

First special report

The Soweto massacre and its aftermath

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LETTER OF TRANSMITTAL

3 August 1976

Sir,

I have the honour to send you herewith a special report on the Soweto massacre and its aftermath, adopted unanimously by the Special Committee against Apartheid on 3 August 1976.

This special report is submitted to the General Assembly and to the Security Council in accordance with the relevant provisions of General Assembly resolutions 2671 (XXV) of 8 December 1970 and 3411 (XXX) of 28 November and 10 December 1975.

The Special Committee wishes to stress on this occasion that in view of the nation-wide uprising by the African people of South Africa and the inhuman crimes of the apartheid régime, the United Nations and the international community must take urgent and effective steps to secure the total eradication of apartheid and assist the South African people to exercise their inalienable right to self-determination.

Accept, Sir, the assurances of my highest consideration.

(Signed) Vladimir N. MARTYNYENKO
Acting Chairman
of the Special Committee against Apartheid

His Excellency
Mr. Kurt Waldheim
Secretary-General of the United Nations
New York

I. INTRODUCTION

1. The uprising in South Africa since 16 June 1976 against apartheid and racial discrimination and the brutal massacres perpetrated by the South African régime against African school children and others represent a new stage in the struggle of the South African people for freedom and an inescapable challenge to the international community.
2. Though the immediate cause of demonstrations by the African students was the arbitrary imposition by the apartheid régime of Afrikaans as the second language of instruction in African secondary schools, they reflect, in fact, African resistance to apartheid in all its aspects.
3. As the Security Council recognized in resolution 392 (1976), adopted by consensus on 19 June, the present situation "has been brought about by the continued imposition by the South African Government of apartheid and racial discrimination, in defiance of the resolutions of the Security Council and the General Assembly". The operative part of the resolution read as follows:

"The Security Council

"...

"1. Strongly condemns the South African Government for its resort to massive violence against and killings of the African people, including school children and students and others opposing racial discrimination;

"2. Expresses its profound sympathy to the victims of this violence;

"3. Reaffirms that the policy of apartheid is a crime against the conscience and dignity of mankind and seriously disturbs international peace and security;

"4. Recognizes the legitimacy of the struggle of the South African people for the elimination of apartheid and racial discrimination;

"5. Calls upon the South African Government urgently to end violence against the African people, and take urgent steps to eliminate apartheid and racial discrimination;

"6. Decides to remain seized of the matter."

4. Numerous Governments and public organizations all over the world have expressed shock at the callous killing of Africans, demanded that the Pretoria régime abandon apartheid and repression, and called for more energetic international action to eradicate apartheid.

5. The Pretoria régime, however, has scorned the resolution of the Security Council. While making partial concessions on the issue of Afrikaans instruction,

it resorted to massive repression against the African people and all opponents of apartheid, thereby aggravating the situation.

6. The Special Committee considers that the General Assembly and the Security Council, in particular, and the international community, generally, must urgently take further action to put an end to this increasingly grave situation, which is likely to lead to even more brutal repression and violence against innocent people and a consequent threat to the peace in a wider international context.

II. THE UNFOLDING CRISIS

7. Since its inception in 1963, the Special Committee has repeatedly drawn attention to the constant aggravation of the situation in South Africa as a result of the imposition of apartheid by the racist white minority régime and its brutal repression against opponents of apartheid. In its annual and special reports to the General Assembly and the Security Council, it has shown that the Pretoria régime has resorted to ever-increasing repression to enforce apartheid as resistance to its policies continued unabated. It has repeatedly called for decisive international action to end the threat to the peace resulting from the policies and actions of the South African régime and to enable the South African people to achieve their inalienable right to freedom and human dignity.

8. In these 13 years, the racist régime has caused enormous suffering to the black people by forcible removal of hundreds of thousands of families, arrests of millions of people under discriminatory laws and deprivation of elementary human rights. It has enacted a series of repressive laws which violate all canons of justice; it has imprisoned and restricted thousands of leaders of the black people and other opponents of apartheid and subjected them to ill-treatment and torture, resulting in over a score of deaths in detention. It has resorted to police shootings against peaceful demonstrators on several occasions in incidents described as "mini-Sharpevilles".

9. Despite all this brutality, however, there has been ever-increasing resistance against apartheid by the oppressed people of South Africa. The legitimacy of their struggle for freedom has received growing international recognition.

10. After the collapse of Portuguese colonialism in 1974, the Special Committee pointed out that the situation in southern Africa had reached a turning point and stated that "it has become imperative to focus international attention on the situation in South Africa as one of the gravest dangers to the peace, and to step up concerted international action to promote liberation and thereby avert a wider conflict". ^{1/} The South African régime attempted to offset such action by making a commitment before the Security Council in October 1974 that the Pretoria régime would move away from racial discrimination.

11. As the Special Committee pointed out in its report to the General Assembly at

^{1/} Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 22 (A/9622), para. 198.

its thirtieth session, that commitment soon proved to be a fraud. ^{2/} While making some minor concessions to divert attention, the Pretoria régime proceeded to speed up the implementation of its diabolical plan to declare the sham independence of bantustans in scattered African reserves covering one seventh of the country, to deprive African people of all citizenship rights in the rest of South Africa, though they constituted the great majority of the population of that area and, thereby, to consolidate white domination. It intensified repression against all opponents of apartheid, particularly the black student and youth leaders who denounced the collaborators of apartheid and built the unity of all the oppressed black people - Africans, Indians and Coloured people - in their struggle for freedom and self-determination. It greatly increased its military budget and launched naked aggression against Angola on the eve of its independence. The acts of aggression of the racist régime of South Africa against Zambia in July this year - condemned by the Security Council in resolution 393 (1976) - prove once more that the racist régime of South Africa, its criminal policy of apartheid and illegal occupation of Namibia constitute a grave threat to peace and security.

12. Since the beginning of 1976, the racist régime has embarked on serious new measures in its desperate effort to suppress resistance against apartheid and create a fait accompli in its policy of bantustanization. It has enacted two new repressive laws: the Parliamentary Internal Security Commission Act, which would establish a permanent commission to carry on a witch-hunt against anti-racist organizations, and the Internal Security Act, which would enable the régime to detain indefinitely anyone suspected by it of endangering the security of the apartheid State. It has indicated its intention to apply these laws to intimidate, harass and suppress the black consciousness organizations (such as the South African Students Organization, the Black People's Convention and the Black Allied Workers Union) and a few other bodies which have courageously opposed apartheid (such as the Christian Institute of South Africa and the National Union of South African Students).

13. It has also proceeded with plans to grant sham independence to the bantustan of Transkei on 26 October. In this connexion, it has enacted the Status of Transkei Act, a law to deprive not only the 1.7 million people in the Transkei, but also the 1.3 million people of Xhosa origin in the rest of South Africa of their citizenship on 26 October.

14. As noted by many observers, laws such as the Internal Security Act and the Status of Transkei Act have no parallel except under Nazi Germany.

15. These policies and actions of the South African racist régime have created a highly explosive situation, which has led to the recent ghastly massacre of African children in Soweto and other areas. The wide popular support for African student demonstrations against the imposition of Afrikaans as a medium of instruction in segregated secondary schools reflects a seething resentment against the diabolical plans of the régime for the perpetuation of white domination. The inhuman brutality of the régime in resorting to wanton killings of African children underlines its determination to continue on its present course, which can only be catastrophic.

^{2/} Ibid., Thirtieth Session, Supplement No. 22 (A/10022), para. 33.

III. THE SOWETO MASSACRE AND ITS AFTERMATH

16. On 16 June 1976, 10,000 African students in Soweto, the segregated African township of Johannesburg, joined a peaceful demonstration against the arbitrary decision imposed by the "Bantu education" authorities that Afrikaans should be used as the medium of instruction for several subjects in secondary schools. The police opened fire at the demonstrators, killing several children. A special police squad trained to combat urban terrorism was brought into Soweto by helicopters, which were also used to drop tear-gas cannisters. In the ensuing confrontations between the police and Africans, mainly students, large numbers of persons were killed and wounded. The Africans destroyed a number of buildings - notably the offices of the West Rand Bantu Administration Board, liquor stores and beer halls - which, to them, were symbols of racial discrimination and oppression.

17. Eyewitness accounts of the events of 16 June indicated that the police had shot and killed school children indiscriminately. A senior police officer told the press: "We fire into them. It is no good firing over their heads." The dispatch of large contingents of the police into the township tended to provoke African anger.

18. Several hundred white students from the University of Witwatersrand held demonstrations in Johannesburg on 17 June in sympathy with the black students of Soweto and were joined by black workers. They were brutally attacked by white vigilantes and by the police, resulting in serious injuries to scores of persons.

19. Demonstrations against "Bantu education" and in solidarity with the African students in Soweto soon spread to numerous African townships near Johannesburg, Pretoria, Krugersdorp, Germiston, Benoni, Boksburg, Klerksdorp and Nelspruit - indeed, to most townships in the Witwatersrand-Pretoria area, as well as parts of Northern Transvaal, the Orange Free State and Natal. Students at the University of the North at Turfloop and the University of Zululand in Ngoya also demonstrated in sympathy and both institutions were closed. 3/

20. According to official figures, 176 persons were killed and 1,139 wounded, many of whom were small children. Over 1,300 persons were arrested. There is reason to believe that the toll was actually much higher.

21. The immediate cause of the student demonstration in Soweto, as noted earlier, was the imposition of Afrikaans as a medium of instruction in secondary schools.

22. It may be recalled that the South African régime segregated education in 1954 and instituted a "Bantu education" system for the Africans, based on the philosophy of the then Minister of Native Affairs, Mr. H. F. Verwoerd, that "there

3/ The third segregated tribal university for Africans - the University of Fort Hare - was on vacation in June. A solidarity demonstration was held by the students at that University on 17 and 18 July 1976 and the University was immediately closed.

is no place for the Bantu in the European community above the level of certain forms of labour". The Africans were subjected to gross discrimination in education.

23. In 1974/75, government expenditure on African education was less than one fourth of the expenditure on white education, though the Africans constitute the great majority of the population. The pupil-teacher ratio in African schools was 54 in 1975, as against 20 in white schools. Africans, the poorer section of the community, were obliged to pay fees and purchase textbooks, while education was entirely free for the whites.

24. In instituting "Bantu education", the racist authorities decided that subjects in the African secondary schools should be taught in English and Afrikaans on a 50-50 basis. Because of strong protests by the African people and educators, as well as the lack of qualified teachers, this policy was not enforced immediately, and most schools used only English as the medium of instruction.

25. In 1974, the southern Transvaal region of the Bantu Education Department ordered that mathematics, geography and history must be taught in Afrikaans in junior secondary schools - and this order was enforced at the Phefeni secondary school in Soweto from the beginning of 1976.

26. Repeated representations were made to the authorities against this order by the African teachers and principals, school boards, parent bodies and even bantustan leaders. Even white members of Parliament warned the régime of the injustice and danger of enforcing this order. But the authorities remained adamant. Instead of paying heed to African protests, they dismissed several school board members and warned principals.

27. After the failure of all representations, the students at the Phefeni secondary school went on strike on 17 May and they were joined by students in six other schools in Soweto. Altogether, 5,000 students were on strike. The police repeatedly tried to intimidate the students, but the strike continued. It was essentially a protest against a dictatorial white racist régime which paid no heed to African grievances and showed no willingness even to consult the African people.

28. Many Africans, including even members of apartheid institutions, had warned in the days before the Soweto massacre that a conflict was inevitable unless the régime withdrew its arbitrary order on the use of Afrikaans as a medium of instruction. But the authorities chose to precipitate a crisis and suppress the student movement.

29. While the world was shocked at the events, the Deputy Minister of Bantu Education, Mr. Andries Treurnicht, insisted on 17 June that the Government, which had built the schools, had every right to decide on the medium of instruction. The Minister of Police, Mr. Jimmy Kruger, answering questions in Parliament, exonerated the police by stating that they "have throughout acted with the greatest measure of self-control and applied the minimum of force". 4/ He proceeded to blame the

4/ House of Assembly Debates (Hansard), 17 June 1976, Questions and Replies, col. 1243.

black consciousness movement, which had spread among the educational institutions, for the disturbances. 5/

30. The Pretoria régime has gone through the pretence of consultations with members of the Urban Bantu Council, an apartheid institution scorned by the African people, and announced that the decision as to the medium of instruction would be left to the principals of schools, acting in consultation with their school boards and school committees. It also announced plans to provide electricity to all homes in Soweto in five to seven years and to grant greater powers to the Urban Bantu Councils.

31. While making these minor concessions in the hope of defusing resistance, the régime has categorically rejected demands for an end to apartheid and embarked on massive repression against the black people, as well as against whites who have called for an end to apartheid.

32. On 15 July, it put into force the indefinite detention provisions of the Internal Security Act and detained a large number of leaders of the South African Students Organization and the Black People's Convention. It gave formal warnings to several opponents of apartheid not to involve themselves in the situation. 6/

5/ House of Assembly Debates (Hansard), 17 June 1976, Questions and Replies, col. 9641.

6/ According to press reports, such warnings were given to Mr. Beyers Naude, Director of the Christian Institute of Southern Africa, Mr. John Rees, General Secretary of the South African Council of Churches, and Mme. Selma Browde, Progressive Reform Party Member of the Transvaal Provincial Council.

IV. NEED FOR URGENT EFFORTS TO ISOLATE THE RACIST REGIME AND ASSIST THE OPPRESSED PEOPLE

33. The massacre in Soweto and related events demonstrate once again the inhumanity of the South African racist régime. They have shown that the black people of South Africa, who constitute the great majority of the population of the country, cannot secure attention to and a solution of their day-to-day grievances, let alone attain their inalienable rights, by appeals and representations to the racist régime. The callousness of the Government to repeated appeals by African educators and parents to heed the demands of students and the massive violence against the student demonstrators have reinforced the conviction of the African people that peaceful protests are ineffective, and that they need to resort to all other necessary means of liberation from racist oppression and tyranny.

34. The recent events have demonstrated that the racist régime is incapable of moving away from apartheid and racial discrimination, as its representative promised before the Security Council in October 1974, and of seeking a solution based on the principles enshrined in the United Nations Charter and the Universal Declaration of Human Rights.

35. They have shown that there can be no solution to the grave situation in South Africa without the replacement of the minority racist régime by a Government based on the principle of equality and the exercise of the right of self-determination by all the people of South Africa.

36. The Special Committee takes note of a resolution on the Soweto massacre adopted by the Organization of African Unity (OAU) at the twenty-seventh ordinary session of the Council of Ministers at the end of June 1976, that "the only effective guarantee for the African people of South Africa against the repetition of the massacres is the launching of an armed struggle for the seizure of power by the people". 7/

37. The Special Committee considers that all those opposed to apartheid should abandon their vain efforts to persuade the criminal racist régime to abandon racism and should take firm action to isolate the racist régime and assist the oppressed people and their liberation movements in the struggle for the total eradication of apartheid and the exercise of the right of self-determination.

38. The Special Committee recalls that it has consistently warned that the main trading partners of South Africa have encouraged the South African régime to continue on its disastrous course by their political, economic, military and other collaboration. It has repeatedly called on these countries to desist from such collaboration and its recommendations have been adopted by the General Assembly by overwhelming votes.

7/ Organization of African Unity, CM/Res.476 (XXVII).

39. However, several Western countries - particularly France, the Federal Republic of Germany, the United Kingdom of Great Britain and Northern Ireland and the United States of America - as well as some others, particularly Israel, have continued and in fact increased collaboration with the racist régime. They have been responsible for continued breaches of the arms embargo against South Africa. Investments from their countries in South Africa have greatly increased in recent years.

40. Some Governments have embarked on high-level discussions with the Pretoria régime on the grounds that the co-operation of the racist régime is essential for peaceful solutions in Namibia and Southern Rhodesia. They must realize the futility of their efforts to gain the co-operation of the Pretoria régime.

41. The Special Committee considers that the policies and actions of the South African régime are the main dangers to peace in the whole area. That régime continues illegally to occupy Namibia and to sustain the illegal racist minority régime in Southern Rhodesia in defiance of the United Nations. Its practice of the criminal policy of apartheid has created a grave threat to the peace in South Africa in particular and in southern Africa as a whole. Any collusion with that régime, under whatever justification, is an act against peace and freedom.

42. The Special Committee considers, in particular, that the Governments and economic and other interests which have collaborated with the Pretoria régime bear a serious responsibility for the recent events in South Africa and that they should be persuaded by the international community to desist from such collaboration.

V. ACTION TAKEN BY THE SPECIAL COMMITTEE

43. Since the events of 16 June 1976, the Special Committee has attempted, in accordance with its mandate, to publicize the situation in South Africa and promote effective international action against apartheid.

44. In a statement on 17 June 1976, the Acting Chairman and the Rapporteur of the Committee pointed out that the events in Soweto were yet another example of the brutality of the Pretoria régime, and demonstrated the growing militancy of the oppressed people and their courage in the face of inhuman repression. They emphasized that the conflict in South Africa was a conflict between racism and non-racialism and added:

"In resolution 3411 C (XXX) of 28 November 1975, the General Assembly proclaimed that the United Nations and the international community have a special responsibility towards the oppressed people of South Africa and their liberation movements, and towards those imprisoned, restricted or exiled for their struggle against apartheid. Every crime committed by the Vorster régime against black people is, therefore, a direct affront to the United Nations and the international community. The killing of the black school children of Soweto is such a crime.

"On behalf of the Special Committee against Apartheid, we appeal to all Governments and organizations to denounce this new crime of the Vorster régime.

"We appeal again for a total embargo on all supplies for the armed forces and police in South Africa, and for the total isolation of the South African racist régime."

45. On 23 June, the Special Committee sent messages to the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and to international student and youth organizations encouraging them to take appropriate action. It also sent a message of support to the South African Students Organization.

46. On the same day, the Acting Chairman of the Special Committee issued a statement appealing to all Governments and organizations to contribute generously for assistance to the victims of police shootings and persecution in South Africa.

47. On 27 July, the Rapporteur of the Special Committee issued a statement drawing attention to the massive repression against the black consciousness movement in South Africa.

48. Meanwhile, the Chairman of the Special Committee, participating in the twenty-seventh ordinary session of the Council of Ministers of OAU, appealed for co-ordinated and effective action in the present stage of the struggle for liberation in South Africa. He has held consultations with a number of Governments, specialized agencies and non-governmental organizations in Africa and Europe in order to promote political and material assistance to the oppressed people of South Africa in their legitimate struggle.

VI. RECOMMENDATIONS FOR ACTION

49. The Special Committee considers it imperative that the United Nations and the international community take urgent and effective action in the light of the present grave situation in South Africa, and in southern Africa as a whole, to secure the total eradication of apartheid and assist the South African people to exercise their right to self-determination. They must recognize that the South African racist régime, by its practice of the criminal policy of apartheid, continues to pose an ever-increasing grave threat to the peace in the area. They must recognize further the legitimacy of the struggle of the oppressed people of South Africa to secure their inalienable rights and must provide all necessary assistance to them in their struggle for liberation.

50. This has now become an urgent and inescapable task of the international community.

A. Action by the Security Council

51. The Special Committee recommends, in particular, that the Security Council should again consider the situation in South Africa in the light of the defiance by the South African racist régime of the relevant resolutions of the Council, in particular of resolution 392 (1976) of 19 June 1976, and its continued aggravation of the situation by massive repression. It further recommends that the Security Council should declare that the fast worsening situation in South Africa, resulting from the policies of apartheid of the Pretoria régime, is a grave threat to international peace and security and should take early action under Chapter VII of the Charter of the United Nations.

52. The Special Committee recommends that the Security Council should demand that the South African racist régime:

(a) Release all persons imprisoned or restricted for their opposition to apartheid, and grant unconditional amnesty to all political refugees from South Africa;

(b) Repeal forthwith all repressive laws and regulations restricting the right of people to strive for an end to apartheid and racial discrimination;

(c) Repeal the bans on the African National Congress of South Africa, the Pan Africanist Congress of Azania, and other organizations fighting apartheid;

(d) Take urgent steps to abolish all apartheid laws and regulations;

(e) Abandon plans for the establishment of bantustans; and

(f) Enable the people of South Africa as a whole to exercise their right to self-determination in accordance with the principles of the United Nations.

53. The Special Committee further recommends that the Security Council, acting under Chapter VII of the Charter of the United Nations, should call on all States:

(a) To cease all supply of military equipment or material to South Africa, as well as any military co-operation with South Africa;

(b) To impose an embargo on the supply of petroleum and petroleum products, and any strategic materials, to South Africa;

(c) To refrain from any co-operation with South Africa in the nuclear field;

(d) To break all diplomatic, economic and other relations with the South African racist régime;

(e) To provide all necessary assistance to the oppressed people of South Africa and their liberation movements in their legitimate struggle.

D. Action by the General Assembly

54. The Special Committee recommends that the General Assembly give special attention to the situation in South Africa at its thirty-first session with a view to translating into effective action its proclamation in resolution 3411 C (XXX) of 28 November 1975, that "the United Nations and the international community have a special responsibility towards the oppressed people of South Africa and their liberation movements, and towards those imprisoned, restricted or exiled for their struggle against apartheid".

55. It recommends, in particular, that the General Assembly adopt a comprehensive programme of action for the total isolation of the South African racist régime and for effective support to the South African liberation movements, on the basis of the proposals adopted by the International Seminar on the Eradication of Apartheid and in Support of the Struggle for Liberation in South Africa, organized by the Special Committee, in consultation with OAU, in Havana, from 24 to 28 May 1976.

56. The Special Committee will submit proposals in this connexion in its report to the General Assembly at its thirty-first session.

C. Action by States

57. The Special Committee takes note that several Western countries - particularly France, the Federal Republic of Germany, the United Kingdom of Great Britain and Northern Ireland and the United States of America - as well as some other States, particularly Israel, have encouraged the South African racist régime by their continued collaboration in defiance of the United Nations resolutions, and bear a responsibility for the grave events in South Africa. These States - particularly the three permanent members of the Security Council - have consistently prevented effective action under Chapter VII of the Charter to resolve the situation in South Africa, refusing even to recognize the threat to the peace resulting from the crime of apartheid.

58. The Special Committee hopes that these States will be persuaded, after the recent genocidal crimes by the South African racist régime, to reassess their attitudes and facilitate international action.

59. In the meantime, the Special Committee launches an earnest appeal to all Governments which are committed to the struggle for liberation in South Africa:

(a) To exert all their influence to persuade the main trading partners of South Africa to desist from collaboration with the South African racist régime and facilitate effective international action;

(b) To warn transnational corporations collaborating with the South African régime to cease such collaboration;

(c) To ratify or accede to the International Convention on the Suppression and Punishment of the Crime of Apartheid, if they have not already done so, and implement the Convention;

(d) To provide all necessary political and material support to the oppressed people of South Africa and their liberation movements in the present stage of their struggle for liberation; and

(e) To contribute generously for humanitarian assistance to the victims of police shootings and repression in South Africa.