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POLICIES OF APARTHEID OF THE GOVERNMENT
OF SOUTH AFRICA

SECURITY COUNCIL
Thirty-fifth year

Letter dated 1 December 1980 from the Chairman of the Special
Committee against Apartheid to the Secretary-General

I have the honour to transmit to you, for the attention of the General Assembly and the Security Council, the text of a statement issued by me in connexion with the sentences imposed by the Pretoria Supreme Court on 26 November 1980 on nine freedom fighters, which include death sentences on three men.

I should be grateful if you would have this letter and the statement circulated as a document of the General Assembly, under agenda item 28, and of the Security Council.

(Signed) B. Akporode CLARK
Chairman of the
Special Committee against Apartheid

ANNEX

Statement issued on 26 November 1980 by the Chairman of the Special
Committee against Apartheid

1. On behalf of the Special Committee against Apartheid, I condemn the brutal sentences imposed by the Supreme Court in Pretoria today against nine freedom fighters.
2. Three of them - Mcimbithi Johnson Lubisi, Petrus Tsepo Mashigo and Naphtali Manani - have been sentenced to death on charges of high treason and attempted murder. Six others have been sentenced to terms of imprisonment ranging from 10 to 20 years.
3. The nine members of the African National Congress of South Africa were tried mainly in connexion with two incidents in the armed struggle against the apartheid régime to which reference was made by the Special Committee in its report to the current session of the General Assembly. a/
4. On 4 January 1980, freedom fighters attacked the police station in Soekmekaar, northern Transvaal, where the racist régime was forcibly uprooting an African community.
5. On 25 January 1980, three freedom fighters occupied the Vokskas Bank at Silverton, a suburb of Pretoria, to demand the release of Nelson Mandela, James Mange and all other political prisoners. Police fired and killed the three men.
6. The Special Committee has repeatedly warned that the policy of apartheid - unless eradicated by firm international action - will inevitably lead to an escalation of violence. It has drawn attention to the grave consequences of the execution of freedom fighters.
7. The international community has recognized the legitimacy of the struggle of the oppressed people of South Africa and their national liberation movement, including armed struggle, to destroy apartheid and establish a democratic State through the exercise of the right of self-determination of all the people of South Africa, irrespective of race, colour or creed.
8. The oppressed people of South Africa have courageously demonstrated their support and admiration for the freedom fighters. The funerals of the three men killed at Silverton - Wilfred Madela, Stephen Fanie Mofoko, and Humphrey Makhubo - were attended by tens of thousands of Africans who declared: "They are not terrorists but heroes: Amandla (power to the people)".

a/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 22 (A/35/22), appendix I.

9. The freedom fighters, engaged in a legitimate struggle against a criminal régime, are entitled to the status of prisoners of war under the Geneva Conventions of 1949 and the additional protocols thereto.
10. On behalf of the Special Committee, I call on all the parties to the Geneva Conventions to ensure that the Pretoria régime respects the status of freedom fighters.
11. I appeal to all Governments and organizations to launch an urgent campaign, and take all appropriate measures, to save the lives of the three men sentenced to death.
