

# THE STRUGGLE AGAINST APARTHEID

## LESSONS FOR TODAY'S WORLD

BY ENUGA S. REDDY

The United Nations has been concerned with the issue of racial discrimination since its inception. The UN General Assembly adopted on 19 November 1946 during its first session a resolution declaring that “it is in the higher interests of humanity to put an immediate end to religious and so-called racial persecution and discrimination”, and calling on “Governments and responsible authorities to conform both to the letter and to the spirit of the Charter of the United Nations, and to take the most prompt and energetic steps to that end”.

Racial discrimination became one of the main items on the United Nations agenda after African nations attained independence and after the Sharpeville massacre in South Africa on 21 March 1960 sensitized world opinion to the perils of apartheid and racial discrimination. In 1963, the Assembly adopted the Declaration on the Elimination of All Forms of Racial Discrimination, which led to the International Convention in 1965. It proclaimed the International Year for Action to Combat Racial Discrimination in 1971 and the three Decades for Action to Combat Racism and Racial Discrimination, starting in 1973, as well as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001. The United Nations also organized two world conferences against racial discrimination, more recently the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, in Durban, South Africa.

The General Assembly, the Economic and Social Council and the Commission on Human Rights have devoted thousands of meetings to the discussions on racial discrimination and adopted hundreds of resolutions. Other UN agencies, notably the International Labour Organization (ILO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO),



Johannesburg, South Africa, 1982. Black people were denied their basic human and political rights, their labour exploited and their lives segregated, precarious and fearful.

have made significant contributions to the common effort. Racial discrimination is now being condemned by all Governments, and racially discriminatory legislation has been abrogated by most Member States. The Committee on the Elimination of Racial Discrimination, a body of independent experts monitoring the implementation of the

International Convention, has had some success in persuading Governments to take further action. The progress made by these efforts should not be minimized. Yet, the Durban Conference pointed out with grave concern that, despite all the efforts of the international community, countless human beings continued to be victims of racial discrimination. New developments worldwide, such as the greatly increased migration, have led to a resurgence of manifestations of racism. Xenophobia has also caused violent conflicts and even genocide.

Why is it that the international community, which achieved remarkable success in dealing with apartheid in South Africa, has been as yet unsuccessful in eliminating racial discrimination from Earth? And are there any further lessons to be learned from the struggle against apartheid? It must be recognized at the outset that apartheid was a unique case of blatant racism.

The National Party, which came to power in South Africa in 1948, made apartheid a State policy and espoused the vicious ideology that people of different racial origins could not live together in equality and harmony. Successive Governments reinforced the legacy of racist oppression against the non-white people—the indigenous Africans, people of Asian origin and of mixed descent—who constitute over 80 per cent of the population. National liberation rather than human rights became the objective of the struggle against racist tyranny.

Apartheid was an affront to the nations of Africa and Asia that were emerging into independence from colonial rule. They demanded that the United Nations consider the grave situation in South Africa as a threat to international peace and to take effective measures, including sanctions, for the liberation of the South African people. They received support from ever-increasing majorities in the United Nations.

The liberation of South Africa from racist tyranny and the national reconciliation that followed were the result of the struggle of the South African people and the international action promoted by the United Nations for almost half a century. While the minority racist regime was replaced by a non-racial democratic Government, and the main racist laws abrogated in the process, the task of eliminating the vestiges of apartheid and its effects was left to the new Government. At present, no government espouses racism, and the problem is not the enactment of new racist laws. The victims of oppression and racial discrimination are generally minorities or non-citizens. Racial discrimination in individual countries is seen in terms of human rights rather than as a threat to the peace.

While United Nations declarations and resolutions have been adopted with unanimous support, a number of

Governments have not shown the political will to combat age-old prejudices, traditional or customary inequities, or even violence against oppressed communities. Politicians and political parties incite racial hostility, while public authorities and local officials ignore national legislation on racial equality. The oppressed communities continue to have little representation in police forces, the judiciary, the legislatures and other decision-making bodies. Governments are reluctant to complain about racial discrimination in other countries unless their own nationals are victimized. Hence, racist oppression in individual countries rarely appears on the agenda of major United Nations organs.

In the 1960s, when there was a deadlock on sanctions against South Africa because of the opposition of its trading partners, the United Nations launched an international campaign against apartheid to encourage committed Governments, non-governmental organizations (NGOs) and individuals to implement a wide range of measures to isolate the South African regime and its supporters and assist the freedom movement. Writers, artists, musicians and athletes, among others, were mobilized in support of the freedom movement, whose representatives were given observer status in the United Nations and participated in decision-making. The campaign eventually helped to persuade the major trading partners to impose an arms embargo and take other measures. It may be that the experience of that campaign can be emulated in some ways in the struggle against racial discrimination.

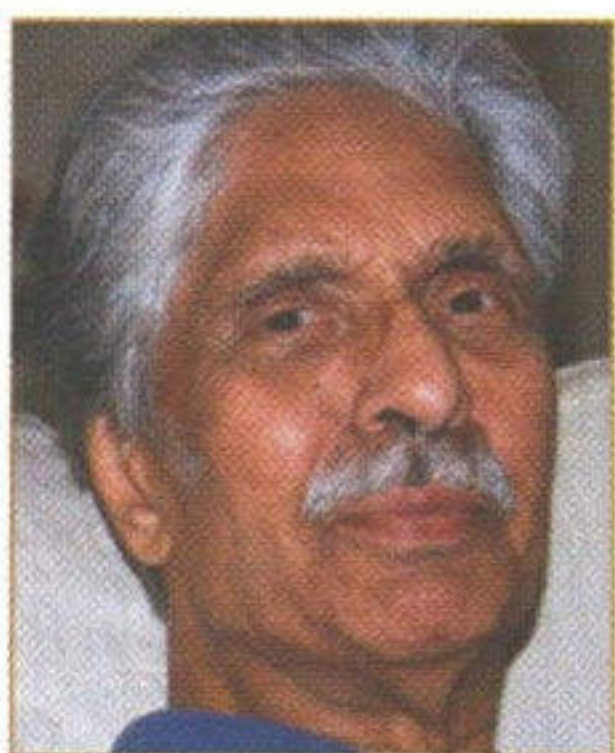
If the constraints of the United Nations as an organization of Governments prove a hurdle, the initiative may perhaps be taken by individual Governments that recognize the grave dangers of racial discrimination and related ills. With their support, NGOs could launch an effective campaign, set up structures to monitor constantly all developments concerning racial discrimination and violence, and expose those who profit from or incite racism. A worldwide campaign can help the United Nations to find ways to consider the situation in individual countries and take more effective actions than mere appeals. If complaints of violations of trade union rights can be considered by the ILO and the UN Economic and Social Council, there is no reason why the denial of rights of communities subjected to racial discrimination cannot be considered without any formal complaint by Member States.

The Commission on Human Rights, responding to suggestions by African countries and other States, has taken the initiative to prepare studies on discrimination against people of African origin, which concerns a number of States. It is perhaps timely for African, Caribbean and other

States to call for effective procedures for action, as in the case of apartheid. It may be recalled that meaningful action followed the establishment of the Special Committee against Apartheid, with a mandate to promote international action and report, with recommendations, to the General Assembly and the Security Council. The experience of the Ad Hoc Working Group of experts, set up by the Commission to investigate and report on human rights violations in southern Africa, may also be an example in considering action on the plight of Roma and immigrants.

During the struggle against apartheid, the Special Committee found it essential to promote the establishment of funds and agencies outside the United Nations, with the assistance of committed Governments and NGOs, to supplement and support UN action, as they were able to do what UN organs could not. That experience may also have lessons for the present, as the following illustrate: the International Defence and Aid Fund for Southern Africa, which provided legal assistance to political prisoners and maintenance for their families in need, resorting to secret channels when the South African Government banned the Fund; the World Campaign against Military and Nuclear Collaboration with South Africa, whose support was crucial in the implementation of the arms embargo against that country, as the Security Council Committee received no information from Governments on violations; and the Shipping Research Bureau (Shirebu), which helped greatly in monitoring the implementation of UN recommendations on the oil embargo. The Association of West European Parliamentarians against Apartheid and the NGO Sub-Committee against Colonialism, Apartheid and Racial Discrimination also made significant contributions.

The elimination of racial discrimination, entrenched for centuries and reinforced by some recent developments, is not an easy task. It needs perseverance and determination, building on past achievements and developing new strategies as necessary. There must be a sense of urgency. The example of struggle against apartheid remains an inspiration for such an effort. ❖



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apartheid South Africa was transformed into a united, democratic and non-racial society, with the coming into force of the new interim constitution, which guaranteed universal adult suffrage to all South Africans. The country held its first democratic general elections in April, which were won by the African National Congress, whose leader, Nelson Mandela, became the first President of a new, non-racial South Africa. The question of the elimination of apartheid, which had been on the General Assembly's agenda since 1946, was removed and the Special Committee against Apartheid dissolved. The Security Council removed the mandatory arms embargo and ended all measures it had imposed against South Africa. It also terminated the mandate of the United Nations Mission in South Africa.

The end of apartheid in South Africa, however, was not the end of the consideration of racism by the United Nations. Through its Special Rapporteur, the world Organization continued to examine contemporary forms of racism, racial discrimination and any form of discrimination against Blacks, Arabs and Muslims, xenophobia, Negrophobia, anti-Semitism and related intolerance, as well as governmental measures to overcome them. From 31 August to 8 September 2001, the third World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance was held in Durban, South Africa. The Durban Declaration and Programme of Action committed States to combating those forms of racism and also acknowledged that slavery and the slave trade were a crime against humanity and contributed to racism. The Programme was devoted to prevention, education and protection measures, including the establishment of a follow-up arrangement comprising a five-member panel of eminent independent experts to help implement the Declaration. In 2003, the Assembly closed the Third Decade and emphasized the implementation of the Durban Declaration and Programme of Action as a solid foundation for a broad-based consensus for further action to eliminate racism.

Despite the advancements made, the issue of racial discrimination continues to be a major preoccupation of the United Nations, especially its human rights bodies, as it seeks new ways to reverse the trend towards intolerance and to fight racial hatred as they manifest themselves in new ways. ❖

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