



ORGANIZATION OF  
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منظمة الوحدة الأفريقية  
السكرتارية  
ص. ب. ٣٢٤٣

ORGANISATION DE L'UNITE  
AFRICAINNE

Secretariat  
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Addis Ababa ••••• اديس ابابا

COUNCIL OF MINISTERS

CM/735 (XXVII)

Twenty-Seventh Ordinary Session

Port Louis - Mauritius

June 1976.

REPORT OF THE ADMINISTRATIVE SECRETARY-GENERAL ON DECOLONIZATION

27th Ordinary Session  
Port Louis - Mauritius  
June 1976



CM 0735

39p

MICROFICHE

GENERAL REMARKS

In the field of decolonization and since the 12th Summit in Kampala, Uganda, the most important event is Angola's attainment of Independence which occurred on November 11, 1975. The independence of Angola marked the end of centuries of Portuguese colonialism.

2. In Zimbabwe attempts to settle the problem of majority rule in a peaceful manner failed twice in a span of a few months. During the period under review, freedom fighters intensified the armed struggle.

3. Division is the main obstacle to the struggle of the people of Zimbabwe. The OAU recognizes the ANC (Zimbabwe) established by the Lusaka Agreement of 1974 as the only Liberation Movement of the Territory. Therefore the split of the leadership of this nationalist front should be denounced by all member states and considered as a mere accident of history which does not affect in any way, the unity of the people of Zimbabwe.

4. In Namibia the liberation struggle has been complicated and slowed down by the South African aggression against Angola. The South African aggression against Angola and the temporary occupation of the southern part of the Angolan territory deprived the SWAPO freedom fighters of a convenient operational base. Despite all these setbacks, the SWAPO freedom fighters carried out a series of successful operations in Namibia and against the forces of oppression of South Africa. The marked victories of SWAPO over the South African troops angered Pretoria to such an extent that the racist regime had to embark in the intensification of the means of suppression over the entire territory. On the political side racist South Africa still insists on the principle of separate development and the creation of the artificial Bantu States.

5. South Africa has recently been expanding her military bases and installations in the territory and has used Namibia as launching base for attacks against the black states. Further South Africa has been advocating her own version of constitutional developments for the territory while on the other hand she has been entrenching herself firmly and consistently refusing any United Nations supervision on national elections. Thus, and on the basis of the existing facts it can be stated with much certainty that racist south Africa is meant to stay in Namibia.

6. Upon the collapse of Portuguese colonialism in Africa and the realization that its defence lines had moved further south, the South African regime reverted in to the search of ways and means for the establishment of a modus vivendi without making any basic alterations to its evil system of government. Nevertheless racist South Africa's diabolic intentions were unmasked and the intensification of her means of repression in South Africa and Namibia confirms her persistent rejection of any positive solution.

7. With the intention of eliminating the nationalists, the racist regime of South Africa seems to be determined in pursuing its policy of Bantustanization and the plan to grant Transkei a so-called independence by June 28, 1976 is still persisting.

8. The other disturbing factor has been apprehended during the period under review is the racist regime's decision to redefine its military polices in Southern Africa and amend its legislation to authorize Pretoria's forces to attack at any moment, any southern African State.

9. The so-called French Somalil and Djibouti is about to become independent, although France is reinforcing her garrison in the territory. The OAU Fact-Finding Mission visited the territory from 3 to 21 May, 1976 and is submitting its findings to this Ordinary Session of the Council of Ministers in a separate report.

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Z I M B A B W E

10. The situation in Zimbabwe has been one of our main preoccupations during the period under review. Although the crisis in the leadership of the ANC (Zimbabwe) persists, the liberation struggle in Southern Africa is continuing within the framework prescribed by the Lusaka Manifesto and the Dar-es-Salaam Declaration. The overall situation in Zimbabwe cannot be examined without taking into account the neighbouring states' liberation from Portuguese colonialism.

11. Upon the total collapse of Portuguese colonialism in Africa and the subsequent loss of Rhodesia's main buffer zone, Mozambique, the illegal regime of Rhodesia had to review the overall situation in the area. The People's Republic of Mozambique decided to close its borders with Rhodesia in application of sanctions against that country as prescribed by the United Nations.

12. It is worthwhile mentioning at this juncture that the collapse of the Portuguese colonialism in Africa has disturbed racist South Africa as much as the rebel regime in Rhodesia.

13. Despite the division within the ANC, the OAU has during this period been faithful in respecting the strategies adopted by the Liberation Committee in its 24th Session in January 1975 and the Dar-Es-Salaam Declaration adopted by the 9th Extraordinary Session of the Council of Ministers in April 1975. Both these Declarations put Zimbabwe at the top of the priority list as far as the liberation of Southern Africa is concerned.

14. After the collapse of the Victoria Falls Bridge, the internal wing of the ANC held a congress in Salisbury between 27th and 28th of September 1975, and among the resolutions passed were the following:-

- (a) "That the ANC leaders should continue negotiations with the Smith regime with a view to achieving majority rule."
- (b) "That a full scale (constitutional) conference should be convened."
- (c) "That contact with the illegal regime be kept to a minimum".

Accordingly Mr. Nkomo had several official and unofficial meetings with rebel Ian Smith which were to culminate in the signing of the following declaration of intent on 1st December 1975:-

1. The Prime Minister and other Cabinet Ministers of the Rhodesian Government and the President and other representatives of the African Council met at Victoria Falls on 25th August 1975, and subsequently in Salisbury on 31st October 1975, and thereafter.

2. Both sides took this opportunity of expressing their genuine desire to negotiate a constitutional settlement.

3. Both parties publicly expressed their commitment to work out immediately a constitutional settlement which will be acceptable to all the people of our country.
4. In pursuance of this objective, the negotiating teams from both sides shall arrange a plenary meeting in Rhodesia of nominated representatives chosen respectively by the Government of Rhodesia and that of ANC. At this meeting detailed discussions of all aspects of the constitutional issue will commence and, where appropriate, sub-committees will be established to consider and report to the plenary meeting on particular aspects.
5. (i) Representatives of the ANC at any meeting or meetings in Rhodesia, whether formal or informal and including both plenary and committee or sub-committee meetings, held in terms of clause 4 hereof shall have full freedom and/or diplomatic immunity in respect of the following:-
  - a) from preventive detention or restriction for any act or omission in or outside Rhodesia; and
  - b) to enter and depart freely from Rhodesia; and
  - c) subject to the confidentiality of the discussions agreed in Clause 8 hereof, to exercise freedom of expression and speech at any meeting or meetings in Rhodesia as described hereinbefore in this Clause and to communicate freely with any person inside or outside Rhodesia; and
  - d) not to be subjected to any observation, harassment or recording by film, tape, other mechanical device or means not expressly authorized by themselves.

- (ii) For the purposes of sub-clause (i) of this Clause;
- a) any reference to 'Representative of the ANC' shall be construed as a reference to all persons nominated by the ANC to attend any meeting or meetings in Rhodesia as described hereinbefore in sub-clause (i) in any capacity whatsoever, whether as delegates, advisors, aides or in any other capacity;
  - b) the freedom and immunities referred to in sub-clause (i) shall apply and be enjoyed as aforesaid not only at and/or during any of the meetings mentioned hereinbefore, but all times from and including 31st October, 1975, until the conclusion of the Constitutional Conference referred in Clause 7 hereof;
  - c) any reference to "preventive detention" shall be construed as a reference to detention in terms of any regulations made under the Emergency Powers Act (Chapter 33).

6. Because of the urgent need to end the present uncertainty it was agreed that every effort should be made to expedite the proceedings.
7. When agreement has been reached on the form and content of the Constitutional Settlement, a final Constitutional Conference will be arranged at a mutually agreed venue, which shall be outside Rhodesia. The purpose of this Conference will be to ratify formally the terms of the Constitutional document giving effect to the agreement reached.
8. All those present agreed on the importance of preserving the confidentiality of the Constitutional discussions and undertook not to reveal any details to the press and other media.

15. Analysing the declaration of intent the only remark that could have been made at the time, and which was to prove to be quite true, was that it was an arrangement for talks about talks to take place. The internal wing of the ANC led by Joshua obtained the inclusion of a clause 5 in the resolutions. This clause virtually granted diplomatic immunity to exiles and other members of the ANC who wished to attend the formal informal, plenary and committee meetings. The clause further guaranteed free entries and departures to and from Rhodesia, the freedom of expression though subject to the confidentiality of the talks and the freedom from preventive detention, restrictions and harassments.
16. When the two sides met on December 16, 1975 at King George VI Army Barracks in Salisbury, rebel Ian Smith's long standing intransigence and refusal to face the nationalists led to the breakdown of the talks. In fact Ian Smith has been stubbornly reluctant to commit himself, in a formal and binding document, to direct negotiations with African leaders. Whenever he had anything to do with the nationalists, it was at the initiatives and intermediaries of third parties.
17. The OAU, as always, has been firm on the fact that black majority rule for Zimbabwe was a principle not subject to bargaining.
18. Concerned by the situation in Zimbabwe and the entire area the Heads of State of the front-line countries - President Nyerere of Tanzania, President Kaunda of Zambia, President Khama of Botswana and President Samora Machel of Mozambique held constant meetings and consultations.
19. During the period of negotiations in Salisbury, the external wing of ANC was active enough in the organization and preparation in the armed struggle. It is to be recalled that the ANC was led by Bishop Muzorewa, Sithole and Jhikerama had, from the moment of the break of the Victoria Falls talks stated that the only way to obtain majority rule in Zimbabwe was through armed struggle. This thesis which they maintained steadily gained much support and sympathy through Africa as the negotiations between Nkomo and Smith did not seem to make any headway.

Besides the Declaration of Intent of December 1, 1975 was promptly denounced by the external wing of the ANC which refused either to endorse or to recognize it. It went as far as stating that it would oppose through armed struggle any accommodation that did not have as its centre-piece majority rule. The ANC external wing believed that any settlement between Nkomo and Smith could not ensure majority rule. This belief was confirmed when Sithole stated that "Smith does not want to settle on our conditions and hopes to make a deal with Nkomo on his conditions. If Smith is ready to settle with Nkomo, why not with all of us ?"

20. Three months after negotiations had started Nkomo and Smith came to deadlock. The OAU did not receive the news as a surprise.

21. On receiving the news of the breakdown of the talks, the OAU issued the following statement on its position :-

"The breakdown in the Rhodesian constitutional talks between rebel leader Ian Smith and Mr. Joshua Nkomo came to no one as a surprise. The OAU had announced time and again that the unreliability of Ian Smith coupled with his intransigence could not result in any meaningful constitutional talks that could usher in majority rule in Zimbabwe."

22. The British government proposed a programme based on the time factor for the transfer of power to the black majority. This was formulated in (a) acceptance of the principle of majority rule, (b) elections for majority rule to take place in 18 to 24 months, (c) agreement that there will be no independence before majority rule, (d) that the negotiations must not be drawn out and (e) there must be assurance that the transition to majority rule and to an independent Zimbabwe would not be thwarted.

23. This proposal was rejected by both sides. Smith based his rejection on the fact there was no difference between the British and Nkomo's proposals, whereas the nationalists led by Bishop Muzorewa and who consider the Zimbabwe problem primarily an African one rejected the British proposal on the grounds that the question of majority rule shall be decided on the battlefield and in nine months.

24. Consequently, the credible alternative - that of the armed struggle for the liberation of Zimbabwe is now applied. This armed struggle has been reinforced by President Samora Machel's courageous decision of March 3 1976 to fully apply sanctions against the rebel regime of Rhodesia on the basis of the Security Council Resolution 253 of May 29, 1968.

25. At the end of April 1976, the rebel Ian Smith announced his intention to include four stooges in his government. This new move was denounced by the ANC, the four frontline states and the OAU as a futile attempt to divide the nationalists of Zimbabwe and Africa in the strategy for the liberation of the territory. Smith's eleventh hour decision was a mere act of a desperate regime - a regime which is doomed.

#### N A M I B I A

26. Despite the U.N. General Assembly Resolution 2145(XXI) of 27 October 1966, which was later reaffirmed by Security Council Resolution 276/1970 of 30 January 1970, terminating South Africa's mandate over Namibia, the racist government of Pretoria remains adamant. As a matter of fact the racist regime of South Africa has intensified its measures of oppression against the people

of Namibia. The Vorster regime had, during this period, held up a semblance of policy of detente with the aim of establishing cordial relations with some African States and gaining enough time to balkanize the Namibian territory and create Bantustans in that territory.

27. Racist South Africa still defies all the United Nations decisions as well as world public opinion regarding the process of independence and self-determination of the people of Namibia. With the collapse of Portuguese colonialism in Southern Africa and the consequent loss of the buffer zones, the Pretoria government decided to move its defence lines north and along the Angolan-Namibian border. The racist regime evacuated all public buildings such as schools and hospitals for use by the racist army and police force and forced the inhabitants to live in the so-called protected villages. As the guerrilla activities of SWAPO increased especially in the areas of Ovamboland, Kavango and Caprivi the racists started air-lifting reinforcement troops, reservists and sophisticated weapons.

28. SWAPO on its part has intensified its guerrilla activities. South African troops are now under constant harassment by the freedom fighters of the People's Liberation Army of Namibia (PLAN). Thus during certain operations carried out by PLAN the racist forces suffered heavy losses in both men and equipment. During these operations SWAPO captured several prisoners of war and unlike the racists of Pretoria, informed the International Red Cross of the number of their captures and assured the Society that the prisoners would be treated in accordance with the 1949 Geneva Convention on the treatment of Prisoners of war.

29. As a retaliation to its losses in the battlefield the racists intensified their measures of suppression in the entire territory of Namibia. There was an intensification in the widespread arrests of SWAPO leaders and supporters as well as the members of the five party Namibian National Convention. The death of the Bantu Chief, Filemon Elifas, was being used to justify the persecution of SWAPO members and supporters.

30. SWAPO had made it clear time and again that it would talk to Vorster only if the following conditions are fulfilled:-

1. South Africa must recognize and state publicly, the right of the Namibian people to independence and national sovereignty.
2. Namibian territorial integrity is absolute and inviolable - not open to discussion at all.
3. South Africa must accept SWAPO as the sole and authentic representative of the Namibian people.
4. All political prisoners held in Namibia or South Africa must be released.

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5. Banning orders on Namibians opposed to the racist regime must be lifted.
6. Emergency regulations (refer R17 Emergency Regulations operating in Northern Namibia) must be lifted.
7. All Namibians in exile must be allowed to freely return to Namibia without fear of arrest or victimisation.
8. South Africa must commit herself to withdraw all her troops and police from Namibia.

31. The International Institute of Human Rights in collaboration with the International Commission of Jurists and the International Association of Democratic Lawyers organized the International Conference on Namibia and Human Rights and was held in Dakar, (Senegal) from January 5 to 8, 1976. The Conference which was attended by the OAU, UN, several African states, Liberation Movements as well as governmental and non-governmental organizations and prominent jurists in the field of human rights adopted unanimously the Declaration of Dakar on Namibia and Human Rights and the relevant Programme of Action. The Programme of Action was proposed to international organizations, states, non-governmental organizations and social, professional, trade union and information organizations as a set of measures to be taken to secure for the people of Namibia the exercise of their right to self-determination.

32. The Programme of Action urged the Security Council to determine under Chapter VII of the UN Charter that South Africa's action in Namibia, particularly its use as military base, constituted a threat to international peace and security, and called for an embargo on the supply of arms and other military equipment to South Africa including the radar and telecommunications system. It further urged the Council to follow up Resolution 366(1974), which called for compliance with all outstanding UN resolutions by South Africa and for the holding of

free elections under UN supervision and control for the whole of Namibia. It further called on South Africa to make a solemn declaration to the Security Council to effect a withdrawal and transfer of power to the inhabitants with the assistance of the United Nations. Decree No. 1 of the Council for Namibia also featured prominently in discussion at the conference and in the final Declaration, which said it had been "lawfully issued by the Council under its power laid down in Declaration 2248 of the General Assembly to protect Namibia's natural resources", called on States to enforce the decree with the view of protecting the natural resources of the people of Namibia and ensuring that these national resources are not exploited to the detriment of Namibia, its people or environmental assets. The conference while endorsing SWAPO as the authentic representative of the Namibian people supported the use of armed struggle for the cause of national liberation.

33. At the beginning of the year 1976, the Security Council of the United Nations met to discuss the question of Namibia in the light of South Africa's continued illegal occupation of the territory.

34. The Permanent Representative of South Africa addressed a note to the Secretary-General of the United Nations in which he sought to convey a rosy picture of harmonious and spectacular development in Namibia by advancing the following arguments:

1. The heterogeneous character of Namibia's population.
2. The so-called constitutional conference in the territory which first convened on September 1, 1975.
3. Figures which showed the overall economic progress of the territory.

35. As to the role of the United Nations the South African representative said, "The South African Government does not recognize and has never recognized any right on the part of the United Nations to supervise the affairs of the territory ... (and) cannot be expected to agree to United Nations' supervision of any electoral process".

36. What emerged out of the debate was a clear realisation that South Africa had no intention of ending her illegal occupation of Namibia within the foreseeable future.

37. It became evident that South Africa was making much out of the heterogeneous nature of the Namibian population and by saying that she was keeping her options open as an excuse for the accelerated introduction of apartheid and the full implementation of the policy of Bantustans. In this, South Africa is supported by some of her stooges. Chief Kapuwo of the Hereros and Pastor Ndjoba of Ovamboland have already declared that some form of regional autonomy based on ethnic lines is essential. It is now evident that under the Bantustanisation policy, 40% of the least desirable land is to be set aside for homelands or tribal areas; 17% of unsurveyed land plus two key diamond areas will automatically pass to South African control while 43% of the land which includes other minerals, sea ports, urban areas and good land will be designated "white areas". Thus the so-called Bantustans will mean squeezing over 80% of the African population into 40% of the poorest areas which lack amenities.

In addition, the system of education provided for the blacks ensures that no members of the indigenous population get higher education and technical skills to run independent communities. Therefore, the so-called Bantustans won't become viable states and will forever be dependent on foreign domination.

38. One of the objectives of the so-called Constitutional Conference held on 1st September, 1975, was to see how the Odendaal Plan could be implemented, a plan which envisaged the division of Namibia into twelve homelands. A month before the conference a wave of arbitrary arrests and detentions was unleashed on Namibians to prevent the black population from attending the so-called constitutional conference or from influencing the deliberations of the conference. The main victims in the arrests were members of SWAPO who were accused of killing Chief Elifas. The arrests and detentions were politically motivated because the accused were not brought to trial until December 1975 and even then the Court adjourned without a verdict until February 1976 while the defendants continued to be detained. In that period, the so-called constitutional conference was sandwiched. The so-called constitutional conference, therefore, did not constitute a true process of self-determination.

39. Thus the composition of the conference was not only inadequate in that it was based on ethnic groupings led by the people's Chief Kapuwo

and Pastor Ndjoba but also that those who represented views that Namibia should be a unitary state like SWAPO were effectively excluded.

40. The conference's Declaration of Intent stipulates, inter alia, that Namibia should get "independence" by 1978 under a loose federation of ethnic states. This is a manoeuvre aimed at undermining the territorial integrity of Namibia.

41. As for the economic progress of Namibia facts reveal that over 50% of the GNP of Namibia is being generated by foreign-own companies. Any rises in governmental expenditure figures represent an increase in military expenditure. Wages havenot risen but bus fares and other ordinary personal expenses have sky-rocketed. Hence, there do not exist in Namibia today any favourable condition for economic progress for the **black people**.

42. Further measures have been taken by South Africa in order to extend her presence in Namibia. Ovamboland has now been created as a new buffer zone in the north. The African population of about 60,000 along a 250 k.m. length zone has been deported. The deportation of the population has been attended with a great loss in schools, hospitals and arable land. These activities were condemned by the Trusteeship Council of the United Nations on 14th November 1975. But they have not ceased. South Africa has continued her military occupation of Namibia. She has extended her military base at Grootfontein in order to keep Ovamboland and the border with Angola under control and to check the progress of the liberation struggle being waged by SWAPO. In addition other bases in Namibia especially those in the Caprivi Strip have been reinforced.

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43. It should also be noted that South Africa has on more than one occasion used Namibian territory as a base from which to attack other neighbouring African countries. South African intervention in Angola through Namibia is a clear case in point.

44. To conclude, it is to be noted that since our last meeting, South Africa has constantly attacked the Namibian people through arrests, detentions, deportations and the defoliation of large areas. South Africa continues to defy world public opinion over Namibia. It is doubtful that she can perpetuate her presence in the territory without the support of the Western permanent members of the Security Council as witnessed in the failure of the non-aligned draft resolution S/11713 which sought to apply Chapter VII of the UN Charter against South Africa over Namibia. The vetoing of that draft resolution by Britain, France and the United States was interpreted by South Africa as an endorsement of her policies in Namibia.



APARTHEID - SOUTH AFRICA

45. Apartheid South Africa's arrogance reached its peak when it outrightly invaded an independent and sovereign African State. It is to be recalled that upon the collapse of Portuguese colonialism in Africa, the racist regime had moved its defence lines to the Namibian-Angolan border. Subsequently, after and with the pretext of safeguarding the Cunene River Dam, Pretoria introduced her forces of aggression into the southern part of Angola. The evil intentions and sinister pretexts were to reveal themselves on the days preceding November 11, 1975, the day the People's Republic of Angola acceded into independence after years of heroic struggle waged by its valiant people. Racist South Africa invaded Angola and participated actively in the war against the People's Republic of Angola. South Africa had not only defied the People's Republic of Angola but the sovereignty of independent African States. Racist South Africa took the liberty of becoming the police in Africa and adventured in the role of taking any action at will to impose over independent African States a government suitable to the strengthening of its abominable policy and to prolong its illegal occupation of Namibia.

46. In its 26th Ordinary Session, the Council of Ministers of the OAU adopted a resolution on Angola and by its operative paragraph 5 requested the African Group at the United Nations to call for an emergency meeting of the Security Council to consider the act of aggression committed by South Africa against the People's Republic of Angola. Consequently, the African Group at the UN requested the emergency meeting of the Security Council and debate commenced on the issue on March 26, 1976. Mr. Pascal Luvualu, member of the Central Committee of the MPLA and Ambassador-at-large of the Ministry of Foreign Affairs of the People's Republic of Angola represented his government during the debate.

47. During the debate, Ambassador Luvualu clearly portrayed the motivations behind which imperialist and colonialist powers committed the act of aggression against Angola. The Ambassador demanded the immediate and unconditional withdrawal of the South African troops from the Angolan territory. The Angolan representative reaffirming the People's Republic of Angola's sovereignty, informed the Security Council of his country's determination to respect the Charter of the United Nations and the Organization of African Unity. Ambassador Luvualu, pointing to the incalculable damage caused by the South African aggression, stated that the racists had moved from the Angolan territory into Namibia trucks, cattle, hotel and household furniture as well as light aircraft and funds from banks. He also stated that the South Africans had destroyed roads, bridges, airports, factories and radio stations, and that these acts of destruction were in addition to the barbaric massacres committed against the civilians Angolans population. Concluding his intervention, Ambassador Luvualu requested the Security Council to see to it that South Africa respects the sovereignty and territorial integrity of the People's Republic of Angola, that South Africa terminates the use of the Namibian territory as a base for acts of aggression against the People's Republic of Angola and compensates Angola for the injury done to its economy and people.

48. At the 1906th meeting of the Security Council, the representative of the United Republic of Tanzania introduced a draft resolution sponsored by Benin, Guyana, the Libyan Arab Republic, Panama, Romania and the United Republic of Tanzania. The Security Council discussed the draft resolution and adopted it as Resolution 387(1976) by a vote of 9 in favour, none against, and 5 abstentions (France, Italy, Japan, United Kingdom and the United States of America). One member (China) did not participate in the vote.

In its operative paragraphs, resolution 387 (1976) reads as follows:-

1. Condemns South Africa's aggression against the People's Republic of Angola;
2. Demands that South Africa scrupulously respect the independence, sovereignty and territorial integrity of the People's Republic of Angola;
3. Demands also that South Africa desist from the utilization of the international territory of Namibia to mount provocative or aggressive acts against the People's Republic of Angola or any other neighbouring African State;
4. Calls upon the government of South Africa to meet the just claims of the People's Republic of Angola for a full compensation for the damage and destruction inflicted on its State and for the restoration of the equipment and materials which its invading forces seized;
5. Requests the Secretary-General to follow the implementation of this resolution."

49 South Africa's aggressive acts and territorial occupation of the southern part of the People's Republic of Angola initiated on the 9th of August 1975 was terminated on the 27th of March 1976. The racist regime realizing the fact that the People's Forces were victorious in the final analysis, decided to withdraw than to face another defeat by the progressive forces of the People's Republic of Angola.

50. In a sensational speech at the end of 1974, Vorster introduced his so-called policy of detente and asked the world to give him a half year time. Africa gave him more only to find that the contents of his detente were in contradiction to what he has been preaching. South Africa's detente has been nothing other than futile tactics with dimensions both externally and internally. The external dimensions of detente were concerned with the desire to normalize South Africa's relations with African States by means of dialogue and at attempts to achieve a settlement of the Rhodesian and Namibian questions. The insincerity of the so-called detente was to be revealed by the unqualified aggression of the racist regime against Angola, its continued and illegal occupation of Namibia and its insistence on the creation of artificial Bantustans.

51. The absurdity of Pretoria's policy of detente was further revealed when the racist regime introduced a Defence Amendment Act to its Parliament with regard to the areas of operation of its forces. In terms of the said Act, which was introduced to the racist Parliament by the Defence Minister, Mr. Botha, Southern Africa is defined as the entire half of the continent south of the Equator. The newly defined areas of concern to the racist regime thus covers Angola, Mozambique, Tanzania, Zaire, Zambia and Zimbabwe. The Bill contained the necessary clauses that would give the South African Defence Minister all the power and legal rights to order South African forces into action outside the territorial boundaries of South Africa and within the African States lying in the newly defined area of Southern Africa. Section 95 I(a) of the Defence Act No. 44 of 1957 states " a member of the South African Defence Force may be required in time of war to perform service against an enemy anywhere in South Africa, whether within or outside the Republic and may with his written consent, be required to perform such service outside South Africa."

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52. Accordingly, services outside South Africa, such as in the case of Angola have so far been performed on voluntary basis. And it is exactly for these reasons and to abolish completely the voluntary participation that the new Bill has defined Southern Africa as Africa south of the Equator. The bill further extends the definition of 'service in the defence of the Republic' for which the Defence Force may at all times be deployed to include prevention, or suppression of any armed conflict outside South Africa which, in the opinion of the State President, is, or may be a threat to the security of the racist regime. Along with this legislation was the increase in the military budget together with an intensification of recruitment of blacks, coloureds and Indians in the armed forces. This recruitment drive is mainly to support the Bantustans and to fight against liberation movements.

53. Meanwhile, early in April 1976 Vorster paid a four-day visit to Israel. At the conclusion of his visit he said that he and the Israelis had merely agreed to improve economic relations. In fact, Vorster was interested in buying the Israeli built Kfir jet fighters which would be armed with nuclear warheads. Thus the Zionist and racist South African regimes had joined hands in their aggression towards free Africa. The close links have existed between the two since the establishment of Israel in 1948 were improving and this is not surprising since the two systems are based on ideas of force and racial superiority.

54. No person with a sound sense of judgement can consider such a legislation a means of rapprochement and overtures towards Africa. Such legislation is and remains a blatant declaration of war against free Africa and the OAU, and it should be in this spirit that South Africa's external dimension of detente should be assessed.

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55. Internally the so-called policy of detente was to mean a marked relaxation of the apartheid laws. Instead and during the period under review the repressive measures of the racist regime have been intensified and unveiled completely the real face of Vorster's policy of detente. At least hundreds of people in Soth Africa and Namibia are now being detained in terms of the Terrorism and Suppression of Communism Act. The prominent African Trade Unionists namely, Harry Gwala, Bekiska Nxasana and Judson Khuzwayo were among the first arrested. These arrests also reflected the increase in the number and scale of strikes against higher bus fares and rapidly degenerating working conditions. They are people with no recourse to the courts, no right of access to their legal advisors and no right to receive visitors from either family or friends. The public or even the families concerned have no right to be informed about who has been detained. The powers with which the Security Police are invested by the Terrorism Act and the secrecy of their exercise, which is sanctioned by the same Act make it impossible to give an accurate account of the situation. However, and in addition, more legislation was passed which reduced even further the already narrow margins left open to opposition groups. One such Act established a Permanent Parliamentary Committee to advise on internal security means what organizations should be banned.

56. Until the detention of the white people such as Breytan Breytenbach, the detention of black people under the Terrorism Act has been generally a forgotten issue. Not even the normal channels of protest were being used except by the Black Organizations and a few church groupings. Newspapers were giving less and less coverage to the SASO/BPC (South African Students Organization/Black People's Congress) trial, and reports of continued detention by the security police were carried mainly by the papers reaching the black community. Immediately after the detention of the white writer, the students at Cape Town, Witwatersand and Rhodes Universities organized mass meetings to protest and from this grew some of the largest demonstrations seen at Witwatersand

and Cape Town. A petition for the release of people detained under the Terrorism Act was circulated in Johannesburg by university students. NUSAS (National Union of South African Students) mounted a campaign calling for the release of all detainees and the rescinding of the Terrorism Act.

57. The ultimate effects of such protest must, however, be seen within the context of the powerlessness of the people who voice it and the tight security legislation which drastically curtails the legal limits of protest. It does however serve to keep before the public eye the utter injustices perpetrated by the Terrorism Act and its consequences. The sudden surge of protest has highlighted a deep structural division within the society. When a large number of Black People were detained for indefinite periods, protest and support from the white groupings was almost negligible. However, with the detention of the white people the voice of protest was raised and only then was the detention of blacks considered. Whites need to assess their motivation for opposing detention and the Terrorism Act itself.

58. The detentions without trial, the suffering of the detainees and their families, the police harassment of supporters certainly demand moral protest from all concerns, as does the inhuman character of the Act itself. The severe measures of this Act are designed to maintain a small group of people in power - a group of people predominantly white, whose continued affluence is dependent upon the continued subjugation and oppression of the majority of the people in South Africa. For an increasing number of black people, continued detention is considered as essential parts of the total system of white domination. As such it is accepted as an inevitable consequence of being involved in the struggle for a better and a just society in South Africa. Thus, rather than spending a great deal of time in protest which most often is futile, many black South Africans have responded by trying to do active work in maintaining and developing the black consciousness programme in South Africa.

59. Racist South Africa has so far been adamant to world wide objections and outright rejections of its plans to balkanize both the territories of South Africa and Namibia. South Africa, with its evil plans of destroying black consciousness and identity and consequently nullifying completely the sense of nationalism in these suppressed territories, is to date, preparing the artificial states called Bantustans. Despite the fact that Pretoria's plans have been condemned time and again, the racist regime intends to grant independence to the artificially created Bantu State of Transkei on October 26, 1976. The intensive preparations that are being waged by racist South Africa both internally and externally, have the sole purpose of confounding world public opinion of the possibility and practicability of creating full fledged states while scoring the desired and unmasked wishes of the white minority regime.

60. But even within South Africa itself some of those who were chosen to implement the balkanization system have shown some disquiet. Chief Buthelezi of the Zulus for instance, has recently declared that he favours majority rule in South Africa and has rejected the concept of separate development.

61. As for the independence of the so-called Bantustans, the word will ring hollow. Economically, the Transkei, for instance, is geared towards dependency on South Africa with over 77% of her revenue coming from remittances sent from South African labour camps. This dependence is increasing so that satellites and not independent states are being created by South Africa.

62. Pretoria has been availing itself of some tribal and non-representative stooges and has been integrating them to its various delegations and embassies with the specific purpose of propagating the acceptability of South Africa's plans by the oppressed masses. To the concerned Liberation Movements the ANC, PAC and SWAPO as well as to the OAU, the territorial integrities of South Africa and Namibia are sacred and can neither be violated nor negotiated for the purposes of balkanization.

63. The continuing and increasing supply of modern weapons by some Western Countries to the apartheid regime, the drawing in of the Vorster regime into NATO's aggressive schemes and the recent West German admission that certain West German enterprises are constructing a uranium enrichment plant for racist South Africa are all matters which should cause grave concern to Africa. The international community has watched with increasing disquiet the growth of South Africa's armory of conventional weapons and the development of locally based armaments industry by the United States, the Federal Republic of Germany, Britain, France and Italy. The recent exposure by the African National Congress of South Africa of the close nuclear collaboration between the Federal Republic of Germany and the South African apartheid regime through the publication of their document 'the Nuclear Conspiracy' clearly showed the speed with which racist South Africa is moving towards becoming a nuclear power.

64. Various South African spokesmen have publicly announced the possibility of South Africa having its own atomic bomb. Ten years ago Andries Visser, a member of the South African Atomic Energy Board, suggested that the Republic should establish a nuclear arsenal not only for prestige purposes, but also because South Africa should have such a bomb to prevent aggression from Afro-Asian States. South Africa would not have reached the stage she has now without outside help. South Africa's adventure began in 1949, when the Atomic Energy Board was set up and made a significant advance some years later, when the first uranium plant was opened. At that time progress was under the guidance of the United States whose Atomic Energy Commission opened its facilities to South African engineers and nuclear scientists. In 1957 the South African Atomic Energy Board (AEB) was set up as a separate body and under the Presidentship of Dr. A.J.A. Rouse. During that year Rouse made a six month scientific information tour during which he undoubtedly made useful contacts.

65. To date there are no serious denials that the South Africans have been considerably helped by the German technological know-how. Spokesmen for the West German Government, however, argue that the efforts of its institutions were only limited to research, which they claim is necessary for any developed economy and that such research envisages only the sale of nuclear technology for peaceful purposes in the form of power generation.

66. In its detailed brochure the ANC(South Africa) supplied the following undenied facts to prove that the Federal Republic of Germany was actively involved in the Nuclear conspiracy:-

1. Illegal export of production blueprints for Jet Nozzle separation plant, by GFK/Steag to South Africa;
2. Violation of the Nuclear Non-proliferation Treaty by MAN's planned delivery of the enrichment plant to South Africa which has not signed the Treaty;
3. Participation of the German Army in the construction of the enrichment plant, by codifying MAN's deliveries according to the uniform NATO codification system;
4. The fact that State Secretary of the Ministry of Science and Technology aided the German firm Urangesellschaft in obtaining State subsidies for illegal uranium exploration in Roessing (Namibia), by giving false details of the purpose for which the fund was to be used, and

67. The fact that Urangesellschaft still hold a share in Roessing Uranium Ltd. and that it has an option for the purchase of 40% of the mine's uranium output.

68. The conflicting statements by government members, Steag and Pretoria, vastly strengthen the ANC accusation that the apartheid regime's nuclear ambitions were dictated by political-military rather than economic considerations. West Germany emphasizes that trade with South Africa has a great importance to her economy and that she is consequently unwilling to sacrifice such a trading partner.

69. West German scientists are now presently working in prominent positions in the armament industry of racist South Africa and with the clear knowledge of the West German Ministries of Defence and Foreign Affairs. Likewise South African armament experts have been the constant visitors to the arms factories of South Africa. Among these are Dr. G. Engleter, head of the Research Division of the South African Navy, who made official visits to West Germany in 1969, 1970, 1971 and 1974, and Dr. H.G. Denkhanks, head of the Metallurgical Department of the Council for Scientific and Industrial Research (CSIR) who for the past 11 years held both the South African and German nationalities.

70. West German citizens including some for whom the illegal Windhoek consulate in Namibia is responsible, are undergoing training in the South African armed forces and previous members of the West German Army are constantly provided for services in the South African Army by the Bonn Ministry of Defence. Currently about 80 South African Military experts are visiting the Federal Republic of Germany yearly and on the basis of the West German/South African Cultural Agreement.

71. The master mind behind the South African success in the nuclear field in West Germany is Donald Sole, who arrived as Ambassador to Bonn in 1968. A past member of South Africa's Atomic Energy Board,

he served as Chairman of the International Atomic Energy Organization in Vienna in 1959 and 1960 and continued to be a member of the Organization's Council of Governors until the end of 1972. With such qualifications his appointment to West Germany was obviously not an accident. Through his energetic efforts, racist South Africa made friends and partners among state-owned bodies like the Society for Nuclear Research (FGK) and STEAG, the fuel energy company which is state controlled.

72. Donald Sole's activities were further revealed recently by the ANDC document, that he has been instrumental in organizing a trip to South Africa for General Gunther Rall, West Germany's representative on NATO's Military Committee. General Rall, travelled incognito as Mr. Ball and the purpose of his visit was principally to inspect South Africa's nuclear potential. General Rall made his visit to South Africa with the clear knowledge and consent of the West German Defence Minister Mr. Georg Leber. But when the trip was disclosed Leber denied that he had been informed of the special circumstances that surrounded the visit and for the purposes of face saving dismissed General Rall from the service.

73. Moreover the fact that the West German Government has never denied that:

1. Uranium enrichment plant is being built in South Africa on the German Jet Nozzle process;
2. MAN, Nuremburg is supplying parts for the South African plant, which is in the process of being built;
3. The Bundeswehr (Army) is providing NATO codification for the parts being supplied by MANN; are concrete evidences that the Federal Republic of Germany is participating in uranium enrichment with racist South Africa for military purposes solely.

36

74. The North Atlantic Treaty Organizations (NATO) considers it in its interest the strengthening of the South African forces despite its continued lip-service paid to arms embargo against the racist state. In this sense West Germany by permitting its nuclear know-how to be exported to South Africa may simply be acting the role of the blessed agent for NATO. There can be no question that West Germany's military activities are discussed and approved by its NATO allies; which favours to see a militarily strong South Africa able to secure the sea route around the Cape which entertains 1.5 million tons of shipping each day.

75. Despite the United Nations arms embargo, the West German Government is prepared to strengthen the offensive power of the racist regime. With West German aid the South African Navy installed the intelligence and control centre 'PROJECT ADVOCAAT' in Silvermine near Simonstown, which can control all shipping and air movements from the Cape to North Africa, to the South American coast, the South Pole and India. The electronic equipment for the centre has been supplied by West Germany and all the spare parts were given NATO code numbers with the aid of the Bundeswehr (German Army).

76. The South African Defence budget has been another area of concern to the OAU. Over the past ten years there has been a six fold increase in South African defence spending and most of it within the last two years. In 1964-65 Pretoria allocated about 230 million rands to its Armed Forces. From 1964 until 1974 the annual increase in defence expenditure showed a steady but not significant increase thus allocating 305 million rands in 1971-72 and 473 million rands for 1973-74. The dramatic boost in defence spending came in 1974-75 following the collapse of Portuguese colonialism in Africa and the establishment of the FRELIMO Government in Mozambique. The defence budget for that year was raised up to 702 million rands. Upon the intensification of the guerrilla activities by SWAPO in Namibia and the approaching date for independence in Angola, the racist regime fearful as it has always

been and depending in its usual means of suppression and use of force, shot up its defence budget to 948 million rands. Because of the victory of the People's Government in Angola and its envisaged legislation to attack independent African States south of the equator, the racist regime is raising its defence budget for 1976-77 to the record figure of 1,500 million rands.

777. During the period under review the racist South African regime purchased arms worth \$137 million from NATO countries and Israel. Pretoria bought from France 16 Dassault Mirage F-1a fighters, the Aerospatiale Am 39 and As 11/12 ASM missiles, the Marta R.550 Magic air-to-air missiles, 2 Augusta class submarines and an unspecified number of the A-300 Air Bus tanker transporters to support her Mirage aircrafts. The purchase from Belgium consisted of an unspecified number of Swearingen Mehrin light transport planes and from Canada of 3 Canadair CL-215 amphibious planes. The Federal Republic of Germany supplied an unlimited number of the Milan anti-tank missiles, whereas the material made available to Pretoria by Israel were a sizable number of her IAI Gabriel 11 missiles for the South African Navy's patrol boats and 6 Corvettes licence-built in South Africa.

778. Presently the South African regular army consists of 35,000 men out of which 22,000 are so-called Citizen Force. However, the regime can mobilize 200,000 men in two weeks and will still have 100,000 in reserve. The South African Army is equipped with some 250 medium Centurion Mk5 and M4 and Comet medium tanks. It has about 600 Staghound AML 60 and AML 90 armoured cars, 200 scout Ferret cars and about 40 transport aircrafts of the Y-17 A type and a fleet of helicopters. The South African Air Force with a compliment of 8,000 men operates various types of aircrafts totaling to about 750. The so-called Tactical Group with its Headquarters in Pretoria operates three fighter-bomber squadrons, light bombers, the S-50 Buccaneer strike reconnaissance

the C-130 and C-47 transport squadrons, helicopter squadrons and a number of the Mirage F-1a fighters. The Navy having a personnel force of 4,500 men operates 40 vessels composed of 2 destroyers with Wasp ASW helicopters, 6 fighter frigates, 6 corvettes, 3 submarines, 10 coastal minesweepers and a number of fast patrol boats and support ships.

SO-CALLED FRENCH SOMALILAND (DJIBOUTI)

79. During the period under review, nationalism and the unswerving quest for independence and national sovereignty has been gaining a continuous momentum in the So-called French Somaliland (Djibouti). The decade long concept of the French that the people of the territory want to remain with France has now terminated. The French colonial power has now, having confronted the will of the people, agreed to grant independence to the territory ~~this year~~.

80. Nevertheless and vis-a-vis these encouraging developments certain eventualities in the territory have been threatening the attainment of a real independence. The French authorities while on one hand have pledged to prepare the territory for independence have not yet ceased the exercise of their repressive and oppressive measures against the various tribes who by conviction or political inclination do not fall in line with the independence programme set for them. These repressions also victimize those other groups who view suspiciously the continuous reinforcements of the French troops in the territory.

81. It is to be recalled that after France had agreed to withdraw her troops from and return its naval base in Diego Suarez to the Malagasy Republic, her forces in Djibouti have been brought up from 3,000 to 4,000 and that their equipments were modernized and up dated. To ensure that their interests are safe-guarded in the Indian Ocean and at a strategically important place, the French troops are now brought up to 5,000 increased by another 800 after the Loyada incident. These troops which make the permanent French garrison in the territory are composed of Foreign Legionnaires, marines and the paramilitary

gendarmarie and are provided with the light AMX tanks armed with ground missiles. The garrison is further strengthened by the provision of Dassault F-100 fighter bombers, helicopters and several Nord-Atlas carriers. The number of the naval units in the area has as well been increased.

82. Nevertheless the major threatening factor seems to be the misunderstanding that is still prevailing between the territorial political parties, the National Union for Independence led by Mr. Ali Aref Bourhan and the African People's League for Independence led by Mr. Hassan Gouled. As Chief Minister and leader of the Government party Mr. Aref Bourhan presented his policy for independence talks with France to the territorial parliament on November 18, 1975 and his programme was accepted by 26 votes for, 13 against and 1 abstention. His programme apparently envisaged clearly continued close military, political and economic ties with the colonial power. Upon the attainment of the vote of confidence from the parliament (when LPAI is not represented), Mr. Ali Aref Bourhan tried to open dialogue with legal opposition party LPAI. LPAI has to-date refused to participate in such a dialogue on the basis that the party does not recognize Mr. Ali Aref Bourhan as the Head of the territory's government in that he was elected in a parody of an election. The position of LPAI is that there should be a constitutional conference comprising the two internal political parties and the liberation movements recognized by the OAU as well as the staging of new elections under independent auspices for the provision of a sincere and democratic government.

83. The incident in Loyada on the 4th of February 1976 following the kidnapping of 31 school children by the FLCS was another case of grave concern to the OAU. The case that has been initiated as a localized incident was to be a question of international issue when the French colonial forces, despite the negotiating efforts of Somalia, attacked the border town of Loyada. 28 children were rescued

during the operation whereas a child and the bus driver were killed during the shootout. On the other hand the French troops killed 6 members of the FLCS and during their act of aggression against Somalia killed 14 and wounded severely 14 innocent Somali citizens.

84. The question of the decolonization of the So-called French Somaliland (Djibouti) has been discussed extensively by the Fourth Committee of the United Nations during November and December 1975. During the debate the two liberation movements FLCS and MLD, the legal opposition party LPAI and the Administering Power took part and addressed the Committee respectively. The Fourth Committee after having studied the question of the territory at length drafted a resolution which was adopted by the General Assembly in December 11, 1975.

85. The resolution, recalling on the General Assembly's resolution 1514 (XV) of 14 December 1960 on the Declaration on the Granting of Independence to Colonial Countries and Peoples and recalling in particular on its resolution 2228 (XXI) of 20 December 1966 and 2356 (XXII) of 19 December 1967 on the So-called French Somaliland (Djibouti) as well as the OAU Kampala Council of Ministers (XXV) and Heads of State and Government (XII) resolutions on the territory, called upon the Administering Power to create the necessary conditions in order to accelerate the process of independence of the territory by effecting in particular the release of political prisoners and the return of the representatives of the liberation movements recognized by the OAU and of all refugees in accordance with the Convention of the OAU Governing the Specific Aspects of Refugee Problems in Africa, 1969.

86. The resolution further called on all States particularly the Administering Power and the neighbouring States, to refrain from any action, unilateral or otherwise, which might alter the independence and the territorial integrity of the So-called French Somaliland (Djibouti).

The resolution as well called on all States to renounce forthwith any and all claims to the territory and to declare null and void any and all acts asserting such claims.

87. During its 26th Ordinary Session, the Council of Ministers of the OAU, seized by the extreme gravity of the situation in the territory and its possibility of becoming a potential danger to the Organization and the continent, decided to despatch a fact-finding mission composed of Egypt, Guinea, Liberia, Mozambique, Senegal, Tanzania, Uganda and Zaire. The mission had the following terms of reference for the attainment of its objectives:

1. To gather information on the prevailing situation in the territory of Djibouti by undertaking contacts, visits to all important places and by inviting views from the present leadership of the territorial government and LPAI and from such other organizations and groups, including leaders of communities, as the Commission may consider useful to provide relevant information.
2. To ascertain through close consultations with the leadership of the territorial government and LPAI and such other political groups as may have significant following in their respective positions on the process of independence, and maintenance of French bases in the territory.
3. To hold consultations with the two Liberation Movements recognized by the OAU so as to ascertain their views regarding the future of the territory and the role they intend to play in the independence process.
4. To hold consultations with the Government of Ethiopia and Somalia with a view to finding out from them what measures they can individually and together take in order to enhance the sense of security of the people of Djibouti and respect for their territorial integrity and independence.

5. To invite the French Government to create the necessary conditions to allow the free expression of views by all groups to the Commission.
6. In the light of the information that it may be in a position to acquire to draw up conclusions that will include its views on the attainment of independence and national political unity.

32. The fact-finding mission under the Chairmanship of Egypt held official talks with the Ethiopian Government and MLD on April 27 and with the Somali Government and FLCS on April 28 - 29 and afterwards in the territory until May 2, 1976 when it concluded its functions. The mission will, as instructed by the 26th Session of the Council of Ministers, report its findings to the 27th Session of the Council of Ministers.

SEYCHELLES

89. The Organization of African Unity has been extremely gratified by the political developments in the territory during the period under review. The OAU has as well been extremely satisfied by the high sense of responsibility demonstrated by the two Liberation Movements who decided to abide themselves to the OAU Council of Ministers resolution adopted in Mogadishu, Somalia in June 1974. The two Liberation Movements the SPUP and the SDP have since been working in close harmony and on the common platform of independence which will be brought to the Seychelles on June 28, 1976.

90. Agreement has as well been reached between Seychelles and the Administering Power to return the three islands namely, Aldabra, Farquhar and Desroches to Seychelles on independence day.

91. On the agreement reached for the return of the three Indian Ocean Territories, the Foreign Office of the British Government released the following statement on March 18, 1976:-

1. The resumed session of the Seychelles Constitutional Conference, held in London in January, agreed in principle to recommend the return of Aldabra, Farquhar and Desroches to Seychelles sovereignty upon independence. The Conference also agreed that a tripartite meeting between the United Kingdom, Seychelles and United States Government would be held as soon as possible to conclude the necessary arrangements.

2. Representatives of the three governments accordingly met in London, under the Chairmanship of Mr. E.N. Larmour, Deputy Under-Secretary of State at the Foreign and Commonwealth Office, on 16 - 18 March. The Seychelles Government was represented by the Hon. J.R. Mancham, Prime Minister, the Hon. F.A. René, the Hon. G. Sinon, the Hon. C. Chetty and Mr. G. Morel. The leader of the United States delegation was Mr. George Churchill. Mr. F.R.J. Williams, Deputy Governor, Seychelles was also present.

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