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Agenda item 37

THE POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

Report of the Special Political Committee (Part I)

Rapporteur: Mr. Parviz MOHAJER (Iran)

1. The item entitled "The policies of apartheid of the Government of South Africa" was included in the provisional agenda of the twenty-sixth session of the General Assembly in accordance with resolution 1978 (XVIII) of 16 December 1963.
2. At its 191st meeting, on 22 September 1971, the General Committee decided to recommend the inclusion of the item in the agenda and its allocation to the Special Political Committee for consideration and report. At its 1939th plenary meeting, on 25 September 1971, the General Assembly approved the recommendation of the General Committee.
3. The Special Political Committee considered the item at its 757th to 766th meetings, between 20 October and 3 November. The Committee had before it:
  - (a) The report of the Special Committee on Apartheid (A/8422-S/10366 and Corr.1);
  - (b) The report of the Secretary-General on the implementation of General Assembly resolution 2671 (XXV) (A/8467);
  - (c) The report of the Secretary-General on the United Nations Trust Fund for South Africa (A/8468);
  - (d) The report of the Economic and Social Council (A/8403, chapter XVII, section C);
  - (e) A letter dated 6 October 1971 from the Chairman of the Special Committee on Apartheid to the President of the General Assembly on the implementation of the arms embargo against South Africa (A/SPC/145).

4. At its 757th meeting, on 20 October, the Special Political Committee began its consideration of the item by hearing statements by the representative of Nepal, Rapporteur of the Special Committee on Apartheid and the representative of Sweden, Chairman of the Committee of Trustees of the United Nations Trust Fund for South Africa. At its 758th meeting, on 22 October, the representative of Somalia, Chairman of the Special Committee on Apartheid, made a statement.

5. Having decided at its 763rd meeting, on 2 November, to grant a request for a hearing contained in a letter dated 1 November addressed to the Chairman by Mr. Yusuf Saloojee, Secretary of the Toronto Committee of the African National Congress of South Africa, the Special Political Committee heard Mr. Saloojee's statement at its 764th meeting the same day.

6. Also at the 764th meeting, the representative of Somalia introduced a draft resolution (A/SPC/L.205), which was eventually sponsored by the following 56 Member States: Afghanistan, Algeria, Barbados, Burma, Burundi, Cameroon, Chile, Cyprus, Denmark, Egypt, Ethiopia, Finland, Ghana, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Ireland, Jamaica, Jordan, Kenya, Kuwait, Liberia, Libyan Arab Republic, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nepal, Nigeria, Norway, Pakistan, People's Democratic Republic of Yemen, People's Republic of the Congo, Philippines, Rwanda, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, United Republic of Tanzania, Upper Volta, Yugoslavia, Zaire and Zambia. In the course of the meeting, the co-sponsors indicated orally certain revisions of the text (A/SPC/L.205/Rev.1).

7. At its 765th meeting, on 3 November, the Special Political Committee had before it the revised draft resolution A/SPC/L.205/Rev.1). At the following meeting, the representative of Somalia, on behalf of the co-sponsors in the light of points made during the debate, indicated certain minor oral modifications to operative paragraphs 1 and 6 of the draft resolution and revised operative paragraph 2 to read as follows:

"Again calls on all States to do all that is in their power to promote the cause of justice for all people in South Africa and to this end to exert their influence to secure:

"(a) The repeal of all legislation designed to give effect to the oppressive policies of apartheid and all legislation designed to persecute and suppress the rights of those who are opposed to those policies;

"(b) The liberation of all persons imprisoned or detained for their opposition to apartheid;

"(c) The removal of orders against those banned or banished for their opposition to apartheid;"

8. At the 766th meeting, on 3 November, the revised draft resolution (A/SPC/L.205/Rev.1), as modified, was put to the vote. It was adopted by a roll-call vote of 98 to 1, with 2 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, Ghana, Greece, Guinea, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, People's Republic of the Congo, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Portugal.

Abstaining: Brazil, Malawi.

9. Following the vote, the Chairman made a statement in which he referred to the recent death of a detainee in South Africa and the conviction of the Anglican Dean of Johannesburg, events which had dominated the debate. It was through the adoption of the draft resolution that the Committee wished to draw the attention of world public opinion to those events.

10. At the 768th meeting, on 4 November, the representative of Iran requested that his country's name be added to the list of co-sponsors of the draft resolution adopted at the 766th meeting.

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11. At the 766th meeting, the Special Political Committee decided, in the light of the most recent events in South Africa and at the suggestion of the representative of Somalia, to submit a preliminary report to the General Assembly, while continuing its consideration of item 37, with a view to having the draft resolution adopted by the General Assembly as an interim measure and as a matter of urgency.

#### RECOMMENDATION OF THE SPECIAL POLITICAL COMMITTEE

12. The Special Political Committee recommends to the General Assembly the adoption of the following draft resolution:

##### The policies of apartheid of the Government of South Africa

The General Assembly,

Recalling its resolution 2627 (XXV) of 24 October 1970 strongly condemning the evil policy of apartheid as a crime against the conscience and dignity of mankind,

Further recalling its resolutions calling for the liberation of persons persecuted in South Africa for their opposition to apartheid and condemning the maltreatment and torture of prisoners and persons in police custody,

Taking note of the reports of the Special Committee on Apartheid and the Ad Hoc Working Group of Experts on the treatment of political prisoners in South Africa, established under resolution 2 (XXIII) of the Commission on Human Rights of 6 March 1967,

Gravely concerned at continuing reports of ill-treatment and torture of opponents of apartheid in detention in South Africa, and the deaths of several detainees during interrogation,

Noting also the recent deportations, bannings, detentions and trials of a number of religious leaders in South Africa for their opposition to apartheid and assistance to victims of that inhuman policy,

1. Expresses its grave indignation and concern over any and every act of maltreatment and torture of opponents of apartheid in South Africa and the increased persecution of religious leaders opposed to that policy;

2. Again calls upon all States to do everything in their power to promote the cause of justice for all people in South Africa and, to that end, to exert their influence to secure:

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(a) The repeal of all legislation designed to give effect to the oppressive policies of apartheid and all legislation designed to persecute and suppress the rights of those who are opposed to those policies;

(b) The liberation of all persons imprisoned or detained for their opposition to apartheid;

(c) The removal of orders against those banned or banished for their opposition to apartheid;

3. Appeals to national and international associations of jurists to take all appropriate steps in support of the purposes of the present resolution;

4. Urges all religious organizations to continue and intensify their efforts for the elimination of apartheid and racial discrimination;

5. Requests the Special Committee on Apartheid to prepare a special report on all known cases of maltreatment and torture of prisoners in South Africa; together with any other information pertinent to those cases;

6. Invites all organizations and individuals who may have knowledge of such cases to provide all available information to the Special Committee on Apartheid;

7. Requests the Secretary-General:

(a) To bring the present resolution to the attention of Governments, national and international organizations and anti-apartheid movements, including religious organizations and associations of jurists;

(b) To publicize, through the Unit on Apartheid and the Office of Public Information, all available information on the maltreatment and torture of prisoners and detainees in South Africa and the persecution of opponents of apartheid, including religious leaders;

(c) To provide necessary services and assistance to the Special Committee on Apartheid in the preparation of the report requested in paragraph 5 above, and to publicize the report as widely as possible.

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