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SANCTIONS AND RELATED MEASURES AGAINST SOUTH AFRICA

Review of actions taken by Western States and Japan

By

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INTRODUCTION

**REVIEW OF UNITED NATIONS EFFORTS FOR SANCTIONS AGAINST
SOUTH AFRICA**

**DECLARATIONS BY NORDIC STATES, EUROPEAN COMMUNITY
AND COMMONWEALTH ON MEASURES AGAINST SOUTH AFRICA**

MEASURES BY INDIVIDUAL WESTERN STATES AND JAPAN

SOME OBSERVATIONS

¹ This paper was prepared for the use of the United Nations Special Committee against Apartheid. It was not published.

INTRODUCTION

One of the most significant developments in international action to promote the elimination of apartheid in South Africa and the establishment of a non-racial democratic state in that country has been the series of national measures recently taken by Western countries and Japan to exert pressure on the racist regime of South Africa.

The measures taken so far have been far from adequate to achieve their main purpose of persuading the racist regime to end repression and violence, release political prisoners and negotiate with the genuine leaders of the great majority of the people on the elimination of apartheid. But they have broken the deadlock on sanctions and opened the possibility of more effective international action.

Sanctions against South Africa have been advocated by the African states since 1960 and endorsed by a majority vote in the United Nations General Assembly in 1962. Numerous African, Non-aligned and Socialist States imposed national sanctions at that time. But the States with which South Africa has had the closest economic and other relations - the Western States and Japan- were opposed to sanctions on various grounds.

Twenty years of discussion and debate in the United Nations, from 1963 to 1983, led to many initiatives but the results as regards international sanctions were limited to a voluntary arms embargo of 1963 made mandatory in 1977.

During this period, a majority of Western States, especially the smaller States, were persuaded that mandatory sanctions, under Chapter VII of the Charter of the United Nations, were the most effective means by which the international community could help eliminate apartheid. But even they were reluctant or unwilling to take national action, especially action to break or reduce economic relations with South Africa, arguing that such action would have little effect in the absence of a Security Council decision binding on all States.

Efforts by the Organization of African Unity and the United Nations Special Committee against Apartheid, paralleling campaigns by anti-apartheid movements, were effective in securing increased assistance to oppressed people of South Africa but the progress on national sanctions was very modest except for the boycott of South African sports teams and sportspersons.

The initiatives of the Nordic countries, after the Soweto massacre of 1976, to promote a ban on new investments in, and financial loans to, South Africa led to no action by the Security Council and little governmental action by other countries.

The latest phase in international action began in 1984, precisely when the Botha

regime tried to regain respectability in the Western world by pretending to be reformist and peace-loving. Faced with an upsurge of the black people in South Africa when it imposed a new racist constitution, and the outrage of public opinion in many Western countries, it showed its true colours by resorting to new levels of repression and violence against the black people and all opponents of apartheid.

As the confrontation developed, several Western, African and other States proposed a resolution in the United Nations General Assembly in December 1984 on "concerted international action against apartheid." While reiterating the call for mandatory sanctions against South Africa, the resolution urged national measures pending such sanctions, as a means to break the deadlock and, in fact, to promote mandatory sanctions. The resolution implied a rejection of the approach of "constructive engagement" and an acceptance of the African position that the duty of the international community was to exert pressure on the racist regime and to assist those struggling for freedom. It was particularly significant that the resolution was moved by a Western State, Sweden, and co-sponsored by several Western States. It proved a landmark in initiating a new level of governmental action in Western countries.

As the crisis deepened in South Africa, and the racist regime resorted to even more violence and the declaration of a State of Emergency, pressure for international action increased. Several Western countries have taken meaningful, though limited, actions.

The persistent efforts of anti-apartheid movements, trade unions, churches and other groups in mobilizing public support for action against apartheid contributed greatly to this development. Some political parties played an important role. For instance, a conference on southern Africa organized by the Socialist International in Arusha, Tanzania, with the participation of leaders of frontline States and liberation movements helped promote action in a number of Western countries. In several countries, multi-Party initiatives in Parliaments were decisive in securing effective action.

The United Nations and the international community need to review and assess the actions taken - which have been uneven and inadequate - and consider ways to maintain a momentum of action so as to exert all necessary pressure on the Pretoria regime.

This review of actions taken by Western States and Japan has been prepared in order to assist in such efforts.

The limitations of this paper must be stated at the outset:

1. It covers only actions by national governments. It does not refer to important measures taken by local governments, public organizations and financial

institutions.

2. It reviews only sanctions and related measures to isolate and exert pressure on the Pretoria regime. It does not refer to other important actions such as assistance to the oppressed people and their liberation movements and to independent African States neighbouring South Africa.

3. No attempt is made to assess the impact of the measures or their implementation at the national level

Section I contains a brief review of United Nations efforts to promote sanctions against South Africa.

Section II notes the relevant decisions taken recently by the Nordic States, the European Community and the Commonwealth.

Section III contains a summary of actions taken by each member of the Western and Other Group of States in the United Nations, as well as Japan and Switzerland. While emphasis is on actions since December 1984, reference is made to earlier actions. The summaries - based mainly on United Nations documents and available press reports - are by no means complete.

Section IV contains some observations, with particular reference to means to promote further action.

I. REVIEW OF UNITED NATIONS EFFORTS FOR SANCTIONS AGAINST SOUTH AFRICA

The efforts for governmental sanctions against South Africa - as distinct from public boycotts - began after the Sharpeville massacre of March 21, 1960.

The Second Conference of Independent African States, held in Addis Ababa, June 15-24, 1960, was the first inter-governmental conference to call for sanctions. It declared:

"3. *Calls upon* Member States to sever diplomatic relations or refrain from establishing diplomatic relations, as the case may be, to close African ports to all vessels flying the South African flag, to enact legislation prohibiting their ships from entering South African ports, to boycott all South African goods, to refuse landing and passage facilities to all aircrafts belonging to the Government and companies registered under the laws of the Union of South Africa and to prohibit all South African aircraft from flying over the airspace of the Independent African States;

"4. *Invites* the Arab States to approach all petroleum companies with a view to preventing Arab oil from being sold to the Union of South Africa and recommends that the African States refuse any concession to any company which continues to sell petroleum to the Union of South Africa;

"5. *Invites* the Independent African States which are members of the British Commonwealth to take all possible steps to secure the exclusion of the Union of South Africa from the British Commonwealth;

"6. *Recommends* that appropriate measures be taken by the United Nations in accordance with Article 41 of the Charter."

India had broken trade relations with the Union of South Africa in 1946 in protest against discriminatory measures against people of Asian origin, and had taken the initiative to secure United Nations consideration of racism in South Africa. But until 1960, the United Nations resolutions were concerned with appeals to the South African government or condemnations of apartheid. No action to exert pressure on that government had been proposed.

Following an appeal by the African National Congress of South Africa, endorsed by the African Peoples Conference in Accra in December 1958 Movements for the boycott of South Africa had developed in many countries. After the Sharpeville massacre, leaders of the struggle in South Africa, especially Mr. Oliver Tambo, Deputy President of ANC, travelled to many capitals to secure support for sanctions.

Between 1960 and 1962 a variety of trade, transport and other sanctions against South Africa were imposed by a number of independent States and self-governing territories - for instance, Antigua, Barbados, British Guyana, China, Ethiopia, Ghana, Jamaica, Malaya, Netherlands Guinea, Nigeria, Senegal, Sierra Leone, Somali Republic, Sudan, Suriname, Tanganyika, USSR and United Arab Republic.

South Africa was obliged in May 1961 to withdraw from the Commonwealth.

In the United Nations General Assembly, African States proposed comprehensive sanctions against South Africa. Their proposals were not adopted during the second part of the fifteenth session early in 1961, and the sixteenth session later in the year, for lack of a two-thirds majority.

On November 6, 1962, the General Assembly, for the first time, adopted a resolution calling for specific measures against South Africa. In resolution 1761 (XVII), it stated:

"4. *Requests* Member States to take the following measures, separately or collectively, in conformity with the Charter, to bring about the abandonment of those (racial) policies:

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

"8. *Requests* the Security Council to take appropriate measures, including sanctions, to secure South Africa's compliance with the resolutions of the General Assembly and of the Security Council on this subject and, if necessary, to consider action under Article 6 of the Charter."²

Under the same resolution, the General Assembly established a Committee (now "Special Committee against Apartheid") which from its first meeting on April 2, 1963, actively promoted the implementation of this resolution. In its first interim report at the beginning of May, it proposed that the Security Council consider the serious situation in South Africa and take effective action.

The Summit Conference of Independent African States, which met in Addis Ababa in May 1963 and established the Organization of African Unity, supported the recommendations of the Special Committee and decided to send a delegation of Foreign Ministers to represent all African States in the Security Council discussion which was held in August.

Following the resolutions of the General Assembly and the independent African States, and the efforts of the Special Committee, almost all African, Non-aligned and Socialist States announced the imposition of sanctions against South Africa, some at considerable sacrifice, in one of the most impressive demonstrations of international solidarity.

South Africa's diplomatic relations were severely restricted and it lost markets in many countries. South African Airways was prohibited from over flying

² Article 6 of the Charter concerns expulsion from the United Nations.

independent African States.

The Western Powers and other major trading partners of South Africa had not supported General Assembly resolution 1761 (XVII) and remained opposed to sanctions. However, because of public opinion in their countries and in response to pressure by independent African States, they felt obliged to take sane action. They found an embargo on supply of arms to South Africa most feasible.

Many Western States had already prohibited supply of arms to South Africa. The traditional suppliers to South Africa had indicated that they would refrain from supply of arms for repression. This qualification was criticized by African and other States and by public opinion. For it meant continued supply of major military equipment to South Africa while South Africa had developed a domestic arms industry, with licences from Western countries, for the manufacture of small arms and ammunition.

In August 1963, the United States announced a total arms embargo against South Africa, except for existing contracts.

With the United States support, the United Nations Security Council adopted resolution 181 on August 7, 1963, solemnly calling upon all States "to cease forthwith the sale and shipment of arms, ammunition of all types and military vehicles to South Africa." The embargo was reinforced in resolution 182 of December 4, 1963, which solemnly called upon all States "to cease forthwith the sale and shipment of equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa."

These resolutions were not binding as they were not adopted under Chapter VII of the United Nations Charter. France and the United Kingdom abstained on resolution 181. While voting for resolution 182, they made reservations on the arms embargo. (The United Kingdom announced an arms embargo after the Labour Party came to power in October 1964: France did not take action for a decade.)

The major Western Powers were not prepared to take any action beyond the arms embargo and a deadlock on sanctions continued until 1977.

An Expert Committee of the Security Council was set up in 1964 "to undertake a technical and practical study... as to the feasibility, effectiveness and implications of measures which could, as appropriate, be taken by the Council under the Charter of the United Nations." France did not participate in the Committee and its report at the end of February 1965 reflected disagreement. The report was never considered by the Council.

The Nordic countries decided in 1966 to support sanctions by the Security Council against South Africa, and were joined by some other smaller western

states in later years. But they were not willing to implement any sanctions without a binding decision by the Security Council, arguing that national measures would be ineffective.

'The General Assembly annually adopted resolutions calling for mandatory - sanctions under Chapter VII of the Charter and emphasizing various specific measures. It repeatedly expressed distress that the economic relations between South Africa and its major trading' Partners had, in fact, constantly increased. South Africa's foreign trade and foreign investments in South Africa rose rapidly.

The Security Council was unable to adopt any binding measures because of the opposition of France, the United Kingdom and the United States of America. 'The only advance in the Security Council, in terms of concrete measures, was resolution 232 of July 23, 1970, calling for more effective implementation of the arms embargo. This non-binding resolution read in part:

"4. *Calls upon* all States to strengthen the arms embargo:

- (a) By implementing fully the arms embargo against South Africa unconditionally and without reservations whatsoever;
- (b) By withholding the supply of all vehicles and equipments for use of the armed forces and paramilitary organizations of South Africa;
- (c) By ceasing the supply of spare parts for all vehicles and military equipment used by the armed forces and paramilitary organizations of South Africa;
- (d) By revoking all licenses and military patents granted to the South African Government or to South African companies for the manufacture of arms and ammunition, aircraft and naval craft or other military vehicles and by refraining from further granting such licenses and patents;
- (e) By prohibiting investment in, or technical assistance for, the manufacture of arms and ammunition, aircraft, naval craft, or other military vehicles;
- (f) By ceasing provision of military training for members of the South African armed forces and all other forms of military co-operation with South Africa;
- (g) By undertaking the appropriate action to give effect to the above measures."

France, the United Kingdom and the United States of America abstained in the vote on this resolution. The United Kingdom, in fact, relaxed its arms embargo to supply naval helicopters to South Africa. The resolution had little practical effect.

The Special Committee, in letters and missions to Western countries and Japan, appealed for national measures even if limited, pending mandatory decisions by the Security Council. It was anxious to break the deadlock and promote a momentum for action. There were few immediate results except for actions by some governments to stop active promotion of trade with South Africa, or to support a sports boycott of South Africa.

The first, and so far the only, mandatory action by the Security Council was taken in resolution 418 of November 4, 1977, on the arms embargo, which was adopted unanimously. It read:

"1. *Determines*, having regard to the policies and acts of the South African Government, that the acquisition by South' Africa of arms and related *materiel* constitutes a threat to the maintenance of international peace and security;

"2. *Decides* that all States shall cease forthwith any provision to South Africa of arms and related *materiel* of all types, including the sale or transfer of weapons and ammunition, military vehicles and equipment, para-military police equipment, and spare parts for the aforementioned, and shall cease as well the provision of all types of equipment and supplies and grants of licensing arrangements for the manufacture or maintenance of the aforementioned;

"3. *Calls upon* all States to review, having regard to the objectives of the present resolution, all existing contractual arrangements with and licenses granted to South Africa relating to the manufacture and maintenance of arms, ammunition of all types and military equipment and vehicles, with a view to terminating them;

"4. *Further decides* that all States shall refrain from any co-operation with South Africa in the manufacture and development of nuclear weapons;

"5. *Calls upon* all States, including States non-members of the United Nations, to act strictly in accordance with the provisions of the present resolution; ..."

After this resolution, there was again a deadlock on action. The major Western Powers opposed further action on the grounds that it would disrupt efforts for negotiated agreements for the independence of Namibia and Zimbabwe.

Meanwhile, the Soweto massacre and ensuing developments persuaded sane Western governments to consider limited national measures, especially if implemented by a number of States.

Sweden took the initiative to promote General Assembly resolution 31/6K of

November 9, 1976, urging the Security Council "to consider steps to achieve the cessation of further foreign investments in South Africa." In resolution 33/183 of January 24, 1979, and subsequent annual resolutions, the proposal was widened to include not only new foreign investments, but also financial loans to South Africa. Though these resolutions were adopted by overwhelming majorities, it was not possible to obtain any Security Council action. Little action was taken except by Nordic countries.

With the crisis in South Africa in 1984, especially after the enforcement of the new racist constitution, consultations were held by Nordic and like-minded Western States with the Chairman of the Special Committee against Apartheid (Major-General J. N. Garba of Nigeria) and other African and other States on means to break the deadlock and obtain some progress on sanctions.

They co-sponsored a resolution in the General Assembly, moved by Sweden, calling for mandatory sanctions by the Security Council, and appealing to States to consider national measures, even if limited, pending a binding Security Council decision. This resolution, entitled "concerted international action for the elimination of apartheid" - resolution 39/72 G of December 13, 1984 - received an overwhelming majority of votes, including those of a large majority of smaller Western States. The fact that this proposal was sponsored by Western States, and implied a moral commitment by them, was perhaps the first breakthrough toward economic sanctions.

The following are some of the operative paragraphs of the resolution:

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

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

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

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

(b) An end to all promotion of trade with South Africa;

(c) Cessation of all forms of military, police or co-operation with the authorities of South Africa;

intelligence

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

...

“9. *Appeals* to all Governments and organizations to take appropriate action for the cessation of all academic, cultural, scientific and sports relations that would support the apartheid regime of South Africa as well as relations with individuals, institutions and other bodies endorsing or based on apartheid and also appeals for further strengthening of contacts with those opposed to apartheid.”

As the crisis in South Africa deepened, the approach of pressing for national measures, while continuing to advocate comprehensive and mandatory sanctions, gained wider acceptance, and initiatives were also taken in the Security Council.

Thus, in resolution 566 of June 19, 1985, on Namibia, the Security Council said:

"14. *Urges* Member States of the United Nations that have not done so to consider in the meantime taking appropriate voluntary measures against South Africa, which could include:

- (a) Stopping of new investments and application of disincentives to this end;
- (b) Re-examination of maritime and aerial relations with South Africa;
- (c) The prohibition of the sale of krugerrands and all other coins minted in South Africa;
- (d) Restrictions in the field of sports and cultural relations.”

Resolution 569, adopted by the Security Council on July 26, 1985, after the declaration of the State of Emergency in South Africa, read in part:

"6. *Urges* States Members of the Organization to adopt measures against the Republic of South Africa, such as the following:

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

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

(c) Restrictions in the field of sports and cultural relations;

(d) Suspension of guaranteed export loans;

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

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

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

These resolutions helped promote national measures by a number of States, especially Western States, which are the subject of this paper.³

II. DECLARATIONS BY NORDIC STATES, EUROPEAN COMMUNITY AND COMMONWEALTH ON MEASURES AGAINST SOUTH AFRICA

Sane recent declarations or agreements by the Nordic Foreign Ministers, the European Community and the Commonwealth are noted here as they have had great effect on actions by individual Western States. While governments concerned undertook in these inter-governmental meetings to take various measures, implementation is by individual governments and in some cases, information is not yet available on the measures taken by them.

Nordic countries

Nordic countries have been most responsive, among Western States, to United Nations resolutions on sanctions against South Africa and have tried to concert their actions by discussions at meetings of Nordic Foreign Ministers. The Nordic programme of Action against South Africa, adopted by the Foreign Ministers in March 1978, and the new and strengthened programme of action approved by them in October 1985, led to significant action.

³ On December 10, 1985, the General Assembly adopted a new resolution on "concerted international action for the elimination of apartheid". This resolution, which calls for additional measures, received a larger vote than the 1984 resolution on the same subject. The Secretary-General was requested to make a report on the implementation of that resolution to the next session of the General Assembly in September 1986.

In these programmes of action the Nordic countries agreed to work for mandatory sanctions by the Security Council, and also decided on a series of agreed unilateral measures. Individual countries could, of course, take action beyond the agreed programmes.

The 1978 Programme of Action referred to the following Nordic measures:

- "1. Prohibition or discouragement of new investments in South Africa;
- "2. Negotiations with Nordic enterprises with a view to restricting their production in South Africa;
- "3. Recommendation that contacts with the apartheid regime in South Africa in the field of sports and culture be discontinued;
- "4. Increased Nordic support to refugees, liberation movements, victims of apartheid etc;
- "5. Visa requirements for South African citizens."

The October 1985 Programme of Action set out a series of specific measures. It stated in part:

"The Nordic countries have adopted the following unilateral measures which they will implement on a national basis:

- prohibition or discouragement of new Nordic investments in South Africa;
- negotiations with Nordic enterprises with a view to restricting their production in South Africa;
- recommendations to Nordic enterprises, which export to or import from South Africa, to seek other markets and suppliers with a view to reducing trade between the Nordic countries and South Africa;
- implementation of the measures recommended in Security Council Resolution 558 (1984) on refraining from importing arms, ammunition and military vehicles produced in South Africa;
- implementation of those measures recommended in Security Council Resolution 569 (1985) which have not already been implemented by the Nordic countries, i.e.:
 - prohibition of the importation of krugerrands;
 - prohibition of all new contracts in the nuclear field;

- prohibition of the exportation of computer equipment which may be used by the South African armed forces and police;
- measures to prevent Government procurement from South Africa;
- prohibition of all Government support for trade promotion in relation to South Africa;
- prohibition or discouragement of granting loans, including participation in international loans, to South Africa. As long as the apartheid system and its negative effects on the economy of South Africa remain, loans from the International Monetary Fund to South Africa should be discouraged with due regard to the Articles of Agreement of the International Monetary Fund;
- prohibition or discouragement of leasing to enterprises in South Africa;
- prohibition or discouragement of the transfer of patents and manufacturing licences to South Africa;
- refraining from commercial air services to South Africa;
- further restrictions of relations with South Africa in the fields of sports, culture and science;
- strengthening of the joint Nordic guidelines for the administration of visa regulations for South African citizens with a view to enforcing the measures contained in this programme of Action; ...”

The Nordic Working Group on Measures against South Africa was asked to evaluate possible new measures against South Africa.

Meanwhile, on June 27, 1985, the Governments of Denmark, Norway and Sweden decided to terminate their respective air agreements, dated 28 March 1958, with South Africa. The Scandinavian Airlines System (SAS) was, therefore, required to discontinue its flights to South Africa within six months.

European Community

On September 10, 1985, in Luxembourg, the Foreign Ministers of States Members of the European Community, Spain and Portugal adopted the following

series of measures:⁴

- a strictly monitored embargo on the export to South Africa of weapons and para-military equipment;
- a strictly monitored embargo on the import from South Africa of weapons and para-military equipment;
- rejection of all co-operation in the military field;
- the recalling of military attaches from the Republic of South Africa and the refusal to accredit military attaches of the Republic of South Africa;⁵
- discouragement of cultural and scientific agreements except where these will contribute to the elimination of apartheid or will not support that system;
- a freeze on official contacts and international agreements in the field of sports and security;
- the elimination of oil exports to the Republic of South Africa;
- the elimination of exports of sensitive equipment intended for the South African Army and Police; and
- a ban on all new co-operation in the nuclear field.

They also decided to strengthen the Code of Conduct for companies having branches, offices or representatives in South Africa, which they had adopted in 1977.

Commonwealth

The Commonwealth Heads of Government adopted "the Commonwealth Accord on Southern Africa" at Lyford Cay, Nassau, on October 20, 1985.⁶ It stated:

"... we have as an earnest of our opposition to apartheid reached accord on a programme of common action as follows:

- i) we declare the Commonwealth's support for the strictest enforcement of the mandatory arm embargo against South Africa, in accordance with

⁴ The United Kingdom reserved its position on the restrictive measures, but announced agreement on 25 September 1985.

⁵ Portugal was reported to have said that it was reluctant to withdraw its military attaché from South Africa. New York Times, 10 September 1985.

⁶ The United Kingdom did not subscribe to this accord on restrictive measures.

United Nations security Council Resolutions 418 and 558 and commit ourselves to prosecute violators to the fullest extent of the law;

ii) we reaffirm the Gleneagles Declaration of 1977, which called upon Commonwealth members to take every practical step to discourage sporting contacts with South Africa;

iii) we agree upon, and commend to other governments, the adoption of the following further economic measures against South Africa, which have already been adopted by a number of member countries:

(a) a ban on all new government loans to the Government of South Africa and its agencies;

(b) a readiness to take unilaterally what action may be possible to preclude the import of krugerrands;

(c) no Government funding for trade missions to South Africa or for participation in exhibitions and trade fairs in South Africa;

(d) a ban on the sale and export of computer equipment capable of use by South African military forces, police or security forces;

(e) a ban on new contracts for the sale and export of nuclear goods, materials and technology to South Africa;

(f) a ban on the sale and export of oil to South Africa;

(g) a strict and rigorously controlled embargo on imports of arms, ammunition, military vehicles and paramilitary equipment from South Africa;

(h) an embargo on all military co-operation with South Africa; am

(i) discouragement of all cultural and scientific events except where these contribute towards the ending of apartheid or have no possible role in promoting it.”

They agreed to consider the adoption of further measures if adequate progress had not been made in South Africa within six months. In that connection, the Declaration added:

“Some of us would, in that event, consider the following steps among others:

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

- (b) a ban on new investment or reinvestment 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;
- (h) a ban on the promotion of tourism to South Africa.

“Finally, we agree that should all of the above measures fail to produce the desired results within a reasonable period, further effective measures will have to be considered. Many of us have either taken or are prepared to take measures which go beyond those listed above...”

III. MEASURES BY INDIVIDUAL WESTERN STATES AND JAPAN

This section contains a summary of measures taken by western States and Japan to exert pressure on the South African regime. It does not refer to declarations or attitudes or proposals for United Nations action, but only to specific national measures.

The summaries do not refer to implementation of the arms embargo against South Africa, since it is mandatory and all States have undertaken to implement it, nor to the non-recognition of the so-called "independent" bantustans since no government in the world has recognized them, except when special mention is required of any particular action.

As this paper relates to sanctions and related measures, no reference is made to other important actions by states such as assistance to the oppressed people of South Africa and their liberation movements or to the frontline and other independent African States in southern Africa.

Moreover, no attempt is made to analyze the implementation or effectiveness of the measures.

Australia

Australia took several measures in 1972-75 when the Labour Government was in power:

- imposing of visa restrictions on visitors from South Africa;
- measures to promote boycott of racially-selected sports teams from South Africa, such as denial of visas to South African sports teams and sportspersons;
- decision to end "avoidable official assistance" to Commercial relations between Australia and South Africa;
- closing down of the office of the Australian Trade Commission in Cape Town and reduction of staff of its Johannesburg office;
- decision not to provide any assistance to Australian trade fairs in South Africa.
- South Africa was obliged to withdraw its military attaché from Australia.

The Liberal-Country Party Government of 1975-83 continued these measures and strengthened the provisions on the sports boycott. In 1977, it stopped Qantas flights to South Africa, but South African Airways was allowed to continue flights to Australia.

The Labour Party came to power again in 1983 and undertook a review of policy. In October 1983, it announced sane revisions of measures on the sports boycott. In March 1984, it decided to reduce South African Airways flights to Australia from two to one weekly.

A series of further measures were taken in 1985.

On 18 April 1985, the Government announced that it planned to introduce a Code of Conduct for Australian companies with commercial interests in South Africa.⁷

On 5 June 1985, it announced that it would no longer enter into commercial contracts with firms that had a majority South African ownership. Firms wishing to tender for Government construction contracts would be required to provide a statement that was sufficiently detailed to satisfy the Government that it was not dealing with a firm with majority South African ownership.

On 19 August 1985, the Foreign Minister announced in parliament a series of

⁷ A/40/265-S/17125

measures to restrict commercial dealings with South Africa (A/40/565-S/17411). He said *inter alia*:

“(c) Australia is to close its Trade Commission in Johannesburg from the end of September 1985;

“(d) The Government is to prohibit exports to South Africa of petroleum and petroleum products, computer hardware equipment and any other products known to be of use to the South African security forces and is to prohibit the import from South Africa of krugerrands and all other coins minted in South Africa and all arms, ammunition and military vehicles;

“(e) All new investment in South Africa by the Australian Government and public authorities has been suspended except for that which is necessary to maintain Australian diplomatic and consular representation in South Africa;

“(f) All Australian banks and other financial institutions have been asked to suspend making new loans, either directly or indirectly, to borrowers in South Africa;

“(g) Direct investment by the South African government or its agencies in Australia has been prohibited.

“In addition, the Government has placed an embargo on all new government contractual dealings with majority-owned South African firm for contracts above \$ 20,000 and has decided to terminate all export facilities available through the Export Finance Insurance Corporation, the Export Market Development Grant Scheme and the Australian Overseas Projects Corporation and certain industry assistance to such firms.

“The Government has decided also to avoid government procurement of supplies from South African sources save that necessary for the maintenance of Australian diplomatic and consular representation in Southern Africa and to restrict government sales of goods and services to South Africa.”

The Government also prohibited the import from South Africa of all arms, ammunition and military vehicles.⁸

Austria

⁸ Letter dated 16 September 1985, from the Permanent Representative of Australia to the United Nations addressed to the Chairman of the Special Committee against Apartheid, A/40/22/Add.1-S/17562/Add.1.

Austria revoked the visa agreement with South Africa with effect from 30 July 1979, thus reintroducing the obligation for South African citizens to apply for entry visa to Austria.

It took a series of measures in September 1985 in implementation of Security Council resolutions 566 (1985) and 569 (1985). The representative of Austria said in the United Nations General Assembly on 29 October 1985:

“In accordance with those resolutions, Austria has adopted the following unilateral measures: first, to suspend all investments in South Africa by Austrian public enterprises; secondly, to prohibit the import of krugerrands and all other gold coins minted in South Africa; thirdly, to impose restrictions in the field of sports and cultural relations; fourthly, to stop Government guarantees for export credits until further notice; fifthly, to prohibit the participation of public enterprises in South African procurement procedures in the nuclear field; and, sixthly, to prohibit all exports of computer equipment that might be used by the South African army and police.

Austria has also taken further steps to tighten the arms embargo against South Africa, and it observes the ban on imports of arms from South Africa recommended by the Security Council.”⁹

Belgium

Since 1 January 1975, Belgium stopped assistance to people emigrating to South Africa. On 9 September 1977, it suspended all activities under the bilateral cultural agreement with South Africa.¹⁰

On 30 September 1982, it ended visa-free privileges to South Africans.

On 25 September 1985, the Government of Belgium was reported to have asked South Africa to withdraw its military attaché from Brussels. See also “European Community” in Section II above.

Canada

In the 1960s, the Canadian Government pressed the Polymer Corporation, a crown corporation under its control, to withdraw its investments in a South African synthetic rubber company. Since then, there have apparently been no investments by Canadian crown corporations in South Africa.

The Government began to take measures from 1975 in support of the boycott of

⁹ A/40/PV.52

¹⁰ A/CONF.91/4/Add.1

racially selected sports teams from South Africa. It secured the cancellation of an agreement between Air Canada and South African Airways on packaged tours of South Africa.

On 19 December 1977, the Canadian Government announced a series of measures:

- withdrawal of the Trade Commissioners from Johannesburg and Cape Town;
- closure of the Consulate-General in Cape Town;
- withdrawal of the "government account" facilities of the Export Development Corporation (EDM) for Canadian exports to South Africa; (the larger "corporate account" facilities were not affected).
- withdrawal of EDC's foreign investment insurance facilities for Canadian investments in South Africa.¹¹

A visa requirement for South Africans wishing to visit Canada came into effect on 10 April 1978. The Government announced in July 1978 that athletes representing South Africa and officials representing South African sports associations would be denied visas to attend official functions in Canada.¹²

On 28 April 1978, the Government issued the "Code of Conduct concerning employment practices for Canadian companies operating in South Africa". The Code is voluntary and no penalties are provided for violations of the Code.

The Canada-South Africa Trade Agreement, which accorded South African exports preferential tariff access to the Canadian market, was terminated in January 1980 and the "Commonwealth tariff preferences" were withdrawn from South Africa, effective 3 June 1980.¹³

In April 1982, the Government suspended "corporate account" lending facility of EDM for South African buyers of Canadian goods. (Export credit insurance and guarantees continued to be available to Canadian suppliers for their exports to South Africa).

On 6 July 1985, the Government announced a series of new measures:

- strengthening of the voluntary Code of Conduct concerning the employment practices of Canadian companies operating in South Africa;

¹¹ A/CONF.107/5

¹² Ibid.

¹³ Ibid.

- tightening of the application of the arms embargo by restricting exports of sensitive equipment such as computers to the police, the armed forces, and other South African departments and agencies involved in the enforcement of apartheid;
- enforcement of the recommendation of the United Nations Security Council to prohibit the importation of arms manufactured in South Africa;
- abrogation of Canada-South Africa double taxation agreement;
- terminating availability of programme for export development (PEMD) to Canadian exporters for market development in South Africa;
- terminating the applicability to South Africa of global insurance policies issued by the EDM under Section 24 of its Act;
- issuing of guidelines on boycott of sporting contacts between nationally-representative Canadian and South African athletes;
- terminating all toll-processing of Namibian uranium imported from South Africa;
- discouraging the sale of krugerrands;
- decision to monitor more closely contacts between federal departments and agencies of the South African Government, particularly in sensitive areas.¹⁴

On 13 September 1985, the Secretary of State for External Affairs, in a policy statement before the House of Commons, declared that "the Government of South Africa should have no doubt that we will invoke full sanctions unless there is tangible movement away from apartheid." He announced some new measures:

- a voluntary ban on loans to the Government of South Africa and all its agencies, by persuading all Canadian banks to apply sum a ban;
- a voluntary ban on the sale of crude oil and refined products to South Africa, by asking Canadian companies not to enter into any contracts for the sale and export of these goods to South Africa;
- embargo on air transport between Canada and South Africa.

He also announced that "a register has been opened for the voluntary measures that Canadian provinces and municipalities, as well as private institutions,

¹⁴ A/40/475-S/17336

organizations and firms have taken against apartheid."

See also "Commonwealth" in Section II above.

Denmark

The Danish Government took action several years ago to stop any assistance to promote trade with South Africa. It reported to the United Nations on April 15, 1981, that:

- the Danish Consulate-General in Johannesburg had been instructed to refrain from any activity designed to promote exports to South Africa;
- the trade commissioner at the Consulate-General had been recalled;
- no export credit insurance was given for exports to South Africa;
- the Royal Greenland Trade Organization had stopped importing goods from South Africa;
- the Government had urged Danish utility companies to buy coal, if possible, from countries other than South Africa.

It added that it had informed Danish companies about the Nordic programme of Action against South Africa and had discussed with them the possibility of restricting production in South Africa. Several Danish companies had decreased or stopped their production in South Africa.

Denmark introduced visa requirement for South African citizens, effective November 1, 1978. It had urged Danish sports organizations to end sports contacts with South Africa, and intended to deny visas to racially selected South African sports teams and sportspersons. (A/CONF.107/5).

Danish State Railways urged the leaseholders of railway shops not to carry goods of South African origin. (A/40/22/Add.4-S/17562/Add.4).

In May 1981 the Danish Foreign Minister, in a letter to the Danish Underground Consortium, requested the consortium voluntarily to make it its policy not to export Danish oil to South Africa.

In January 1983 the Danish Parliament called upon the Government to request the companies importing coal from South Africa gradually to liquidate such imports before the year 1990.

On 28 May 1984, in a resolution on "tightening of the policy of sanctions towards South Africa", it reiterated and elaborated its decision of January 1983. It asked

the Government to make it clear to oil companies and Danish shipowners that trade in and/or transport of oil to South Africa was in contravention of Denmark's trade and foreign policies. It also asked the Government to ensure an end to any Nordic involvement in IMF loans to South Africa. It required the Government, if necessary by statutory measures, to stop any kind of new Danish investment in South Africa. It also enjoined the Government, within the context of Nordic co-operation, to raise the issue of a ban on the sale of licences to South Africa and to make a determined effort to ensure the adoption of such a ban.

A series of new measures were taken in 1985.

The Government undertook to ban military imports from South Africa as requested by the United Nations Security Council in resolution 558 (1984) of December 3, 1984. In May 1985, it raised the penalty for violation of the Royal Decree on the arms embargo against South Africa to four years imprisonment.

On May 29, 1985, Parliament passed a law prohibiting new Danish investment of any nature in South Africa and Namibia, as well as the entering into leasing contracts of any nature for use in those countries.

On June 27, 1985, Denmark, together with Norway and Sweden, terminated its air agreement with South Africa.

(For a review of measures by Denmark, see also document A/40/22/Add.4-S/17562/Add.4).

See also "Nordic States" and "European Community" in Section II above.

Finland

The Foreign Affairs Committee of Finnish parliament appealed to the Government on June 18, 1985, to prepare proposals to put an end to all economic relations with South Africa.

It was reported that the Finnish business community reached an agreement with the Government not to import any fruit or base metals from South Africa, after the existing contracts run out.

The representative of Finland told the United Nations General Assembly on October 30, 1985:

“Although our relations with South Africa are already reduced, the Government of Finland will shortly introduce new legislation to implement further national measures concerning trade and economic relations with South Africa.” (A/40/PV.55).

See also "Nordic States" in Section II above.

France

In 1982, the French Government began taking action to discourage sports contacts with racially selected South African teams.

On July 24, 1985, the Government announced a ban on new investments in South Africa.

See also "European Community" in Section II above.

Germany, Federal Republic of

The Government of the Federal Republic of Germany reported to the United Nations in 1977:

"The Federal Government has explicitly excluded South Africa as well as Namibia... from the investment promotion measures for the benefit of all other African States. This means:

- No government guarantee to cover capital investment in South Africa;
- No investment promotion treaties with South Africa;
- No ERP establishment credits;
- No tax incentives under the development aid tax law;
- No promotion of joint ventures by the German development company."

It added that it does everything in its power to discourage contacts with racially selected South African sports teams. (A/CONF.91/4/Add.1).

The Federal Republic was reported to have suspended its cultural agreement with South Africa on September 18, 1985.

See also "European Community" in Section II above.

Greece

Greece has taken action on boycott of racially selected South African sports teams.

See also "European Community" in Section II above.

Iceland

See "Nordic States" in Section II above.

Ireland

The representative of Ireland told the United Nations General Assembly on October 30, 1985:

"As a matter of policy Ireland does not maintain diplomatic relations with South Africa. There are no cultural agreements between Ireland and South Africa. There is no Irish public investment in South Africa. The Government does not encourage trade or other economic relations with South Africa. In this connection the Minister for Health, in September 1984, issued a directive to ensure that no Irish health agencies purchased items of South African origin or engaged in commercial or other dealings with South African agencies. There are no Irish companies with subsidiaries in South Africa, and thus none reporting under the European Community's code of conduct...

"The Government... does everything possible to prevent international sporting contacts between Ireland and South Africa and refuses to give financial aid to Irish sports organizations which engage in contacts with South Africa. The Government has also prevented representative South African teams from taking part in sports competitions in Ireland."
(A/40/PV.53).

See also "European Community" in Section II above.

Italy

The Italian Government informed the United Nations in 1977 that at its request, the immigration offices maintained by South Africa in Rome and Milan had been closed. It discourages emigration to South Africa. It also discourages participation in any international sports competition with South African teams.
(A/CONF.91/4/Add.1).

The Italian Government stated in a letter to the Security Council Committee on the Question of South Africa on July 3, 1980:

"Under Italian legislation, only the export of military aircraft is subject to Government licence, but in the case of South Africa this regime of controls has been extended to civilian aircraft since 1972. The Italian Government has refrained since 1972 from issuing export licences for

components parts of both MB 326K aircraft and the Rolls Royce 'Viper' engine." (S/AC.20/27).

It stated in a communication to the United Nations in May 1981:

"In the field of nuclear co-operation, Italy has no relations with South Africa. An agreement of a limited nature, which contemplated some exchanges between the Italian National Council for Nuclear Energy (CNEN) and the South African atomic research body, was discontinued in 1975.

"The Italian authorities have always applied, and continue to apply, certain formalities for travel between South Africa and Italy, which include the obligation for visas for South African citizens entering Italy." (A/CONF.107/5/Add.4).

See also "European Community" in Section II above.

Japan

The Government of Japan has repeatedly stated since 1965 that it had voluntarily refrained from entering into diplomatic relations with South Africa, that it had prohibited direct investment in South Africa by Japanese nationals or corporate bodies under its jurisdiction and that it does not promote trade with South Africa.

On June 13, 1974, it decided not to issue entry visas to South African nationals who wish to enter Japan for the purpose of cultural or educational exchanges or sporting activities. It discourages Japanese nationals from travelling to South Africa for such purposes and participation of Japanese sporting teams in international events in third countries in which South African teams are allowed to participate.

Also in 1974, the Government called upon Japanese foreign exchange banks and their branches abroad to refrain from extending any loans to South Africa.

The representative of Japan informed the United Nations General Assembly on October 30, 1985:

"On 9 October 1985, in view of recent developments in South Africa, the Government of Japan announced its decision to take further measures against South Africa in addition to those strict measures already in effect. The new measures include the more stringent application of existing laws and regulations to prohibit the export of computers that might assist the activities of such organizations as the armed forces and the police which enforce apartheid; efforts to urge all those concerned to co-operate in voluntarily halting imports of krugerrands and all other gold coins from

South Africa; efforts to increase Japan's co-operation in the area of human resource development in southern African States..." (A/40/PV.55).

Luxembourg

Actions taken by Belgium also apply to Luxembourg by virtue of the economic union between the two countries.

See also "European Community" under Section II above.

Malta

Malta has no diplomatic or consular relations with South Africa.

Netherlands

In 1973, the Netherlands terminated subsidies for the emigration of its nationals to South Africa.

The Netherlands Government reported to the United Nations in 1977 that it had suspended export credit guarantees for middle and long-term transactions with South Africa. It added that it also discourages contacts with South African sportspersons and sports teams selected on a racial basis. (A/CONF.91/4/Add.1).

It cancelled an agreement with South Africa for the cashing of giro-checks. (Statement in the Economic and Social Council, April 24, 1978).

In 1978, it terminated the cultural agreement with South Africa, after suspending it soon after the Soweto massacre of 1976.

In 1982, it denounced the visa agreement with South Africa, thereby introducing visa requirement for South Africans who wish to visit the Nether lands.

It also announced in 1982 that the Netherlands would not purchase any arms from South Africa. (Statement by the representative of the Netherlands in the General Assembly, November 10, 1982).

On May 24, 1984, the Minister of Foreign Affairs informed the Dutch Parliament that he had written to the Dutch Oil and Gas Exploration and Production Association (NOGEEPA) requesting its members not to sell North Sea oil to South Africa.

In a statement to the United Nations General Assembly on October 30, 1985, the representative of the Netherlands reported on some recent measures:

"During its membership of the Security Council the Netherlands initiated

the consultations leading to the adoption of resolution 558 (1984), which calls on Member States of the United Nations to ban the import of South African arms as a necessary complement to resolution 418 (1977). At the national level the Netherlands Government is now in the process of introducing legislation to prohibit the export of paramilitary goods to South Africa and to give a statutory basis to the provisions of resolution 558 (1984)...

“Pending agreement on investment restrictions with adequate international support, my Government has taken steps designed to ensure the faithful observance of the Code of Conduct for European companies with interests in South Africa... To enhance the Code's effectiveness even further, the Netherlands seeks to make it more comprehensive and to tighten up supervision of its application. Reporting on the observance of the Code is intended to become obligatory for Netherlands companies with branches in South Africa and contraventions of the Code's statutory provisions will result in sanctions being imposed on them. Also, the Netherlands has consistently advocated the establishment of a mandatory oil embargo against South Africa. Meanwhile my Government fully subscribes to the measure agreed upon with our partners in European political co-operation to cease oil exports to South Africa. Furthermore, my Government actively encourages Netherlands companies to reduce their imports of South African coal.” (A/40/PV.55).

The Netherlands Government was also reported to have stopped issuing new insurance on exports to South Africa, previously arranged with the Dutch Credit Insurance Company (NCM). (*Anti-Apartheid News*, London, November 1985).

See also “European Community” in Section II above.

New Zealand

South Africa closed its Consulate-General in Wellington in August 1984, after the new Labour Party Government, which came to power in July, announced that it would take action to close it.

Attention in New Zealand has been focussed on the sports exchanges with South Africa, especially in rugby. The Labour Party Government has taken active measures to prevent or discourage such exchanges.

Prime Minister David Lange of New Zealand told the Special Committee against Apartheid on October 23, 1985:

“... Before I left Wellington to attend the Commonwealth meeting, my Cabinet colleagues and I agreed that New Zealand would strictly comply with each of the economic sanctions that the Commonwealth decided

should be applied immediately. And we can go further than that. If and when the Commonwealth judges it necessary, we shall be ready to play our part in moving to the next steps outlined in its Accord...

“And if the South African Government still remains obstinate, New Zealand will be prepared to join others in further collective efforts, even comprehensive mandatory sanctions if that is what it takes to achieve peaceful change in South Africa.”

The Government announced on November 11, 1985, that it had:

- placed an embargo on the sale or re-export of computer equipment to South Africa;
- imposed a ban on the import of arms, ammunition and military vehicles from South Africa;
- prohibited the import of gold krugerrands;
- decided that the Export Guarantee organization should not enter into export guarantee commitments for new business with South Africa;
- instructed the Export-Import Corporation not to provide assistance to companies in respect of business with South Africa; and
- undertaken to discourage all cultural and scientific events, "except where these contribute towards the ending of apartheid_or have no possible role in promoting it.

See also "Commonwealth" in Section II above.

Norway

The Government of Norway decided in June 1976, soon after the Soweto massacre, not to grant currency licences for investment in South Africa, thereby effectively stopping new investment in that country. It also decided to discontinue State-supported credit guarantees for exports to South Africa and instructed its Consul-General in Cape Town to refrain from any activity designed to promote Norwegian exports. It also instituted licensing for the export of ships, so that the Government can make political assessment and, if necessary, prevent export of ships to South Africa.

In 1978, in pursuance of the Nordic Programme of Action against South Africa, Norway stopped all promotion of exports to South Africa. It introduced visa requirements for South African citizens, effective November 1, 1978, and began actively to discourage sports and cultural contacts with South Africa.

The Government announced in 1979 that it was its policy not to export oil produced on the Norwegian continental shelf to South Africa, and secured the endorsement of the oil companies concerned.

In 1985, Norway initiated or took a series of further measures.

On March 27, 1985, the Government proposed the following measures in a statement to Parliament:

"(a) Norway's import of goods from South Africa will be subject to automatic licensing, and opportunities to reduce trade with South Africa will be evaluated by the authorities in cooperation with business, industries and organizations concerned.

“(b) In co-operation with the parties concerned, the Ministry of Justice should consider a statutory prohibition on the sale of Norwegian crude oil to South Africa.

“(c) In cases where raw materials have traditionally been imported from South Africa for processing in Norway and where the switch to other suppliers would imply considerable extra costs, the Government will consider the question of giving government financial aid to help the companies concerned to readjust.

“(d) Following an understanding between the Government and the Norwegian Shipowners' Association, a scheme will be set up to ensure that the authorities can record transport of crude oil to South Africa on ships registered in Norway. The Norwegian Shipowners' Association will send these records to the Ministry of Trade and Commerce in the form of quarterly reports on the volume of oil transported and number of ships involved.”

The proposals were approved by Parliament on June 7, 1985.

On June 27, 1985, Norway, together with Denmark and Sweden, terminated its air agreement with South Africa.

(For a review of measures by Norway, see also document A/40/22/Add.4 - S/17562/Add.4).

See also "Nordic States" in Section II above.

Portugal

See "European Community" in Section II above.

Spain

Spain denounced its visa agreement with South Africa on July 4, 1978.

It refused permission for South African naval vessels to be repaired in Spanish shipyards.

See also "European Community" in Section II above.

Sweden

The Swedish Government decided in 1967 to discontinue any export credit guarantees for exports to South Africa and to prohibit use of any public funds for the promotion of trade with South Africa.

It introduced visa requirements for South African nationals in 1978. They were subsequently made more stringent: as from April 1, 1982, visas are in principle denied to South Africans representing the apartheid regime in the fields of sports, culture and science. The Government has recommended to public authorities, organizations and institutions to refrain from contacts with the apartheid regime in those fields: public funds cannot be used for such contacts.

In 1979, the Swedish Parliament passed the Act on Prohibition of Investments in South Africa and Namibia. (Earlier, for several years, the Government had dissuaded Swedish companies from making further investments in South Africa). The legislation prohibited establishment of new Swedish-controlled companies in South Africa and Namibia, as well as the expansion of business activities of Swedish companies already there.

On November 21, 1983, the Government issued an Ordinance to prohibit the importing of military equipment from South Africa. (S/17140 and Add.1)

Sweden took a series of new measures in 1985.

On February 20, 1985, the Swedish parliament enacted legislation extending the arms embargo against South Africa to cover exports of data processing equipment and related software and cross country vehicles and fuel intended for South African military or police authorities or for their account.

It also enacted a new law on investments in South Africa, replacing the Act of 1979. The new law, which entered into force on April 1, 1985, also prohibits loans and credits, financial transactions and financial leasing. The government was authorized to introduce legislation prohibiting transfer of technology to South Africa.

In May 1985, the Government recommended to public authorities and institutions to refrain from purchasing goods from South Africa.

On September 1, 1985, the Government presented a package of new measures to strengthen the Swedish policy against apartheid. Under this, the Swedish Government would in the near future present bills to parliament on:

- (a) a ban on imports of agricultural products from South Africa;
- (b) a ban on imports of South African krugerrands;
- (c) authorization for municipalities and county councils to boycott South African goods and services; and
- (d) a tightening of penalties in the Swedish Act on international sanctions.

The Government would soon open consultations with the Swedish companies concerned to persuade business companies to refrain from trade with South Africa and shipping companies to avoid maritime traffic to South Africa.

(For a review of measures by Sweden, see also document A/40/22/Add.4-S/17562/Add.4).

See also "Nordic States" in Section II above.

Switzerland

No information is available.

Turkey

The representative of Turkey said in the United Nations General Assembly on October 30, 1985:

"Turkey maintains no diplomatic, economic, military or other relations with South Africa. Turkey's boycott of the South Africa regime is total in all areas, and the Turkish authorities have all the necessary legal instruments to put this policy into practice." (A/40/PV.53).

United Kingdom

In 1975, the United Kingdom Government terminated the Simonstown Agreement with South Africa.

For several years, the United Kingdom has declared opposition to sporting contacts with racially-based South African teams. Official support is not provided

for such contacts.

Guidelines from the United Kingdom Government to companies exporting oil from the United Kingdom continental shelf require that this oil should be exported only to countries which were either members of the European Community or the International Energy Agency, so that the oil cannot be exported to South Africa.

Following the approval of a list of measures against South Africa by the Ministers of the European Community, Spain and Portugal on September 10, 1985, the United Kingdom Government announced on September 25, 1985, that it had decided to join with its partners in endorsing the list. It would recall defence attaches from South Africa until further notice. The other measures, it was claimed, were already being implemented by the United Kingdom.

See also "European Community" and "Commonwealth" in section II above.

United States of America

As regards the arms embargo, it may be noted that the regulations issued by the United States Government in February 1978, pursuant to the Export Administration Act, prohibit exports to, or for the use of, the South African military and police. This regulation goes beyond the requirements of Security Council resolution 418 (1977) and the regulations in many other Western States. It was, however, relaxed in 1981 to permit sales of "non-military" items.

The United States Government also indicated in 1980 that it would not license the sale of computers destined for the South African military or police, or to agencies involved in administering apartheid. (S/14143).

On September 9, 1985, the President of the United States of America issued an Executive Order which includes the following provisions:

- A ban on loans to South Africa, with the exception of "certain loans which improve economic opportunities, or educational, housing and health facilities that are open and accessible to South Africans of all races." The prohibition is effective on November 11, 1985.
- A ban on the importation of the krugerrand in the United States, subject to consultations with the signers of the General Agreement on Tariffs and Trade. (This was made effective October 11, 1985).
- A ban on all computer exports to military, police and security forces and agencies "involved in the enforcement of apartheid."
- A prohibition of all exports of nuclear technology except those required to carry out international agreements on the spread of nuclear arms, or

those deemed necessary to protect public health and safety.

- The importation of any arms or military vehicles produced in South Africa.

IV. SOME OBSERVATIONS

National measures, limited in scope, can in no way be a substitute for mandatory sanctions adopted by the United Nations Security Council, under Chapter VII of the United Nations Charter, universally applied and effectively monitored. They allow the South African regime to utilize loopholes. Moreover, public opinion in many countries may become wary of measures which involve economic sacrifices if the only visible result is that another country would fill the gap for South Africa.

But this does not detract from the significance of national measures in the absence of, or preparatory to, mandatory decisions by the Security Council.

They demonstrate by action the commitment of nations to freedom in South Africa. They weaken elements in those countries which have a vested interest in collaboration with South Africa under apartheid rule. They encourage all those who are struggling against racist tyranny in South Africa. Every measure against the racist regime and in support of those struggling against it helps to tip the scales in the confrontation between the racism and non-racialism.

Moreover, the adoption of measures by a number of Western countries brings them closer to the majority of nations which already boycott South Africa and strengthens the international coalition for effective action against apartheid. National governmental measures - together with actions by local authorities and public organizations - help exert pressure on those governments and interests which oppose and frustrate effective sanctions against apartheid.

In this context, it is essential to review the progress achieved so far and to consider means to promote further action.

Many countries have not informed the United Nations on measures they have taken and some of them have, in fact, taken no measures.

Some countries have failed to take action on the grounds that their economic relations with South Africa are modest. They need to be reminded that they face the danger of being used by South Africa in its efforts to counter boycotts, and that their attitude is not consistent with the spirit of concerted action.

Some countries appear to feel that the requests in the United Nations resolutions, even those supported by them, are optional and merely provide a checklist from which they may choose one or more symbolic gestures.

Several governments have not even taken simple measures which can be implemented by them at little cost and without the lengthy process of legislation - for instance, the ending of the exchange of military attaches with South Africa;

the abrogation of visa-free entry privileges to South Africans; the cessation of purchases of South African goods and awards of contracts to South African companies by government departments; discontinuing of official support to trade missions and trade fairs; and abrogation of double taxation agreements.

Most countries have taken little action in the field of trade on the grounds that such action is contrary to GATT regulations, though many non-aligned countries have long boycotted South Africa. The recent actions of several governments in stopping imports of krugerrands, and the Swedish initiative to prohibit import of agricultural produce from South Africa on the grounds that prison labour is used in production, show that GATT regulations are no obstacle if there is a will to act.

Few governments have encouraged action by local authorities and the public. The decision by the Canadian Government to open a register of such actions is a welcome innovation.

It is suggested that the United Nations bodies concerned should give urgent attention to securing full information from all governments on action taken by them and that consultations should be held with governments, individually and collectively, to encourage them to take further measures and in concert.

The actions so far taken by one or more Western States or Japan should be compiled and viewed as a minimum programme of urgent action rather than an optional list. Efforts should be made to secure mandatory decisions by the Security Council, especially on measures implemented by a large number of States.

The above, it must be reiterated, should in no way detract from continuing efforts for effective mandatory action in crucial fields of arm and oil embargoes and economic sanctions.

There must be a sense of urgency - and a constant escalation of action even while differences remain on other measures - in view of the rapid developments in southern Africa and the possible dangers, if the United Nations is to play an effective role.

This paper should, therefore, be seen as only the first of a series of studies intended to assist in the consideration of international action.