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ELIMINATION OF RACIAL DISCRIMINATION

MEASURES TO COMBAT RACISM AND RACIAL DISCRIMINATION AND
THE ROLE OF THE SUB-COMMISSION

Written statement submitted by the International Federation of
Human Rights, a non-governmental organization in consultative
status (category II)

The Secretary-General has received the following communication, which is
circulated in accordance with Economic and Social Council
resolution 1296 (XLIV).

[12 August 1987]

1. The state of emergency proclaimed throughout South Africa on 12 June 1986 has been extended by the President of the Republic as from 11 June 1987.
2. A series of proclamations, made by the President, grants exorbitant powers to the security forces.
3. Article 3 of Proclamation R96 of 10 June 1987, concerning security, allows any member of the security forces, the police or the army, irrespective of his rank, to arrest without a warrant anyone whose detention he deems necessary for the maintenance of public order or the enforcement of the state of emergency.

4. Administrative detention has been extended from 14 days under the previous state of emergency to 30 days and may thereafter be extended indefinitely by the Minister of Law and Order.
5. Article 2 of the second Proclamation, R97 of 10 June 1987, relating to the media, prohibits the presence of journalists at any demonstration or meeting or at any place from which a demonstration or meeting is visible. The censorship of publications and of news in print or on radio or television prohibits reference to any matter linked with the state of emergency. This, in effect, means that any statement at all may be censored.
6. Similar provisions under the previous state of emergency were annulled by the Supreme Court of Natal on 24 April 1987. Proceedings have been instituted against the new proclamations.
7. Proclamation R98 1987 of 10 June 1987, relating to education, prohibits the campaigns by schoolchildren for the release of detained children and, in particular, the wearing of T-shirts or badges and the use of posters to that end.
8. Any breaches are punishable by a term of imprisonment of up to two years.
9. Under the rules on detention (Proclamation R106 of 26 June 1987), a detainee is denied the right to be treated by a doctor of his own choosing.
10. In fact, detainees are frequently ill-treated and tortured, particularly in police premises; they may not communicate with their families or be defended by a lawyer.
11. The International Federation of Human Rights has been informed of three deaths in police premises since the institution of the state of emergency a year ago. The most recent victim, Benedict Mashoke, aged 20, a member of the congress of students of Vaal, detained for seven months, died after spending only one night in a police-cell in Burgersfort, East Transvaal.
12. The Detainees' Parents Support Committee (DPSC) estimates that, by the end of June 1987, 3,000 persons were being held under the state of emergency, almost half of whom were minors under 18 years of age.
13. Between 12 June 1986 and 15 April 1987, 25,000 persons in all were imprisoned.
14. Also during the same period, 10,000 persons are estimated to have been arrested under the Public Safety Act and Internal Security Act.
15. Further, 454 persons were detained under the bantustan internal security laws on 31 May 1987. They included Pierre André Albertini, a French teacher, sentenced by the Ciskei authorities to four years' imprisonment for refusing to give evidence for the State in a trial of opponents of apartheid.
16. At the same time, no change is to be seen in the legislation and discriminatory practices relating to apartheid. A number of significant examples will be given. The International Federation of Human Rights will revert to the situation in South Africa in the course of the debate on agenda item 6.

17. In 1986, 64,000 persons were subjected to forcible removal. Since 1948, three and a half million persons have been deported to the bantustans.
18. The National Building Research Institute reports that 43,099 housing units were built for whites and only 3,000 for blacks in 1984.
19. In Soweto, each unit was occupied by 16 persons on average. It is estimated that one and a half million dwellings need to be built for the black population by 1990.
20. The abolition of the "pass" or "reference book" has not ended police checks on the black population. The law on separate zones (Group Area Act of 1950) still prohibits blacks from residing in areas restricted to whites, without a special permit. In 1986, 100,000 blacks were arrested for "trespassing", in other words, for illegal entry into a zone.
21. Finally, the measures to enable South African nationality to be restored to the residents of the bantustans declared independent by South Africa are extremely limited in scope. Of the 9 million citizens stripped of South African nationality, only 2,900 residents of the four bantustans of Transkei, Ciskei, Bophuthatswana and Venda have reacquired it.
22. The report prepared by Mr. Khalifa for the Sub-Commission clearly shows that the Governments of countries whose enterprises maintain close links with South Africa, particularly in the military and nuclear fields, refuse to take this situation into account.
23. The International Federation of Human Rights intends to submit a further communication on these issues under agenda item 6.