



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/8770/Add.1
22 November 1972

ORIGINAL: ENGLISH

Twenty-seventh session
Agenda item 38

THE POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

Maltreatment and torture of prisoners in South Africa

Addendum to the report of the Special Committee on Apartheid

Rapporteur: Mr. Barakat AHMAD (India)

1. The Special Committee on Apartheid, at its 226th meeting, on 9 November 1972, gave further consideration to the question of repressive measures against opponents of apartheid. It heard a report submitted to it by the Rapporteur dealing with the case of four persons under trial, namely Mr. Mohamed Salim Essop, Mr. Indhrasen Moodley, Mr. Yusif Hassim Essack and Mrs. Amina Desai. 1/

2. The Rapporteur stated that on 1 November 1972 the four persons in question had been found guilty by a Pretoria court and sentenced to five years imprisonment. They had been found guilty of participating, together with the banned South African Communist Party, the South African National Congress, the Liberation Movement and the late Mr. Ahmed Timol, in a conspiracy to overthrow the State by violence. Mr. Essop had been found by the court to have taken pictures of poverty-stricken areas and to have posted and circulated pamphlets and documents put out by the South African Communist Party. Mr. Moodley, a university lecturer, who had received two copies of such literature by mail, had been found to have handed them over to two of his students. The four defendants had been detained for almost five months before being charged in March 1972. Mr. Ahmad Timol had been detained with them. Four days after his arrest he was alleged to have committed suicide by jumping from the tenth floor of the police headquarters in Johannesburg.

3. The Rapporteur stated that there was every reason to believe that the four accused had been subjected to the psychological torture of long-term solitary confinement at the very least, and possibly also to physical torture. They had been

1/ Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 22 (A/8722), annex I, para. 125.

held incommunicado during their five-month detention; their only human contact had been the hourly investigation of their interrogators. Even so, the police had been unable to extract any confessions to substantiate the charges of terrorism.

4. The United Nations had recognized the struggle against apartheid as a legitimate struggle - indeed a noble struggle in harmony with the Charter. It supported the opponents of apartheid in their struggle, respecting their decision on the means. The Rapporteur drew attention to the fact that the alleged "terrorist" activities were not the bombings, hijacking and other violent acts which filled the newspapers today, but activities which the General Assembly had commended. The "terrorists" were not the accused but the Government of South Africa.

5. As had been pointed out in the report on the maltreatment and torture of prisoners in South Africa (A/8770), the inhuman and brutal practices had become an essential feature of the implementation of apartheid and were, therefore, inseparately tied up with the preservation of the status quo. It was no wonder that this report, which had been compiled from South African sources and dealt with more than 150 cases of the maltreatment of opponents of apartheid, and had led to the virtual unanimous adoption of a draft resolution in the Special Political Committee, supported by almost all the friends of the South African régime, had not been reported in the South African press. That report had not been refuted by the Government of South Africa. On the other hand, the South African people had been kept ignorant of the fact that the whole world knows of its crimes and unanimously condemns them.

6. The world community could not let these crimes happen, except at the risk of incalculable consequences for international peace and security. The Rapporteur appealed for the greatest possible publicity to be given to the report so as to inform the international community of the grave implications of the continuation of the present course of events in South Africa before it was too late.

7. In view of the importance attached to this matter, the Special Committee has decided to transmit the above information to the General Assembly. It has further decided that the widest possible publicity should be given by the United Nations to the case of the four prisoners mentioned above.
