

## STATEMENT AT THE GENERAL ASSEMBLY OF THE UNITED NATIONS

December 5, 1990

At its sixteenth special session, a year ago, the General Assembly adopted by consensus the "Declaration on Apartheid and its Destructive Consequences in Southern Africa". The ANC welcomed this development as a historic contribution to the struggle of the peoples of the world to end the apartheid crime against humanity.

We meet here today, one year after that historic document was adopted, once more to discuss the question of apartheid. This discussion is necessary because, regardless of the important developments that have taken place in South Africa during the last 12 months, the system of apartheid has not yet been abolished.

The possibilities contained in both the Harare and the United Nations Declarations for the transformation of South Africa into a non-racial democracy have not yet been realized. South Africa continues to be ruled by a white minority regime which does not derive its authority from all the people of our country. South Africa continues to be governed according to a Constitution which the Security Council has determined to be null and void.

Clearly, the international community has a continuing responsibility to support and assist the people of our country in the continuing struggle to attain the objectives contained in the Declaration on Southern Africa and other United Nations resolutions.

Accordingly, the ANC is of the firm view that existing international measures aimed at putting pressure on the Pretoria regime should be maintained. At the same time, it is vital that all necessary moral and material assistance be extended to the forces struggling for the democratic transformation of South Africa to strengthen their capacity to act for the speedy resolution of the South African question.

Thanks to the unwavering struggle of the people of our country and the persistent efforts of the international community in support of that struggle, important changes have taken place within South Africa. These victories have occurred not because of a change of heart on the part of those responsible for the construction of the criminal system of apartheid, but because they have come to realize that this system can no longer be maintained.

When it took power in South Africa 42 years ago the present ruling party had one central objective in mind: the maintenance and entrenchment of the system of white minority domination by all means and methods in its power. To achieve this, it resolved to resort to extreme repression to destroy or render ineffective all those forces genuinely opposed to the system. Ultimately this extended to a campaign of aggression and destabilization against the independent States of southern Africa to force them to abandon their opposition to the apartheid system and acquiesce in Pretoria's domination.

At the same time, the apartheid regime introduced its programme of so-called separate development, which resulted in the creation of puppet bantustan States and the present racist tricameral Parliament. As the Assembly knows, many other laws were put on the statute book to divide the people of South Africa into racial and ethnic groups under the domination of the white minority.

In his speech to the tricameral Parliament on 2 February, Pretoria's State President, F. W. de Klerk, announced the lifting of the ban on the ANC, the South African Communist Party, the Pan Africanist Congress of Azania and other organizations, and declared his readiness to enter into negotiations with these and other formations.

As reflected in the comprehensive report of the Special Committee against Apartheid, De Klerk also committed himself to what he described as "a totally new and just constitutional dispensation in which every inhabitant will enjoy equal rights, treatment and opportunity in every sphere of endeavour, constitutional, social and economic". (A/45/22. para. 31)

The critical point about these developments, including the release of Nelson Mandela after 27 years of imprisonment, is that they constituted an open admission on the part of the regime that it could no longer sustain the policy it had pursued for four decades. It now spoke of equal constitutional, social and economic rights whereas, before, it had stripped the majority of its rights, institutionalized racial inequalities and upheld a system of white minority domination.

By lifting the bans on the ANC and other organizations, it also conceded that it did not have the strength to wipe out the democratic movement of our country and deny it the possibility to help determine the destiny of our people, as it had attempted as from 1950, when it banned the Communist Party of South Africa. After careful consideration of these developments, the ANC arrived at the conclusion that the possibility had emerged to begin the process which could lead to a negotiated resolution of the South African question, in keeping with our own long-standing demand and in accordance with the view of the international community, as expressed in both the Harare and the United Nations Declarations.

Accordingly, the ANC has been involved in talks with the Pretoria regime since 2 May 1990. The purpose of these talks has been to create a climate conducive to negotiations by removing the obstacles to negotiations as identified in both the Harare and the United Nations Declarations.

Agreement has now been reached to remove all these obstacles, including the release of political prisoners and detainees, the ending of political trials and executions, the return of the exiles, the repeal of repressive legislation and the ending of the state of emergency.

We must, however, make the point that there is a distinct and obvious difference between the conclusion of these agreements and their implementation. While it is true that the state of emergency has been lifted, the concrete reality is that the rest of the agreements have not yet been implemented.

The majority of political prisoners remain in jail. Political trials have not been terminated. Security legislation continues to be applied, with people still being detained without trial. This same legislation is used to prohibit peaceful demonstrations, some of which, in addition, the police continue to disperse with maximum force, resulting in the death of unarmed people.

The objective reality is, therefore, that the very first phase visualized in the Declaration on South Africa, namely, the removal of obstacles to negotiations, has not yet been completed.

We must also make the point that up to now, the regime has failed to protect the people from the violence both of its own security forces and of vigilante groups. The number of people who have been killed by both these elements since 2 February is staggering and truly disturbing. Without doubt, this level of violence, which for some strange reason the regime is unable to contain, continues to pose a direct threat to the entire peace process.

We must also make the point that we reject the suggestion that the ANC is the source of this violence. On the contrary, the ANC, the Congress of South African Trade Unions and other organizations in the democratic movement spend an enormous amount of time trying to ensure that no violence occurs, and when it does occur, that it is quickly brought to an end.

Furthermore, the responsibility for the maintenance of law and order in the country cannot be shifted to the ANC. This is the responsibility of the Pretoria regime, which alone controls the State organs responsible for the maintenance of such law and order.

Despite all the problems we have mentioned, the ANC is determined to do everything it can to advance the peace process. The obstacles to negotiations will have to be removed. All necessary measures will also have to be taken to ensure that the campaign of violence against the people is brought to an end.

The negotiations for a new constitution must also begin soon. The longer this process is delayed, the greater will be the instability within the country and, therefore, the greater the threat to the very process of peaceful transformation. In this context, we must reiterate our commitment to the position that all political formations in the country will have to be involved in the process of drawing up the new constitution. We believe that the best way to achieve this is in fact to elect a constituent assembly to draw up the new constitution, as happened in Namibia.

We also continue to be of the view that the management of the transitional period requires that an interim government, acceptable to all the people of South Africa, be formed. We cannot accept that one of the parties to the negotiations, placed in power by the white minority, should take upon itself the exclusive responsibility to oversee the process of change.

We would also like especially to welcome the decisions of the Special Committee against Apartheid to include in its programme of work for next year conferences on the educational and socio-economic needs of the people of South Africa. These are matters which require urgent attention. Quite clearly, any political settlement cannot survive if the issue of radically improving the quality of life of the majority is not addressed.

We would also like to take advantage of this opportunity to reiterate our appeal to the international community to assist us with resources to help resettle the thousands of South African exiles who should soon be returning home. We thank those countries that have already made a commitment to assist in this process, and trust that the Organization will also make its necessary inputs to ensure the successful return home of people who were prepared to sacrifice everything for the realization of the objectives for which the Organization was formed.

At those moments when our country's progress towards its future as a non-racial democracy seems to be blocked, it is easy for despair to set in. But it is our firm belief that the forces of democracy within South Africa are too strong to be defeated. We would like to believe that the commitment of the countries represented here to the struggle to end the system of apartheid is too deep-rooted to be frustrated by a small minority within our country that might continue to delude itself that white minority rule can survive for much longer.

The world is in a process of change. South Africa cannot remove itself from this process. Its democratic renewal is a matter of urgency. The socio-economic uplift of all its people is a necessary corollary of this political process. If we continue to act together, as we must, united by a commitment to fight the scourge of racism and apartheid, our common victory will come sooner rather than later.

The situation will then arise when a genuinely representative delegation of the people of South Africa will, for the first time, take its seat within this Assembly. The conditions will then have been created in which peace would be guaranteed for all the peoples of southern Africa, enabling them to co-operate as equals, for their mutual benefit.

To ensure that this reality comes to pass without delay it is of critical importance that the international community - and specifically the General Assembly - should continue to act in concert for the total abolition of the apartheid system and the transformation of South Africa into a united, democratic, non-racial and non-sexist country. We trust and hope that the Assembly will once again find the consensus expressive of this united resolve of the international community.

Let me conclude by expressing our appreciation to the Organization and its Member States for the enormous contribution they have made to the struggle against apartheid which has brought us today to

the point where we can say that our common victory is in sight. The road we still have to travel is not long. It will be made even shorter if we succeed in maintaining the unity of the Assembly as it decides to sustain the pressure against the apartheid system and resolves to provide continuing political and material support to the forces within our country that have struggled steadfastly for justice and peace for all our people.

Finally, we should like to thank you very much, Mr. President, for enabling us to speak here and to extend our thanks to the Special Committee against Apartheid for enabling us to come to the United States.