Peace.

177. The Heads of State or Government viewed with alarm and great concern the continuous escalation of great power military presence in the Indian Ocean area, including the expansion and upgrading of existing bases and the search for new base facilities, and the establishment of the new military command structures of the great powers against the express wishes of the littoral and hinterland states of the Indian Ocean and other non-aligned countries. They emphasized that these activities endangered the independence, sovereignty, territorial integrity and peaceful development of the states in the region.

178. The Heads of State or Government expressed their full support for the Declaration of the Indian Ocean as a Zone of Peace adopted by the United Nations General Assembly in Resolution 2832 (XXVI) of 16 December 1971, and urged its early implementation. They also noted that, notwithstanding the efforts of the non-aligned states, the convening of the Conference on the Indian Ocean at Colombo, Sri Lanka, had been inordinately delayed because of the obstructionist attitude adopted by some states. They urged the United Nations *ad hoc* Committee to complete its preparation for the Conference strictly in accordance with its mandate.

179. The Heads of State or Government resolved to continue their endeavours to ensure that the Conference on the Indian Ocean would be held at Colombo at the earliest possible date, but not later than 1988. In this context, they called for full and active participation in the Conference by all the permanent members of the Security Council and the major maritime users, as well as co-operation by those states with the littoral and hinterland states, which was essential for the success of the Conference.

Antarctica

180. Recalling the relevant provisions of the Declaration of the Seventh Conference of Heads of State or Government of Non-Aligned Countries, the Heads of State or Government noted the increasing international interest in Antarctica, as indicated by the deliberations which took place during the subsequent sessions of the General Assembly and the meetings of the Movement of Non-Aligned countries and the Organization of African Unity. In this context, the Heads of State or Government reaffirmed their conviction that, in the interest of humanity as a whole, Antarctica should be used forever exclusively for peaceful purposes, should not become the scene or object of international discord and should be accessible to all nations.

181. The Heads of State or Government noted the various resolutions adopted by the United Nations General Assembly and expressed the hope that the updated and expanded study of the Secretary-General called for by General Assembly Resolution 40/156 would contribute towards a more comprehensive examination of this question at the forty-first session of the United Nations General Assembly with a view to appropriate action, taking

into account the concerns of members of the Movement. The Heads of State or Government stressed that the interest of the international community in the continent can be enhanced by having the United Nations fully involved in all decisions concerning Antarctica and in this regard, they urged the United Nations to remain seized of the question.

182. The Heads of State or Government affirmed their conviction that any exploitation of the resources of Antarctica should ensure the maintenance of international peace and security in Antarctica and the protection of its environment, and should be for the benefit of all humanity. In this context, they also affirmed that all member states of the United Nations have a valid interest in such exploitation.

183. The Heads of State or Government noted with regret that the racist *apartheid* regime of South Africa is a Consultative Party to the Antarctica Treaty, and in the light of United Nations General Assembly Resolution 40/156C urged the Consultative Parties to exclude that regime from participation in their meeting forthwith.

184. The Heads of State or Government called upon all states to resume cooperation with the purpose of coming to an understanding on all aspects concerning Antarctica within the framework of the United Nations General Assembly.

International terrorism

252. The Heads of State or Government were deeply perturbed by the world-wide escalation of acts of terrorism, including state terrorism, in all its forms, which endanger or take innocent human lives, jeopardize fundamental freedoms and have an increasingly deleterious effect on international relations and may endanger the very territorial integrity and security of states. They condemned all terrorist activities, whether committed by individuals, groups or states, and resolved to counter them by every legal means possible. They called upon all states to fulfil their obligations under international law to refrain from organizing, instigating, assisting or participating in terrorist acts in other states or acquiescing in activities within their territories towards the commission of such acts.

253. The Heads of State or Government however emphasized that the legitimate struggle of peoples under colonial and racist regimes and all forms of foreign domination and occupation, and of their national liberation movements, against their oppressors, and in particular that of the peoples of South Africa, Namibia and Palestine, for self-determination and independence in accordance with the purposes and principles of the Charter of the United Nations and the principles of non-alignment, can in no way be considered or equated with terrorism.

254. Mercenarism or the activities of soldiers of fortune are a key element of international terrorism, and thus constitute an international crime. In the

light of the harmful effects which the activities of mercenaries have had on a number of non-aligned member states, particularly African countries, and which have prejudiced the peace, sovereignty and stability of such countries, the Heads of State or Government condemned unreservedly the recent intended mercenary attack on Ghana.

255. They recalled in this regard the various resolutions of the Organization of African Unity, as well as the United Nations draft on an international convention against the recruitment, use, financing and training of mercenaries, and reminded all member states of the international community, particularly Western countries, to fulfil their obligations under the various international conventions by forbidding the recruitment, use, financing, training, transit and directing of mercenaries and by severely punishing them when apprehended.

New International Information and Communication Order

262. The Heads of State or Government reaffirmed the need further to intensify co-operation among non-aligned and other developing countries in the field of information and the mass media so as to establish the New International Information and Communication Order on the basis of the free and balanced flow of information and speedily to remove disparities in communication capabilities which in the era of rapid technological advances create new imbalances and place new and complex obstacles to democratization of the global information and communication process. They noted with satisfaction the progress achieved in this field, and in particular the significant contribution made by the Non-Aligned News Agencies Pool established among non-aligned countries towards the decolonization of information and towards countering tendentious reporting and mass media campaigns against non-aligned countries and national liberation movements.

263. The Heads of State or Government recognized the importance of the Non-Aligned News Agencies Pool and their outstanding role in the struggle for the decolonization of information and the establishment of the New International Information and Communication Order, as a means of exchange and co-operation among non-aligned countries.

264. The Heads of State or Government took note with satisfaction of the results of the Fourth Conference of the Non-Aligned News Agencies Pool, held in Havana from 17 to 22 March 1986, and endorsed its resolutions and the Havana Programme of Action.

265. The Heads of State or Government welcomed the decisions of the Conference of Ministers of Information of Non-Aligned Countries, held in Jakarta from 26 to 30 January 1984, on the development of co-operation among non-aligned countries in the field of information and in furnishing a broad basis for future activities. They noted with satisfaction the finalization at the

Jakarta meeting of the constitution and criteria of the Intergovernmental Council called for by the Seventh Summit Conference.

266. The Heads of State of Government expressed satisfaction at the activities of the Intergovernmental Council in the implementation of the decisions of the General Conference of Ministers of Information of Non-Aligned Countries. In this context, they took particular note of the Ministerial Meeting of the Intergovernmental Council, held in Dakar from 9 to 15 January 1986, which undertook a review and appraisal of the implementation of the Programme of Action adopted by the Jakarta Conference, including its recommendations on the non-aligned countries.

266 bis. The Heads of State or Government of non-aligned countries noted with satisfaction the COMINAC's decision adopted in Jakarta in 1984 that the next General Conference of Ministers of Information of the Non-Aligned Countries is to be held in Harare in 1987 and invite the governments of the non-aligned countries to contribute actively to the success of the Conference whose task is to identify future strategies for the development of co-operation in all information-related activities.

267. The Heads of State or Government affirmed the important contribution of the Non-Aligned News Agencies Pool to the flow of information among non-aligned countries and called for further efforts to accelerate its process. They also expressed support for the Pool's new project of economic information (ECOPOOL) which corresponds to the non-aligned countries' need for the exchange of economic, trade and financial information.

268. The Heads of State or Government stressed the need to give fresh impetus to the activities of the broadcasting organizations of non-aligned countries and underlined the importance of furthering co-operation and programme exchanges among the electronic media organizations in non-aligned countries.

269. The Heads of State or Government noted with satisfaction that the reduction of telecommunication tariffs envisaged as the Seventh Summit Conference in New Delhi had been effected by a number of countries; they urged all non-aligned countries to give effect to this significant decision in order to enable information to flow more freely between the non-aligned countries.

269 bis. The Heads of State or Government consider it highly useful and necessary for non-aligned countries through existing institutions like PANA, BONAC and IGC to secure effective exchange of information among themselves on developments in technology affecting information and communication and to work out means of sharing know-how and expertise in information and communication-related technologies in the spirit of actual assistance and self-reliance.

270. The Heads of State or Government congratulated the Pan African News Agency (PANA) for its invaluable contribution to the struggle against

misinformation and in favour of the decolonization and restructuring of information, with the objective of establishing the New International Information and Communication Order, based on peaceful and just relations, and encouraged PANA to continue working in this direction.

270 *bis*. The Heads of State or Government took note with satisfaction of the results of the Meeting of Ministers of Information of the Organization of African Unity held in Cairo in November 1985.

271. The Heads of State or Government also noted with satisfaction the fruitful development of co-operation between the Movement of Non-Aligned Countries and UNESCO, particularly in the spheres of information, education, science and culture, and congratulated UNESCO for its *systematic activities and efforts undertaken in favour of the establishment of the New International Information and Communication Order.*

272. The Heads of State or Government expressed appreciation for the co-operation extended by UNESCO to non-aligned countries, particularly with respect to the studies on information and communication problems, including those relating to the attainment of a much more balanced flow of information between the developing and developed countries. The Heads of State or Government noted with deep concern the recent moves by certain countries to weaken UNESCO. They urged all States to take all the necessary steps in order to strengthen the role of UNESCO.

273. The Heads of State or Government agreed on the need to strengthen co-ordination within the United Nations system with a view to applying the principles of the New International Information and Communication Order and agreed to support the Department of Public Information so that it could increase printed and audio-visual information, enhance public awareness of the issues of interest to non-aligned countries and ensure more coherent coverage and better knowledge in areas which have priority, such as international peace and security, disarmament, peace-keeping and peace-making operations, decolonization, Palestine, Namibia, the promotion of human rights, *the right of peoples to self-determination, apartheid and racial discrimination, economic and social development issues, the integration of women in the struggle for peace and development, the establishment of the New International Economic Order and the New International Information and Communication Order.* They commended with deep appreciation the positive role played by the United Nations and UNESCO in assuring co-operation among the non-aligned countries in this sphere.

274. The Heads of State or Government condemned the use of radio as an instrument of hostile propaganda by one state against another, be it a member of the Non-aligned Movement or not, because it is an act that is contrary to the fundamental principles of the Movement and the New International Information and Communication Order, and because it violates international

rules and standards in the field of radio broadcasting as provided for by the Charter of the United Nations and international law.

275. They also demanded the immediate cessation of all hostile broadcasting aimed at non-aligned countries.

276. The Heads of State or Government renewed the call to members of the Movement to forward complete sets of authenticated documents of all future non-aligned meetings held in their respective countries to the Non-Aligned Documentation Centre in Colombo as the repository of documents relating to the Conference and Meetings of the Non-Aligned Movement.

276 *bis*. The Heads of State or Government urged that there should be continuous and regular interaction and exchange of experience among the media and training personnel of the non-aligned countries.

Text supplied by the South African Dept. of Foreign Affairs, Pretoria.

South Africa and the United States

1. Draft Bill introduced in and passed by the House of Representatives of the United States Congress 18 June 1986. H. R. 4868 (Anti-Apartheid Act of 1986)

AN ACT

To prohibit loans to, other investments in, and certain other activities with respect to South Africa, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROHIBITION ON INVESTMENTS IN SOUTH AFRICA.

No United States person may, directly or through another person, make or hold any investment in South Africa.

SEC. 2. PROHIBITION ON IMPORTS AND EXPORTS FROM SOUTH AFRICA.

(a) Imports. — Notwithstanding any other provision of law, no article which is the growth, produce, or manufacture of South Africa may be imported into the United States, except for those strategic minerals of which the President certifies to the Congress that the quantities essential for military uses exceed reasonably secure domestic supplies and for which substitutes are not available.

(b) Exports. —

(1) General rule. — No goods, technology, or other information subject to the jurisdiction of the United States may be exported to South Africa, and no goods, technology, or other information may be exported to South Africa by any person subject to the jurisdiction of the United States. The prohibition contained in this paragraph shall apply to goods, technology, or other information of any kind, which is subject to controls under the Export Administration Act of 1979, the Arms Export Control Act, the Atomic Energy Act of 1954, or any other provision of law.

(2) Exception. — The prohibition contained in paragraph (1) shall not apply to exports described in section 6 (g) of the Export Administration Act of 1979.

Text supplied by United States Information Services, Johannesburg.

SEC. 3. PROHIBITION ON LANDING RIGHTS OF SOUTH AFRICAN AIRCRAFT.

(a) Prohibition. — The Secretary of Transportation shall prohibit the takeoff and landing of any aircraft by a foreign air carrier owned, directly or indirectly, by the Government of South Africa or by South African nationals.

(b) Exceptions for Emergencies. — The Secretary of Transportation may provide for such exceptions from the prohibition set forth in subsection (a) as the Secretary considers necessary to provide for emergencies in which the safety of an aircraft or its crew or passengers are threatened.

(c) Definitions. — For purposes of this section, the terms 'aircraft' and 'foreign air carrier' have the meanings given those terms in section 101 of the Federal Aviation Act of 1958.

SEC. 4. PROHIBITION ON IMPORTATION OF KRUGERRANDS.

No person may import into the United States any South African krugerrand or any gold coin minted in South Africa or offered for sale by the Government of South Africa.

SEC. 5. ENFORCEMENT: PENALTIES.

(a) Authorities of the President. — The President shall take the necessary steps to ensure compliance with the provisions of this Act and any regulations, licenses, and orders issued to carry out this Act, including establishing mechanisms to monitor compliance with such provisions, regulations, licenses and orders. In ensuring such compliance, the President may conduct investigations, hold hearings, administer oaths, examine witnesses, receive evidence, take depositions, and require by subpoena the attendance and testimony of witnesses and production of all books, papers, and documents relating to any matter under investigation.

(b) Violations. — Any person that knowingly violates the provisions of this Act or any regulation, license, or order issued to carry out this Act shall —

- (1) if other than an individual, be fined not more than \$500 000; and
- (2) if an individual, be fined not more than \$250 000, or imprisoned not more than 5 years, or both.

(c) Additional Penalties for Certain Individuals. —

(1) In general. — Whenever, a person commits a violation under subsection (b) —

(A) any officer, director, or employee of such person, or any natural person in control of such person who wilfully ordered, authorized, acquiesced in, or carried out the act or practice constituting the violation, and

(B) any agent of such person who wilfully carried out such act or practice,

shall, upon conviction, be fined not more than \$250 000, or imprisoned not more than five years, or both.

(2) Restriction of payment of fines. — A fine imposed under paragraph

(1) on an individual for an act or practice constituting a violation may not be paid, directly or indirectly, by the person committing the violation itself.

(d) *Seizure and Forfeiture of Aircraft.* — Any aircraft used in connection with a violation of Section 3 or any regulation, license, or order issued to carry out that section shall be subject to seizure by and forfeiture to the United States. All provisions of law relating to the seizure, forfeiture, and condemnation of articles for violations of the customs laws, the disposition of such articles or the proceeds from the sale thereof, and the remission or mitigation of such forfeitures shall apply to the seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this subsection, insofar as such provisions of law are applicable and not inconsistent with the provisions of this Act; except that all powers, rights, and duties conferred or imposed by the customs laws upon any officer or employee of the Department of the Treasury shall, for purposes of this subsection, be exercised or performed by the Secretary of Transportation or by such persons as the Secretary may designate.

SEC. 6. REGULATORY AUTHORITY.

The President may issue such regulations, licenses, and orders as are necessary to carry out this Act.

SEC. 7. DEFINITIONS

For purposes of this Act —

(1) *United States.* — The term 'United States' includes the States of the United States, the District of Columbia, the commonwealth of Puerto Rico, and any territory or possession of the United States.

(2) *United States person.* — The term 'United States person' means any United States resident or national and any partnership, corporation, or other entity organized under the laws of the United States or of any of the several States, of the District of Columbia, or of any commonwealth, territory, or possession of the United States.

(3) *Investment in South Africa.* — The term 'investment in South Africa' means —

(A) a commitment of funds or other assets (in order to earn a financial return) to a business enterprise located in South Africa or owned or controlled by South African nationals, including —

(i) a loan or other extension of credit made to such a business enterprise, or security given for the debts of such a business enterprise;

(ii) the beneficial ownership or control of a share or interest in such a business enterprise, or of a bond or other debt instrument issued by such a business enterprise; or

(iii) capital contributions in money or other assets to such a business enterprise; or

(B) the control of a business enterprise located in South Africa or

owned or controlled by South African nationals, in cases in which subparagraph (A) does not apply.

(4) South Africa. — The term 'South Africa' includes —

(A) the Republic of South Africa;

(B) any territory under the administration, legal or illegal, of South Africa; and

(C) the 'bantustans' or 'homelands', to which South African Blacks are assigned on the basis of ethnic origin, including the Transkei, Bophuthatswana, Ciskei, and Venda.

(5) Business enterprise. — The term 'business enterprise' means any organization, association, branch, or venture which exists for profitmaking purposes or to otherwise secure economic advantage, and any corporation, partnership, or other organization which is owned or controlled by the Government of South Africa, as such ownership or control is determined under regulations which the President shall issue.

(6) Branch. — The term 'branch' means the operations or activities conducted by a person in a different location in its own name rather than through a separate incorporated entity.

(7) South African national. — The term 'South African national' means —

(A) a citizen of South Africa; and

(B) any partnership, corporation, or other entity organized under the laws of South Africa.

(8) Control by South African nationals. — For purposes of paragraph (3) (A), South African nationals shall be presumed to control a business enterprise, if —

(A) South African nationals beneficially own or control (whether directly or indirectly) more than 50 per cent of the outstanding voting securities of the business enterprise;

(B) South African nationals beneficially own or control (whether directly or indirectly) 25 per cent or more of the voting securities of the business enterprise, if no other person owns or controls (whether directly or indirectly) an equal or larger percentage;

(C) the business enterprise is operated by South African nationals pursuant to the provisions of an exclusive management contract;

(D) a majority of the members of the board of directors of the business enterprise are also members of the comparable governing body of a South African national;

(E) South African nationals have the authority to appoint a majority of the members of the board of directors of the business enterprise; or

(F) South African nationals have the authority to appoint the chief operating officer of the business enterprise.

(9) Control by United States persons. — For purposes of paragraph (3) (B), a United States person shall be presumed to control a business enterprise if—

(A) the business enterprise is operated by the United States person pursuant to the provisions of an exclusive management contract;

(B) a majority of the members of the board of directors of the business enterprise are also members of the comparable governing body of the United States person;

(C) the United States person has authority to appoint a majority of the members of the board of directors of the business enterprise;

(D) the United States person has authority to appoint the chief operating officer of the business enterprise.

SEC. 8. APPLICABILITY TO EVASIONS OF ACT.

This Act shall apply to any United States person who undertakes or causes to be undertaken any transaction or activity with the intent to evade the provisions of this Act or any regulation, license, or order issued to carry out this Act.

SEC. 9. EFFECTIVE DATE.

The provisions of this Act shall take effect 180 days after the date of the enactment of this Act.

Passed the House of Representatives June 18, 1986.

2. Draft Bill introduced in the Senate of the United States Congress 21 May 1986. S. 2498 (Anti-Apartheid Act of 1986)

IN THE SENATE OF THE UNITED STATES

May 21 (legislative day, May 19), 1986

Mr Kennedy (for himself, Mr Weicker, Mr Proxmire, Mr Specter, Mr Biden, Mr Sarbanes, Mr Cranston, Mr Kerry, Mr Levin, Mr Bradley, Mr Hart, Mr Riegle, Mr Metzenbaum, Mr Leahy, Mr Lautenberg, Mr Harkin, and Mr Simon) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Anti-Apartheid Act of 1986".

SEC. 2. PROHIBITIONS ON LOANS TO, NEW INVESTMENT IN, AND OTHER ACTIVITIES INVOLVING SOUTH AFRICA.

(a) Prohibitions. —

(1) On United States persons. — No United States person may, directly or through another person —

(A) make any loan or other extension of credit to, or provide funds for the purpose of making a loan or other extension of credit to, the Government of South Africa or any corporation, partnership, or other organization which is owned or controlled by the Government of South Africa, as determined under regulations which the President shall issue;

(B) otherwise make any investment in South Africa;

(C) contribute technology or technological information, training, or services of any kind to the exploration for, or the research, development, or production of new, or to the expansion of existing, energy sources in, for, or on behalf of South Africa; or

(D) make any deposit in—

(i) a foreign bank which is organized under the laws of South Africa or owned or controlled by South African nationals; or

(ii) a branch of a bank or foreign bank if that branch is located in South Africa.

(2) On certain foreign banks — (A) No foreign bank which is organized under the laws of South Africa or owned or controlled by South African nationals may establish or operate any branch or agency in the United States.

(b) Exceptions. —

(1) The prohibition contained in subsection (a) (1) (A) shall not apply to any loan or extension of credit for which an agreement is entered into before 21 May 1986.

(2) The prohibition contained in subsection (a) (1) (B) shall not apply to an investment which consists of earnings derived from a business enterprise in South Africa established before 21 May 1986, and which is made in that business enterprise.

(3) The prohibition contained in subsection (a) (1) (C) shall not apply with respect to a contract entered into before 21 May 1986.

SEC. 3. BAN ON IMPORTATION OF URANIUM, COAL, AND STEEL.

Notwithstanding any other provision of law, the following products of South Africa may not be imported into the United States: uranium ore, uranium oxide, coal, and steel.

SEC. 4. CONDITIONAL DIVESTITURE FROM COMPUTER INDUSTRY.

(a) Prohibitions. — Unless the conditions set forth in subsection (b) are met within 12 months after the date of the enactment of this Act, then —

(1) effective 6 months after the end of that 12-month period, no United States person may, directly or indirectly, make or hold any investment in South Africa in a business enterprise that sells computers, computer software, or goods or technology intended to service computers; and

(2) no computers, computer software, or goods or technology intended to service computers may be exported, directly or indirectly, to South Africa.

(b) Conditions. — The conditions referred to in subsection (a) are the following:

(1) The President certifies to the Congress that the Government of South Africa—

(A) has freed Nelson Mandela and all political prisoners, and has entered into good faith negotiations with truly representative leaders of the black majority for a new political system; or

(B) has totally dismantled the apartheid system.

(2) A joint resolution is enacted approving the President's certification.

(c) Definition. — For purposes of subsection (a) (2), the term 'computer' includes any computer that is the direct product of technology of United States origin.

(d) Procedures for Consideration of Joint Resolutions. —

(1) Referral of joint resolutions. — All joint resolutions introduced in the House of Representatives and the Senate shall be referred immediately to the appropriate committees.

(2) Committee discharge. — If the committee of either House to which a joint resolution has been referred has not reported it at the end of 30 days after its introduction, the committee shall be discharged from further consideration of the joint resolution or of any other joint resolution introduced with respect to the same matter.

(3) Consideration of resolutions. — A joint resolution under this subsection shall be considered in the Senate in accordance with the provisions of Section 601 (b) (4) of the International Security Assistance and Arms Export Control Act of 1976. For the purpose of expediting the consideration and passage of joint resolutions reported or discharged pursuant to the provisions of this subsection, it shall be in order for the Committee on Rules of the House of Representatives to present for consideration a resolution of the House of Representatives providing procedures for the immediate consideration of a joint resolution under this subsection which may be similar, if applicable, to the procedures set forth in Section 601 (b) (4) of the International Security Assistance and Arms Export Control Act of 1976.

(4) Receipt of resolutions from the other House. — If before the passage by one House of a joint resolution of that House, that House receives a joint resolution with respect to the same matter from the other House, then—

(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(B) the vote on final passage shall be on the joint resolution of the other House.

(5) Computation of legislative days. — In the computation of the period of 30 days referred to in paragraph (2), there shall be excluded the days on which either House of Congress is not in session because of an adjournment

of more than 3 days to a day certain or because of an adjournment of the Congress *sine die*.

(6) Joint resolution defined. — For purposes of this subsection, the term 'joint resolution' means a joint resolution on the matter after the resolving clause of which is as follows: 'That the Congress, having received on _____ a certification by the President under Section 4 (b) (1) of the Anti-Apartheid Act of 1986, approves the President's certification.', with the date of the receipt of the certification inserted in the blank.

SEC. 5. ASSISTANCE FOR SOUTH AFRICA.

(a) Authorized Annual Amount of Assistance. — In addition to any amount used for the Human Rights Fund for South Africa, up to \$25 000 000 may be used each fiscal year for assistance for South Africa under the Foreign Assistance Act of 1961 and Section 2 (b) of the Migration and Refugee Assistance Act of 1962.

(b) Uses of Assistance. — Of the assistance authorized by subsection (a) —

(1) \$4 000 000 shall be for refugee education assistance programs; and

(2) the remainder shall be for community development projects that are selected in consultation with truly representative leaders of South Africans disadvantaged by the apartheid system, that are under the leadership and control of such disadvantaged South Africans, and that are not conducted by or through organizations in South Africa financed or controlled by the Government of South Africa.

(c) Reports. — Not later than the end of each calendar quarter, the President shall transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report setting forth —

(1) the names and a description of the recipients of assistance that are described in subsection (b) (2);

(2) the amounts of assistance granted to each such recipient; and

(3) who was consulted in selecting such recipients.

(d) Effective Date. — This section shall apply with respect to assistance in fiscal year 1987 and thereafter.

SEC. 6. PROHIBITION ON LANDING RIGHTS OF SOUTH AFRICAN AIRCRAFT.

(a) Prohibition. — The Secretary of Transportation shall prohibit the takeoff and landing of any aircraft by an air carrier owned, directly or indirectly, by the Government of South Africa or by South African nationals.

(b) Exceptions for Emergencies. — The Secretary of Transportation may provide for such exceptions from the prohibition set forth in subsection (a) as the Secretary considers necessary to provide for emergencies in which the safety of an aircraft or its crew or passengers are threatened.

(c) Definitions. — For purposes of this section, the terms 'aircraft' and 'air

carrier' have the meanings given those terms in Section 101 of the Federal Aviation Act of 1958 (49 U.S.C. App. 1301).

SEC. 7. REGULATORY AUTHORITY.

The President shall issue such regulations, licenses, and orders as are necessary to carry out this Act. The President shall issue such regulations not later than 90 days after the date of the enactment of this Act.

SEC. 8. ENFORCEMENT AND PENALTIES.

(a) Authority of the President. — Subject to subsection (b), the President shall take the necessary steps to ensure compliance with this Act and any regulations, licenses, and orders issued to carry out this Act, including establishing mechanisms to monitor compliance with this Act and such regulations, licenses, and orders. In ensuring such compliance, the President may conduct investigations, hold hearings, administer oaths, examine witnesses, receive evidence, take depositions, and require by subpoena the attendance and testimony of witnesses and the production of all books, papers and documents relating to any matter under investigation.

(b) Enforcement of Prohibition on Foreign Banks. — The Comptroller of the Currency, in the case of a Federal branch or agency, and the Board of Governors of the Federal Reserve System, in the case of any other branch or agency, shall take the necessary steps to ensure compliance with Section 2 (a) (2), including revoking any existing authority of any foreign bank subject to the prohibition in Section 2 (a) (2) to establish or operate a branch or agency in the United States.

(c) Penalties. —

(1) For persons other than individuals. — Any person, other than an individual, that knowingly violates the provisions of this Act or any regulation, license, or order issued to carry out this Act shall be fined not more than \$500 000.

(2) For individuals. — Any individual who knowingly violates the provisions of this Act or any regulation, license, or order issued to carry out this Act shall be fined not more than \$250 000, or imprisoned not more than 5 years, or both.

(d) Additional Penalties for Certain Individuals. —

(1) In general. — Whenever a person commits a violation under subsection (c) —

(A) any officer, director, or employee of such person, or any natural person in control of such person who wilfully ordered, authorized, acquiesced in, or carried out the act or practice constituting the violation, and

(B) any agent of such person who wilfully carried out such act or practice, shall be fined not more than \$250 000, or imprisoned not more than 5 years, or both.

(2) Restriction on payment of fines. — A fine imposed under paragraph

(1) on an individual for an act or practice constituting a violation may not be paid, directly or indirectly, by the person committing the violation itself.

(e) *Seizure and Forfeiture of Aircraft.* — Any aircraft used in connection with a violation of Section 6 or any regulation, license, or order issued to carry out that section shall be subject to seizure by and forfeiture to the United States. All provisions of law relating to the seizure, forfeiture, and condemnation of articles for violations of the customs laws, the disposition of such articles or the proceeds from the sale thereof, and the remission or mitigation of such forfeitures shall apply to the seizures and forfeitures incurred, or alleged to have been incurred, under this subsection, insofar as such provisions of law are applicable and not inconsistent with the provision of this Act; except that all powers, rights, and duties conferred or imposed by the customs laws upon any officer or employee of the Department of the Treasury shall, for purposes of this subsection, be exercised or performed by the Secretary of Transportation or by such persons as the Secretary may designate.

SEC. 9. NEGOTIATIONS: REPORTS TO CONGRESS.

The President shall, by means of both bilateral and multilateral negotiations, including through the United Nations, attempt to persuade the governments of other countries to adopt restrictions on activities with respect to South Africa consistent with the provisions of this Act. The President shall submit annual reports to the Congress on the status of negotiations under this section. Each such report shall include a description of —

(1) the extent to which other countries have adopted restrictions consistent with the provisions of this Act; and

(2) the extent to which nationals of those countries have complied with any such restrictions, or have taken actions to diminish the impact on South Africa of the provisions of this Act.

SEC. 10. REPORT TO CONGRESS WITH RESPECT TO DIVESTITURE: TERMINATION OF PROVISIONS OF ACT.

(a) *Report by the President.* — The President shall, after 31 May 1988, and before 30 June 1988, report to the Congress on whether the Government of South Africa has met the conditions set forth in subsection (d). If the President determines that the conditions have not been met, the President shall include in the report his recommendations as to whether United States persons should be required to divest themselves of their investments in South Africa.

(b) *Determination of Met Conditions.* — If the President determines, at any time after the report made under subsection (a), that the conditions set forth in subsection (d) have been met, the President may submit that determination, and the basis for the determination, to the Congress.

(c) *Congressional Action Terminating Provisions of the Act.* — Upon the enactment of a joint resolution approving a determination of the President

under subsection (a) or (b) that the conditions set forth in subsection (d) have been met, the provisions of this Act, and all regulations, licenses, and orders issued to carry out this Act, shall terminate.

(d) Statement of Conditions. — The conditions referred to in subsections (a) and (b) are that the Government of South Africa —

(1) has freed Nelson Mandela and all political prisoners, and has entered into good faith negotiations with truly representative leaders of the black majority for a new political system; or

(2) has totally dismantled the apartheid system.

SEC. 11. DEFINITIONS.

(a) In General. — Subject to subsection (b), for purposes of this Act —

(1) United States person. — The term 'United States person' means any United States resident or national and any partnership, corporation, or other entity organized under the laws of the United States or of any of the several States, of the District of Columbia, or of any commonwealth, territory, or possession of the United States.

(2) Investment in South Africa. — The term 'investment in South Africa' means —

(A) a commitment of funds or other assets (in order to earn a financial return) to a business enterprise located in South Africa or owned or controlled by South African nationals, including —

(i) a loan or other extension of credit made to such a business enterprise, or security given for the debts of such a business enterprise;

(ii) the beneficial ownership or control of a share or interest in such a business enterprise, or of a bond or other debt instrument issued by such a business enterprise; or

(iii) capital contributions in money or other assets to such business enterprise; or

(B) the control of a business enterprise located in South Africa or owned or controlled by South African nationals, in cases in which subparagraph (A) does not apply.

(3) South Africa. — The term 'South Africa' includes —

(A) the Republic of South Africa;

(B) any territory under the administration, legal or illegal, of South Africa; and

(C) the 'bantustans' or 'homelands', to which South African blacks are assigned on the basis of ethnic origin, including the Transkei, Bophuthatswana, Ciskei, and Venda.

(4) Business enterprise. — The term 'business enterprise' means any organization, association, branch, or venture which exists for profitmaking purposes or to otherwise secure economic advantage, and any corporation, partnership, or other organization which is owned or controlled by the Gov-

ernment of South Africa, as determined under regulations which the President shall issue.

(5) Branch. — The term 'branch' means the operations or activities conducted by a person in a different location in its own name rather than through a separate incorporated entity.

(6) South African national. — The term 'South African national' means —

(A) a citizen of South Africa; and

(B) any partnership, corporation, or other entity organized under the laws of South Africa.

(7) Control by South African nationals. — South African nationals shall be presumed to control a business enterprise or foreign bank if —

(A) South African nationals beneficially own or control (whether directly or indirectly) more than 50 per cent of the *outstanding voting securities* of the business enterprise or bank;

(B) South African nationals beneficially own or control (whether directly or indirectly) 25 per cent or more of the voting securities of the business enterprise or bank, if no other person owns or controls (whether directly or indirectly) an equal or larger percentage;

(C) the business enterprise or bank is operated by South African nationals pursuant to the provisions of an exclusive management contract;

(D) a majority of the members of the board of directors of the business enterprise [or bank] are also members of the comparable governing body of a South African national;

(E) South African nationals have the authority to appoint a majority of the members of the board of directors of the business enterprise or bank; or

(F) South African nationals have the authority to appoint the chief operating officer of the business enterprise or bank.

(8) Control by United States persons. — A United States person shall be presumed to control a business enterprise in South Africa if —

(A) the business enterprise is operated by the United States person pursuant to the provisions of an exclusive management contract;

(B) a majority of the members of the board of directors of the business enterprise are also members of the comparable governing body of the United States person;

(C) the United States person has authority to appoint a majority of the members of the board of directors of the business enterprise; or

(D) the United States person has authority to appoint the chief operating officer of the business enterprise.

(9) Loan. — The term 'loan' includes an extension of credit as defined in Section 201 (h) of the Credit Control Act (12 U.S.C. 1901 (h)).

(10) Bank. — The term 'bank' means —

(A) any depository institution as defined in Section 19 (b) (1) (A) of the Federal Reserve Act (12 U.S.C. 461 (b) (1) (A));

(B) any corporation organized under Section 25 (a) of the Federal Reserve Act (12 U.S.C. 611 et seq.);

(C) any corporation having an agreement or undertaking with the Federal Reserve Board under Section 25 of the Federal Reserve Act (12 U.S.C. 601 et seq.); and

(D) any bank holding company as defined in Section 2 (a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843 (a)).

(11) Political prisoner. — The term 'political prisoner' means any person in South Africa who is incarcerated or persecuted on account of race, religion, nationality, membership in a particular social group, or political opinion, but the term 'political prisoner' does not include any person who ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.

(b) Additional Definitions. — For purposes of—

(1) Section 2 (a) (1) (C) —

(A) the term 'energy sources' includes both mineral and nonmineral fuel resources, including solar, geothermal, fossil, nuclear, electrical, and synthetic fuel energy resources;

(B) the term 'development' includes those activities conducted to make energy sources available or usable, including drilling and the construction or other preparation of facilities or other means for the removal or conversion to usable form of any energy source;

(C) the term 'production' includes those activities conducted for the removal or conversion to usable form of any energy source, including refining, milling, any other processing, generation, transmission, and storage; and

(D) the term 'services' includes construction, engineering, design, management, and maintenance services;

(2) Sections 2 (a) (1) (D), 2 (a) (2), and 8 (b), the term 'foreign bank' has the meaning given that term in Section 1 (b) of the International Banking Act of 1978 (12 U.S.C. 1301 (b)); and

(3) Sections 2 (a) (2) and 8 (b), the terms 'agency', 'branch', 'Federal agency', and 'Federal branch' have the meanings given those terms in Section 1 (b) of the International Banking Act of 1978.

SEC. 12. APPLICABILITY TO EVASIONS OF ACT.

This Act and the regulations issued to carry out this Act shall apply to any person who undertakes or causes to be undertaken any transaction or activity with the intent to evade this Act or such regulations.

SEC. 13. CONSTRUCTION OF ACT.

Nothing in this Act shall be construed as constituting any recognition by the United States of the homelands referred to in Section 11 (a) (3) (C).

South Africa and the Commonwealth

Communiqué issued after Commonwealth Heads of Government Review Meeting
5 August 1986

1. As agreed at Nassau last October, our meeting was held in the special context of the crisis in Southern Africa. At the outset of our discussions we specifically reaffirmed our commitment to the Commonwealth Accord on Southern Africa which, with our other colleagues, we had concluded at Nassau. We reaffirm, in particular, the united belief we expressed in the Accord that 'apartheid must be dismantled now if a greater tragedy is to be averted, and that concerted pressure must be brought to bear to achieve that end.'
2. At our request the co-Chairmen of the Commonwealth Group of Eminent Persons (EPG), General Olusegun Obasanjo and Mr Malcolm Fraser, introduced the report of the EPG and answered the many questions we put to them. Sir Geoffrey Howe, the British Foreign Secretary, who undertook a mission to Southern Africa in his capacity as President of the Council of Ministers of the EEC, also briefed us on the results of his mission.
3. The report of the EPG mission to South Africa, was the central document at our discussions. That unanimous report has commanded attention world-wide as pointing the way forward for South Africa and for the world in relation to South Africa. We warmly commend the group's work which has made a positive and enduring contribution to the efforts to end apartheid and establish a non-racial and representative government in South Africa. We particularly commend the EPG's 'negotiating concept' and deeply regret its rejection by the South African Government.
4. At Nassau, the Commonwealth unanimously adopted a common programme of action which included a number of economic measures against South Africa. It was our collective hope that those measures and the efforts of the EPG to promote a process of dialogue in South Africa would, within six months, bring about concrete progress towards our objective of seeing apartheid dismantled and the structures of democracy erected in South Africa.
5. As envisaged in the Accord, we have reviewed the situation. We are profoundly disappointed that the authorities in Pretoria have taken none of the five steps which at Nassau we called on them to take 'in a genuine manner and as a matter of urgency'. Nelson Mandela and other political leaders remain in

prison. A new and more widely repressive emergency has been imposed and political freedom more rigorously curtailed; the ANC and other political parties are still banned. Beyond these, however, it has been a matter of deep concern to us that the EPG after its most patient efforts has been forced to conclude that 'at present there is no genuine intention on the part of the South African Government to dismantle apartheid and no present prospect of a process of dialogue leading to the establishment of a non-racial and representative government'. We had looked at Nassau for the initiation by Pretoria of a process of dialogue in the context of a suspension of violence on all sides. Instead, as the EPG found, the cycle of violence and counter-violence has spiralled.

6. We received the group's findings with disappointment, and deplore the conduct of the South African Government whose actions, including the raids on neighbouring countries at a crucial moment of the EPG's work, terminated its efforts for peaceful change. We continue to believe with the EPG that the cycle of violence in South Africa must end. It is clearly established that the situation in South Africa constitutes a serious threat to regional peace and security.

7. It is thus clear to us that since our meeting in Nassau there has not been the adequate concrete progress that we looked for there. Indeed, the situation has deteriorated.

8. Accordingly, in the light of our review and of our agreement at Nassau, we have considered the adoption of further measures against the background of the EPG's conclusion that the absence of effective economic pressure on South Africa and the belief of the South African authorities that it need not be feared are actually deferring change. We acknowledge that the Commonwealth cannot stand by and allow the cycle of violence to spiral, but must take effective concerted action.

9. We are agreed that one element of such action must be the adoption of further measures designed to impress on the authorities in Pretoria the compelling urgency of dismantling apartheid and erecting the structures of democracy in South Africa.

10. In doing so, we have looked particularly at the measures listed in paragraph 7 of the Accord which some of us at Nassau had already indicated a willingness to include in any consideration of further measures. But we have looked as well to other measures under consideration elsewhere. In deciding on the adoption of further measures, we recognize that if they are to have maximum effect they should be part of a wider programme of international action.

11. The British Government's position is set out in paragraph 12. The rest of us have agreed as follows:

(a) the adoption of further substantial economic measures against South

Africa is a moral and political imperative to which a positive response can no longer be deferred.

(b) we ourselves will therefore adopt the following measures and commend them to the rest of the Commonwealth and the wider international community for urgent adoption and implementation:

(i) all the measures listed in paragraph 7 of the Nassau Accord, namely:

(a) a ban on air links with South Africa,

(b) a ban on new investments or reinvestments of profits earned in South Africa,

(c) a ban on the import of agricultural products from South Africa,

(d) the termination of double taxation agreements with South Africa,

(e) the termination of all government assistance to investment in, and trade with, South Africa,

(f) a ban on all government procurement in South Africa,

(g) a ban on government contracts with majority-owned South African companies, and,

(h) a ban on the promotion of tourism to South Africa; and

(ii) the following additional measures:

(i) a ban on all new bank loans to South Africa, whether to the public or private sectors,

(j) a ban on the import of uranium, coal, iron and steel from South Africa, and

(k) the withdrawal of all consular facilities in South Africa except for our own nationals and nationals of third countries to whom we render consular services.

(c) while expressing both concern and regret that the British Government does not join in our agreement, we note its intention to proceed with the measures mentioned in paragraph 12 below.

(d) we feel, however, that we must do more. We look beyond the Commonwealth to the wider international community. We will, therefore, immediately embark on intensive consultations within the international community with a view to securing concerted international action in the coming months, our emphasis being on those countries that presently sustain a significant level of economic relations with South Africa.

12. The British Government, while taking a different view on the likely impact of economic sanctions, declares that it will:

(i) put a voluntary ban on new investment in South Africa,

(ii) put a voluntary ban on the promotion of tourism to South Africa, and

(iii) accept and implement any EEC decision to ban the import of coal, iron and steel and of gold coins from South Africa.

13. As a further element of our collective commitment to effective action, we have requested the Secretary-General, with assistance from our govern-

ments, to co-ordinate the implementation of the agreed measures and to identify such adjustment as may be necessary in Commonwealth countries affected by them.

14. We renew the call we made at Nassau to the authorities in Pretoria to initiate, in the context of a suspension of violence on all sides, a process of dialogue across lines of colour, politics and religion with a view to establishing a non-racial and representative government in a united and non-fragmented South Africa. If Pretoria responds positively to this call and takes the other steps for which we called in paragraph 2 of the Nassau Accord, we stand ready to review the situation and to rescind the measures we have adopted if appropriate; and to contribute in all ways open to us, to an orderly transition to social, economic and political justice in South Africa and to peace and stability in Southern Africa as a whole.

15. On the other hand, we are equally mindful of our further commitment at Nassau that if in a reasonable time even these further measures have not had the desired effect, still further effective measures will have to be considered. We trust that the authorities in Pretoria will recognize the seriousness of our resolve. Acts of economic or other aggression against neighbouring states by way of retaliation or otherwise will activate that resolve.

16. Regretting the absence of full agreement but recognizing that the potential for united Commonwealth action still exists, we agree that the seven governments will keep the situation under review with the view to advising whether any further collective Commonwealth action, including a full heads of government meeting, is desirable. We are conscious that the situation in South Africa may evolve rapidly and dangerously. We believe the Commonwealth must retain its capacity to help to advance the objective of the Nassau Accord and be ready to use all the means at its disposal to do so.

17. Meeting in London at a time of heightened strains within our association, we take the opportunity to renew our own firm commitment to the future of the Commonwealth and to the aims and objectives which have guided it over the years. We are fortified in this renewal by the spirit of frankness in friendship which characterized our discussions and our belief that they have helped to light a common path towards fulfilment of our common purpose, namely, the dismantling of apartheid and the establishment of a non-racial and representative government in South Africa as a matter of compelling urgency.

South Africa and the European Community

Statement on South Africa agreed to by the European Community Foreign Ministers on 16 September 1986

The foreign ministers of the Twelve reviewed their policy towards South Africa in the light of decisions adopted at The Hague European Council on 26/27 June. They heard a report from Sir Geoffrey Howe on the mission to the region which he undertook at the request of Heads of State and Government.

The ministers expressed their grave concern that the situation in South Africa appeared to have entered a new phase of increased tension under the State of Emergency. They shared the widespread anxiety within the member states over reports of the conditions in which some detainees are being held. They once again condemned the practice of detention without trial. They called for the release of all people so detained under the State of Emergency, which they wished to see brought to an end.

The ministers underlined the importance they attached to the strengthening and more effective co-ordination of the positive measures being taken to assist the victims of apartheid both by member states and by the Community itself. They noted that the draft Community Budget for 1987 forwarded to the European Parliament by the Council on 10 September contained an increased provision for the Community programme, with particular emphasis on training.

The ministers reaffirmed the urgent need for a genuine national dialogue, across lines of colour, politics and religion. They deplored the fact that the South African Government was not yet prepared to take the steps necessary to make this possible. Two steps in particular were identified at The Hague — the unconditional release of Nelson Mandela and other political prisoners, the lifting of the ban on the African National Congress, the Pan Africanist Congress of Azania and other political parties.

They undertook to work towards a programme of political action designed to promote the achievement of these objectives.

In view of the South African Government's failure to respond, and after consultation with other industrialized countries, the ministers decided that

the Twelve should now proceed to adopt a package of restrictive measures on the lines envisaged at The Hague. This consists of bans on new investment and on the import of iron, steel, and gold coins from South Africa. On implementation, they took an immediate decision to suspend imports of iron and steel in the framework of the ECSC Council with effect from 27 September.

The ministers also decided to ban the import of gold coins originating in South Africa and new investments in that country, without prejudice to the means of implementation of these measures which will be the subject of further examination by the Committee of Permanent Representatives and the Political Committee.

Most partners were also willing to implement a ban on the import of coal from South Africa if a consensus on this could be achieved. On this question, the Presidency will continue to seek consensus on the basis of the statement made by The Hague European Council.

Text supplied by British Information Services, Johannesburg.

South Africa and Australia

Apartheid: Australian companies operating in South Africa: extracts from Australian Hansard on 11 March 1986

Mr Tickner asked the Minister for Trade, upon notice, on 28 March 1985:

(1) What is the level of investment by (a) Australian companies in South Africa, and (b) South African firms in Australia?

(2) What are the forms of these investments (e.g. joint venture, corporate shareholding in South African firms)?

(3) What industries are the target of these investments (e.g. computers, mining and electronics)?

Mr Dawkins— The answers to the honourable member's questions are as follows:

(1) and (2) Australian Bureau of Statistics data indicates that South Africa is a minor source of investment in Australia. At 30 June 1983 (latest data available), the level of South African investment in Australia stood at \$24 million (see Table 1), of which half was in the form of corporate equities. The level of Australian direct investment in South Africa at that time was \$13 million; of which \$9 million was in the form of corporate equities (see Table 2).

Caution should be exercised in the interpretation of data on levels of investment. Equity levels are estimated on the basis of the paid-up value of shares; a method which excludes share premiums, reserves, provisions and retained earnings. The recorded equity figures, therefore, may bear little relationship to the actual levels of equity funds to which foreign investors have claims.

Investment flows between South Africa and Australia have been low and variable. In the period 1979–80 to 1983–84, total inflow of foreign investment in enterprises in Australia from South Africa amounted to net \$10 million, most of which is attributable to a \$14 million portfolio investment inflow in 1982–83 (see Table 3). Apart from the uncharacteristic inflow in 1982–83, which was predominantly directed to manufacturing, South African investment in Australian enterprises, in the period 1979–80 to 1983–84, has been in industries other than mining and manufacturing (see Table 4). In 1983–84, South African interests disinvested in Australian enterprises to the extent of \$8 million.

Over the five years to 1983-84, Australian direct investment in South Africa totalled \$24 million, of which two-thirds was in the form of undistributed income rather than new funds sourced in Australia (see Table 5). There are no statistics available on the flows of Australian investment to South Africa by broad industry group comparable to Table 4 for South African investment in Australia.

(3) In rank order of importance, mining, manufacturing and service industries were the major recipients of South African investment in Australia.

No comprehensive data on Australian investment in South Africa is available. Known Australian investment interests in that country include food processing, heavy and automotive engineering and componentry, chemicals, cement products and security equipment.

Table 1:
Levels of South African investment in Australian enterprises, by broad industry sector, by type, 1982-83 (\$ million)

Industry sector	Type		Total
	Corporate equities	Other (a)	
Mining.....	3	7	10
Manufacturing....	7	-3	4
Other.....	2	8	10
Total.....	12	12	24

Note:

(a) includes branch liabilities to head office, inter-company indebtedness and borrowings.

Source: ABS Unpublished Statistics.

Table 2:
Levels of Australian investment in South African enterprises, by type, 1978-79 to 1982-83

Year	Type		Total
	Corporate equities	Other (a)	
1978-79.....	8	4	12
1979-80.....	13	5	18
1980-81.....	11	7	18
1981-82.....	8	5	13
1982-83.....	9	4	13

Note:

(a) includes branch liabilities to head office, inter-company indebtedness and borrowings.

Source: ABS Unpublished Statistics.

Table 3:
South African investment in Australian enterprises, 1979-80 to 1983-84
(\$ million)

Year	Direct investment (a)	Portfolio investment	Total (c)
1979-80.....	-1	(a)	-1
1980-81.....	5	1	6
1981-82.....	-6	(a)	-6
1982-83.....	5	14	18
1983-84.....	(a)	-8	-7

Notes:

(a) nil or less than \$0,5 million.

(b) in the financial years 1979-80, 1981-82 and 1983-84 positive investment inflows were offset by negative undistributed income flows.

(c) errors due to rounding.

Source: ABS Unpublished Statistics.

Table 4:
South African investment in Australian enterprises, by broad industry groups, 1979-80 to 1983-84 (\$ million)

Year	Industry		
	Mining	Manufacturing	Other Industries
1979-80.....	(a)	-2	(a)
1980-81.....	5	-1	2
1981-82.....	-2	-6	2
1982-83.....	-3	19	2
1983-84.....	-3	-10	5

Notes:

(a) nil or less than \$0,5 million.

Source: ABS Unpublished Statistics.

Table 5:
Australian direct investment in South African enterprises 1979-80 to 1983-84
(\$ million)

Year	Undisputed income	Other direct investment	Total (a)
1979-80.....	2	6	8
1980-81.....	4	2	5
1981-82.....	1	1	2
1982-83.....	3	-1	2
1983-84.....	6	1	7

Notes:

(a) errors due to rounding.

Source: ABS Unpublished Statistics.

Text from AFAR, March 1986.

Publications of The South African Institute of International Affairs

Occasional Papers/Geleentheidspublikasies

Issued on an irregular basis, and containing the text of addresses at Institute meetings or original articles. Price per copy: R4 (plus postage).

Latest titles are:

Alan Whiteside: *Past Trends and Future Prospects for Labour Migration to South Africa.*

G. Tötemeyer: *Détente or Aggression? — South Africa's Namibian Policy.*

R. K. Campbell: *South-East Asia.*

R. D'A. Henderson: *South Africa and Selective Economic Sanctions: A Canadian Perspective.*

B. Dollery: *Has the Disinvestment Issue been carefully considered?*

M. S. Navias: *Israel's relations with South Africa: 1948-1973.*

International Affairs Bulletin

Three issues per year and supplied free of charge to members. Subscription rate R16 per annum South Africa; R26 elsewhere. Price per copy R6 (plus postage overseas airmail).

'UN' Issue includes:

Sara Pienaar: *South Africa from Paragon to Pariah.*

John Barratt: *South Africa and the UN: A Brief Survey.*

Gerhard Erasmus: *White South Africans and the UN.*

David Tothill: *Forty Years On; Reflections on the UN.*

Next Issue: Vol. 10 No. 1 will focus on the USSR.

Bibliographical Series/Bibliografiesereeks

No. 12. *South Africa's foreign relations 1980-1984: a select and annotated bibliography.* Compiled by Jacqueline A. Kalley. R25,00 plus postage.

No. 13. *South Africa's Chrome, Manganese, Platinum and Vanadium: Foreign Views on the Minerals Dependency Issue.* An Annotated Bibliography by Eve Andor. R25,00 plus postage.

No. 14. *The Southern African Development Coordination Conference (SADCC).* A select and annotated bibliography by Elna Schoeman. R25,00 plus postage.

Special Study:

The Economic Implications of Disinvestment for South Africa pp. 100
Carolyn M. Jenkins. R20,00 plus postage.

Note:

Readers are invited to apply to the Compiler for copies of full texts when only extracts have been printed.

Former individual subscribers to the 'old' Occasional Papers Series are reminded that, following delivery of the Campbell & Henderson papers, they will be required to *order directly* copies of future papers. Details of new titles will continue to be notified on this page.