

UNITED NATIONS SECURITY COUNCIL



Distr. GENERAL

s/6073* 7 December 1964

ORIGINAL:

ENGLISH/

FRENCH

REPORT OF THE SPECIAL COMMITTEE ON THE POLICIES OF APARTHEID OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA

Rapporteur: Mr. Ram C. MALHOTRA (Nepal)

Also issued as A/5825.

CONTENTS

			Parag	graphs	Page
LETTI	er of	TRANSMITTAL	•		8
INTRO	DUCT:	ION	1	- 17	9
PART	I.	REVIEW OF THE WORK OF THE SPECIAL COMMITTEE	E. 18	- 134	14
	Α.	Report of 13 September 1963	. 18	- 25	14
	B•	Consideration of the question by the General Assembly and the Security Council, October-December 1963	al 26	- 31	17
	C.	Consideration of the programme of work of the Special Committee, January 1964	32	- 37	20
	D.	Consultation with the Group of Experts established in pursuance of the Security Council resolution of 4 December 1963 (S/5471)	38	- 40	21
	E•	Consideration of the repressive measures against opponents of the policies of apartheid and hearing of petitioners, March 1964	41	- 53	22
	F.	Report of 23 March 1964 to the General Assembly and the Security Council	• • 54	- 55	25
	G.	Appeal to Member States, organizations and eminent personalities in connexion with the trials and death sentences in the Republic of South Africa	56	- 60	27
	H.	Letter to the Organization of Petroleum Exporting Countries concerning appropriate means of achieving an effective embargo on the supply of petroleum and petroleum products to South Africa	_	- 63	30
	I.	Visit of the delegation of the Special Committee to London to attend the International Conference on Economic Sanctions against South Africa and to hear petitioners	64	. - 90	31
	J.	Report of 25 May 1964 to the General Assembly and the Security Council	• • 91	- 94	3 9
	K.	Consideration of the question by the Security Council, June 1964	• • 95	5 - 98	43
	L.	Consideration of the programme of work of the Special Committee, July 1964	• • 99	- 102	46

CONTENTS (continued)

			Paragraphs	Page
М•	agai: apar	ideration of repressive measures nst opponents of the policies of theid in the Republic of h Africa • • • • • • • • • • • • • • • • • • •	. 103 - 114	47 47
	1.	Detention of Mr. Abram Fischer	104	41
	2.	Rejection of appeals against death sentences on Mr. Vuyisile Mini, Mr. Wilson Khayinga and Mr. Zinakile Mkaba	. 105 - 110	47
	3•	Hearing of a petitioner concerning the banning order served on Chief Albert J. Luthuli	. 111	49
	4.	Execution of Mr. Vuyisile Mini, Mr. Wilson Khayinga and Mr. Zinakile Mkaba	. 112 - 114	50
N.	assi peri for	eal to Member States on relief and istance to families of persons secuted by the South African Government their opposition to the policies of ortheid	• 115 - 120	51
0.	for and Sou	sideration of papers on the pattern of eign trade of the Republic of South Africa foreign investments in the Republic of th Africa • • • • • • • • • • • • • • • • • • •	. 121 - 128	53
P.	. Let Org	ter to the Secretary-General of the anization of African Unity	129	55
Q.	Peg	uest to the Secretary-General in connexion h arms shipments to South Africa	. 130 - 132	56
R		sideration of the present report to the leral Assembly and the Security Council .	133 - 134	57
PART I	T. REV	VIEW OF DEVELOPMENTS SINCE THE REPORT OF SEPTEMBER 1963 • • • • • • • • • • • • • • • • • • •	135 - 365	58
I	. NOI GEI ANI	N-COMPLIANCE WITH RESOLUTIONS OF THE NERAL ASSEMBLY AND THE SECURITY COUNCIL O REAFFIRMATION OF THE POLICIES OF ARTHEID	165 - 207	65
	A.	Non-compliance with resolutions of the General Assembly and the Security Counci	1 • 165 - 180	65

CONTENTS (continued) Paragraphs Page Rebellious attitude and hostility towards the United Nations, and scorn to world public opinion 70 181 - 189 Reaffirmation of the policies of C. 73 apartheid 190 - 195 74 196 - 207 New propaganda line 78 208 II. PURSUIT OF APARTHEID . Bantu Laws Amendment Act of 1964 211 - 232 79 (Act No. 42 of 1964) 214 - 222 80 1. Main provisions of the Act 82 223 - 232 Residential segregation and related measures outside the African 86 233 - 258 reserves Implementation of the Group Areas 86 233 - 247 2. Expulsion of Africans from "White areas" 248 - 256 92 3. Removal of "Black Spots" 257 - 258 95 C. Establishment of councils and committees for non-White racial groups *259* **-** *298* 95 The Coloured Persons Representative Council Act of 1964 (Act No. 49 of 1964) • • 262 - 278 96 2. Establishment of a National Indian Council 100 • 279 - 291 3. Establishment of urban Bantu councils and boards 103 4. Establishment of consultative and management committees for the 294 - 298104 Coloured people and Indians D. Other apartheid measures outside the 299 - 339 106 African reserves Apartheid in education 304 - 310 106 Apartheid in employment 311 - 319 107

		CONTENTS (continued)		Paragraphs	Page
		3. Apartheid in sports	•	320 - 324	109
•		4. Apartheid in scientific organizations		325 - 327	110
		5. Apartheid in recreational and cultural facilities	•	328 - 332	111
		6. Curtailment of inter-racial communication	•	333 - 339	112
<i>š</i>	E.	Developments in the Transkei and other African reserves	•	340 - 365	113
		1. Elections to the Transkei Legislative Assembly	•	341 - 346	114
		Party and the Transkei National Independence Party	•	347 - 353	115
		3. First session of the Transkei Legislative Assembly		354 - 359	117
		4. Developments in other reserves	•	360 - 365	119
III.	DAI	NGER OF VIOLENT CONFLICT	•	366 - 401	121
IV.	BU:	ILD-UP OF MILITARY AND POLICE FORCES .	•	402 - 481	130
·	Α.	Increase in defence and police budget	•	410 - 415	131
	В.	Increase in strength of military and police forces	.•	416 - 428	133
	C.	Civil defence plans	,•	429 - 433	137
	D.	Defence research	•	434 - 438	138
	E.	Manufacture of arms and ammunition in South Africa	•	439 - 452	139
	F.	Import of military equipment	•	453 - 464	142
	G.	Military co-operation with other countries • • • • • • • • • • • • • • • • • • •	•	465 - 468	145
	н.	International concern over military build-up in South Africa	•	469 - 481	146

CONTENTS (continued)

			Paragraphs	Page
V•		RNATIONAL OPPOSITION TO THE POLICIES PARTHEID	482 - 528	151
	Α.	Actions by Member States	483 - 487	151
	B.	Protests against apartheid in the specialized agencies and other inter-governmental agencies and conferences	488 - 514	153
		1. Food and Agriculture Organization of the United Nations	491 - 493	154
		2. International Atomic Energy Agency	494 - 495	154
		3. International Civil Aviation Organization: Africa-Indian Ocean Air Navigation Meeting, November 1964	496	155
		4. International Labour Organisation	497 - 502	155
		5. International Telecommunication Union: African Broadcasting Conference, Geneva, October 1964	503 - 504	156
		6. United Nations Conference on Trade and Development, Geneva, March-June 1964	505 - 507	156
		7. Universal Postal Union	508 - 509	156
		8. World Health Organization	510 - 514	157
	C.	Non-governmental protests and boycotts	515 - 528	158
VI.		E ECONOMIC ASPECTS OF THE SITUATION IN REPUBLIC OF SOUTH AFRICA	529 - 573	161
	Α.	Recent economic growth in South Africa	531 - 544	161
	В.	Increase in the foreign trade of the Republic of South Africa	545 - 558	165
	C.	South African reaction to proposals for economic sanctions	559 - 573	171
PART III.	COL	OCLUSIONS AND RECOMMENDATIONS	574 - 641	174
	A.	Recognition of the threat to international peace and security • • • • •		178
	В•	Application of economic sanctions	596 - 617	179

CONTENTS (continued)

			Paragraphs	Page
	C.	Other measures	618 - 639	185
		1. Relief and assistance to the families of all persons persecuted by the Government of the Republic of South Africa for acts resulting from their opposition to the		n 05
		policies of apartheid	618 - 622	1.85
		2. Investigation of treatment of prisoners	623 - 625	186
		Publicity for United Nations efforts against the policies of apartheid and to inform world opinion of the dangers of the policies of apartheid.	626 - 637	187
		4. Enlargement of the Special Committee .	638 - 639	190
	\mathbb{D}_{\bullet}	Summary of recommendations	640 - 641	190
		ANNEXES		
I.		munications from Member States in response the appeal dated 23 March 1964 by the cial Committee in connexion with the trials		
	and Sou	death sentences in the Republic 51 th Africa • • • • • • • • • • • • • • • • • • •		194 2 1 3
II.	Lis	t of documents of the Special Committee		الرسوين
III.	Dir Rep	ection of imports and exports of the ublic of South Africa		221

ADDENDUM

Repressive measures against opponents of the policies of apartheid*

^{*} To be issued under the symbols A/5825/Add.l and S/6073/Add.l.

LETTER OF TRANSMITTAL

30 November 1964

Sir,

I have the honour to transmit to you herewith the report which the Special Committee on the policies of apartheid of the Government of the Republic of South Africa unanimously adopted on 30 November 1964.

This report is submitted to the Security Council in pursuance of operative paragraph 5 (b) of General Assembly resolution 1761 (XVII) of 6 November 1962 and operative paragraph 2 of General Assembly resolution 1978 A (XVIII) of 16 December 1963.

Accept, Sir, the assurances of my highest consideration.

(Signed) ACHKAR Marof
Chairman of the Special Committee on the
policies of apartheid of the Government
of the Republic of South Africa

His Excellency Mr. Adlai E. Stevenson, President of the Security Council, New York

INTRODUCTION

- 1. The Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa was established by General Assembly resolution 1761 (XVII) of 6 November 1962, with the following terms of reference:
 - "(a) To keep the racial policies of the Government of South Africa under review when the Assembly is not in session;
 - "(b) To report either to the Assembly or to the Security Council or to both, as may be appropriate, from time to time."

It is composed of the following eleven members: Algeria, Costa Rica, Ghana, Guinea, Haiti, Hungary, Malaysia, Nepal, Nigeria, Philippines and Somalia.

- 2. At its first meeting on 2 April 1963, the Special Committee elected Mr. Diallo Telli (Guinea) as Chairman, Mr. Fernando Volio Jiménez (Costa Rica) as Vice-Chairman, and Mr. Matrika Prasad Koirala (Nepal) as Rapporteur.
- 3. On 10 March 1964, Mr. Koirala resigned his office in view of his departure for Nepal. On 23 March, the Special Committee elected Mr. Ram C. Malhotra (Nepal) as the Rapporteur.
- 4. Mr. Diallo Telli (Guinea) took leave of the Committee on 30 July 1964 following his election as Administrative Secretary-General of the Organization of African Unity. On 24 September, the Special Committee elected Mr. Achkar Marof (Guinea) as the Chairman.
- 5. On 5 April 1963, the Special Committee established a Sub-Committee on Petitions composed of the representatives of Algeria, Ghana, Nigeria and the Philippines. Mr. S.H. Okechuku Ibe (Nigeria) was Chairman of the Sub-Committee until 22 January 1964 and was succeeded by Mr. E.C. Anyaoku (Nigeria). The Sub-Committee submitted thirteen reports during the period since 13 September 1963.1/

^{1/} A/AC.115/L.33; A/AC.115/L.37; A/AC.115/L.40; A/AC.115/L.44; A/AC.115/L.50; A/AC.115/L.66; A/AC.115/L.72; A/AC.115/L.74; A/AC.115/L.76; A/AC.115/L.80; A/AC.115/L.85; A/AC.115/L.95; A/AC.115/L.101.

6. The following representatives served on the Special Committee during the period since 13 September 1963:

ALGERIA

Representative:

Mr. Abdelkader CHANDERLI (until 28 August 1964) Mr. M. Tewfik BOUATTOURA

Alternate Representatives:

Mr. Kemal HACENE Mr. Abdelkader BOUKHARI Mr. Raouf BOUDJAKDJI Mr. Abderrahmane BENSID

COSTA RICA

Representative: Alternate Representative: Mr. Fernando VOLIO JIMENEZ Mr. José María AGUIRRE

GHANA

Representative: Alternate Representatives:

Mr. Alex QUAISON-SACKEY
Mr. Nathan Anang QUAO
Mr. Emmanuel Yawo AGORSOR
Mr. Kwaku Mensa AKUDE
Mr. Joseph Benjamin PHILLIPS

GUINEA

Representative:

Mr. DIALLO Telli (until 30 July 1964) Mr. ACHKAR Marof

Alternate Representatives:

Mr. Nanamoudou DIAKITE Mr. MBAYE Cheik Char

HAITI

Representative: Alternate Representatives: Mr. Carlet R. AUGUSTE Mr. Raoul SICLAIT

Mr. Alexandre VERRET Mr. Léonard PIERRE-LOUIS

HUNGARY

Representative:
Alternate Representatives:

Mr. Karoly CSATORDAY Mr. Arpád PRANDLER Mr. Jozsef HORVATH

MALAYSIA

Representative: Alternate Representatives: Mr. RADHAKRISHNA RAMANI

Mr. Peter S. LAI

Mr. ZAIN Azraai bin Zainal Abidin

NEPAL

Representative:

Mr. Matrika Prasad KOIRALA (until 10 March 1964) Mr. Ram C. MALHOTRA

NIGERIA

Representative:
Alternate Representatives:

Mr. S.O. ADEBO Mr. E.C. ANYAOKU Mr. S.H. Okechuku IBE Mr. O.M.A. ABIOLA Mr. Mustafa ZUBAIRU

PHILIPPINES

Representative:
Alternate Representative:
Adviser:

Mr. Privado G. JIMENEZ Mr. Hortencio J. BRILLANTES Mr. Virgilio C. NAÑAGAS

SOMALIA

Representative: Alternate Representatives: Hussan Nur EIMI Mr. Ahmed M. DARMAN Mr. Abdulkader Scek MAO

- 7. By resolution 1978 A (XVIII) of 16 December 1963, the General Assembly noted with appreciation the reports submitted by the Special Committee in 1963, and strengthened its mandate by requesting it "to continue to follow constantly the various aspects of this question and to submit reports to the General Assembly and the Security Council whenever necessary". The General Assembly requested the Secretary-General to furnish the Special Committee with all the necessary means for the effective accomplishment of its task and invited the specialized agencies and all Member States to give it their assistance and co-operation in the fulfilment of its mandate.
- 8. In accordance with its terms of reference the Special Committee submitted two interim reports to the General Assembly and the Security Council since the report of 13 September 1963 submitted before the eighteenth session of the General Assembly. In the first of these reports, submitted on 23 March 1964, the Special

^{2/} First interim report of 6 May 1963, A/5418-S/5310 and Corr.1; second interim report of 17 July 1963, A/5453-S/5353; and report of 13 September 1963, A/5497-S/5426.

^{3/} A/5692-8/5621.

Committee reviewed the developments since its previous report of 13 September 1963, with special emphasis on the repressive measures against the opponents of the policies of apartheid in the Republic of South Africa. In the second report, submitted on 25 May 1964, on the eve of the renewed consideration of the question by the Security Council, the Special Committee reviewed the subsequent developments in the Republic of South Africa and transmitted the report of the Delegation of the Special Committee on the International Conference on Economic Sanctions against South Africa, held in London from 14 to 17 April 1964.

- 9: In its resolution of 18 June 1964, ⁵/ the Security Council took note of these reports of the Special Committee with appreciation.
- 10. On 30 November 1964, the Special Committee decided unanimously to submit the present report on developments since 13 September 1963 to the General Assembly and the Security Council.
- 11. The report is divided into three parts. The first part contains a review of the work of the Special Committee in pursuance of its mandate under General Assembly resolutions 1761 (XVII) and 1978 (XVIII). The second part is devoted to a review of the main developments relating to the racial policies of the Government of the Republic of South Africa since 13 September 1963. The third part contains the conclusions and recommendations of the Special Committee, with special reference to the means of dissuading the Government of the Republic of South Africa from pursuing its policies of apartheid.
- 12. The following annexes are attached to the report:
 - (a) Communications from Member States in response to the appeal dated 23 March 1964 by the Special Committee in connexion with the trials and death sentences in the Republic of South Africa;
 - (b) List of documents of the Special Committee; and
 - (c) Direction of imports and exports of the Republic of South Africa.
- 13. In view of the great intensification of the repressive measures by the South African Government against the opponents of <u>apartheid</u> during the period under review, a detailed note on the repressive measures has been prepared and attached as an addendum to this report.

^{4/} A/5707-S/5717.

^{5/ \$/5773.}

- 14. The Special Committee wishes to record its great appreciation to Mr. Diallo Telli (Guinea) for his invaluable contribution as its Chairman from April 1963 to July 1964 and to Mr. M.P. Koirala (Nepal) for the exemplary performance of his duties as Rapporteur until March 1964.
- 15. The Special Committee also wishes to express its appreciation to the Directors-General of the various specialized agencies for their co-operation in the fulfilment of its mandate. It also notes with appreciation the assistance rendered by many non-governmental organizations and individuals.
- 16. The Special Committee wishes to record again its gratitude to the Secretary-General for his unfailing interest in its work. It also wishes to express its appreciation to Mr. Vladimir Suslov, Under-Secretary for Political and Security Council Affairs, and Mr. M.A. Vellodi, Director for Political and Security Council Affairs.
- 17. Finally, it wishes to express its appreciation to Mr. Enuga S. Reddy, the Principal Secretary, and to the other members of the Secretariat assigned to the Committee who discharged their duties with remarkable efficiency and devotion.

/...

Part I

REVIEW OF THE WORK OF THE SPECIAL COMMITTEE

A. REPORT OF 13 SEPTEMBER 1963^{6}

18. In its report of 13 September 1963, submitted before the eighteenth session of the General Assembly, the Special Committee transmitted a detailed review of the situation in the Republic of South Africa which made it clear that the Government of the Republic of South Africa had not only not complied with the General Assembly resolution 1761 (XVII) of 6 November 1962 and the Security Council resolutions (\$/4300 and \$/5386) of 1 April 1960 and 7 August 1963, but had taken further measures which aggravated the tension within the country. It stated that the utterly negative reaction of the South African Government made it essential that the General Assembly and the Security Council consider, with no further delay, "possible new measures in accordance with the Charter, which provides for stronger political, diplomatic and economic sanctions, suspension of rights and privileges of the Republic of South Africa as a Member State, and expulsion from the United Nations and its specialized agencies."

19. The Special Committee considered it essential that the General Assembly and the Security Council should: (a) take note of the continued deterioration of the situation in the Republic of South Africa in consequence of the continued imposition of discriminatory and repressive measures by its Government in violation of its

^{6/} A/5497-8/5426.

obligations under the United Nations Charter, the provisions of the Universal Declaration of Human Rights and the resolutions of the General Assembly and the Security Council; (b) affirm that the policies and actions of the Republic of South Africa are incompatible with membership in the United Nations; (c) declare the determination of the Organization to take all requisite measures provided in the Charter to bring to an end the serious danger to the maintenance of international peace and security; and (d) call upon all United Nations organs and agencies and all States to take appropriate steps to dissuade the Republic of South Africa from its present racial policies.

- 20. The Special Committee further deemed it essential that all Member States be called upon to take requisite measures speedily to implement the relevant provisions of General Assembly resolution 1761 (XVII) of 6 November 1962 and the Security Council resolution S/5386 of 7 August 1963. It felt that Member States which had taken effective measures in this respect should be commended, and that an urgent invitation should be addressed to all others to take action and report without delay. It felt, moreover, that the General Assembly and the Security Council should express disapproval of the actions of certain States which had taken measures contrary to the provisions of the resolutions of the General Assembly and the Security Council on the policies of apartheid of the Government of the Republic of South Africa.
- 21. The Special Committee felt that the States responsible for the administration of territories neighbouring the Republic of South Africa should be called upon to provide asylum and relief to South African nationals who were obliged to seek refuge because of the policies of apartheid and to refrain from any action which may assist the South African authorities in the continued pursuit of their present racial policies.
- 22. Further, in view of the persecution of thousands of South African nationals for their opposition to the policies of <u>apartheid</u> and the serious hardship faced by their families, the Special Committee considered that the international community, for humanitarian reasons, should provide them with relief and other assistance. It recommended that the Secretary-General should be requested, in consultation with the Special Committee, to find ways and means to provide such relief and assistance through appropriate international agencies.

/ . . .

- 23. With regard to the request to the Member States by the General Assembly that they refrain from exporting all arms and ammunition to South Africa, and by the Security Council that they cease forthwith the sale and shipment of arms, ammunition of all types and military vehicles to South Africa, the Special Committee submitted the following supplementary recommendations: (a) Member States should be requested not to provide any assistance, directly or indirectly, in the manufacture of arms, ammunition and military vehicles in South Africa, including the supply of strategic materials, provision of technical assistance, or the granting of licences; (b) Member States should be requested to refrain from providing training for South African military personnel; and (c) Member States should be requested to refrain from any form of co-operation with South African military and police forces.
- 24. The Special Committee further suggested that the General Assembly and the Security Council give consideration to additional measures, including the following, to dissuade the Government of the Republic of South Africa from its racial policies: (a) recommendation to all international agencies to take all necessary steps to deny economic or technical assistance to the Government of the Republic of South Africa, without precluding, however, humanitarian assistance to the victims of the policies of apartheid; (b) recommendation to Member States to take steps to prohibit or discourage foreign investments in South Africa and loans to the Government of the Republic of South Africa or to South African companies; (c) recommendation to Member States to consider denial of facilities for all ships and planes destined to or returning from the Republic of South Africa; (d) recommendation to Member States to take measures to prohibit, or at least discourage, emigration of their nationals to the Republic of South Africa, as immigrants are sought by it to reinforce its policies of apartheid; and (e) study of means to ensure an effective embargo on the supply of arms and ammunition, as well as petroleum, to the Republic of South Africa, including a blockade, if necessary, under aegis of the United Nations.
- 25. Finally, the Special Committee felt that Member States should be urged to give maximum publicity to the efforts of the United Nations with respect to this question and take effective steps to discourage and counteract propaganda by the Government of the Republic of South Africa, its agencies and various other bodies which seek to justify and defend its policies.

- B. CONSIDERATION OF THE QUESTION BY THE GENERAL ASSEMBLY AND THE SECURITY COUNCIL, COTOBER-DECEMBER 1963
- 26. The reports of the Special Committee were considered by the General Assembly at its eighteenth session and by the Security Council from 27 November to 4 December 1963.
- 27. On 11 October 1963 the General Assembly, considering reports to the effect that the Government of South Africa was arranging the trial of a large number of political prisoners under arbitrary laws prescribing the death sentence and that such a trial would inevitably lead to a further deterioration of the already explosive situation in South Africa, thereby further disturbing international peace and security, adopted resolution 1881 (XVIII) by 106 votes, with only South Africa voting against. The General Assembly recalled its resolution 1761 (XVII) of 6 November 1962 and the Security Council resolution 5/5386 of 7 August 1963, which called upon the Government of the Republic of South Africa to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid, and took note of the Special Committee's report which stressed that the harsh repressive measures instituted by the South African Government frustrate the possibilities for peaceful settlement, increase hostility among the racial groups and precipitate violent conflict. The operative part of the resolution read:
 - "1. Condemns the Government of the Republic of South Africa for its failure to comply with the repeated resolutions of the General Assembly and of the Security Council calling for an end to the repression of persons opposing apartheid;
 - "2. Requests the Government of South Africa to abandon the arbitrary trial now in progress and forthwith to grant unconditional release to all political prisoners and to all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid;
 - "3. Requests all Member States to make all necessary efforts to induce the Government of South Africa to ensure that the provisions of paragraph 2 above are put into effect immediately;
 - "4. Requests the Secretary-General to report to the General Assembly and the Security Council, as soon as possible during the eighteenth session, on the implementation of the present resolution."

^{7/} The report of 13 September 1963 (A/5497-S/5426) and the interim reports of 6 May and 17 July 1963, which were reproduced as addenda to the above report.

- 28. When the Security Council resumed consideration of the question on 27 November 1963, it was clear that the South African Government had not heeded the General Assembly's request in operative paragraph 2 of resolution 1881 (XVIII), despite the efforts made by Member States in accordance with operative paragraph 3 and reported by the Secretary-General in documents A/5614 and Add.1-3 (S/5457 and Add.1-3). It continued with the trials of opponents of the policies of apartheid and other repressive measures against them.
- 29. On 4 December 1963 the Security Council unanimously adopted resolution S/5471, deploring the refusal of the South African Government to comply with its resolution S/5386 of 7 August 1963 and to accept the repeated recommendations of other United Nations organs, and stating in its operative part:
 - "1. Appeals to all States to comply with the provisions of Security Council resolution S/5386 of 7 August 1963;
 - "2. Urgently requests the Government of the Republic of South Africa to cease forthwith its continued imposition of discriminatory and repressive measures which are contrary to the principles and purposes of the Charter and which are in violation of its obligations as a Member of the United Nations and of the provisions of the Universal Declaration of Human Rights;
 - "3. Condemns the non-compliance by the Government of the Republic of South Africa with the appeals contained in the above-mentioned resolutions of the General Assembly and the Security Council;
 - "4. Again calls upon the Government of South Africa to liberate all persons imprisoned, intermed or subjected to other restrictions for having opposed the policy of apartheid;
 - "5. Solemnly calls upon all States to cease forthwith the sale and shipment of equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa;
 - "6. Requests the Secretary-General to establish under his direction and reporting to him a small group of recognized experts to examine methods of resolving the present situation in South Africa through full, peaceful and orderly application of human rights and fundamental freedoms to all inhabitants of the territory as a whole, regardless of race, colour or creed, and to consider what part the United Nations might play in the achievement of that end:
 - "7. Invites the Government of the Republic of South Africa to avail itself of the assistance of this group in order to bring about such peaceful and orderly transformation;
 - "8. Requests the Secretary-General to continue to keep the situation under observation and to report to the Security Council such new developments as may occur, and in any case not later than 1 June 1964, on the implementation of this resolution".

- 30. On 16 December 1963 the General Assembly adopted resolution 1978 (XVIII) on the reports of the Special Committee. In the operative part of part A of the resolution adopted by 100 votes to 2, with one abstention, the General Assembly stated:
 - "1. Appeals to all States to take appropriate measures and intensify their efforts, separately or collectively, with a view to dissuading the Government of the Republic of South Africa from pursuing its policies of apartheid, and requests them, in particular, to implement fully the Security Council resolution of 4 December 1963;
 - "2. Notes with appreciation the reports of the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa, and requests it to continue to follow constantly the various aspects of this question and to submit reports to the General Assembly and to the Security Council whenever necessary;
 - "3. Requests the Secretary-General to furnish the Special Committee with all the necessary means for the effective accomplishment of its task;
 - "4. Invites the specialized agencies and all Member States to give to the Special Committee their assistance and co-operation in the fulfilment of its mandate."
- 31. In part B of the resolution adopted by 99 votes to 2 (Portugal and South Africa), with no abstentions, the General Assembly took note that the Special Committee had drawn attention in its report to the serious hardships faced by the families of persons persecuted by the South African Government for their opposition to the policies of apartheid and had recommended that the international community for humanitarian reasons provide them with relief and other assistance. Considering that such assistance was consonant with the purposes and principles of the United Nations, the General Assembly requested the Secretary-General to seek ways and means of providing relief and assistance, through the appropriate international agencies, to the families of all persons persecuted by the Government of the Republic of South Africa for their opposition to the policies of apartheid; invited Member States and organizations to contribute generously to such relief and assistance; and invited the Secretary-General to report to the General Assembly at its nineteenth session on the implementation of the present resolution.

C. CONSIDERATION OF THE PROGRAMME OF WORK OF THE SPECIAL COMMITTEE, JANUARY 1964

- 32. At its meeting on 9 January 1964, the Special Committee considered its programme of work in the light of General Assembly resolutions 1881 (XVIII) of 11 October 1963 and 1978 (XVIII) of 16 December 1963, and Security Council resolution 8/5471 of 4 December 1963.
- 33. The Committee noted with satisfaction that its reports had been noted with appreciation by the General Assembly, the Security Council and the Member States and that its work had contributed to the adoption of the resolutions by the two principal organs on the question of the policies of apartheid of the Government of the Republic of South Africa. The situation in the Republic of South Africa, however, continued to deteriorate daily as evidenced by the brutal repression against all those who opposed the policy of apartheid and the contempt shown by the South African Government toward the decisions of the competent organs of the United Nations. In considering its programme of work, therefore, the Special Committee took into account the increasing seriousness of the situation, as well as the strengthening of the Committee's mandate.
- 34. Members of the Special Committee felt that the Special Committee should co-operate, as appropriate, with the group of experts appointed by the Secretary-General pursuant to Security Council resolution S/5471. While hoping that the efforts of the Secretary-General and the group of experts would be successful, the Committee considered it essential that the United Nations and the international community should be prepared to exercise ever-increasing pressure on the South African Government, along the lines of the resolutions of the General Assembly and the Security Council, for the purpose of persuading it to abandon its racial policies.
- 55. The Special Comittee, therefore, requested the Secretary-General to arrange for the preparation of detailed studies, in the light of the decisions of the General Assembly and the Security Council and the recommendations in the report of the Special Committee, on (a) the direction and composition of the foreign trade of South Africa, with special reference to trade in petroleum and other strategic materials; and (b) the sources and distribution of foreign investments in South Africa.

^{8/} In response to the request, the Secretariat submitted documents A/AC.115/L.55 and L.56. See also documents A/AC.115/L.55/Add.1 and L.56/Rev.1.

- 36. At the same meeting the Special Committee, through the Secretary-General, addressed an invitation to the specialized agencies inviting their assistance and co-operation in accordance with General Assembly resolution 1978 A (XVIII) and suggesting that it would be useful if the agencies could appoint representatives to discuss the possibilities of co-operation and to attend the meetings of the Committee as observers. 9
- 37. The replies from the Directors-General of the specialized agencies offering their assistance and co-operation were communicated to the Committee. The Food and Agriculture Organization, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, International Labour Office and the International Atomic Energy Agency appointed observers to attend meetings of the Special Committee. 10/
 - D. CONSULTATION WITH THE GROUP OF EXPERTS ESTABLISHED IN PURSUANCE OF THE SECURITY COUNCIL RESOLUTION OF 4 DECEMBER 1963 (S/5471)
- 38. In pursuance of operative paragraph 6 of the Security Council resolution S/5471 of 4 December 1963, the Secretary-General established a group of experts composed of Mrs. Alva Myrdal (Chairman), Sir Edward Asafu Adjaye, Mr. Josip Djerdja 11/2. Sir Hugh Foot, and Mr. Dey Ould Sidi Baba.
- 39. Officers and members of the Special Committee kept in contact with the group of experts during the period of its existence.
- 40. On 9 March 1964, the Special Committee held a meeting with the group of experts, and issued a communique in which it stated: $\frac{12}{}$

"An exchange of views on the terms of reference of the Expert Group under the Security Council resolution of 4 December 1963 reflected general agreement on the respective roles of the two bodies in the pursuit of the objectives of the United Nations.

"The exchange of views between the members of the Special Committee and the Expert Group took place in an atmosphere of frank cordiality.

"It was agreed that the Special Committee and the Expert Group should continue close contacts with each other in the discharge of their respective mandates."

^{9/} A/AC.115/L.49 and Add.1-3.

^{10/} Ibid.

^{11/} Mr. Djerdja resigned from the group in March 1964.

^{12/} United Nations press release GA/AP/18 of 9 March 1964.

- E. CONSIDERATION OF THE REPRESSIVE MEASURES AGAINST OPPONENTS OF THE POLICIES OF APARTHEID AND HEARING OF PETITIONERS, MARCH 1964
- 41. When the Special Committee reconvened on 9 March 1964, it was obliged to devote its attention principally to the question of repressive measures launched against opponents of the policies of apartheid in the Republic of South Africa, despite the resolutions of the General Assembly and the Security Council. It considered a report by the Rapporteur on these repressive measures and took note of a number of communications received by the Committee, particularly in connexion with the "Rivohia trial" of Mr. Nelson Mandela, Mr. Walter Sisulu and other leaders, and the death sentences passed on several leaders of the African National Congress in Fort Elizabeth.
- 42. The Special Committee also heard the following petitioners: Miss Miriam Makeba, South African singer, at the twenty-sixth meeting on 9 March 1964; Miss Mary Benson, author of African Patriots and other books, at the twenty-eighth meeting on 11 March 1964; and Mr. Oliver Tambo, deputy president of the African National Congress, and Mr. Tennyson Makiwane, member of its national executive, at the twenty-ninth meeting on 12 March 1964.
- 43. The petitioners referred to the trials of South African leaders then under way, the mistreatment of numerous detainees and the hardships endured by their families. They appealed for urgent action by the international community to save the lives of persons involved in the trials, particularly of the defendants in the "Rivonia trial", and to secure the liberation of all persons imprisoned, interned or subjected to other restrictions for their opposition to the policies of apartheid.
- 44. Appealing to the Special Committee for quick and concrete action, Miss Makeba stated that the people of South Africa had sought their basic human rights by every possible means, facing bans, banishment, gaol and even death. But instead of improving, their situation grew worse day by day. Whenever United Nations organs adopted resolutions, the hopes of the people were aroused, only to be disappointed when the resolutions were ignored and defied by the South African Government. The Special Committee should ensure that false hopes were not raised again and that the South African Government was forced to cease the humiliation and persecution of the South African people.

^{13/} A/AC.115/L.48, subsequently reproduced in document A/5692-S/5621.

- 45. Miss Makeba added that there was already too much hate in South Africa and that it would overflow if the world kept silent while the Government proceeded along its brutal course. She appealed to the Committee, and through it to all the countries of the world, to do everything possible to save the lives of the South African leaders, empty the prisons of those unjustly put there, and help the people to win their right to human dignity.
- 46. Miss Mary Benson spoke of a number of men and women in South Africa who were on trial under laws providing for death sentences, particularly the defendants in the "Rivonia trial", who were known to her personally. She emphasized that it was profoundly important to South Africa, to the African continent, and to the world at large that leaders like Mr. Nelson Mandela, Mr. Walter Sisulu, Mr. Lionel Bernstein, Mr. Ahmed Kathrada and Mr. Govan Mbeki must not be allowed to die.
- Ly7. Speaking of the plight of families of persons persecuted by the South African Government for their opposition to the policies of apartheid, Miss Benson emphasized the urgent need to implement General Assembly resolution 1978 B (XVIII) on relief and other assistance for these families so that the anguish of the South Africans concerned may be alleviated even a little. There were organizations in South Africa and London which could distribute funds, but their resources had become ever more inadequate in the face of the growing needs.
- 48. Finally, Miss Benson referred to the misery and uncertainty faced by the African population against the background of a fantastic wave of prosperity for white South Africa, with increasing investment especially from the United Kingdom and the United States. According to the South Africa Foundation, the average dividend in South Africa was 12.6 per cent compared with 6.6 per cent in Western Europe, while United States companies were earning profits of up to 27 per cent on capital invested in South Africa. That was "interest on the edge of a volcano", to quote the editor of the Investor's Chronicle, London. The massive foreign investment in South Africa, in her view, was the major obstacle to efforts to bring about change in that country. Miss Benson concluded that economic sanctions were surely the obvious civilized form of action as diplomatic pressures had long ago failed to make any impact on the South African Government.
- 49. Mr. Oliver Tambo, deputy president of the African National Congress, stated that, claiming to act in the name of "Christian" civilization and "Western"

democracy, the South African Government was tirelessly persecuting the African people and other opponents of its policies. This persecution was encouraged by foreign investments which had continued to pour into the country. White immigrants, mainly from the United Kingdom, had recently been entering South Africa in large numbers to share in the exploitation of African labour.

- 50. If South Africa was enjoying an economic boom, that was doubtless partly due to a sense of security induced by the arms supplied to the South African Government by its friends, as well as by the imprisonment of the leaders of the liberation movement. It was hardly necessary to point out that the supposed stability was unreal. It was pertinent, however, to ask who bore the greater guilt those who enforced racialist policies, or those who furnished the capital, technical knowledge and manpower for the carrying out of those policies.
- 51. Mr. Tambo said that his organization felt that the Special Committee, in seeking modes of action against apartheid, should consider means whereby such accomplices could be made to reconcile their public protestations with their deeds. For it was dangerous to continue pretending that the joint condemnation of apartheid by its opponents and its supporters would dislodge a system which drew its resources from a combination of economic power, military strength and the unbridled use of brute force. The fact that respected leaders of the South African people now stood in danger of losing their lives, he said, added to the importance of identifying those who gave to the South African Government the financial and material encouragement it needed for the continuing of its policies and practices.
- 52. Referring to the Bantu Laws Amendment Bill then before the South African Parliament, Mr. Tambo stated that in one of its key clauses it established a network of so-called "Aid Centres" which were in fact slave-labour detention camps, designed to entrap all Africans outside the Bantustan areas and distribute them as black labour to white masters and farmers throughout the country. The practice of catching Africans in the streets and selling them to white farmers, which had been outlawed by the courts some years previously, was being legalized under the Bill which made of the African merely a chattel.
- 53. Mr. Makiwane, member of the National Executive of the African National Congress. recalled that in July 1963 his organization's delegation had drawn the attention of the Special Committee to the prominent role played by certain countries notably

the United Kingdom, the United States, Belgium, France and the Federal Republic of Germany - which were supplying oil to the machinery of apartheid by their close economic collaboration with South Africa. He said that immigrants from the United Kingdom and other countries were employed for work which could equally well be done by Africans.

- F. REPORT OF 23 MARCH 1964 TO THE GENERAL ASSEMBLY AND THE SECURITY COUNCIL.
- 54. On 25 March 1964, the Special Committee unanimously adopted an urgent report to the General Assembly and the Security Council drawing attention to the grave new developments in the Republic of South Africa, in particular the death sentences already pronounced and the menace of death sentences to and execution of political prisoners opposed to apartheid. It expressed its conviction that positive and dynamic action by the principal organs was essential to avert a violent conflict in South Africa "which might have serious international consequences and which it is the duty of the United Nations to prevent by employing all the means available to it under the Charter."
- 55. The Special Committee stated inter alia:
 - "13. While continuing to review the situation in South Africa and constantly seeking an adequate solution, the Special Committee has reached the conclusion that it is indispensable to make an urgent report to the Security Council and the General Assembly in view of grave new developments in the Republic of South Africa, namely, that some political prisoners opposed to apartheid have just received death sentences, others are threatened with the same penalty, and all of them risk being hauged.
 - "14. The Special Committee, being convinced that effective mandatory measures must be taken urgantly to meet this grave situation and to prevent irrevocable consequences, recommends, as a first step, that the Security Council should demand that the South African Government should:
 - (a) Refrain from the execution of persons sentenced to death under arbitrary laws providing the death sentence for offences arising from opposition to the Government's racial policies;
 - (b) End immediately trials now proceeding under these arbitrary laws and grant an amnesty to all political prisoners whose only crime is their opposition to the Government's racial policies;
 - (c) Desist immediately from taking further discriminatory measures;
 - (d) Refrain from all other actions likely to aggravate the present situation.

- "15. The Special Committee recommends that, unless the South African Government complies within a brief time-limit with the aforementioned minimum, but vital, demands, the Security Council, in conformity with the terms of Chapter VII of the Charter and on the basis of the recommendations of the General Assembly and the Special Committee, should take new mandatory steps to compel the South African Government to comply with the decisions of the Council.
- "16. The Special Committee considers it essential that the Security Council should set a time-limit for the South African Government to take necessary steps to prevent the situation from becoming disastrous. The Council would, in this way, be making clear its determination to secure compliance, by effective international measures, with that Government's obligations under the resolutions of the Council and the Charter of the United Nations.
- "17. The Special Committee further recommends that the Security Council should specially request all the main States which maintain close relations with the South African Government, and thus bear an important responsibility in this connexion, to do all in their power, separately and collectively, to oblige the South African Government immediately to comply with the minimum, but vital, demands contained in paragraph 14 above.
- "18. The Special Committee reaffirms that the willingness of the major trading partners of South Africa, and of other States which maintain close political and economic relations with that country, to implement fully the measures recommended by the General Assembly and the Security Council is the most effective means to dissuade the South African Government from pursuing its policies of apartheid. It is essential that these Powers should urgently use all their influence to save the lives of persons facing death in South Africa for their opposition to apartheid, to secure an amnesty in conformity with the decisions of the General Assembly and the Security Council, and to induce the South African Government to fulfil its international obligations with a view to resolving peacefully the present grave situation in the Republic of South Africa.
- "19. Finally, the Special Committee wishes to emphasize again the extreme gravity of the situation in South Africa and the imperative need for effective action in order to prevent a catastrophe in that country. Such action offers the only hope of a peaceful solution to the situation, which is deteriorating daily. The Special Committee believes that mandatory measures are essential to prevent irrevocable consequences and to strengthen the efforts of the United Nations to achieve its objectives, which are to bring about the abandonment of the policies of apartheid and to ensure the full enjoyment of human rights and fundamental freedoms by all the inhabitants of South Africa.

roji II. Po Part

"20. The Special Committee feels that the Security Council, as a principal organ of the United Nations endowed with effective enforcement powers under the Charter, should assume its decisive responsibilities in connexion with the situation in South Africa. The Special Committee is convinced that positive and dynamic action by the Security Council is essential to prevent a violent conflict in South Africa, which might have serious international consequences and which the United Nations is in duty bound to prevent by every means available to it under the Charter."

- G. APPEAL TO MEMBER STATES, ORGANIZATIONS AND EMINENT PERSONALITIES IN CONNEXTON WITH THE TRIALS AND DEATH SENTENCES IN THE RESUBLIC OF SCUTH AFRICA
- 56. At the 31st meeting on 23 March 1964, the Special Committee approved the following appeal to be addressed by the officers of the Committee to Member States, organizations and eminent personalities in connexion with the trials of persons opposed to the policies of apartheid in the Republic of South Africa and the passing of death sentences:

"The United Nations General Assembly has entrusted the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa with the task of keeping the various aspects of the South African Government's racial policies under constant review. The latest developments in South Africa are causing grave concern to the Special Committee, which has pointed out, in the report of 23 March 1964 to the General Assembly and the Security Council, that the intensification of racial discrimination and the brutal repressive measures being taken against individuals and organizations opposed to the policy of apartheid are creating a situation which becomes more explosive with each passing day and will, if it continues, inevitably have serious international repercussions.

"The Special Committee is concerned, in the first instance, with the trials of hundreds of persons, including many prominent leaders of the movement for racial equality, which are now under way. These trials, conducted under arbitrary laws which violate the fundamental principles of universal justice and human rights and which prescribe the death penalty for acts of resistance to the policy of apartheid, are continuing despite the unanimous appeals of both the General Assembly and the Security Council, for their abandonment and for the liberation of all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid. These trials have already resulted in the passing of death sentences on three prominent leaders opposed to the policy of apartheid and may well do irreparable harm to the efforts of the United Nations to find a peaceful solution to the situation in South Africa.

"The Special Committee has therefore decided to address an urgent appeal to you to exert all your influence to induce the Government of South Africa:

- (1) to refrain from executing the condemned political leaders and to spare the lives of the persons threatened with the death penalty in South Africa;
- (2) to put an end to the tortures and the various humiliations inflicted on the opponents of <u>apartheid</u> in South Africa;
- (3) to liberate the political prisoners whose only crime is their opposition to the South African Government's policy of <u>apartheid</u>:
- (4) to abandon its policy of <u>apartheid</u>, which is contrary to the United Nations Charter and the Universal Declaration of Human Rights.

"We have the honour to send you herewith for your information the report of the Special Committee of 23 March 1964, in which the Committee gives an account of recent developments and makes recommendations for appropriate international action."

- 57. Pursuant to the decision of the Special Committee, the officers addressed this appeal to the Chiefs of State or Heads of Government of Liember States, through the Permanent Lissions to the United Nations, and to a number of other eminent personalities and organizations.
- 58. The Special Committee notes that a large number of Member States have taken action in response to this appeal. The Special Committee also received communications from several Lember States reaffirming their firm opposition to <u>apartheid</u> and informing the Special Committee of action either already taken or proposed to be taken by them in response to its appeal. The substantive parts of these communications are reproduced in Annex 1.
- 59. In connexion with the efforts of the Special Committee with regard to the trials and death sentences in South Africa, it may be noted that the African Group at the United Nations, at a meeting on 25 March 1964, heard a statement on this matter by the Chairman of the Special Committee and issued the following communique:

"The African group had an urgent meeting today in which it heard the Chairman of the Special Committee on Apartheid, Ambassador Diallo Telli of Guinea.

"Ambassador Diallo Telli reported on the explosive situation which has developed in South Africa following numerous trials of South African Nationalists, resulting in death sentences.

"The African group wishes to express its profound indignation against this savage repression of the South African Patriots which threatens to plunge South Africa and the entire Continent into a bloody conflict.

"The African group stresses that in these trials and death sentences it is in fact all the African States that are being tried by the racist government of South Africa.

"The group regards this as a challenge directed to the whole African Continent and accepts the challenge.

"The African group condemns the South African Government for its pursuit and intensification of its policy of Apartheid. The group further insists for the immediate abandoning of the make-believe trials, the security for the South African leaders and the liberation of all the persons arrested, detained or submitted to other restrictions for having opposed Apartheid."

60. Moreover, on 27 March 1964, the Sacretary-General took note of the recommendations of the Special Committee and made an urgent and earnest appeal to the South African Government "to spare the lives of those facing execution or death sentences for acts arising from their opposition to the Government's racial policies, so as to prevent an aggravation of the situation and to facilitate peaceful efforts to resolve the situation".

- H. LETTER TO THE ORGANIZATION OF PETROLEUM EXPORTING COUNTRIES CONCERNING APPROPRIATE MEANS OF ACHIEVING AN EFFECTIVE EMBARGO ON THE SUPPLY OF PETROLEUM AND LETROLEUM FRODUCTS TO SCUTH AFRICA
- 61. In connexion with its conclusion that effective action should be taken to secure speedy compliance by the South African Government with certain minimum demands, the Special Committee recalled the provisions of General Assembly resolution 1899 (XVIII) of 13 November 1963 under which all States were urged "to refrain... from supplying in any manner or form any petroleum or petroleum products to South Africa". It decided to request the Organization of Petroleum Exporting Countries for its observations on the appropriate means of achieving an effective embargo on the supply of petroleum and petroleum products to South Africa. 15/
- 62. Accordingly, on 23 March 1964, the Chairman sent the following letter to the Secretary-General of the Organization of Petroleum Exporting Countries:

"The Special Committee of the Policies of Apartheid of the Government of the Republic of South Africa, which was established under General Assembly Resolution 1761 (XVII) of 6 November 1962, is seeking ways and means of inducing the Government of South Africa to abandon its racial policy of apartheid. It is convinced that effective international action is essential in order to eliminate the explosive situation in South Africa, which, if it continues, will have increasingly serious international consequences.

"In this connexion, the Special Committee has recommended study of means of ensuring an effective embargo on the supply of petroleum to the Republic of South Africa, including, if necessary, a blockade under the auspices of the United Nations.

"The Special Committee notes that some of the principal petroleum-exporting countries belonging to OPEC have already prohibited the export of petroleum and petroleum products to the Republic of South Africa, while others have informed the General Assembly that they are prepared to take part in applying such measures if they are carried out by all the principal petroleum-exporting countries.

"The Special Committee also notes that in resolution 1899 (XVIII) of 13 November 1963 on the question of South West Africa, the General Assembly urged all Member States to refrain from supplying in any manner or form any petroleum or petroleum products to South Africa.

"In view of the foregoing and of the urgent need for effective action to deal with the explosive situation in South Africa, the Special Committee has asked me to request you to inform the Committee of OPEC's observations on the

^{15/} A/AC.115/SR.28 and 31.

appropriate means of achieving an effective embargo on the supply of petroleum and petroleum products to South Africa.

"I shall be grateful for any information or comments which OPEC can offer the Special Committee on this connexion."

- 63. In a reply dated 13 April 1964, the Secretary-General of the Organization of Petroleum Exporting Countries stated that the important subject raised in the letter had been discussed at a session of the Organization's Board of Governors which decided that the matter should be discussed by each country's representative with his Government. Copies of the letter had been forwarded to the Governments of Member Countries with the request that their views and comments should be communicated to the Secretariat as soon as possible.
- I. VISIT OF THE DELEGATION OF THE SPECIAL COMMITTEE TO LONDON TO ATTEND THE INTERNATIONAL CONFERENCE ON ECONOMIC SANCTIONS AGAINST SOUTH AFRICA AND TO HEAR PETITIONERS
- 64. On 3 April 1964, the Special Committee decided to send a delegation, consisting of its officers and members of its Sub-Committee on Petitions, to attend as observers the International Conference on Economic Sanctions against South Africa, held in London from 14 to 17 April 16/ The delegation was authorized to hear petitioners during its visit to London.
- 65. On its return, the delegation submitted a review of the International Conference 17/which the Special Committee transmitted to the General Assembly and the Security Council as an annex to its report of 25 May 1964. The delegation noted:

"...after a study and discussion of papers by well-known experts on the various aspects of the question of economic sanctions against South Africa, the Conference reached the conclusion that the situation in South Africa constitutes a grave threat to international peace and security. It considered that the Security Council should define this situation as a threat to the peace in terms of Article 39 of the Charter so that mandatory action can be taken under the auspices of the United Nations.

"The Conference noted that as all efforts towards moral suasion had failed over many years, the only effective means, short of military action, to change the situation in South Africa was the imposition of total economic sanctions.

The delegation consisted of the following:- Chairman: Mr.Diallo Telli (Guinea); Rapporteur: Mr.Ram C.Malhotra(Nepal); Chairman of the Sub-Committee: Mr.E.C.Anyaoku(Nigeria); Members of the Sub-Committee: Mr.Joseph B.Phillips(Ghana), Mr.Virgilio Nañagas(Philippines); Mr.Salim Keramane (Algeria) also participated in the hearings. The Vice-Chairman, Mr.Fernando Volio Jimenez (Costa Rica) was unable to accompany the delegation.

^{17/} A/AC.115/L.68 and Corr.1.

^{18/} A/5707-S/5717.

"The Conference came to the conclusion that total economic sanctions are politically timely, economically feasible and legally appropriate. To be effective, economic sanctions should be total and universally applied, and must have the active participation of the main trading partners of South Africa.

"These conclusions, in the view of the delegation of the Special Committee, deserve serious consideration by the competent organs of the United Nations."

- 66. The delegation of the Special Committee also utilized the opportunity of its visit to London to hear a number of petitioners, including representatives of South African organizations opposed to the policies of apartheid and others who could provide it with useful information on the situation in South Africa. The hearings of the Committee and the memoranda received by it emphasized (a) the urgent need for effective action to save the lives of prisoners under trial for their opposition to the policies of apartheid and to avert the present disastrous course in the country; (b) the need for early imposition of economic sanctions against South Africa as the only peaceful means available to the international community; and (c) the great responsibility which rests on the few countries which have the closest relations with the Government of the Republic of South Africa, particularly the United Kingdom and the United States of America.
- 67. Mrs. Barbara Castle, member of Parliament and Honorary President of the Anti-Apartheid Movement, stated that the Movement was very broadly based and non-partisan and had contributed significantly to the growing realization in the United Kingdom of the implications and dangers of apartheid. The Anti-Apartheid Movement was carrying on a campaign for a total arms boycott of South Africa, and felt that United Kingdom Government's undertaking not to send any more weapons that could be used exclusively for the suppression of the South African population did not go far enough. It felt that the time had come for more effective action to be taken on the South African issue, and had sponsored studies of economic sanctions against South Africa. It was one of the sponsors of the International Conference on Economic Sanctions.
- 68. Mrs. Castle added that the Anti-Apartheid Movement recognized that the United Kingdom had a special role in relation to South Africa because of the importance of its trade with and size of investment in South Africa. While the Movement did not under-estimate the difficulties of applying effective

economic sanctions, it believed that the alternative was a drift to greater violence and a greater threat to peace. Economic sanctions, were, therefore, in the best interest of the United Kingdom, as well as the people of South Africa and of international peace.

- 69. The Rev. Canon L. John Collins, Chairman of Defence and Aid Fund, Christian Action, London, stated that his organization was concerned with the political struggle for freedom in South Africa and had always felt it vital and necessary to give support, without any discrimination whatsoever, to those who were fighting for their freedom.
- 70. Speaking of the past activities of the Defence and Aid fund, he stated that it had raised funds in the United Kingdom for legal defence in the treason trial of 1956, for the supply of inadequate but at least minimum subsistence for the families of the accused, for the care of the victims of the Sharpeville incident and for support to the activities of the South African Defence and Aid Fund. But the time of ease of raising enough money, certainly as far as the United Kingdom was concerned, had passed, and it was almost impossible to raise money in South Africa itself, because of the political implications for those who gave money. The Defence and Aid Fund was, therefore, faced at the most critical time with less money available.
- 71. Canon Collins felt that it was tremendously vital, that the General Assembly resolution 1978 (XVIII) should be implemented as widely as possible throughout the world to enable the Defence and Aid Fund to meet the vast needs. He stated that the needs were too great for a level of voluntary giving which had been relied on in the past; a very minimum for the most important trials under way was £45,000 for defence, and at least another £50,000 for aid to dependents.
- 72. Canon Collins expressed the view that the persistent attempt to take away the leadership of all sensible resistance to <u>apartheid</u> and all efforts towards political freedom was an offence against international conscience and made it inevitable that people who had for years been concerned with non-violent resistance found that they must turn to other methods.
- 73. Mr. Barney Desai, President of the Coloured People's Congress of South Africa, stated that, since its birth ten years ago, the Coloured People's

Congress had been the most active and articulate political body expressing the utter revulsion of the Coloured people to the concept and practice of apartheid and the rejection of efforts to consign them to the status of docile "appendages of the White people". Because the Coloured people called for the oneness of South Africa and its people, and rejected apartness which was the very antithesis of their existence as a people having been descended from the Bushmen, Hottentot, White, African and Indian, and because they had been committed to actively resisting the domination of one race by another, they had very logically joined the dynamic alliance of the African National Congress, the South African Indian Congress, the Congress of Democrats and the South African Congress of Trade Unions.

- 74. Mr. Desai emphasized that the Coloured people did not want any special privileges as a people and that their demand had been for full equality in their country and full participation in the government of their land. He referred to the Coloured Representative Council Bill, then before Parliament, and described it as an even greater fraud than the Transkei Constitution Act. 75. Mr. Desai appealed to the Special Committee for strong and decisive action against the Republic of South Africa. He said that his organization was convinced that so long as the United Nations resolutions on sanctions were not mandatory on every member of the world body, no impression would be made on the oppressors of non-white people of South Africa. His organization believed that, in addition, an embargo of strategic materials, enforced by a naval blockade, should be urgently considered by the Security Council.
- 76. Mrs. Ruth First, a South African journalist and writer, who had recently been released from a long period of detention without trial, spoke mainly about the plight of political prisoners in South Africa. She said:

"South Africa today lives in what amounts to a permanent state of emergency, because increasingly over the years the legislation has been a reflection of the growth of political lawlessness on the part of the Government. Certain basic provisions of the rule of law, for example habeas corpus provisions of our law, have been suspended, permanently, not for any state of emergency which is due to last only a specific period of time, but permanently. Men who appear before courts for political crimes and are sentenced to periods of imprisonment cannot serve their period of imprisonment and hope to emerge at the end of that period free men having paid their debt to whatever society South Africa is offering today. The

political prisoners are incarcerated for all time. While this growth of political lawlessness has been a constant process and has been going on over many years, a turning point was reached with the passing of the General Law Amendment Act, for it is clause 17 of this Act which provides for ninety-day detention in South Africa. This was a turning point in the sense that it is no longer now so hit and miss, the tactic of the Government is to lock up for all time the political prisoners. It is becoming a daily affair and the conventional method of procedure."

- 77. She spoke of the torture in South African prisons "a torture which does not leave scars, which does not leave bruises that can be shown to a court of law", and to the psychological torture of detaining men and women incommunicado in solitary confinement for periods of indefinite duration to force them to give information on the political movement and other political workers. She herself had been detained and asked to disclose the whereabouts of her father, who was in hiding at the time. She was asked to indicate why her husband had found it necessary to leave the country. Her brother, who had never been interested in political affairs at all, had been detained for three weeks, as reprisal for the inability of the political police to arrest her father.
- 78. Mrs. First expressed the view that the outcome of the Rivonia trial, taking it at its blackest, could precipitate a period of the most desperate racial clash in South Africa and could put an end to any hopes of solution. She appealed to the United Nations for speedy action to save the lives of the political prisoners and to induce the South African Government to abandon its policies of apartheid. The South African Government, she said, judged its chances of survival not by the resolutions of the United Nations but by its trading partners, its import and export figures and its profits, and believed that the United Kingdom and the United States, in particular, would not act against apartheid. She suggested that the most peaceful and the least damaging method of action would be mandatory sanctions enforced by a naval blockade.
- 79. The Rt. Rev. Joost de Blank, former Anglican Archbishop of Cape Town and now the Canon at Westminster, stated that the weight of Christian and other religious opinion was opposed to the policies of apartheid. Members of the Dutch Reformed Churches of South Africa, which represented most of the Afrikaans-speaking people of South Africa and which had no contact or fellowship on that basis with the Netherlands churches, were, however, in general in support

- of the South African Government's racial policy. Speaking as a Christian, he said, he found that an impossible attitude to adopt.
- 80. He drew the delegation's attention to the role of the <u>Broederbond</u> (the Brotherhood), a secret society which had been closely intertwined with members of the South African Government and with the centres of power in the Republic of South Africa.
- 81. He stated that a great part of the white population of South Africa favoured racial discrimination, and that it would be grossly unfair to separate those who were for apartheid and those who were against apartheid as being those who were Afrikaaners and those who were British by race and origin. The main Government party and the main opposition party were opposed to the creation of a truly multiracial society. There was, however, a significant group of whites who were liberal in their outlook and efforts, including many professional men and women's associations, such as the "Black Sash", who were striving very hard to bring an end to the present injustice and to sow the seeds for a better nation where co-operation will replace differentiation and discrimination in the future. He expressed the view that although the smallness of this group could not be denied, its power and its potentiality were much greater than many people were prepared to acknowledge in South Africa.
- 82. The Rt. Rev. Joost de Blank said, in conclusion, that unless the <u>apartheid</u> legislation could be brought to an end within the foreseeable future, no one could look for anything but bloody violence in South Africa.
- 83. Speaking on behalf of six members of the Committee of Afro-Asian-Caribbean Organizations, London, who had been on a hunger strike from 9 to 15 April 1964 in the courtyard of St. Martin in the Fields, Trafalgar Square, London, in protest against the trials and repression in South Africa, Mr. Manchanda said that the South African Government maintained one of the most oppressive regimes in the world and threatened the lives of the outstanding leaders of the South African people like Mr. Nelson Mandela, Mr. Water Sisulu, Mr. Lionel Bernstein, Mr. Ahmed Kathrada and Mr. Denis Goldberg. The people of South Africa were left with no choice but to resort to armed resistance against the brutal violence of the Government. The organizations he represented believed

that while South Africa should be isolated in world public opinion, diplomatically and economically, it was also important that the great Powers which gave sustenance and perpetuated the racist regime in South Africa, particularly the United States and the United Kingdom, should also be put in the dock and should also face public opinion.

84. Mr. Thabo Mbeki, son of Mr. Govan Mbeki, one of the accused in the Rivonia trial, said that for decades his father, together with the rest of the African people, had appealed to the White Governments of South Africa, not for the exaltation of the African people to a position of dominance over the white, but for equality among the peoples. The only reward they had earned was the brutal might of South African law which had sought to bend human reason and feeling to the barbarity of madmen. The defendants in the Rivonia trial, he said, were men of the greatest integrity who would grace any Government in which they served. Noting that they were accused of treason and of plotting to overthrow the Government by violent means, Mr. Mbeki said that they had acted in defence of the people that the Government had sought to silence and subjugate with a whip and the instruments of war. The fact was inescapable that the trial was not only their trial as individuals, but a trial of all that they had stood for, which was not war but peace among free and equal men. Mr. Mbeki concluded by appealing to the Special Committee and to the entire world not to allow the leaders at the Rivonia trial to die at the hands of the South African Government.

85. Dr. Yusuf M. Dadoo, representative of the South African Indian Congress, stated that the Indian community comprised almost 600,000 persons who lived in and who had made South Africa their home, and who were Africans in every sense of the word. The Indian people had asked for no special privileges and had thrown in their lot completely with the African people and with the other oppressed people in the struggle for human rights, for justice and for liberty. Dr. Dadoo stated that the Indian people were confronted with genocide. The Group Areas Act, enacted in 1950, affected them particularly as the African people had already been segregated into separate areas and robbed of their land. The Indian people were being driven into ghettos far away from the cities where they had been living, and were being cut off completely from the economic and social life in the country.

- 86. Speaking of the situation in South Africa in general, Dr. Dadoo stated that a racial war was being carried on by the South African Government, backed by the armed and police might of the State, against the non-white people in the country. Violence had been used by the police at every conceivable opportunity, even when the non-white people demonstrated in a peaceful manner for their rights. The non-white people were confronted with the choice of submitting to tyranny and a life of ignominy, or meeting the violence of the Government with determined resistance on their part.
- 87. Dr. Dadoo felt that effective and mandatory economic sanctions should be applied against South Africa. He maintained that the non-white people of South Africa were prepared for whatever sacrifices might come as a result of economic sanctions. Rejecting the argument that sanctions would tend to harden white public opinion in South Africa, Dr. Dadoo stated that the large majority of the white people of South Africa supported the Government because they stood to benefit from the apartheid policies. White public opinion rallied in support of the fascist South African Government because its allies, in particular the United Kingdom and the United States which had tremendous investments in South Africa and derived enormous profits out of the apartheid policies, resisted effective action. Economic sanctions would make the white people realize that they could not continue to live a life of luxury out of the exploitation and the blood of the non-white people.
- S8. Mr. Leon Levy, National President and official representative abroad of the South African Congress of Trade Unions, gave an account of the discrimination against African workers, the restrictions on African trade unions and the repressive measures against African trade union leaders. He said that a section of the white population, which enjoyed the fruits of apartheid, was not prepared to oppose apartheid and that the South African Government was prepared to hang trade union leaders, political leaders and all those who opposed apartheid, in order to secure the financial rewards of apartheid.
- 89. Mr. Levy said that the workers of South Africa were deeply concerned with the need to find a solution to the problem. His organization favoured the application of economic sanctions against South Africa. Its members rejected the argument that economic sanctions would hurt those whom it was meant to help, and were prepared to sacrifice if they must.

- 90. All the petitioners, except Mr. Thabo Mbeki, submitted memoranda and written statements elaborating their oral statements. A memorandum was also submitted by Mrs. Rosalynde Ainslie and Miss Dorothy Robinson of the Anti-Apartheid Movement, London. 20/
- J. REPORT OF 25 MAY 1964 TO THE GENERAL ASSEMBLY AND THE SECURITY COUNCIL
- 91. After taking note of the report of the delegation and considering the developments in the Republic of South Africa from 23 March, the Special Committee submitted a further report to the General Assembly and the Security Council on 25 May 196421/ in view, particularly, of the forthcoming consideration of the question by the Security Council at the request of fifty-eight Member States. These Member States had requested the convening of the Security Council to resume consideration of the serious situation existing in South Africa in the light of the report of the group of experts and the new developments in the Republic of South Africa. They stated:

"Our respective Governments are particularly disturbed by the extreme measures, and more specifically the imposition of death sentences, which have been taken against a large number of African political leaders.

"The situation in South Africa, which, in the words of the resolution of 7 August 1963 (S/5386), "is seriously disturbing international peace and security', has deteriorated still further in the wake of recent events in that country, as is clearly apparent from the interim report of the United Nations Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa, which was submitted to the General Assembly as document A/5692 and to the Security Council as document S/5621.

"The South African Government's negative reaction to Security Council resolution S/5471 in particular and the worsening of the situation as a result of the continued application by the Government of the Republic of South Africa of its policy of apartheid are a matter of deep concern to world public opinion and especially to the countries of Africa and Asia, which consider that the Security Council should take effective measures to obtain the compliance of the South African Government with the earlier resolutions of both the General Assembly and the Security Council and the discharge of its obligations as a Member State.

The full texts of the petitions, memoranda and written statements are reproduced in "The Report of the Delegation of the Special Committee on the Policies of Apartheid on the hearing of petitioners in London, 13 and 18 April 1964", document A/AC.115/L.65.

^{21/} A/5707-S/5717.

^{22/} S/5658.

"The undersigned Governments are convinced that positive and urgent action by the Security Council is essential to prevent a conflict in South Africa of unforeseeable consequences for Africa and for the world." 23/

- 92. In the report of 25 May 1964, the Special Committee stated inter alia:
 - "5. The South African Government has shown no willingness to comply with the resolutions of the General Assembly and the Security Council or to take the minimum steps recommended in the last report of the Special Committee. On the contrary, it has continued to persecute opponents of the policies of apartheid and passed new discriminatory legislation depriving the non-Whites of the few remaining rights. The gravity of the situation, and particularly the urgent need for effective measures to save the lives of those who have already been or may be sentenced to death, has given rise to the need for this new report, pursuant to the terms of reference of the Special Committee.
 - "6. The trial of Nelson Mandela, Walter Sisulu and other leaders of the people and opponents of apartheid was resumed on 20 April 1964 and continues in Fretoria under arbitrary and iniquitous laws, which violate the fundamental principles of universal justice and human rights and prescribe the death penalty for acts of resistance to the policy of apartheid. A number of other similar trials are taking place in the country. In those which have already concluded, numerous persons have been given the most severe sentences for belonging to the African National Congress and the Pan-Africanist Congress, nationalist political movements which are banned, or for acts arising from opposition to the policies of apartheid.
 - "7. Meanwhile, the Parliament has passed the Bantu Laws Amendment Bill which also violates the fundamental principles of human rights and further aggravates tension in the country.
 - "8. These developments are greatly increasing the threat of violent conflict in South Africa which is bound to have the most serious repercussions in the continent of Africa and in the world. The statement of Mr. Nelson Mandela at his trial in Pretoria on 20 April 1964, 24/ as well as the evidence of other accused in that trial, shows clearly that the policies of South African Government have left no effective means of protest and redress to the opponents of apartheid in South Africa except resorting to violence.
 - "9. The Special Committee has taken note of the urgent and earnest appeal by the Secretary-General to the Government of South Africa on 27 March 1964 'to spare the lives of those facing execution or death sentences for acts arising from their opposition to the Government's racial policies,

^{23/} s/5674.

^{24/} A/AC.115/L.67.

so as to prevent an aggravation of the situation and to facilitate peaceful efforts to resolve the situation', 25/as well as similar appeals by a number of Chiefs of State, non-governmental organizations and prominent personalities.

- "10. The group of experts established in pursuance of the Security Council resolution of 4 December 1963.26/ has also emphasized the imperative and urgent need for an 'amnesty for all opponents of apartheid, whether they are under trial or in prison or under restriction or in exile'. 27/ It also recommended the formation of a fully representative National Convention to set a new course for the future of South Africa.
- "11. The Special Committee has noted that the Prime Minister of South Africa and other leaders of the South African Government, since the publication of the report of the group of experts, have arbitrarily and summarily rejected any steps towards compliance with the recommendations of the group of the group of experts. The South African Government has also denounced the Secretary-General's appeal of 27 March and thus challenged the demands of all Member States as declared in resolutions of the General Assembly and the Security Council.
- "15. The Special Committee feels that the course being pursued by the Government of the Republic of South Africa, particularly with regard to the trials and persecution of opponents of apartheid and leaders of the non-White population, in open defiance of the appeals and demands of competent United Nations organs, is leading to a rapid aggravation of the situation and is precipitating a violent conflict. It feels it essential that the competent United Nations organs, and the States which bear special responsibilities in this matter in view of their close relations with South Africa, should take decisive measures before irreparable harm is caused to the peace in South Africa and beyond. The Special Committee, therefore, again recommends that the Security Council should:
 - (a) Declare that the situation in the Republic of South Africa constitutes a threat to the maintenance of international peace and security;
 - (b) Take all necessary effective measures to save the lives of the South African leaders condemned for acts arising from their opposition to the policies of apartheid:
 - (c) Call upon all States and international organizations to utilize all their influence to ensure the fulfilment of the minimum but vital demands indicated in the last report of the Special Committee;

^{25/} United Nations press release SG/SM/48, 30 March 1964.

^{26/} s/5471.

^{27/} S/5658, para. 44.

- (d) Address a special request to all States which maintain relations with South Africa, especially the United States of America, the United Kingdom, and France, permanent members of the Security Council, to take effective measures to meet the present grave situation;
- (e) Decide to apply economic sanctions, in accordance with Chapter VII of the Charter, as long as the Government of South Africa continues to violate its obligations as a Member of the United Nations.
- "16. In conclusion, the Special Committee wishes to emphasize that, in its opinion, effective mandatory action is imperative to avoid the most serious consequences arising from the policies of apartheid of the Government of South Africa, and that the Security Council is entitled to take such action under the provisions of the Charter. It expresses the hope that the Security Council will assume its full responsibilities on this question in accordance with the Charter and with the active co-operation of all the great Powers concerned, whose role is decisive in this matter."
- 93. In transmitting this report the Special Committee emphasized once again the urgent need for mandatory action under Chapter VII of the Charter, with the active co-operation, in particular, of Governments that maintain close relations with the Government of the Republic of South Africa, in order to avert violent conflict in South Africa, which is liable to have serious international consequences.

 94. On 29 May 1964, the African group at the United Nations, after taking note of the report of the Special Committee and having heard the African representatives in the Special Committee, issued a communique in which it stated:
 - following the Conference of Addis Ababa the situation in South Africa, in spite of all the efforts exerted by the United Nations, has continued to worsen steadily to the point where it now constitutes a very serious threat to the maintenance of international peace and security. The Group believes that this serious deterioration is due not only to the defiant attitude and criminal obstinacy of the South African Government but also to the lack of effective co-operation on the part of that government's major partners who, in spite of all appeals, have refused to undertake the only effective action to change the catastrophic course of events in South Africa, namely, economic sanctions.

"The African Group adopts the recommendations contained in the May 22 report of the Special Committee stressing the imperative necessity for mandatory action in the form of economic and commercial sanctions so as to forestall a racial explosion in South Africa with unforeseeable consequences.

"The African Group appeals once again to the partners of South Africa and, in particular, to the governments of the United Kingdom, the United States and France, the only permanent members of the Security Council

to maintain relations with the Government of Pretoria, (a) to take all necessary measures in order to prevent the execution of the nationalist leaders condemned for their opposition to apartheid and (b) to support all economic sanctions designed to bring about, by peaceful means, an end to the intolerable policy of apartheid which has been unanimously condemned by international opinion.

"Finally, the African Group, in the face of the extreme gravity of the situation, desires to recall the unanimous and solemn appeal which the African Head of State, meeting in Addis Ababa, had sent out to the Great Powers, which reads as follows:

'The Summit Conference of Independent African States purposely intervenes and asks the great powers to stop giving, without exception, either directly or indirectly, any support or assistance to all colonialist governments who would use this assistance to repress African movements of national liberation...; announces to the allies of colonial powers that they must choose between their friendship for African Peoples and their support to powers which oppress these peoples.'

"The African Group expressed the hope that this appeal will finally be heard and that the Great Powers to whom the Group addresses itself will manifest concretely, during the forthcoming Security Council debates, their unequivocal desire to bring about an effective and rapid end to the policy of apartheid of the South African Government."

- K. CONSIDERATION OF THE QUESTION BY THE SECURITY COUNCIL, JUNE 1964
- 95. The Security Council resumed consideration of the question in June 1964 at the request of fifty-eight Member States and took into account the reports of the Special Committee as well as the report of the group of experts appointed by the Secretary-General pursuant to the Security Council resolution of 4 December 1963.
- 96. On 9 June 1963 the Council adopted resolution S/5761 recalling the provisions of General Assembly resolution 1881 (XVIII) of 11 October 1963 and of Security Council resolutions S/5386 of 7 August 1963 and S/5471 of 4 December 1963 concerning the arbitrary trials and repressive measures against opponents of apartheid in South Africa, and noting with great concern that the arbitrary Rivonia trial instituted against the leaders of the anti-apartheid movement had been resumed and that the imminent verdict to be delivered under arbitrary laws prescribing long terms of imprisonment and the death sentence might have very serious consequences. In its operative part the resolution read:

"1. Urges the South African Government:

tace as

- (a) to renounce the execution of the persons sentenced to death for acts resulting from their opposition to the policy of apartheid;
- (b) to end forthwith the trial in progress, instituted within the framework of the arbitrary laws of apartheid; and
 - (c) to grant an amnesty to all persons already imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid, and particularly to the defendants in the Rivonia trial;
- "2. Invites all States to exert all their influence in order to induce the South African Government to comply with the provisions of this resolution;
- "3. Invites the Secretary-General to follow closely the implementation of the resolution and to report thereon to the Security Council at the earliest possible date."
- 97. Two days after the adoption of this resolution, eight of the nine accused in the Rivonia trial were convicted. They were sentenced on 12 June 1964 to life imprisonment.
- 98. After further consideration of the question of race conflict in South Africa resulting from the policies of <u>apartheid</u>, the Security Council adopted resolution S/5773 on 18 June 1964 taking note with appreciation of the reports of the Special Committee and of the group of experts, deploring the refusal of the South African Government to comply with pertinent Security Council resolutions and declaring in its operative part:
 - "1. Condemns the apartheid policies of the Government of the Republic of South Africa and the legislation supporting these policies, such as the General Law Amendment Act, and in particular its ninety-day detention clause;
 - "2. <u>Urgently reiterates</u> its appeal to the Government of the Republic of South Africa to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policies of apartheid;
 - "3. Notes the recommendations and the conclusions in the Report of the Group of Experts;
 - "4. Urgently appeals to the Government of the Republic of South Africa to:
 - (a) renounce the execution of any persons sentenced to death for their opposition to the policy of apartheid;

- (b) grant immediate amnesty to all persons detained or on trial, as well as clemency to all persons sentenced for their opposition to the Government's racial policies;
- (c) abolish the practice of imprisonment without charges, without access to counsel or without the right of prompt trial;
- "5. Endorses and subscribes in particular to the main conclusion of the Group of Experts that 'all the people of South Africa should be brought into consultation and should thus be enabled to decide the future of their country at the national level';
- "6. Requests the Secretary-General to consider what assistance the United Nations may offer to facilitate such consultations among representatives of all elements of the population in South Africa;
- "7. Invites the Government of the Republic of South Africa to accept the main conclusion of the Group of Experts referred to in paragraph 5 above and to co-operate with the Secretary-General and to submit its views to him with respect to such consultations by 30 November 1964;
- "8. Decides to establish an Expert Committee, composed of representatives of each present member of the Security Council, to undertake a technical and practical study, and report to the Security Council as to the feasibility, effectiveness, and implications of measures which could, as appropriate, be taken by the Security Council under the United Nations Charter;
- "9. Requests the Secretary-General to provide to the Expert Committee the Secretariat's material on the subjects to be studied by the Committee, and to co-operate with the Committee as requested by it;
- "10. Authorizes the Expert Committee to request all United Nations Members to co-operate with it and to submit their views on such measures to the Committee no later than 30 November 1964, and the Committee to complete its report not later than three months thereafter;
- "11. Invites the Secretary-General in consultation with appropriate United Nations specialized agencies to establish an educational and training programme for the purpose of arranging for education and training abroad for South Africans;
- "12. Reaffirms its call upon all States to cease forthwith the sale and shipment to South Africa of arms, ammunition of all types, military vehicles, and equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa;
- "13. Requests all Member States to take such steps as they deem appropriate to persuade the Government of the Republic of South Africa to comply with this resolution."

- L. CONSIDERATION OF THE PROGRAMME OF WORK OF THE SPECIAL COMMITTEE, JULY 1964
- 99. At its meeting on 10 July 1964, the Special Committee considered its programme of work in the light of the developments since its report of 22 May, including in particular the Security Council resolutions of 9 and 18 June, as well as the sentences in the Rivonia trial and the new wave of acts of sabotage and arrests in June and July.

100. The Committee felt that, in view of the trend of events in South Africa, the United Nations should intensify its efforts to bring international pressure to bear against the South African Government in order to persuade it to abandon its policies of apartheid. It noted that the establishment by the Security Council of an Expert Committee to undertake a technical and practical study of measures which could be taken by the Council did not affect the mandate of the Special Committee which was charged by the General Assembly with following constantly the various aspects of the question. The Special Committee was in no way precluded from recommending action before the submission of the report of the Expert Committee, if it felt that the situation required such action.

101. The Committee decided to give special attention to the question of repressive measures against opponents of <u>apartheid</u> in South Africa and to consider at an early date the papers submitted by the Secretariat on the foreign trade of South Africa and foreign investments in South Africa (documents A/AC.115/L.55 and L.56). It requested the Secretariat to revise these documents in order to bring them up to date. 28/

^{28/} In accordance with this request, the Secretariat prepared documents A/AC.115/L.55/Add.1 and A/AC.115/L.56/Rev.1.

- 102. The Committee also decided to submit a report to the General Assembly before its nineteenth session.
- M. CONSIDERATION OF REPRESSIVE MEASURES AGAINST OPPONENTS OF THE POLICIES OF APARTHEID IN THE REPUBLIC OF SOUTH AFRICA
- 103. The continued and intensified repression against opponents of the policies of apartheid in the Republic of South Africa, despite the Security Council resolutions of 9 and 18 June 1964, led the Committee to devote several meetings to this aspect of the problem. A brief account of the Committee's proceedings on this aspect is given below.

1. Detention of Mr. Abram Fischer

104. On 10 July 1964, the Special Committee received the news of the detention of Mr. Abram Fischer, leader of the defence team in the Rivonia trial, and authorized the Acting Chairman to issue a statement expressing its serious concern. In accordance with this decision, the Acting Chairman issued the following communique:

"The Special Committee on the policies of apartheid of the Government of the Republic of South Africa, at its meeting today, discussed the reported arrest by the police authorities of the South African Government of Abram Fischer, an attorney, who a few weeks ago led the defence of Nelson Mandela and seven others accused of sabotage.

"The Committee expressed its very serious concern with regard to an action which could be interpreted only as an act of reprisal perpetrated by a Government against a legal counsel for having fulfilled his duties in the face of serious odds.

"This arrest, in the view of the Committee, sheds light on the conditions under which legal proceedings are conducted under the present regime of the Republic of South Africa."

- 2. Rejection of appeals against the death sentences on Mr. Vuyisile Mini, Mr. Wilson Khayinga and Mr. Zinakile Mkaba
- 105. The Special Committee held a special meeting on 9 October 1964 to consider urgently the news that the appeal against the death sentences passed in March 1964

United Nations Press Release GA/AP/33, 10 July 1964. Mr. Fischer was released soon afterwards, but arrested again on 23 September and charged with furthering the aims of an unlawful organization.

against three leaders of the African National Congress, Mr. Vuyisile Mini, Mr. Wilson Khayinga and Mr. Zinakile Mkaba had been rejected. Members of the Committee expressed grave concern over the danger to the lives of these three men and the inevitable consequences of executions in defiance of the General Assembly and Security Council resolutions. They agreed that world opinion should immediately be alerted in an effort to prevent such an eventuality.

106. Consequently the Special Committee unanimously decided to issue a communique in which it stated:

"...the Special Committee on the policies of apartheid of the Government of the Republic of South Africa expresses its grave concern over the news that the appeals of Mr. Vuyisile Mini, Mr. Wilson Khayinga and Mr. Zinakile Mkaba, leaders of the African National Congress in Port Elizabeth, against the death sentences passed on them in March 1964 have been rejected.

"It notes that the trial of these militant opponents of the policies of apartheid is in violation of the repeated resolutions of the General Assembly and the Security Council calling on the South African Government to end its ruthless repressive measures against the opponents of the policies of apartheid and seek a peaceful solution based on racial equality. It recalls that the Security Council, in its resolution S/5761 of 9 June 1964, urged the South African Government 'to renounce the execution of the persons sentenced to death for acts resulting from their opposition to the policy of apartheid'.

"The Special Committee, therefore, urgently demands that the South African Government refrain from the execution of the death sentences, which would seriously aggravate the situation in South Africa, and take steps to comply with the resolutions of the General Assembly and the Security Council.

"The Special Committee urgently appeals to all States, organizations and individuals to utilize all their influence to save the lives of Mr. Vuyisile Mini, Mr. Wilson Khayinga and Mr. Zinakile Mkaba and to persuade the South African Government to grant an amnesty to all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid." 30/

10%. On the same day, in accordance with the decision of the Committee, the Chairman communicated the communique to the Secretary-General with a request that it be transmitted to the South African Government.

^{50/} United Nations press release 44/AP/38, 9 October 1964.

108. The Secretary-General subsequently informed the Chairman that he had transmitted his letter and the Special Committee's communique to the Permanent Representative of South Africa on 9 October and had expressed the hope that the South African Government would see fit to show clemency to the men sentenced to death, in the spirit of the Security Council's resolution of 9 June 1964. The Secretary-General added that he had also transmitted similar appeals by President Camal Abdel Nasser of the United Arab Republic on behalf of the second conference of Non-Aligned Countries and by the Chairman of the African Group at the United Nations.

109. On 22 October 1964, the Secretary-General communicated to the Chairman a copy of a letter dated 21 October received from the Permanent Representative of South Africa, stating inter alia that "the South African Government have no intention whatsoever of answering the communications to which your letter gave cover and which are obviously yet another attempt organized under Communist influence by political forces hostile to South Africa to interfere in the judicial processes of a Member States".

110. At the 44th meeting on 26 October 1964, the Chairman and members of the Committee deplored the discourtesy with which the South African Government had seen fit to reject the appeals to spare the lives of the three men condemned to death. They denounced as absurd the charge regarding Communist influence which they said was another proof that the attitude of the South African Government was such that only decisive steps by the international community could meet the grave situation.

3. Hearing of a petitioner concerning the banning order served on Chief Albert J. Luthuli

111. On 29 October 1964, the Special Committee heard a statement by Mrs. Mary-Louise Hooper, a former personal assistant to Chief Albert J. Luthuli. Mrs. Hooper drew the Committee's attention to the restrictions imposed on Chief Luthuli under the five-year banning order served on him on 24 May 1964. She said that the lack of on-the-spot medical attention was shocking in view of

^{31/} A/AC.115/L.93.

the fact that Chief Luthuli was 66 years old and had suffered an extremely grave heart attack about ten years earlier. He had been in hospital for many weeks after that attack and again during the state of emergency in 1960 when he had been assaulted by a prison warder. The heart attack had left Chief Luthuli with a dangerously high blood pressure, which should be constantly watched by a physician.

4. Execution of Mr. Vuyisile Mini, Mr. Wilson Khayinga and Mr. Zinakile Mkaba

112. The Special Committee held an emergency meeting on 6 November 1964 on receiving the news that Mr. Vuyisile Mini, Mr. Wilson Khayinga and Mr. Zinakile Mkaba had been executed that morning in the Protoria Central Jail. 113. The Committee observed a minute of silence in memory of these three men. Members of the Committee expressed shock and indignation at the news and emphasized the need for effective international action to avoid the rapid aggravation of the situation.

114. The Committee unanimously decided to issue the following communiqué:

"At an emergency meeting held today, the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa expressed its shock and profound indignation over the news of the execution of Messrs. Vuyisile Mini, Wilson Khayinga and Zinakile Mkaba, three African National Congress leaders in Port Elizabeth.

"The Special Committee strongly condemns this ruthless and criminal act which not only constitutes a challenge to world public opinion, but also a flagrant violation of resolutions of the General Assembly and Security Council, particularly of the resolution of the Security Council (S/5761) of 9 June 1964 urging the South African Government 'to renounce the execution of persons sentenced to death for acts resulting from their opposition to the policies of apartheid'.

"The Special Committee draws the attention of the international community to the grave and irreparable consequences which are bound to result from the course being followed by the South African Government. It reaffirms its determination to redouble its efforts, in the discharge of its mandate, to assist the General Assembly and the Security Council to adopt decisive measures to ensure an urgent solution to this problem.

^{32/} For text of statement, see document A/AC.115/L.94.

"The Special Committee urges all States, particularly those States which by still maintaining close relations with South Africa bear a special responsibility in this matter, to now take energetic steps, in accordance with the resolutions of the General Assembly and the Security Council, to ensure the abandonment of the disastrous policy of apartheid of the South African Government."

N. APPEAL TO MEMBER STATES ON RELIEF AND ASSISTANCE TO FAMILIES OF PERSONS PERSECUTED BY THE SOUTH AFRICAN GOVERNMENT FOR THEIR OPPOSITION TO THE POLICIES OF APARTHEID

115. At the 40th meeting on 24 September 1964, the Acting Chairman recalled the Committee's recommendation of the Committee to the eighteenth session of the General Assembly concerning measures for relief and assistance to the families of persons persecuted for their opposition to the policies of apartheid, $\frac{33}{4}$ and the subsequent adoption by the General Assembly of resolution 1978 B (XVIII) requesting the Secretary-General "to seek ways and means of providing relief and assistance, through the appropriate international agencies, to the families of all persons persecuted by the Government of the Republic of South Africa for their opposition to the policies of apartheid". He recalled that the Secretary-General had informed the General Assembly that he would contact the United Nations High Commissioner for Refugees in order to seek assistance for South African refugees and the International Committee of the Red Cross regarding assistance for families inside South Africa. The Secretary-General had announced on 13 March 1964 that the High Commissioner was ready to co-operate in the matter. Arrangements for assistance to families inside South Africa, however, could not be made because of certain difficulties. The Acting Chairman said that the Officers had felt that they should discuss the matter with the Secretary-General in view of the desperate needs of thousands of families in South Africa and consider the desirability of an appeal by the Special Committee to all States and organizations. 116. The Special Committee then decided to request its Officers to convey to the Secretary-General its concern over the plight of families persecuted by the South African Government for their oppo2ition to the policies of apartheid, to seek information on the progress made in the implementation of resolution 1978 B (XVIII) and to consult with him on the question whether the Committee could be of any assistance in the matter at the present time.

^{33/} A/5497 - S/5426, para. 513.

117. Following the meeting with the Secretary-General, the Officers suggested that an appeal be addressed by the Special Committee to the Member States, through the Secretary-General, and also to appropriate organizations, requesting them to contribute urgently and generously to existing relief organizations pending the conclusion of other appropriate arrangements.

118. The Committee approved the suggestion of 26 October 1964 and adopted the text of an appeal which was published as document A/AC.115/L.98. It read inter alia:

"In spite of all Security Council and General Assembly resolutions demanding the abandonment of the policies of apartheid, the Government of the Republic of South Africa has continued to implement its repressive laws providing extremely harsh penalties for belonging to or furthering the aims of the major African political organizations and for acts of protest and resistance against the Government's racial policies. The implementation of these laws has resulted in the detention of thousands of persons, many of whom are being tried or awaiting trial, thus facing long periods in prison or life imprisonment or even death sentences. Hundreds of persons have been imprisoned under Section 17 of the General Law Amendment Act of 1963, which provides for the detention of persons without trial for periods of ninety days at a time. Numerous persons have been subjected to banishment, house arrest, banning orders and other restrictions which often prevent them from pursuing their occupations. The distress and misery caused by these repressive actions to the families may easily be imagined. Numerous families have been deprived of their breadwinners. Children have been separated from one or both of their parents.

"When brought to trial, many an opponent of the policies of apartheid faces financial difficulties and has to rely on benevolent organizations for legal assistance, support of families and payment of bail.

"It appears from communications received by the Special Committee from organizations concerned with relief and assistance to the victims of repression in South Africa that they are in urgent need of funds to provide even minimum legal assistance and relief to numerous persons who have been gaoled or brought to trial under repressive laws.

"The Special Committee is attaching herewith communications received by it from three organizations - Amnesty International, Defence and Aid Fund (International) and Joint Committee on the High Commission Territories - which have been engaged in relief and assistance for the victims of persecution by the Republic of South Africa and which offer their services in implementing the purposes of General Assembly resolution 1978 B (XVII).

"The Special Committee notes that the Amnesty International, sponsored by eminent personalities from many countries, adopts prisoners and detainees in South Africa who do not advocate violence and also assists refugees from South Africa. The Defence and Aid Fund, established in the United Kingdom in 1956, with Canon L. John Collins as Chairman, has so far contributed about £300,000 to the victims of the policies of apartheid and maintains contact with South Africa through local committees. Its efforts have been appreciated by prominent South African opponents of apartheid, including Chief Albert Luthuli, winner of the Nobel Peace Prize. The Joint Committee on the High Commission Territories, representative of a number of voluntary organizations, is concerned with the relief and assistance of South African refugees in the High Commission Territories and in Northern Rhodesia.

"The Special Committee also notes that the World Council of Churches has, in July 1964, earmarked \$60,000 for legal aid for political prisoners in South Africa and for assistance to their dependants, and is seeking further contributions for this purpose.

"The Special Committee wishes to make an urgent appeal to Member States to contribute generously to the fulfilment of the purposes of General Assembly resolution 1978 B (XVIII) through these voluntary organizations or through other appropriate channels of their choice, and to give the widest publicity to this appeal in order to encourage charitable foundations, organizations and individuals in their countries to make generous contributions."

- 119. The Committee authorized its Chairman to transmit the appeal to appropriate organizations.
- 120. By a letter dated 12 November 1964, the Permanent Representative of India informed the Committee that his Government had decided to contribute a sum of 25,000 rupees (\$5,250) in response to its appeal. $\frac{34}{}$
- O. CONSIDERATION OF PAPERS ON PATTERN OF FOREIGN TRADE OF THE REPUBLIC OF SOUTH AFRICA AND FOREIGN INVESTMENTS IN THE REPUBLIC OF SOUTH AFRICA
- 121. In October 1964, the Special Committee began consideration of the pattern of foreign trade of the Republic of South Africa and foreign investments in the Republic of South Africa. It had before it papers prepared by the Secretariat on these questions at its request $\frac{35}{}$

^{34/} A/AC.115/L.100.

A/AC.115/L.55 and Add.1; A/AC.115/L.56 and Rev.1. See also communications by the delegations of Ghana and India with regard to the first of these documents (A/AC.115/L.84 and L.88), comments by the representatives of Ghana and Malaysia (A/AC.115/SR.43) and the statement by the Principal Secretary (A/AC.115/SR.44).

122. On 20 October, the Special Committee heard a statement by Mr. Ronald Segal, convenor of the International Conference on Meonomic Sanctions against South Africa, held in London in April 1964.

123. Mr. Segal stated that despite the boycott campaign abroad and the continuing unrest at home, the South African economy was booming. Economic strength had merely added self-assurance to intransigence, and the richer the state, the more repressive and exacting it had become. The vast majority of non-Whites were becoming even poorer; indeed, South African prosperity was no more than make-up on the face of a leper. Violence was an increasingly evident and accepted feature of life in South Africa, while well-tried methods of repression were being increasingly pursued.

124. Recalling the findings of the International Conference on Economic Sanctions, Mr. Segal stated that total economic sanctions against South Africa were necessary, urgent, legal, practical and likely to cost South Africa's principal trading partners much less than their representatives had been accustomed to claim. Now that the United Nations had recognized the danger to world peace that South Africa's policies represented, unremitting pressure must be exercised on those States, particularly on the permanent members of the Security Council, which still have close commercial relations with South Africa and Japan which having increased its trade with South Africa by 500 per cent since 1956, is past taking over from the United States as South Africa's second trading partner. It would not be surprising if countries now boycotting South Africa were to regard continued trading with the Republic by others as an act of hostility to themselves and take punitive actions accordingly.

125. In conclusion, Mr. Segal thought that the recent general election in the United Kingdom provided some small encouragement. He stated:

"The struggle to free the subjugated peoples of South Africa will not be easy or short; but it must succeed, if the world is to survive in racial peace, and we are all to escape the deepening dusk of humanity."

126. During the discussion of the papers on the pattern of foreign trade of the Republic of South Africa and foreign investments in the Republic of South Africa,

^{36/} A/AC.115/L.92.

members of the Committee emphasized the importance of the compliance by all States, particularly by the major trading partners of the Republic of South Africa, with the resolutions of the General Assembly and the Security Council concerning measures to dissuade the South African Government from its racial policies. Reference was made in this connexion to the resolutions of the Assembly of the Heads of State and Government of the Organization of African Unity and the second conference of Non-Aligned Countries. Several members expressed regret at the continuing close economic relations with South Africa maintained by a number of countries and declared that such relations constituted an encouragement to the South African Government to continue to pursue its policies.

127. At the conclusion of the discussion, the Committee decided, on the suggestion of the Chairman, that the Special Committee's forthcoming report should suggest an appeal to South Africa's principal financial and trading partners to comply with the resolutions of the General Assembly and the Security Council and take effective steps to induce the South African Government to change its policies. It also decided that the report should also recommend an invitation to the United Kingdom immediately to cease the supply of arms to South Africa, and to other States to do the same and not to replace the United Kingdom as suppliers of arms.

128. With regard to a proposal by the representative of Guinea to establish a sub-committee to study and report on the economic aspects of the problem, particularly the question of foreign trade of South Africa and foreign investment in South Africa, the Chairman noted that there was general agreement in principle. It was decided, however, to defer action on this matter until the completion of the present report of the Special Committee.

P. LETTER TO THE SECRETARY-GENERAL OF THE ORGANIZATION OF AFRICAN UNITY

establishment of relations with the Organization of African Unity, the Special Committee decided on 4 November 1964 that it should convey its desire for constant contact with the OAU and seek such contact through the Secretariat pending the establishment of formal relations between the United Nations and the Organization of African Unity. It authorized the Chairman to send the following letter to the Secretary-General of the Organization of African Unity.

"The Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa established by the General Assembly of the United Nations to follow constantly the various aspects of the racial policies of the South African Government and to report to the General Assembly and the Security Council, has taken note of the decisions of the Organization of African Unity on this question. The Special Committee felt that it would be desirable to establish constant contact with the Organization of African Unity in the fulfilment of the task assigned to it by the General Assembly.

"The Chairman intends to discuss with you or any other competent official of your organization, at an appropriate time, the useful measures to be taken in order to meet the wish of the Committee.

"In the meantime, the Special Committee has requested the Secretariat to transmit its various documents to you for your information. In return, it would like to receive from the Secretariat of your organization, any documentation relevant to the question of the policies of apartheid of the Government of the Republic of South Africa."

Q. REQUEST TO THE SECRETARY-GENERAL IN CONNEXION WITH ARMS SHIPMENTS TO SOUTH AFRICA

130. On 17 November 1964, the Special Committee took note of the declaration by the United Kingdom Government that it had decided to impose an embargo on the export of arms to South Africa, that current contracts would be fulfilled, and that the contract to supply sixteen Buccaneer aircraft was still under review.

131. On 19 November, the Committee took note of press reports regarding approaches by the South African Government to other countries for arms and, on the proposal of the representative of Nigeria, authorized the Chairman to meet with the Secretary-General to request him (a) to convey the Special Committee's appreciation to the Government of the United Kingdom for its decision and its hope that the United Kingdom would take the logical course of cancelling the Buccaneer contract as well; and (b) to convey the Special Committee's earnest hope to the Governments of France, Italy and other Powers that they would faithfully implement the decision of the Security Council.

132. The Chairman subsequently informed the Committee that he had conveyed the request to the Secretary-General on 23 November.

- R. CONSIDERATION OF THE PRESENT REPORT TO THE GENERAL ASSEMBLY AND THE SECURITY COUNCIL
- 133. On 29 October 1964, the Rapporteur presented to the Special Committee an outline of the draft report which the Committee had decided to submit before the 19th session of the General Assembly, including an indication of the main developments to be covered in it. On the basis of this outline which was accepted by the members, and the drafts of the various sections of the report which were circulated the Committee began a general discussion with particular emphasis on the conclusions and recommendations.
- the Republic of South Africa had greatly deteriorated during the period under review and that it was essential that the United Nations organs, particularly the Security Council, should recognize it as a serious threat to the peace and take decisive action. They reiterated that in the present circumstances, economic sanctions were the only peaceful and effective means to resolve the situation. They attached great importance to publicizing the United Nations efforts against the policies of apartheid and favoured the strengthening of the Special Committee in order to enable it to discharge its mandate even more effectively.

Part II

REVIEW OF DEVELOPMENTS SINCE THE REPORT OF 13 SEPTEMBER 1963

135. The second part of the report which follows is devoted to a review of the developments relating to the policies of <u>apartheid</u> in South Africa during the period from 13 September 1963. Before embarking on a detailed narration of the developments, however, it may be desirable briefly to note some of the most important trends of the period under review and to consider their significance in the light of the international concern over the situation in South Africa.

136. Many leading statesmen have recently expressed serious anxiety over the grave danger of a violent conflict arising from racism in southern Africa and its inevitable international repercussions.

137. The Secretary-General of the United Nations said in an address to the Algerian House of Assembly on 3 February 1964:

"There is the clear prospect that racial conflict, if we cannot curb and finally eliminate it, will grow into a destructive monster compared to which the religious or ideological conflicts of the past and present will seem like small family quarrels. Such a conflict will eat away the possibilities for good of all that mankind has hitherto achieved and reduce men to the lowest and most bestial level of intolerance and hatred. This, for the sake of all our children, whatever their race and colour, must not be permitted to happen."

138. The group of experts established in pursuance of the Security Council resolution of 4 December 1963 stated in paragraph 31 of its report:

"Violence and counter-violence in South Africa are only the local aspects of a much wider danger. The coming collision must involve the whole of Africa and indeed the world beyond. No African nation can remain aloof. Moreover a race conflict starting in South Africa must affect race relations elsewhere in the world, and also, in its international repercussions, create a world danger of first magnitude."

139. Sir Alec Douglas-Home, then Prime Minister of the United Kingdom, said at Southampton on 24 April 1964 that "the greatest danger in the world today - as deadly in its way as the atomic bomb - is the threat of racialism".

140. Mr. Dean Rusk, Secretary of State of the United States, said in Washington on 26 September 1964, in an address to the American Negro Leadership Conference on Africa:

"A peaceful reconciliation of divergent interests in Southern Africa could have a beneficial effect on the current balance of forces in the world.

"The alternative could well be an unwanted and unnecessary period of conflict which could shatter the friendly and mutually beneficial African-European relations that exist throughout the continent today."

141. Sir Hugh Foot (later Lord Caradon), Minister of State for Foreign Affairs of the United Kingdom, said on 23 October 1964, that, in his opinion, the greatest danger facing the world was "racial conflict beginning in Southern Africa and involving the whole of Africa, and eventually the whole world".

"This is far beyond anything we have seen before in the Congo or Cyprus or Suez. This is a much bigger possibility of a colour war in which the world will inevitably be involved. It will not be sufficient to have a hastily-raised force to deal with the disorders on a vast scale."

142. The explosive situation in South Africa is thus not an isolated phenomenon but one that contains the seeds of a much wider and much more catastrophic conflict. 143. The Special Committee has already drawn attention to the gravity of the situation in South Africa, and its inevitable repercussions, and called for vigorous and decisive measures to put an end to the threat to international peace and security. The General Assembly and the Security Council have recognized that the situation is seriously disturbing international peace and security, called on the South African Government to abandon the policies of apartheid and end the regime of ruthless repression by which these policies are imposed, and requested all States to take steps to persuade the South African Government to comply with their decisions. 144. The present report shows clearly that the situation continues to deteriorate as the South African Government has ignored and defied all requests and demands of the competent United Nations organs, continued to violate the fundamental provisions of the Charter, and proceeded with its course of more discrimination and more repression, thus aggravating the danger of a bloody conflict. 145. The South African Government, it may be noted, admits that the present system of domination of 13 million non-Whites by 3 million Whites cannot continue. clings to the hope that three-fifths of the non-Whites who live outside the African reserves can be dominated for ever if only world opinion is deceived and Africans divided by an offer to transform these reserves into fraudulent African "states" and the 8 million Africans in the "White State" proclaimed by fiat as alien labourers. 146. With this policy of working towards the partitioning of South Africa into a White State and several African States, Prime Minister Dr. Verwoerd

claimed on 5 June 1964 that the present South African Government was adjusting to the change in the spirit in the world and in Africa in recent years. \(\frac{37}{} \)

147. The Government has hastened to take away the few rights enjoyed by the Africans outside the reserves and, in effect, to denationalize them. The Bantu Laws Amendment Act of 1964 enacts in effect, the Government's contention that the African should be regarded as a mere temporary immigrant in the "White State", that he should only be permitted to enter the "White State" to minister to the needs of the White man and that he should be entitled to no expectations except the receipt of a proper price for his labour. It provides for complete control over every African in this "State", where he would be rootless, rightless and insecure.

146. The Government continues to force racial segregation of Whites, Africans, Indians and the Coloured people in the cities and towns through group areas, removal of black spots, influx control, and a host of other measures. Settled communities where there have been no problems from the presence of different races are disrupted and divided up on racial lines with buffer strips between them. Hundreds of thousands of families are uprooted, businesses ruined and livelihoods jeopardized to satisfy the political plans of the Government.

^{37/} Dr. Verwoerd declared in the Senate on 5 June 1964:

[&]quot;...the situation in the world changed after World War II. A new outlook developed and that new outlook spread across the world and it had the effect of emancipating States in Africa. One cannot escape from it that the change in outlook also reached our country ... The result was that we all had to take account of it that the old easy arrangement was disappearing and that we now had to give account to ourselves in what direction we should lead and develop South Africa ... So what did we do? In our opinion we had to seek a solution in a continuation of what was actually the old course, namely, of separation. While, however, seeing separation in the light of the older arrangement as something that ends at a certain point, self-rule under the care of a guardian, we now had to adjust ourselves and be prepared to carry that separation further ... The facts are that I am prepared to make an adjustment within my policy, but I am not prepared to sacrifice my nation by a process of adjustments against policy.

[&]quot;I am prepared to make an adjustment by the development of the course I decided upon by working it out more clearly and to carry it further and further to its logical conclusions ...

[&]quot;Our object is to ultimately get rid of discrimination by separating Black and White increasingly." Senate Debates, 5 June 1964, cols. 4691-92, 4697.

149. The Government then spends ever more effort on propaganda to justify its injustices, relying at home on the silencing of the authentic and representative opposition and abroad on pandering to racial prejudices and on the services of business interests which profit by racial discrimination in South Africa.

150. It claims that its policy is one of "separate development" or "orderly co-existence". Each racial group will exercise its rights within its own sphere and the "sky is the limit" for its advancement within its sphere. 38/ The Africans can vote in Bantustans, while the Coloured people and the people of Indo-Pakistani origin can vote for separate Councils. Indeed, they will all have "one man, one vote".

151. A closer look at this scheme, as analysed in this and the earlier reports of the Special Committee, lays bare its utterly fraudulent and iniquitous character. 152. The Africans, who constitute three-quarters of the population, are expected to find their destiny in the reserves (15 per cent of the area of the country) which are unable to provide sustenance even for two-fifths of the African population. These reserves, carved up into eight "nations", are to be the dumping ground for the Africans not wanted in the "White State", and reservoirs for unskilled labour needed in the "White State" and its "border industries". The fact that the first Bantustan in the Transkei can raise no more than a small fraction of its budget from local taxes shows clearly the limits of opportunities for Africans under apartheid.

153. The Government has already proceeded to establish a Coloured Persons
Representative Council and a National Indian Council and has promised to grant
them, in due course, certain legislative powers. But they can be no more than
subordinate councils so long as the ultimate authority is in the all-White
Parliament, elected only by the Whites except for a handful of seats allotted

The Deputy Minister of Labour, Mr. M. Viljoen, stated on 7 November 1963 that "in the Bantu homelands the sky is the limit to the ambitions and aspirations" of Africans. South African Digest, Pretoria, 14 November 1963. The Minister of Coloured Affairs, Mr. P.W. Botha, said in an interview in March 1964:

[&]quot;...within their own group, their future - like the sky - is unlimited. Everything depends on them." Cape Times, 28 March 1964.

to White representatives of Coloured voters. They can be no more than instruments to facilitate apartheid and perform administrative functions in the segregated communities.

154. These plans for partition and segregation are implemented without consulting the non-White people and, indeed, in the face of their strong opposition. The destiny of all the people is to be decided by a Government elected by Whites alone, with little more than faint opposition from the United Party which is also committed to racial discrimination. They are imposed by increasingly restraining communication across racial lines, by suppressing all resistance to apartheid and by banning or jailing the leaders of the non-White people or forcing them into exile.

155. Repression has become an inseparable complement to the policy of apartheid as it ignores the vital interests of the great majority of the people and is directed against them. 39/

156. Year after year the Government has increased its repressive powers. It can now ban, detain or banish any one indefinitely without trial, and keep him entirely outside the protection of the courts and cut off from contact with family and friends. As shown in the present report, it has used these powers with little restraint.

157. Repression is no longer limited to the leaders of the non-White movements and their friends and allies among the Whites. The rights of all men - White and non-White - are whittled away. Many Whites who abhor the policies of apartheid have been subjected to persecution. Indeed, the Government and its supporters increasingly tend to claim that any dissent from the official policy is a form of treason.

^{39/} As Mrs. Helen Susman, Member of Parliament and a leader of the Progressive Party, said on 9 March 1964:

[&]quot;Apartheid and the rule of law are incompatible, for where people are governed by consent there can be no discrimination. But if people are not governed by consent they must be governed by force and the rule of law must disappear."

Professor P.V. Pistorius, another leader of the Progressive Party said: "it is impossible to perpetuate White domination unless there is a series of laws to effect repression". Rand Daily Mail, Johannesburg, 10 March 1964.

158. The Government claims that this virtual state of siege is essential to ensure the survival of the Whites, but its legislative and administrative measures to prevent all peaceful resistance to apartheid have only tended to provoke violence which may precipitate a bitter conflict which can only endanger their survival. Not only the non-White leaders but many Whites who hate racism have come to accept violence as the only way to secure a non-racial society. Dr. Percy Yutar, prosecutor at the Rivonia trial, said in his concluding address on 25 May 1964: "Were it not for their (South African Police) action South Africa would today have found itself embroiled in a bloody and savage civil war."

159. Violence and fear of violence have been a feature of the South African scene in the recent period and the Government has countered with the "sabotage act" and other arbitrary legislation. Nine persons have been executed in the past year for acts arising from opposition to apartheid and thirty-five persons, including one White, await execution. These executions threaten to aggravate the already explosive situation.

160. The South African Government replies to protests by the United Nations and world public opinion against these executions, trials and detentions by claiming that such protests constitute an interference with judicial processes in South Africa. Such a claim is utterly misleading. The interventions of the United Nations and world opinion are not against the acts of the judiciary, which only interprets and applies the law, but against the arbitrary laws which violate the fundamental principles of justice and limit the discretion of the judiciary, as well as the acts of the executive which utilizes these laws for enforcing racial discrimination. 161. The tensions created by the policies of apartheid and repression have led the Government to embark on a massive expansion and strengthening of the security forces at great cost, as described in this report. The defence budget has risen far above the level reached at the height of the Second World War. As the Pretoria News commented on 17 March 1964, this is the price paid for the "defence of our right to practice apartheid within our borders in the face of mounting world hostility." 162. The revulsion felt by humanity at the racial policies of the South African Government, and the anxiety over the dangers of those policies, have been reflected in the imposition of total diplomatic and economic sanctions against South Africa

^{40/} Cape Times, 26 May 1964.

by many States; the cessation of arms supplies to South Africa by the United States, the United Kingdom and several other States; the world-wide protests against repression in South Africa; boycotts of South African goods in many countries; and the increasing public demands for economic sanctions against South Africa under the auspices of the United Nations.

163. The South African Government, however, has resisted these pressures in the hope that decisive action will not be taken against it because of the reluctance of its major trading partners to implement economic sanctions. It continues with its course on the assumption that it can implement its plans by building up its military power and suppressing all resistance.

164. The increasing pressure of world opinion, the continued intransigence of the South African Government and the eruption of resistance in South Africa into violence have combined to create an ever more serious threat to international peace and security.

- I. NON-COMPLIANCE WITH RESOLUTIONS OF THE GENERAL ASSEMBLY AND THE SECURITY COUNCIL AND REAFFIRMATION OF THE POLICIES OF APARTHEID
- A. NON-COMPLIANCE WITH RESOLUTIONS OF THE GENERAL ASSEMBLY AND THE SECURITY COUNCIL

165. During the period under review, the Government of the Republic of South Africa continued to refuse to comply with the decisions of the General Assembly and the Security Council on the question of the policies of apartheid, and continued to adopt a hostile attitude towards the Organization.

166. It may be recalled that on 7 August 1963 the Security Council expressed its conviction that the situation in South Africa was seriously disturbing international peace and security; strongly deprecated the policies of the South African Government in its perpetuation of racial discrimination as being inconsistent with the principles contained in the United Nations Charter and contrary to its obligations as a Member State of the United Nations; and called upon that Government to abandon the policies of apartheid and discrimination, and to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policies of apartheid.

^{41/} s/5386.

167. The Government of the Republic of South Africa claimed, in a communication of 11 October 1963, that the Security Council did not have the juridical power to take the action envisaged by its resolution of 7 August 1963 and that the resolution could not have any binding effect on the Republic of South Africa or any other Member State. $\frac{42}{}$

168. On 11 October 1963 the General Assembly took note of reports that the South African Government was arranging the trial of a large number of political prisoners under arbitrary laws prescribing the death sentence and considered that such a trial would lead to a further deterioration of the already explosive situation in South Africa, thereby further disturbing international peace and security. By a vote of 106 in favour, with only South Africa voting against, the General Assembly adopted resolution 1881 (XVIII) condemning the South African Government for its failure to comply with the resolutions of the General Assembly and the Security Council calling for an end to the repression of persons opposing apartheid; and requesting it to abandon the arbitrary trial and forthwith grant unconditional release to all political prisoners and to all persons imprisoned, interned or subjected to other restrictions for having opposed the policies of apartheid.

addressed to the Secretary-General, that no reply could be expected to General Assembly resolution 1881 (XVIII) as it constituted flagrant interference in South Africa's judiciary and was beyond the competence of the United Nations. 43/
170. As the South African Government proceeded with its course of increased apartheid and increased repression despite the above resolutions, the Security Council on 4 December 1963 unanimously adopted a resolution in which it inter alia urgently requested the South African Government to cease forthwith its continued imposition of discriminatory and repressive measures which were contrary to the principles and purposes of the Charter and which were in violation of its obligations as a Member of the United Nations and of the provisions of the Universal Declaration of Human Rights; condemned the non-compliance by the

^{42/} s/5438.

^{43/} A/5614-S/5457, para. 3.

th African Government with the appeals contained in the resolutions of the meral Assembly and the Security Council; and again called upon the South rican Government to liberate all persons imprisoned, interned or subjected other restrictions for having opposed the policies of apartheid. surity Council also requested the Secretary-General to establish, under his rection, a small group of recognized experts to examine methods of resolving e present situation in South Africa through full, peaceful and orderly plication of human rights and fundamental freedoms to all inhabitants of the rritory as a whole, regardless of race, colour or creed. 44/ 1. The South African Government again failed to comply with the Security uncil resolution and, in a communication dated 5 February 1964, described as an "unparalleled attempt at deliberate interference" in the internal fairs of the Republic and "yet another flagrant example of the application ' the 'double standard'". It added that any form of co-operation with the spert Group established under the resolution was out of the question. 45/ 72. On 27 March 1964 the Secretary-General drew the attention of the Permanent epresentative of South Africa to the death sentence recently passed on three eaders of the African National Congress in Port Elizabeth and to several trials n the country, involving a number of leaders of the African National Congress nd other political organizations, under legislation which provides for death In the light of the resolutions of the General Assembly and the ecurity Council, and the recommendations of the Special Committee, he requested he Permanent Representative of South Africa "to convey my urgent and earnest ppeal to your Government to spare the lives of those facing execution or death entences for acts arising from their opposition to the Government's racial policies, so as to prevent an aggravation of the situation and to facilitate peaceful efforts to resolve the situation".46/

^{44/} s/5471.

^{45/} s/5658.

^{46/} United Nations press release SG/SM/48, 30 March 1964.

173. In a reply dated 18 May the Permanent Representative of South Africa took exception to the Secretary-General's humanitarian appeal on the grounds that it "could be construed as casting suspicion on, or bringing into disrepute, the South African judiciary and South African judicial processes," and the matter was sub judice as the three accused had been granted leave to appeal against both the verdict and the sentence imposed, and that the appeal constituted intervention in a matter of purely domestic concern of South Africa. 47/ 174. On 20 April 1964, the Secretary-General transmitted to the Security Council the report of the Group of Experts which recommended inter alia that "all efforts should be directed toward the establishment of a National Convention, fully representative of the whole population of South Africa, to set a new course for the future," and made suggestions concerning "the establishment of such a National Convention, the assistance which the United Nations and other . international organizations may offer to the people of South Africa to help them resolve the present situation and the means to concert pressure on the South African Government to accept a peaceful and democratic solution through a National Convention". 48/

175. In a letter dated 22 May 1964, the Permanent Representative of South Africa claimed that the report of the Group of Experts "consists to a large extent of inaccuracies, distortions and erroneous conclusions on false premises", and declared that "for obvious reasons the South African Government can see no useful purpose in commenting on the detailed proposals for a National Convention and its agenda". 49/

176. On 9 June 1964 the Security Council adopted resolution S/5761 urging the South African Government to renounce the execution of the persons sentenced to death for acts resulting from the opposition to the policies of apartheid; to end forthwith the trial in progress, instituted within the framework of the arbitrary laws of apartheid; and to grant an amnesty to all persons already imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid, and particularly to the defendants in the Rivonia trial.

^{47/} United Nations press release SG/SM/74, 18 May 1964.

^{48/} s/5658.

^{49/} S/5723.

177. In a reply dated 13 July 1964,50/ the Permanent Representative of South Africa reiterated that "South Africa regards intervention by the United Nations in the judicial processes of a Member State as completely illegal and ultra vires the United Nations Charter". Transmitting the judgement given in the Rivonia trial, "without prejudice ... to the legal position of the South African Government in this matter", he added:

"It is evident both from the discussion in the Council and from the text of the Council's resolution that deliberate attempts have been made to distort, in the eyes of the United Nations and of world public opinion, the nature of the case against the defendants in the Rivonia Trial and to represent the trial as an executive act undertaken by the South African Government to secure the imprisonment of certain individuals for having opposed the policy of apartheid.

"The South African Government rejects with contempt the imputations against the South African judiciary which are inherent in this misrepresentation. It is confident that a perusal of the judgement in the Rivonia trial will enable any impartial observer to appreciate that the charge that the defendants in the Rivonia trial were prosecuted 'for having opposed the policy of apartheid' is a perversion of facts."

178. On 18 June 1964 the Security Council adopted resolution S/5773 reiterating its appeal to the Government of the Republic of South Africa to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policies of apartheid. It urgently appealed to the South African Government to:

- "(a) renounce the execution of any persons sentenced to death for their opposition to the policy of apartheid;
- "(b) grant immediate amnesty to all persons detained or on trial, as well as clemency to all persons sentenced for their opposition to the Government's racial policies;
- "(c) abolish the practice of imprisonment without charges, without access to counsel or without the right of prompt trial."

It invited the South African Government to accept the main conclusion of the Expert Group that "all the people of South Africa should be brought into consultation and should thus be enabled to decide the future of their country at at a national level", to co-operate with the Secretary-General in promoting such

consultation among representatives of all elements of the population in South Africa and to submit its views to him with respect to such consultation by 30 November 1964.

179. On 16 November 1964, the Permanent Representative of South Africa transmitted a letter from the Minister of Foreign Affairs describing the resolution as intervention in matters falling within the domestic jurisdiction of a Member State and as seeking the abdication of its sovereignty in favour of the United Nations. The Minister of Foreign Affairs refrained from responding to the appeal and invitation to the South African Government. $\frac{51}{}$

180. Meanwhile, on 6 November 1964, Mr. Vuyisile Mini, Mr. Wilson Khayinga and Mr. Zinakile Mkaba were executed in defiance of the resolutions of the General Assembly and the Security Council and despite the urgent appeals by the Secretary—General, the Special Committee, the African Group at the United Nations, the second conference of Non-Aligned Countries and numerous international organizations.

B. REBELLIOUS ATTITUDE AND HOSTILITY TOWARDS THE UNITED NATIONS, AND SCORN TO WORLD PUBLIC OPINION

181. While the South African Government continued to refuse to comply with the decisions of the principal organs of the United Nations, its leaders have attacked the United Nations and its decisions and the attitudes of Member States towards the policies of <u>apartheid</u> in the Republic of South Africa, and rejected any policy changes in response to world opinion.

182. Some of the statements of the South African leaders are summarized below:
183. On 18 September 1963 Mr. Eric Louw, then Minister of Foreign Affairs, stated that if the United Nations ceased to exist it would be a "blessing". 52/
184. In regard to the Security Council resolution of 4 December 1963, the Minister of Posts and Telegraphs, Dr. A. Hertzog, stated on 16 December:

"The object of our enemies is to obliterate the White man ... The struggle of today is practically the same as that of our ancestors, except that it is being waged more ruthlessly. The enemies of today are like those of long ago ... (who) tried to bar arms consignments to the Voortrekkers ... " 53/

185. In his review of international affairs at the end of the year 1963, Mr. Eric Louw, then Minister of Foreign Affairs, declared:

^{51/} S/6053.

^{52/} Reuters, 18 September 1963.

^{53/} Cape Times, 17 December 1963.

"The question is often put to me: 'How do you see the future of the United Nations?' My reply invariably is that if it continues on its present course, and if the General Assembly continues to be used as a forum for airing grievances and for attacking Member States, then the Organization will sconer or later come to an inglorious end - 'unwept, unhonoured and unsung' - except perhaps by the Afro-Asians, who will have lost a useful weapon of attack." 54/

6. Speaking in the House of Assembly on 21 January 1964, Prime Minister,
. H.F. Verwoerd criticized the "obsession" of bodies like the United Nations
th the relationship between Whites and non-Whites, and declared:

"I contend therefore the present-day international politics proved that the world is sick, and that it is not up to South Africa to allow herself to be dragged into that sickbed. It is White South Africa's duty to ensure her survival, even though she is accused of being isolated under such a policy ...

"Furthermore, I contend that the West is sick and not only the world as a whole. The West is closest to us. There we find our natural friends ... The tragedy of the present time is that in this crucial stage of present-day history, the White race is not playing the role which it is called upon to play and which only the White race is competent to fulfil. If the Whites of America and of Europe and of South Africa were dissolved in the stream of the Black masses, what would become of the future of the world and of the human race? What would become of its science, its knowledge, its form of civilization, its growth, its peace, etc? ...

"What we are dealing with here is the preservation of the White man and of what is his, and only in respect of what is justly his, coupled with the recognition of the other people's rights ..." 55/

187. Referring to South Africa's withdrawal from the Food and Agriculture Organization on 18 December 1963, he continued:

^{54/} Southern Africa, London, 3 January 1964.

^{55/} House of Assembly Debates, 21 January 1964, cols. 52-55.

"The Republic, at a time when there was no demand that South Africa should withdraw but when our friends created difficulties, decided on its own free volition no longer to remain a member of a body in which in any event South Africa had no particular self-interest. In the same way we shall use our judgement in a sensible and careful manner in respect to other world organizations. That also applies to the United Nations." 56/

188. With regard to South Africa's membership in the United Nations, Prime Minister Dr. Verwoerd stated in the House of Assembly on 24 April 1964:

"South Africa's membership of various bodies is dependent upon what is in the best interests of South Africa in the opinion of the Government. I reject as absolutely incorrect and untrue the insinuation that continued membership is the only proof of our readiness to fight for South Africa and that we are leaving South Africa in the lurch when we give up our membership under certain circumstances. There are circumstances in which one serves the best interests of one's country by not being a member of a particular body and in which one serves the best interests of one's country ... by choosing one's own methods of fighting. The same thing applies to the United Nations. The policy of South Africa is to remain a member of the U.N. as long as it is considered to be in the interests of South Africa. If circumstances should arise under which it will no longer be in the interests of South Africa, then she will no longer remain a member." 57/

189. On 25 April 1964 Prime Minister Dr. Verwoerd declared at a National Party rally at Paarl that South Africa would stand firm in the face of outside pressure. He said there were two reasons for confidence, first, the path chosen by the Government satisfied the basic requirements of justice to all sections of the population, and second, South Africa was one of the bastions of White civilization and Christendom: "The whole world is dependent on ... the White nations. Africa will fall into chaos and disorder without the protecting hand of the White nations." He added that the Western Powers were willing to make concessions to the African States on one point after another to win their votes in the United Nations, and expected the South African Government to make the same sort of concessions. South Africa, he said, would be sacrificing her existence once she started to make concessions.

"I believe that there will come a time when the Powers will draw the line and will refuse to be pushed any further ... It seems that the boycotts and other threats are bringing the Western Powers to a point where they will eventually have to decide whether they can make further concessions." 58/

^{56/} House of Assembly Debates, 21 January 1964, cols. 60-61.

^{57/} House of Assembly Debates, 24 April 1964, cols. 4899-4900.

^{58/} Cape Times, 27 April 1964; South African Digest, Pretoria, 1 May 1964.

C. REAFFIRMATION OF THE POLICIES OF APARTHEID

190. As may be seen from the above review of responses to United Nations decisions, the Government of the Republic of South Africa has continued to reaffirm its racial policies and has rejected any modification in the direction of racial harmony based on racial equality.

191. In a statement in the House of Assembly on 23 April 1964, that is, three days after the publication of the report of the group of experts established in pursuance of the Security Council resolution of 4 December 1963, Prime Minister Dr. H.F. Verwoerd stated that in any attempt to "link up the various racial groups in one multi-racial society, the majority group will and must eventually become the dominant group ... From a multi-racial society we can expect no other result than ... one man, one vote, or Black domination ... If South Africa wants to achieve its objective of remaining White, there is only one method, and that is to segregate the Whites and the Blacks." 59 He continued:

"Integration has proved an outright failure ... We shall be able to prove that it is only by creating separate nations that discrimination will in fact disappear in the long run ... They (the African States) want their ideas to triumph in our country so that the White man can disappear from this country ..." 60/

192. Indeed, Prime Minister Dr. Verwoerd declared at a Nationalist Party rally at Klerksdorp in November 1963:

"Once one started to make concessions one would have to go all the way and that would never succeed in South Africa.

"Even some of our own people are now advocating a change in our point of view, saying that it will have to come sooner or later. This is particularly so in clerical circles.

"But I want to warn these people that they are on the wrong track." 61/193. In a New Year's Eve broadcast, Prime Minister Dr. Verwoerd described South Africa's course as the giving of each racial group "attainable ideals in its own community under its own leaders". He added that loss of control by the White man would ruin the economy and bring misery to all sections of the population. The Whites were, therefore, justified in refusing to commit national suicide and in fighting for self-preservation. 62/

194. The Minister of Transport, Mr. B.J. Schoeman, told the House of Assembly on 23 January 1964:

"The policy of this party is to discriminate. That is why we discriminate." 63/

60/ Thid., cole. 4814-21.
61/ Cape Times, 4 November 1963.

House of Assembly Debates, 23 January 1964, col. 171.

^{59/} House of Assembly Debates, 23 April 1964, col. 4816.

^{62/} Cape Times, 1 January 1964; Southern Africa, London, 3 January 1964.

195. Whatever policy adjustments have been made by the South African Government, and these are noted in subsequent sections of this report, are entirely within the framework of the fundamental principles of <u>apartheid</u> and are only meant to facilitate the imposition of <u>apartheid</u>.

D: NEW PROPAGANDA LINE

of <u>apartheid</u> - the policy of "separate development" or "orderly coexistence" as it is described - as reasonable and just or as the only practicable policy which can satisfy the interests of the Whites and also provide some benefits to the non-Whites. It has attempted to convince non-Whites to accept this policy as the only attainable objective since racial equality would be resisted. It has sought to argue that it was willing to grant equal rights to non-Whites, but that the controversy was only as to when and where these rights would be exercised. It has made assiduous efforts to project these propaganda lines in an effort to confuse opinion at home and abroad.

197. A few statements by Government spokesmen during the past year are illustrative. 198. The Minister of Bantu Administration and Development, Mr. M.D.C. de Wet Nel, said at the opening of the Transkei Legislative Assembly in December 1963:

"We have one fatherland and we all belong to South Africa. White and Bantu need each other and must help each other. Our technical knowledge and competence are necessary for the development of your area. Our prosperity is your prosperity and our strength is your strength. Likewise is our safety your safety and towards the outside world we stand together as children of South Africa."

199. The South African Ambassador to the United Kingdom, Dr. Carel de Wet, stated in March 1964:

"It seems to me that separate development and happiness with progress for all are bedfellows ...

"My Government stands immovable on our birthright as a distinct White nation to survive and rule in those parts of South Africa which we have settled and civilized ... 65/

"We are working with black nationalism, not against it ... The sun is shining for all in the Republic of South Africa." 66/

^{64/} Southern Africa, London, 20 December 1963.

^{65/} South African Digest, Pretoria, 26 March 1964.

^{66/} Quoted in The Observer, London, 22 March 1964.

200. The Minister of Economic Affairs, Dr. Diederichs, said at the United Nations Conference on Trade and Development in Geneva on 8 April 1964:

"The experience of my country, which extends to as great a diversity of peoples as can be found in any land, indicates that capacity for development is found among all peoples.

"It is indeed our policy freely to extend the process of development among all the peoples of South Africa and notable successes have been achieved among all of them." 67/

201. Prime Minister Dr. Verwoerd said in a Republic Day broadcast on 31 May 1964:

"It (the Republic) is planning for a happy and prosperous coexistence for all its peoples ...

"It seeks to embark the peoples entrusted to its care on their own adventurous future and will not clutch greedily at their land which is theirs to govern and to develop." 68/

8 June 1964, described the Government's policy as one of freeing nations - a process which would give each population group what it deserved as its own. 69/203. Prime Minister Dr. Verwoerd said in Vryburg on 8 August 1964 that it was a fallacy to say that racial friction and clashes were the results of the Government's policy. The aim of the policy of separation was to eliminate friction and to eliminate discrimination. Discrimination could only be eliminated if every race was allowed to develop to its fullest capacity within its own sphere. Once one started to make concessions in a State with more than one race group, the pressure for further concessions became stronger and stronger. Such a policy would lead to discrimination. Only through separate development could discrimination be eliminated. 70/

204. The Minister of Foreign Affairs, Dr. Muller, said in Cologne, Germany, on 30 September 1964:

^{67/} Cape Times, 9 April 1964.

^{68/} Cape Times, 1 June 1964.

^{69/} Cape Times, 9 June 1964.

^{70/} Cape Times, 10 August 1964.

"Full implementation of our policy will bring about a situation in which discrimination will disappear." 71/

205. The South African Government describes its racial policy as a "four-stream policy" for the parallel development of the four main racial groups - the Whites, the Coloured people, the people of Indo-Pakistani origin and the Africans. The Africans would exercise political rights in the reserves which constitute less than 13 per cent of the territory. The Whites would exercise sovereignty in the rest of the country, while the other two racial groups would be granted certain legislative and administrative powers through the establishment of national and local councils.

206. Central to this policy is the view that the population of South Africa does not constitute a single nation, but several nations and that the ultimate objective should be a "commonwealth" of nations in which no nation would dominate another. For instance, Prime Minister Dr. Verwoerd said, as quoted in the communication of 22 May 1964, from the Permanent Representative of South Africa to the President of the Security Council: 72/

"We want each of our population groups to control and to govern themselves as is the case with other nations. Then they can co-operate in a commonwealth - in an economic association with the Republic and with each other ...

"I envisage development along the lines similar to that of the Commonwealth. In other words, I perceive the development of a Commonwealth of South Africa, in which the White State and the Black States can co-operate together, without being joined in a federation, and therefore without being under a central government, but co-operating as separate and independent states. In such an association no State will lord it over any other. They will live rather as good neighbours."

207. The main reason for the rejection of the possibility of a unified State was explained in June 1964 by <u>Die Burger</u>, a pro-government newspaper, which noted in reference to the report of the group of experts established in pursuance of the Security Council resolution of 4 December 1963:

^{71/} Cape Times, 1 October 1964.

^{72/ 8/5723.}

"They want us to stand for a united South Africa, for then they have us in the crush-pen that leads to Black majority government. After all, if under such circumstances we should resist that final result, then their charge of permanent supremacy is proved beyond doubt.

"... the truth is that standpoints which presuppose an undivided South Africa are at present playing into the hands of our enemies. South Africa can no longer be defended on that basis in the international council chambers. If we say that we are going to remain undivided, then they say that we must accept the consequences of that, namely progress in the direction of 'one man, one vote' and Black majority government ... But they cannot get past the principle of separate freedom, as a principle." 73/

^{73/} Quoted in Cape Times, 3 June 1964.

II. PURSUIT OF APARTHEID

208. The essence of the racial policy of the South African Government, as indicated earlier, is to deprive the African of all rights in 87 per cent of the area of the country, which is to form the "White State", in return for limited self-government and promise of eventual self-government in the scattered African reserves, which account for 13 per cent of the area of the country, reconstituted as several "national homelands". All Africans would be regarded as citizens of these "homelands". The majority of Africans, however, live in the "White" area and greatly outnumber the Whites: their status would be that of alien labourers with no rights, and they can expect nothing more than payment for their labour, housing and perhaps consultation on municipal affairs. 209. The Coloured people and the Indians who constitute more than a third of the population in the White area would be minorities, but they too will have no right of representation in the sovereign Parliament. They would be entitled only to segregated councils which will eventually receive powers to legislate for certain matters affecting their own communities. 210. In implementation of this policy, the Government has adopted significant measures during the past year. The Bantu Laws Amendment Act has been promulgated to deprive the Africans of all rights of residence, movement and employment outside the reserves and place them under total administrative control. The Coloured Persons Representative Council Act has been promulgated and the National Indian Council set up as a step towards the fulfilment of the promise of segregated and subordinate legislative bodies. Meanwhile, under the Group Areas Act, all urban areas are being divided on racial lines at the cost of uprooting hundreds of thousands of non-White families. Large numbers of Africans, especially women and children, are being expelled from towns to the reserves.

Racial separation is being enforced in every sphere of activity, including education, sports and scientific associations. A "Bantustan" has been established in the Transkei and others are being prepared.

These developments are reviewed below under the following heads:

- A. The Bantu Laws Amendment Act of 1964
- B. Residential segregation and related measures outside the African reserves
- C. Establishment of councils and committees for non-White racial groups
- D. Other apartheid measures outside the African reserves
- E. Developments in the Transkei and other African reserves.

A. BANTU LAWS AMENDMENT ACT OF 1964 (Act No. 42 of 1964)

211. The Bantu Laws Amendment Bill of 1964 was introduced in Parliament on 18 February 1964, passed in the House of Assembly on 7 April and in the Senate on 15 May, and assented to by the State President on 15 May. The Act not only consolidates a number of existing legislative provisions concerning Africans outside the reserves, but adds significantly to previous legislation in order to ensure total administrative control over their residence, movement and employment.

212. The essence of the legislation was explained by Mr. M.C. Botha, Deputy Minister of Bantu Administration and Development, in the House of Assembly on

^{74/} The Bantu Lews Amendment Bill was originally published in February 1963 and aroused wide-spread opposition. An abridged version was enacted as Act No. 76 of 1963, and was reviewed in the report of the Special Committee on 13 September 1963 (A/5497-S/5426, paragraphs 190-94, 222-27). The remaining provisions, as revised, were introduced on 18 February 1964.

7 April 1964 as follows: "Dominating all this is the one aspect of our policy, namely that the Bantu's presence in the urban areas is justified by the labour he does ..." $\frac{75}{}$

"Every Bantu must obtain permission to enter and to live in an urban area or a proclaimed area; he must obtain permission at the bureau to work there or he must obtain permission to enter from the local authority official concerned. That is fundamentally necessary in each case." 76/

213. Mr. Greyling, a National Party member of the House of Assembly, explained on 4 March 1964:

"... there is no such thing as the rights of a Bantu in the White area. The only rights he has are those which he acquires by performing certain duties. Those duties which he performs give him the right of sojourn here. The officials in these labour bureaux, in considering whether they are going to allow a Bantu to remain here, will have to give priority to the consideration as to whether that Bantu has carried out his duties as a worker, and not whether he has a supposed right which has been invented for him by members of the United Party." 77/

1. Main provisions of the Act

214. In terms of this Act, all urban areas and any other areas the Minister so proclaims would be "prescribed areas". A network of municipal, district and regional labour bureaux would be established in the offices of the Bantu Affairs Commissioners. No African who is not a workseeker may remain in these prescribed areas without obtaining permission from the district or municipal labour officer. Any person employing an African in a prescribed area, unless the latter had been granted permission, is liable to three months' imprisonment.

215. The district or municipal labour officer may grant or refuse permission for an African to be in a "prescribed area". He may refuse to sanction the employment or the continued employment of any African and cancel the contract of employment between any employer and any African if he is satisfied, inter alia, that the contract is not bona fide; that the African has not been released from the

^{75/} House of Assembly Debates, 7 April 1964, col. 3809.

^{76/ &}lt;u>Ibid.</u>, col. 3808.

^{77/} House of Assembly Debates, 4 March 1964, col. 2463.

obligation of rendering service to his previous employer; that he refuses to submit himself to a medical examination; or that such employment "impairs or is likely to impair the safety of the State or of the public or of a section thereof or threatens or is likely to threaten the maintenance of public order, provided the Secretary (for Bantu Administration and Development) concurs in such refusal or cancellation".

- 216. Any African who is refused permission by the municipal officer to take up employment or whose contract has been cancelled may be referred to an "aid centre" or to the district officer who may offer him "suitable work" either in his area or in another area or may require him and his dependents to leave the prescribed area within a period determined by him. The Bantu Affairs Commissioner may hold a court in an "aid centre" and exercise jurisdiction over the employment and repatriation of an African to his home, last place of residence, settlement, rehabilitation scheme or "any other place".
- 217. An African who fails to comply with an order received at an "aid centre" may be endorsed out of an urban area. Appeals can be made to the Chief Bantu Affairs Commissioner against a removal order, but it is left to the discretion of the Bantu Affairs Commissioner to permit the African to remain in the prescribed area pending his appeal.
- 218. Any authorized officer may arrest without warrant any African in a prescribed area if he has reason to believe that the latter is an "idle or undesirable person" and take him before a Bantu Affairs Commissioner. The definition of an "idle person" has been widehed and includes any African who is unemployed, though capable of being employed; fails to provide support to his dependants; who has refused suitable employment offered to him by a labour bureau on three consecutive occasions; who has on more than two consecutive occasions failed to keep employment for at least one month due to his own "misconduct, neglect, intemperance or laziness"; who has been discharged on more than three occasions during any period of one year due to his own misconduct; or who fails to depart from the area concerned within the specified period after he was ordered to depart. Bona fide housewives, females over 60 and males over 65 are exempt from this provision.

The Act states that an African shall not be detained at an "aid centre", but that nothing shall prevent any African who is unemployed or who is in an area unlawfully from being admitted to an aid centre at his own request.

219 The definition of an "undesirable person" includes any African who has been convicted (a) more than once over any period of five years of an ordence such as rape, robbory, arson and fireud included in the third schedule of the Crininal Procedure Act, 1955; (b) more than once in a period of three years of the use of habit-forming drugs or the illegal sale of intoxicating liquor; (c) of an offence involving public violence or violence to an officer concerned with Bantu Affairs Administration while he was carrying out his duties; (d) of possession of unlicensed firearms; or (e) of political offences such as riotous assembly, membership of banned organizations or sabotage. 220. If an African is declared "idle" or "undesirable" and cannot prove otherwise, he may be removed to "any place" indicated by the Bantu Affairs Commissioner or detained in custody pending his removal, or "detained" in a "retreat" or "farm colony" and made to perform labour as prescribed. 221. The Act lays down a number of conditions to be complied with for an African woman to be allowed to enter or remain in prescribed areas. 19/ 222. The Act authorizes the State President to make regulations on a wide variety

of aspects of an African's life including the control and siting of housing,

facilities, recruitment and "treatment and disposal".

2. Opposition to the Act

223. The Bill was strongly opposed in Parliament by the United Party and the lone member of the Progressive Party. They pointed out that under previous legislation, Africans in urban areas acquired residence rights if they had been born in the area and had lived there continuously, or had worked for one employer for not less than ten years and had continuously resided there lawfully for not less than fifteen years. Even these limited rights were now removed as they were left to the discretion of the Chief Bantu Commissioner. The right of an African to sell his labour freely and the right to have his wife and family with him were also taken away. The assurances of the Government that the new Act would be administered

^{79/} By the repeal of (d) (ii) of Section 23 of the original Act, African women have been deprived of the statutory right to enter an urban area to visit their husbands for a period of 72 hours (usually known as a "conception visit") if their husbands had been in the area for two years.

^{80/} Native (Urban Areas) Consolidated Act, 1945, Sub-section (1) of Section 10.

humanely and that the intention was merely to ensure better co-ordination and control, failed to allay the opposition $\frac{81}{}$

224. Sir de Villiers Graaff, leader of the United Party, said on 18 February 1964 that the bill would turn all Africans outside the reserves into a "vast floating pool of labour from which individual units would be detached from time to time". 82/He stated on 7 April that the bill "is placing officials in a place where they are invading the sphere of the courts ... and there are virtually no safeguards as to how those powers are going to be exercised". 83/

225. Mrs. Suzman, Progressive Party member of the House of Assembly, charged:

"The Government does not consider the Black man as a human being. It does

not regard him as a person with the normal aspirations of a human being and the normal aspiration to have a secure family life." 84/

She said on 7 April that the Government appeared to imagine the African as a "disembodied pair of black hands", present in the White areas to work for the White man as long as required, without normal wants and natural demands of a human being. $\frac{85}{}$

^{81/} See, for instance, the following passage from the letter of 22 May 1964 from the Permanent Representative of South Africa to the President of the Security Council:

[&]quot;A detailed exposition of the objectives of the legislation would fill many pages, but by way of illustration it can be said that Bantu employed in White areas will continue to be so employed, that those who lose employment in White areas will be placed in employment by the Bantu labour bureaux in White areas wherever employment is available, and that only if employment is not available the question arises of resettlement in the Bantu homelands. There is no denial of the freedom of the Bantu to work and live in White areas in so far as employment is available. Indeed, large numbers of Bantu are recruited for employment in White areas and others are assisted in various ways to obtain such employment. The over-all objective is to co-ordinate and canalize all faucets of labour supply and demand, in order to avoid flooding of the labour market, unemployment and inadequate housing.

[&]quot;It remains to be seen whether the hardships which the critics of the legislation envisage, will in fact be experienced by the Bantu concerned. The South African Government is confident that time and experience will provide the proof of the good intentions underlying the legislation." (S/5723)

^{82/} House of Assembly Debates, 18 February 1964, col. 1517.

^{83/} House of Assembly Debates, 7 April 1964, col. 3759.

^{84/} House of Assembly Debates, 25 February 1964, col. 1952.

^{85/} House of Assembly Debates, 7 April 1964, col. 3795.

226. Senator R.D.P. Jordan (United Party) stated on 4 May that the Bill "converted the Bantu into labour slaves". He said it was the death warrant of a host of rights Africans had enjoyed as citizens of South Africa, and gave terrifying powers to junior officials against which there was no right of appeal except to other officials.

227. The Johannesburg Star commented on 24 February 1964:

"The Bantu Laws Amendment Bill is being represented by some as merely a tightening of influx control. It is, of course, something much more fundamental than that. It is an attempt to change, once and for all, the whole status of the urban African to conform with the apartheid theory.

"Some forty years ago the Stallard Commission on Native Labour laid down the principle on which this Bill is based. 'The Native should be allowed to enter urban areas, which are essentially the White man's creation, when he is willing to enter and to minister to the needs of the White man, and should depart therefrom when he ceases to minister.'

"As a factual statement of the situation this was hardly true then, and nearly half a century of urban progress and rural decay has destroyed any validity it may have had.

"There is now a large permanent urban African class whose members, to quote one of them, were 'born, bred and buttered' in the towns and know no other home or way of life. To attempt to destroy such a class by legislation is humanly and economically indefensible.

Senate Debates, 4 May 1964, cols. 3184-85. The Deputy Minister of Bantu Administration and Development, Mr. M.C. Botha, argued, however, that it was not correct to say that the "so-called rights" of Africans were being removed. The Act affected only the Africans who were in "White areas" illegally, or who were "work-shy", "idle", "undesirable" or "superfluous". Such persons could be removed under the previous legislation. The new Act only extended the definition of persons who could be removed. House of Assembly Debates, 24 February 1964, cols. 1861-64.

He objected to the contention that the Act removed the citizenship rights of the Africans in urban areas. Fundamentally, he said, all Africans were restricted from residence in urban areas without special permission. Certain categories had been exempted from this restriction, under Section 10 of the Native Urban Areas Act, but these exemptions from restrictions were not "rights of citizenship" or "any rights" but simply arrangements for Africans to remain in urban areas. House of Assembly Debates, 7 April 1964, col. 3809.

"Economically, because its stability and the skills that depend on stability are urgently needed in the towns (and never more so than now) and because there is no comparable demand in the 'homelands' nor any prospect of such a demand arising in the present generation.

"The Government is not in fact attempting directly to reduce the number of urban Africans. It is trying instead to convert them into a rotating labour force, with no permanent roots or family life in the towns.

"The cost in human terms of this policy if logically applied will be incalculable. It may in practice not be so applied, simply because the disruption it would cause would throw the whole of South Africa's rising economy out of gear and create unmanageable difficulties in the 'homelands'.

"The individual hardship will, nevertheless, be immediate and the insecurity general and paralysing."

228. The South African Institute of Race Relations stated on 28 February 1964:

"The Institute is convinced that by its contemplated actions the Government will cause a further deterioration of race relations and by imperiling the security of the majority of Africans imperil the security of all peoples in the Republic ... It is of the opinion that in addition to undermining security, it will heighten instability, discourage Africans from acquiring that sense of belonging to a community which is essential to the development of ordered social life, and inhibit the growth of an African middle class." 87/

229. The Christian Council of South Africa, representing twenty-eight churches, said in March that the Bantu Laws Amendment Bill "infringes on certain basic Christian concepts concerning family life and the dignity of the individual".

230. The Conference of Roman Catholic Bishops of South Africa condemned the Bill on 17 March 1964 as "a negation of social morality and Christian thinking."

"... is an invasion of primary human rights ... deprives African citizens of a strict right to residence, movement and employment outside the Bantu areas, that is, in four-fifths of the entire Republic. It would strip the African of his basic freedoms in the country of his birth, making him dependent upon the possession of a permit to explain his presence anywhere, and at any time, outside the Bantu homelands'. This is not consonant with any concept of the dignity of the human person." 89/

^{87/} Race Relations News, Johannesburg, March 1964.

^{88/} Rand Daily Mail, Johannesburg, 4 March 1964.

^{89/} Reuters, 17 March 1964.

231. The Roman Catholic Archbishop of Cape Town, Most Rev. Owen McCann, stated on 1 May 1964:

"The Bantu Laws Amendment Act treats the Bantu as a labour unit, not considering his personal dignity and the rights flowing from this dignity. It disregards the family obligations he may have, and in fact continues the sad break-up of family life which is one of the evils of the system. We know it is disastrous to family life - that it induces instability of marriage, mal-education of the offspring and delinquency and leads to immorality." 90/

232. The Interdenominational African Ministers' Association of Southern Africa, an organization of African ministers of all denominations, representing four million South African Christians, said in a press statement in May that it was convinced, in spite of the Minister's assurance to the contrary, that the Bantu Laws Amendment Act would disrupt African family life.

"We wish to emphasize that the African ministers of all denominations have been law abiding and have always opposed disobedience to the laws of the State, but have now reached a point where legislation such as this places the African minister in an unenviable position of standing for Christian justice and at the same time having to convince the Africans that such laws are for their good."

In a memorandum to the Minister, the association asked that the Bill be amended and that there be no hindrances in the way of husbands and wives coming together and living with their children. 91/

B. RESIDENTIAL SEGREGATION AND RELATED MEASURES OUTSIDE THE AFRICAN RESERVES

1. Implementation of the Group Areas Act

233. The Group Areas Act, which provides for the forcible separation of racial groups, continues to be implemented actively though the General Assembly has repeatedly called the South African Government to refrain from enforcing the provisions of the Act.

^{90/} Cape Times, 2 May 1964.

^{91/} Cape Times, 19 May 1964.

^{92/} See resolutions 395 (V) of 2 December 1960, 551 (VI) of 12 January 1962, 615 (VII) of 5 December 1952 and 719 (VII) of 11 November 1953.

234. Numerous group area declarations have again been published during the period under review, ordering the clearing of a number of settled communities. 93/ The

93/	The declarations issued between 6 November 1962 and 30 August 1963 were listed in the previous report. See A/5497-S/5426, foot-note 104.	
	The following declara and published in the	tions of group areas have been issued since 30 August 1963 Government Gazettes of the dates indicated.
	13 September 1963:	Group areas for Coloureds and Indians at Ermalo, Transvaal; for Whites at Ottoshoop, Transvaal;
	18 October 1963:	Group areas for Coloureds at Hawston, Cape;
	25 October 1963:	Group area for Indians at Mountain Rise, Natal;
	1 November 1963:	Group areas for Whites and Coloureds at Riversdale, Cape; for Whites at Algon Park, Port Elizabeth, Cape; for Whites and Indians at Krudersdorp, Transvaal; for Whites at Randfontein, Transvaal; for Whites and Coloureds at Roodespoort, Transvaal;
	22 November 1963:	Group area for Whites at Somerset West, Cape;
	6 December 1963:	Group areas for Whites and Coloureds at Tarkastad, Cape;
	3 January 1964:	Group areas for Coloureds at Ventersburg, Orange Free State;
	7 February 1964:	Group areas for Coloureds at Fauresmith, Orange Free State;
	21 February 1964:	Group area for Whites at Springs, Transvaal;
	28 February 1964:	Group area for Whites and Coloureds at Piketberg, Cape;
	13 March 1964:	Group areas for Whites and Coloureds at Swellendam, Cape;
	20 March 1964:	Group areas for Whites and Indians at Creytown, Natal;
	26 March 1964:	Group areas for Whites, Coloureds and Indians at Standerton, Transvaal;
	10 April 1964:	Group areas for Whites at Victoria West, Cape; for Whites and Coloureds at Villiersdorp; for Whites and Coloureds at Upington, Cape;
	24 April 1964:	Group areas for Whites at Dullstroom, Transvaal; for Whites at Belfast, Transvaal; for Whites at Machadodorp, Transvaal; for Whites and Coloureds at Jansenville, Cape;
	8 May 1964:	Group area for Whites at Carletonville, Transvaal;
	5 June 1964:	Group areas for Whites at Athlone, District of Wynberg; for Whites at Southfield, Cape;
	19 June 1964:	Group areas for Whites and Coloureds at Griquatown, Cape; for Whites and Coloureds at Ritchie, Cape;
		化二环基环烷基化苯基甲基 医二氏性坏疽 医阿尔克氏征 化二二二烷二二十二烷 医二苯基二二甲基酚

26 June 1964:

Group areas for Whites and Coloureds at Napier, Cape;

Minister of Planning, Mr. J.F.W. Haak, announced on 10 September 1964 that 771 group areas had been proclaimed for different races in 183 centres by the end of July. These orders required the removal of hundreds of thousands of non-Whites from areas in which they had resided, in many cases, for several generations.

235. The proclamations in Durban alone, issued on 4 October 1963, involved the eviction of nearly 10,000 families. 95 The recent proclamations in Transvaal are designed to resettle virtually all of the 38,000 Indians on the Rand, thus enforcing almost total residential segregation of Indians in the Transvaal. 97

<u>93</u> / ((continued)

24 July 1964: Group areas for Whites at Naboomspruit, Transvaal;

for Whites and Coloureds at Cape Peninsula, Cape;

31 July 1964: Group area for Coloureds at Pietermaritzburg, Natal;

7 August 1964: Group areas for Whites, Coloureds and Indians at

Potchefstroom, Transvaal; for Whites and Coloureds at Calvinia, Cape; for Whites and Coloureds at Heidelburg,

Cape;

28 August 1964: Group area for Whites at Stellenbosch, Cape;

9 October 1964: Group area for Coloureds at Riviersonderend, Cape;

23 October 1964: Group areas-for Whites at Kimberley, Cape; and for Whites

at Waterval-Boven, Cape;

30 October 1964: Group areas for Whites and Coloureds at French Hock, Cape;

and for Whites and Coloureds at Bredasdorp, Cape;

13 November 1964: Group areas for Whites at Nigel, Transvaal; and for Whites

and Coloureds at Sutherland, Cape.

94/ Cape Times, 11 September 1964.

The New York Times, 7 October 1963. A deputation of persons of Indian and Pakistani origin from Cato Manor, Durban, complained to the Minister of Community Development, Mr. P.W. Botha, on 21 November 1963, that although their community made up only a tenth of the non-African population, it had been obliged to make nine tenths of the sacrifices under the Group Areas Act. They stated that 125,000 persons of Indian and Pakistani origin had been affected, compared with 4,000 Whites and 10,000 Coloureds. Rand Daily Mail, Johannesburg, 22 November 1963; Cape Times, 22 November 1963.

96/ The term "Indian" is commonly used to refer to people of Indo-Pakistani origin.

97/ The Star, weekly, Johannesburg, 5 October 1963.

236. The declarations, as a rule, reserve the central areas of the towns to Whites, and require the relocation of non-Whites in communities on the outskirts with buffer zones separating each community from the other. The non-Whites lave repeatedly complained that such moves ruin their businesses and necessitate long journeys to work. 98/

237. Relatively few Whites are affected by group areas proclamations. 29/

258. The group areas declaration for Standerton, issued in March 1964, reserves the central area for the Whites and requires the Indians and the Coloured people to move about a mile from the town centre. Four hundred Indian families, some of whom settled there seventy-five years ago, are affected. They claimed that the move would mean complete ruin for their trade, as their White customers are not likely to go to shop in the segregated area. 100/

239. A ten-block area in the centre of Stellenbosch, the home of 2,000 Coloured people, was declared a White area in August 1964. Coloured people had lived in this area for about two centuries. A spokesman for the Coloured community said that the decision affects, in addition to the homes, six schools (including the only Coloured secondary school in the area), four churches, a mosque, a cinema and about ten shops and businesses. The order was reported to have embittered the Coloured community.

Mr. S. Lotter, a delegate to the annual conference of the Trade Union Council of South Africa, proposed on 14 April 1964 that the Government should consider paying a travelling allowance to non-White workers who were forced to live long distances from their jobs through the implementation of the Group Areas Act. He pointed out that the train and bus fares represented a serious hardship to lower income groups. Cape Times, 15 April 1964.

An exception was Residencia, a town 12 miles from Vereeniging, with a population of 2,000 Whites. The town was proclaimed a White area in 1962, but the residents protested because there was no buffer between it and Evaton with a population of 65,000 Africans. The Cabinet decided in August 1964 to buy out Residencia and declare it a non-White area. The Chairman of the village council commented: "The Cabinet's decision is generally welcome, but by many with tears in their eyes because of the deep roots they will have to pull out so painfully." Cape Times, 14 August 1964.

^{100/} Cape Times, 2 April 1964.

^{101/} Cape Times, 14 and 15 September 1964.

240. The Indian and Coloured communities of the three Eastern Transvaal towns of Belfast, Dullstroom and Machadodorp became "displaced" persons as a result of a group areas proclamation designating the three towns as all-White. The Department of Community Development said that no group areas were being proclaimed for Coloured people and Indians because there were so few of them. 102/Waterval Boven was also declared White and no area was set aside for the Indians who had cettled there thirty years ago.

241. The residents of District Six of Cape Town had expected the area to be declared a Coloured Group area as a result of a public investigation held on 29 January 1962, but an order for reinvestigation of the area, issued in Murch 1964, aroused serious concern in the community. Dr. M.A. Ebrahim, chairman of the Workers' Civic League, said on 6 March 1964:

"This whole area has been the cradle of the Coloured people for 300 years. If it is declared White, the losses to the Coloured people will be very great indeed.

"The adjority in the area are hard-working people who live near their place of employment. If they are forced to move they will suffer economically.

"It is a fact that where an area has been declared anything but a non-White area, the non-White properties are bought for next to nothing.

"However, when they are forced to move to a declared area, the prices of land are fantastically higher than the municipal or market valuation.

"If people are forced to move from this area, it means they will lose their places of worship, their mosques and their schools - guite a few of which have been started with the money of the people.

"This area has always been a multi-racial area where everybody has lived together in harmony." 103/

^{102/} The Star, weekly, Johannesburg, 27 April 1964.

^{105/} Cape Times, 7 March 1964.

242. Group areas under consideration in the Cape have evoked strong protests from the residents. Both Whites and Colcured people opposed proposals to proclaim group areas in the Faure-Firgrove-Macassar Beach district. A Moslem priest expressed particular concern as Sheikh Joseph's tomb, the most sacred place in South Africa for Moslems, was in the area. $\frac{104}{}$

243. The Schotche Kloof Islamic Brotherhood Society condemned the move to clear the Malay Quarter and Scotche Kloof, Cape Town, of "disqualified persons" as "cruel and inhuman" and charged that it would destroy the "exemplary co-existence" of Moslems and Christians in the two areas. 105/

244. In connexion with reports that an area round Claremont, Cape Town, which includes two mosques, may be declared White, Iman Haron of Claremont said on 6 October 1964 that Malays had lived in the area before the Whites. He added: "Many years ago the Pharach tried to uproot a people, and he ended up in the sea. I wish our honourable Prime Minister would take heed of this." 106/245. In Transvaal, members of the Hindu community observed 15 November 1963 as

"a day of anguish and sorrow in thousands of homes". A statement issued in that connexion said that Indians were entering "a moment of crisis" caused by the Group Areas Act and that it was "a solemn and religious duty to say that mass uprooting of people, no matter what colour, is against all moral and religious scruples". More than 100 Indian school children were caned for having stayed away from classes on that day. 108/

246. Police used police dogs to disperse several hundred Indian women who had come from many parts of the Transvaal to Pretoria on Human Rights Day, 10 December 1963, to present a protest to the Prime Minister on the application of the Group Areas Act. They had carried a memorandum which read in part:

^{104/} Cape Times, 14 and 15 May 1964.

^{105/} Cape Times, 7 October 1964.

^{106/} Cape Times, 16 October 1964.

^{107/} SAPA, 4 November 1963.

^{108/} Rand Daily Mail, Johannesburg, 23 November 1963.

"The ruthless application of apartheid is causing grave concern to our people. Its implementation in the form of group area, job reservation and other measures involves loss of homes, impoverishment and assault on our dignity and self-respect.

"As a woman, I request you to take steps that will restore security to a people whose only 'crime' is colour and race." 109/

247. Several Indians continued to resist orders under the Group Areas Act. In Ventersdorp, three Indians - Dr. Mahmood Motara, Mr. Ebrahim Amodjee and Mr. Bhula Lakhoo - defied a notice to move to a new Indian area in the bare veld outside the town. They served a month's imprisonment and declared on their release in November 1963 that they stood by their convictions even if it meant going back to gaol. Dr. Motara was again sentenced to four months' imprisonment in March 1964 for refusing to vacate his home and consulting rooms. Ventersdorp Indians closed their shops on the day of his conviction.

2. Expulsion of Africans from "White areas"

248. The Government has continued to expel thousands of Africans from the urban areas to the reserves under the influx control regulations which require Africans to obtain permits or exemptions to remain outside the reserves.

249. On 5 November 1963, the Deputy Minister of Bantu Administration and Development, Mr. M.C. Botha, urgently appealed to White employers to help the Department limit the number of Africans in "White areas" to a minimum. He stated that measures would have to be taken against employers if the necessary co-operation was not obtained. 111/

250. On 28 January 1964, the Minister of Bantu Administration and Development, Mr. M.D.C. de Wet Nel, stated that in 1963, 3,103 Africans had been endorsed out of the Cape Town municipal area, 660 out of the Cape Divisional Council area and 19,650 out of the Johannesburg municipal area. 112/

^{109/} Rand Daily Mail, Johannesburg, 11 December 1963.

^{110/} Rand Daily Mail, Johannesburg, 19 November 1963 and 10 March 1964.

^{111/} South African Digest, Pretoria, 21 November 1963.

^{112/} House of Assembly Debates, 28 January 1964, col. 403.

251. He told the House of Assembly on 24 January 1964:

"... think of the industrial development that has taken place over those (past) ten years. All that development demands a terrific labour force. It was a miracle that we managed to put a stop to the uncontrolled flow of Bantu to South Africa. We put a stop to it. And the tide has already started to turn. The year before last 100,000 Bantu had already left the White areas. Do you know, Sir, that we have sent back a considerable number of foreign Bantu over the past two years? ... Just think of the 2,000 Rhodesian Bantu whom I removed from the vicinity of Port Elizabeth. Approximately 20,000 foreign Bantu have passed through our border posts, Bantu who will not return to South Africa ... Bantu are daily returning to their own areas ... You have the Mdondtzani project near East London where 60,000 have been resettled in the Bantu area. We are busy with that; we shall shortly start in Pietersburg; there are 180,000 at Durban who will shortly be settled in the Bantu area; Dalmeny 75,000; Pietermaritzburg 38,000; Rustenburg, 9,000; Potgietersrust 6,000 (already settled); Newcastle over 12,000; Pretoria over 50,000. Just think of these few projects, and more are in process of development. That will mean that within the following few years over 550,000 Bantu, from the White areas, will be settled in their own areas." 113/

252. Many of the Africans who are expelled from urban areas as unqualified have been in those areas for long periods and lost contact with the reserves. Frequently, the men are permitted to remain, but the wives are told to leave with their children.

253. The press reported the case of Mr. Charles Dyidi, a 57-year-old African plumber, who had lived for more than fifteen years in Paarl. He was injured while working in a forest outside Gonda and returned to Paarl where he obtained a measure income from miscellaneous jobs. He and his wife were taken to court in April 1964, fined and ordered to return to Cala, his birthplace, where they and their three children would have to share a morgen (about 2.1 acres) of land with nine other persons.

254. The Government is proceeding with its plan to remove Africans from the Western Cape in order to reserve the area for Whites and the Coloured people. 115/

^{113/} House of Assembly Debates, 24 January 1964, cols. 282-83.

^{114/} Cape Times, 22 April 1964.

Over a quarter million Africans are now employed in this area. The Government reiterated that the removal would be accomplished gradually without dislocation of the economy.

255. While the Government has been "endorsing out" Africans in pursuance of this plan, however, the number of African workers has actually been increasing as a result of industrial expansion and new construction. Migrant workers, without families, are substituted for these resident for many years.

256. Dr. Oscar Wollheim, chairman of the South African Institute of Race Relations, Cape Western Region, in a statement on 23 July 1964, warned of the consequences of this situation:

"The institute is gravely concerned about the growing restlessness of the African population of the Western Cape.

"It cannot be expected that people with no security of tenure and liable to be removed at any time should develop a sense of responsibility towards and a stake in their environment and the community of which they are a part.

"Figures which have been quoted recently indicate that 3,103 Africans were endorsed out of the Cape Peninsula in 1963.

"In the first five months of 1964, 2,250 Africans were introduced into the same area - which works out at about 5,400 a year.

"If you are going to need 5,400, why send 3,103 home! All this travelling is at the expense of the African himself who is the lowest paid person in the whole economy.

"Very many of those endorsed out were living and working here with their families. They are replaced by 'single' migrants on contract.

"Or they themselves, after going through a cumbersome and long-drawnout administrative procedure, may get permission to come back on a contract basis without their families.

"All this effort is not reducing the African population of the Western Cape which is, in fact, increasing as the demand for labour from commerce, industry and agriculture increases.

"The only difference is that the disparity of numbers between African men and women is increasing and has now reached the dangerous figure of about seven to two in the Cape Peninsula.

"The Medical Officer of Health of the Cape Town City Council has reported that the number of illegitimate African births has exceeded legitimate African births in the peninsula in the past three years.

"In this situation, without the steadying influence of their wives and children and a home environment, men can easily turn to violence in their frustration.

"The Government's policy of removing Africans from the Western Cape is manifestly impossible of achievement, but the attempts to implement this policy are resulting in ever-increasing social and economic disruption both in the Cape and in the 'homelands'". 110/

3. Removal of "Black Spots"

257. The Government has continued its efforts to eliminate "black spots" (African owned land outside the reserves).

258. The Government recently ordered 280 members of the Bapedi tribe to move from the Dornkop farm about twelve miles from Middleburg in Eastern Transvaal, to farms in Sekukuniland. The Bapedi who had bought the land in 1905 and built schools, churches and a cemetery, refused to move and the Government decided to expropriate the land. The Chieftainess of the tribe, Miriam Ramaube, refused to hand over the books relating to the ownership of land to the Bantu Affairs Department: she said that the books belonged to the tribe and that the tribe had asked her not to hand them over. In May 1964, she was given a suspended sentence on condition that she hand over the books.

C. ESTABLISHMENT CT COUNCILS AND COMMITTEES FOR NON-WHITE RACIAL GROUPS

259. To counteract criticism that the policy of apartheid denies any place in the Government of the country to Indians and the Coloured people, as well as the Africans in the White area, the Government has proceeded to establish separate advisory and administrative bodies for these racial groups. These bodies are now partly or wholly nominated by the Government, and are purely advisory, but it has indicated that they would become elective and would gradually be endowed with legislative powers. The Government claims that by instituting elections on

^{115/} Cape Times, 24 July 1964.

^{117/} Cape Times, 23 April 1964; Rand Daily Mail, Johannesburg, 21 May 1964.

universal franchise for these bodies, it would satisfy the desire for "one man, one vote" in separate racial spheres. White control would be retained as the electoral roll for Parliamentary elections would remain almost wholly White. 260. The major non-White political organizations have strongly opposed the establishment of segregated councils as designed to facilitate the imposition of apartheid, and their supporters have boycotted these councils. 261. The Government, however, has proceeded with its plans. A Coloured Persons Representative Council Act was passed during the year and a National Indian Council was set up. The first urban Bantu local council was established. These and other developments are briefly reviewed below.

1. The Coloured Persons Representative Council Act of 1964 (Act No. 49 of 1964)

262. The Coloured Persons Representative Council Bill was introduced in the House of Assembly on 26 February and was promulgated on 26 May 1964. It provides for the establishment of a Coloured Persons Representative Council in the place of the present Council for Coloured Affairs.

263. The declared intention of the Government is to establish the Council to care for the special interests of the Coloured population while retaining only token representation for them in Parliament through White members. Prime Minister Dr. Verwoerd told the House of Assembly on 21 January 1964:

"Our policy is that there will be a Coloured Legislative Council which will care for the interests of the Coloureds; the leaders ... will form an executive body. This Council will deal with matters affecting the Coloureds only. The other matters, affecting the country as a whole, will be dealt with by this Parliament as it is constituted at present, and the representatives of the Coloureds will remain White, as they are now. That is our policy." 119/

264. The Minister of Coloured Affairs, Mr. P.W. Boths, stated on 10 April 1964 that the object of the Bill was to establish "s representative Coloured council for the Republic which, with its executive committee, can be the mouthplece of the Coloured population; which can serve as a means to consultation between the Republican Government and the Coloured population, and can serve as an instrument

^{118/} The Act came into operation on 2 October 1964. Government Gazette, 2 October 1964.

^{119/} Rouse of Assembly Departes, 21 January 1964, col. 71.

by means of which Coloured Leaders in the sphere of local government, education, communal welfare and rural areas can lead and serve their community. "120/ He added:

"I must reject the standpoint that the only basis for proper consultation and goodwill is an equal franchise on the same Voters' Roll ... The safety and good order and progress of South Africa as a State with a Christian character are closely dependent on the continued existence of this White nation with its strong position of power in Southern Africa. The continued existence of the White man is also the best guarantee for the safety and progress of the Coloureds as a minority group in the area of White South Africa." 121/

He described the bill as "a serious attempt along the road which we regard as the only possible one, the road of neighbourliness with diversity and the recognition of each section's rights in its own circle, the preservation of the rights of the Whites, but also the right of emancipation for those who are under our tutelage and who must be taught to assume greater responsibilities towards their own people." 122/

265. The Act provides for the establishment, with effect from a date to be determined by the State President, of a Coloured Persons Representative Council of South Africa with thirty elected members and sixteen members nominated by the State President. Coloured persons who are South African citizens and over the age of twenty-one years, and not disqualified, are entitled to register, on the Coloured voters' list and vote in the elections to the Council.

266. The Council is authorized to advise the Government, on request, in regard to all matters affecting the economic, social, educational and political interests of the Coloured population of the Republic, and generally to serve as a link and means of contact and consultation between the Government and the Coloured population.

^{120/} House of Assembly Debates, 10 April 1964, col. 3999.

^{121/} House of Assembly Debates, 10 April 1964, col. 3994.

^{122/} House of Assembly Debates, 10 April 1964, col. 4003.

^{123/} The Minister of Coloured Affairs stated that the first election to the Council would be held in 1966. South African Digest, Pretoria, 5 March 1964.

267. The Act also provides for the establishment of an executive committee of the Council consisting of five of its members. The Chairman of the executive committee is to be designated by the State President and the four members elected by the Council. The executive committee is to carry out the functions of the Council, except in so far as the making of laws is concerned, while the Council is not in session, and deal with the following matters in so far as they affect Coloured persons:

- (i) finance;
- (ii) local government;
- (iii) education; when he was the state of the second of th
 - (iv) community welfare and pensions; and
- (v) rural areas and settlements for Colcureds.
- 208. The management of finance is assigned to the Chairman. The executive committee is to designate one of its elected members to exercise and perform, on its behalf and under its directions, the powers, functions and duties incidental to each of the remaining four matters.
- 269. The State President may by proclamation in the <u>Gazette</u> confer upon the Council the power to make laws in respect of any of the above five specialized subjects. No bill may be introduced in the Council, however, except with the approval of the Minister of Coloured Affairs, to be granted after consultation with the Minister of Finance and the Administrators. Every bill passed by the Council is subject to assent by the State President. A law assented to by the State President and promulgated by the Secretary for Coloured Affairs would have the force of law as long and as far only as it is not repugnant to any Act of Parliament.

270. The Minister of Coloured Affairs, Mr. P.W. Botha, told the House of Assembly on 10 April 1964 that for the present the Council is to have no powers except to advise the Government at its request. He stressed that the Coloured people were now for the first time being given universal franchise, and added:

"... there can be no objection to the principle of one man, one vote, if it applies to a population group and within its own circle. There can only be objection to the principle of one man, one vote, if it means that the 'one man, one vote' of other population groups is used to decide the fate of a particular population group, in this case the Whites, whose existence in this country guarantees the safety also of the other groups." 124

^{124/} House of Assembly Debates, 10 April 1964, col. 4000.

271. The Bill was opposed by the Opposition parties and the representatives of the Coloured people in the House of Assembly.

272. The United Party opposed the Bill on the grounds that it was another step on the road of "separate development" and that it would estrange the Coloured people from the Whites. The leader of the Opposition, Sir de Villiers Graaff, said that the Bill gave the Coloured people, "the most Westernized group amongst the non-European peoples, a definitely inferior type of council, a council with lesser powers and fewer powers than the Legislative Assembly now being created in the Bantustan, in the Transhei."

273. Mr. A. Ploomberg, a Coloured representative in the House of Assembly, said that the Bill perpetuated the status of the Coloured people as "second rate citizens in their own country". He called on the Government to restore common franchise rights to the Coloured people as ordinary citizens and "enable them to be directly represented in this central Parliament as full citizens of South Africa in common with their fellow Whites." 126/

274. Mr. C. Barnett, another Coloured representative, said that the Bill was "a farce and a mockery" which offered no political future to the Coloured people because political rights, to be of any value had to be rights equal to those of the Whites and entitling them to have a direct say in the country's government. 127/275. Mrs. Helen Suzman (Progressive) said:

"To represent this Bill which gives the Coloured people universal franchise to elect an utterly impotent body (which is what the Coloured Representative Council is) as a worth-while substitute for Common Roll rights to elect members to represent them in this Parliament ... is a hollow sham. The real things that matter to the Coloured people such as group areas, job reservation and things of that nature, will never fall within the province of the Coloured Representative Council. They will only be discussed in this Parliament ... What the Coloured man wants and needs, is exactly the same as the White man wants and gets in South Africa. In other words, education, free, compulsory and universal, so that their children may be able to develop, to the greatest possible extent, their

^{125/} House of Assembly Debates, 30 April 1964, col. 5228.

^{126/} House of Assembly Debates, 30 April 1964, col. 5250.

^{127/} Address to the Institute of Citizenship, reported in Cape Times, 15 May 1964.

potential abilities. Secondly, unrestricted economic opportunity so that they may thereafter use their training and their ability to the greatest possible extent. Thirdly ... real political power which will mean something to them; that means a vote on the Common Roll for the Parliament that makes the laws that govern the lives of these people." 128/

276. The Bill was also criticized by many Coloured leaders outside the Parliament. Mr. M.D. Arendse, a member of the Council for Coloured Affairs, said:

"While the Bill purports to give some legislative authority to the proposed new Representative Council, such power will be so restricted and hamstrung that the council will not be able to initiate legislation, let alone assist legislatively.

"In fact the Bill, as it stands, will confer virtual dictatorial powers on the Minister of Coloured Affairs, enabling him firmly to control the new Council and indirectly all aspects of the life of the Coloured people, from the cradle to the grave." 129/

277. Mr. Norman Daniels, a Coloured member of the Cape Town City Council, said:

"The Coloured people have never asked for a separate parliament, advisory or otherwise.

"The Coloured people have shown their strong feelings against the present Council for Coloured Affairs by boycotting the so-called elections for the Council. I am sure the same thing will happen when people are asked for a separate Coloured 'parliament'." 130/

273. Mr. Barney Desai, President of the Coloured Peoples Congress of South Africa, stated before the delegation of the Special Committee on 13 April 1964 that the Bill was a "fraud" and "just a matter of constitutional hocus pocus". 131/

2. Establishment of a National Indian Council

279. The Government has also set up an advisory body for people of Indian and Pakistani origin.

^{128/} House of Assembly Debates, 14 April 1964, cols. 4208-9.

^{129/} Cape Times, 15 April 1964.

^{130/} Cape Times, 15 April 1964.

^{131/} A/AC.115/L.65.

280. The Minister of Indian Affairs, Mr. W.A. Maree, announced on 25 November 1963:

"It is the intention, in accordance with Government policy, to establish in the course of time a representative Indian council which will eventually consist of elected representatives with legislative and administrative powers in all matters affecting directly the Indian community...". 132/

281. Representatives of the community refused to co-operate, 133/but the Government arranged a conference of senior officers of the Department of Indian Affairs and about 100 "delegates" 134/in Pretoria on 10 and 11 December 1963 as an initial step towards the creation of a consultative machinery.

282. The Minister of Indian Affairs told the conference that he had invited them as democratically elected leaders of the Indian community could scarcely be found because of "agitation, intimidation and internal strife" and as there was a "dire need for consultation". He continued:

"If the required co-operation is still withheld it will not mean that I shall refrain from going ahead with the task entrusted to me. But I shall do so as I see fit and nobody will be entitled to accuse me then of taking matters into my own hands without first having consulted you."

The Minister warned the people of Indian and Pakistani origin that the Government had difficulty in engendering an adjustment of outlook among its followers "who for many years were used to saying that the Indians are a foreign people who should go back to their countries of origin". 135/

Among matters upon which the council would be consulted were: (1) How it could be developed into an elected body "with powers to legislate and administer"; (2) Improvement of school facilities; (3) Establishment of local government "for Indians and by Indians in their own cities, towns and residential areas"; (4) Giving Indians a share in industrial development; (5) Establishing Indian-run hospitals; (6) Care for the aged and infirm; and

(7) Creation of more employment facilities. Ibid.

^{132/} SAIS, 25 November 1963.

^{133/} The Transvaal Indian Congress declared, for instance, that "no self-respecting Indian will serve on a body designed to implement apartheid". (Reuters, 10 December 1963).

^{134/} The Minister of Indian Affairs stated that it had been decided to invite persons who had proved by their actions that they had the interests of the community at heart. Rand Daily Mail, Johannesburg, 13 November 1963.

Southern Africa, London, 20 December 1963. Mr. Maree said the proposed council could "pave the way for an eventual democratically elected council," which in time would control those affairs of the Indian community that might be delegated to it by Parliament.

283. The Conference was reported to have accepted the Government's plans for the formation of a National Indian Council. 136/ 284. On 3 February 1964 the Minister announced the establishment of a National Indian Council of twenty-one members (to be increased to twenty-five) as "purely an administrative arrangement to provide the machinery for contact between the Government and the Indian community. In due course, and after necessary consultation, legislation will be introduced for the creation of a statutory council." He added that the establishment of the Council created an official link between the Government and the Indian community and showed "proof of the Government's willingness and desire to cater for the needs of Indians in the same way as the needs of other sections of the population are being catered for" 157/ 285. Mr. J.H. van der Merwe was appointed Chairman of the Council. 286. The first meeting of the Council was held in Cape Town from 23 to 25 March 1964. The Minister told the Council that it "will go a long way towards relieving the frustration which might have existed in the past". He added that if Indians felt frustrated they might well ask to what extent their plight was due to the reckless and irresponsible words and actions of some of their compatriots. 138/

287. The National Indian Council has had little support from the Indian community. 288. Mr. R.N. Bhoolia, vice-president of the Transvaal Indian Congress said in February 1964: "The National Indian Council is worthless and is an attempt to give false hopes to our people. The Indian people will never accept apartheid and have always regarded themselves as an integral part of the South African population. The only acceptable solution is to put us on a general voters' roll - not to separate us. 139/

Control of the Contro

ou de republicación e Marcóp) o planificado dos que estas de la cilibración e qual todo e

tariki demakat goratu ke armi kirika da mili bebera 1914, agrik bala mehiliba (armidi armiki armiki armika 191

g McC - sound firetal a copy decre care to

. The distribution Correctly with state to the second to be provided by the trade (4) of the option to the add The contraction of the Barton of Michigan with Chip Control Council across the little in a Mangal state of

^{136/} Southern Africa, London, 3 January 1964.

^{137/} Agence France Presse, 3 February 1964.

^{138/} South African Digest, Pretoria, 3 April 1964.

^{139/} South African Digest, Pretoria, 13 February 1964.

289. He added that the National Indian Council was "a racialist group Council based on apartheid ideologies".

"It can only work within the framework of apartheid. It cannot create any material changes in the position of the Indian community. In the past fifteen years of apartheid many have lost homes and businesses.

"The Council is an instrument of apartheid. The Government is trying to implement its apartheid legislation against the Indians under the guise that some Indians approve of this, thus hoping to mislead world opinion that the Indians in South Africa accept their present position." 140/

290. Three members of the National Indian Council - Mr. Jack Naidoo (Vice-Principal of the M.L. Sultan College, Durban), Dr. B. Rambirith (lecturer at the Indian University College at Salisbury Island), and Mr. A.S. Kajee (businessman from Durban) - were booed by most of about 500 people when they made their first public appearance as Council members at the Merebank Indian Ratepayers. Association. 141/

291. The executive committee of the Cape Peninsula Traders Association unanimously decided to "reject the creation of the Government-sponsored National Indian Council as a representative of the Indian people".

3. Establishment of urban bantu councils and boards

292. The first urban Bantu council was established at Welkom (Orange Free State) on 8 November 1963. The council consists of eight elected and four appointed members representing various ethnic groups. $\frac{143}{}$

^{140/} Sunday Times, Johannesburg, 9 February 1964; quoted in Spotlight on South Africa, Dar es Salaam, 28 February 1964.

^{141/} Cape Times, 1 June 1964.

^{142/} Cape Times, 1 June 1964.

^{143/} South African Digest, Pretoria, 7 November 1964.

293. In Cape Town, however, for the third time in three consecutive years, the City Council was unable to obtain enough interested Africans in the Langa township to enable the Langa Native Advisory Board to function. Notices have been distributed in the township asking for nominations for election to the eight seats, but none had been received. 144/

4. Establishment of consultative and management committees for the Coloured people and Indians

294. Consultative and management committees are being established for the Coloured people and the Indians in segregated communities set up for them under the Group Areas Act. These committees are seen as a prelude to the eventual formation of town councils in these communities. Meanwhile, they are consulted by City Councils on proposals affecting the respective communities, but their advice is not binding.

295. On 14 April 1964, the first Indian Consultative Committee of five members was appointed at Laudium, a township established under the Group Areas Act for Indians evicted from Johannesburg. 145/

296. In Transvaal, the first Coloured management committee of five members was appointed by the Provincial Administrator in September 1964. One of the members refused to accept the appointment. $\frac{14.6}{}$

297. As the Cape Town City Council did not nominate members for the three Coloured management committees in the City, the Provincial Administrator appointed the members $\frac{147}{}$

290. The Minister of Community Development told the House of Assembly on 31 January 1964:

The board is to have twelve members - the chairman and three other members appointed by the Council and eight elected by the residents. To comply with the law, the Council has every year appointed the chairman of its Bantu Affairs Committee and three Africans to represent it on the board. Since the Langa and Sharpeville riots in 1960, possible candidates were reported to have been nervous about public participation in an election for an official consultative body. Cape Times, 10 April 1964.

^{145/} SAIS, 15 April 1964; South African Digest, Pretoria, 24 April 1964.

^{145/} Cape Times, 24 September 1964.

^{147/} Cape Times, 24 June 1964.

"...In the Transvaal two consultative committees were established on 15 October 1963 in terms of the relative ordinance in the Coloured areas of Eersterus at Pretoria and Alabama at Kleksdorp. Approval was also granted in principle for three consultative committees to be established in the Indian areas of Laudium at Pretoria, Lenasia at Johannesburg and Primindia at Brits. In the Cape Province approval in principle was granted for the establishment of three managements committees in the Coloured areas at Bellville, Goodwood and Paarl as well as for ten consultative committees in the Coloured areas at Aliwal North, Forth Beaufort, Fraserburg, Moorreesburg, Piketberg, Prieska, Richmond, Saldanha Bay, Victoria West and Vryburg. The establishment of further committees is being considered." 148/

^{148/} House of Assembly Debates, 31 January 1964, cols. 544-5.

D. OTHER APARTHEID MEASURES OUTSIDE THE AFRICAN RESERVES

299. Meanwhile, the Government has continued not only to implement but to further extend apartheid measures to separate racial groups and restrict interracial communication.

300. Pass laws to control the movement of Africans continue to be enforced and mass raids conducted in African locations. As a result, the average number of Africans in prisons increased to more than 51,000, the highest since 1948. \frac{149}{} 501. The classification of persons under the Population Registration Act continues - Complaints are received from many families in which some members are classified as White and others as Coloured, and from many others who claim to have been wrongly classified and thus subjected to serious difficulties.

302. Prosecutions continue under the Immorality Act of 1957 which prohibits carnal intercourse between members of different groups; 745 persons were prosecuted under this Act in 1963, and 364 convicted. \frac{150}{}

1. Apartheid in education

noted below.

304. Segregation in education is being extended and completed. It was reported that a faculty of medicine would be established at the University College of the North. African students would be enrolled in this segregated institution in early 1965, and would then be barred from the medical schools of the Universities of the Witwatersrand, Cape Town and Natal. 151/

303. A few of the other significant developments in this respect are briefly

305. African pupils are being removed from Coloured schools in Cape Town from 1 January 1965 though African schools are not adequate and the syllabus in these schools is quite different. $\frac{152}{}$

^{149/} Cape Times, 11 June 1964.

^{150/} House of Assembly Debates, 19 June 1964, col. 8638.

^{151/} The Star, weekly, Johannesburg, 9 November 1963.

^{152/} There is only one African High School in Cape Town and no Indian High School. Cape Times, 26 October 1964.

306. In January 1964, when the principal of the Trafalgar High School, Claremont, was told to remove the nine African pupils in the school, 600 of the 650 pupils went on a protest strike. 153/

307. Growing evidence of the falling standards as a result of the segregated education and other reasons has continued to cause concern. The total enrolment of African pupils has increased but the funds devoted to their education have not proportionately increased. While the White children receive free education, the Government grant for African education is set at a fixed amount so that additional funds have to be collected from taxes on Africans.

508. The Minister of Bantu Education, Mr. W.A. Maree, told the House of Assembly, in answer to questions on 4 February 1964, that 1,710,857 African pupils were enrolled in primary schools. Only 53,683 African pupils, however, were in secondary schools, 5,720 in vocational and technical schools, and 630 in university colleges. Of the total number of African pupils, only 2.27 per cent were in Standard VII and 0.06 per cent in Standard X. 151/

309. The Minister stated on 29 May 1964 that of the 211,629 African children who began school in 1951, only 19,970 reached high school and only 1,040 reached matriculation in 1963.

310. Though the non-Whites constitute a large majority of the population, there were only 3,682 non-White students in the universities in 1963 compared with 45,705 White students. $\frac{156}{}$

2. Apartheid in employment

511. Job reservation, intended mainly to reserve certain professions to Whites, continues in force.

^{153/} Cape Times, 26 October 1964.

^{154/} House of Assembly Debates, 4 February 1964, cols. 713-14.

House of Assembly Debates, 29 May 1964, col. 6850. Mrs. Suzman commented that this drastic fall was caused by several factors: children being taken away from school at an early age so that they can earn money to augment the family income; the drastic weeding-out through denial of continuation certificates; and a serious scarcity of accommodation in high schools. Cape Times, 30 May 1964.

^{156/} The non-Whites included 1,471 Africans, 1,428 Asians and 783 Coloured. Replies to questions by the Minister of Education, Arts and Sciences in House of Assembly Debates, 18 February 1964, col. 1492.

- 312. A Government Gazette Extraordinary issued in October 1964 reserved all supervisory and control jobs and some skilled jobs in the motor assembly industry to Whites. It laid down a minimum percentage of Whites who must be employed in the motor assembly industry: the percentage varies between twenty and sixty-five in different towns. 157 It is reported that at least 150 Coloured and Indian workers at an assembly plant in Durban may be dismissed as a result of this order. 158/
- 313. Some of the results of job reservation are disclosed in information provided by the Minister of Transport in answer to two questions in the House of Assembly:
 - (a) In the Road Motor Transport Service, 1,222 White drivers are employed but no non-White is employed as a driver. $\frac{159}{}$
- (b) In the Railways Administration, all skilled jobs are held by Whites. $\frac{160}{314}$. Job reservation was again criticized at the annual conference of the Trade Union Council of South Africa on the ground that one racial group was being favoured at the expense of others. The conference unanimously passed a resolution to petition the Government to end job reservation. $\frac{161}{}$
- 315. Opening the congress of the Co-ordinating Council of South African Trade Unions on 7 November 1963, the Deputy Minister of Labour, Mr. Marais Viljoen, said that the Government would not relax the job reservation laws despite the scarcity of manpower. $\frac{162}{}$
- 516. The Local Road Transportation Board of the Cape decided on 25 July 1963 that White taxi owners could employ only White drivers who could carry only White passengers and that Coloured taxi owners could employ only Coloured drivers who could carry only Coloured passengers. More than 100 Coloured taxi drivers

^{157/} Cape Times, 20 October 1964.

^{158/} Cape Times, 30 October 1964.

^{159/} House of Assembly Debates, 25 February 1964, col. 1919.

^{160/} House of Assembly Debates, 28 February 1964, cols. 2146-47.

^{161/} Cape Times, 16 April 1964.

^{162/} Cape Times, 8 November 1964.

were dismissed in Cape Town as a result of this regulation. 163/The decision, moreover, caused legal confusion as the Cape Town municipal regulation required taxi drivers to carry any passengers if requested to do so.

317. The decision of the Local Road Transportation Board was appealed both by the drivers and by taxi owners who complained of difficulty in finding White drivers. The National Transport Commission decided on 27 April 1964 that White taxi owners may employ Coloured drivers so long as only passengers of the owner's race were conveyed. $\frac{164}{}$

318. Several taxi drivers were arrested on 19 May 1964 for violating the regulations and a spontaneous strike of taxi drivers took place. The charges against those arrested were subsequently withdrawn. $\frac{165}{}$

319. Five taxi operators were ordered to appear before the Local Road Transportation Board to show cause why their certificates should not be cancelled or suspended for violating the regulation. Their attorney, Mr. S.L. Gross, argued that it was difficult for a driver to decide in a fraction of a second which race the prospective passenger belonged to. He said "the driver must take a decision which in higher circles is causing great difficulty." The Chairman of the Board, Mr. J.H. Lasky, warned the taxi owners that it was their responsibility to watch the drivers and be on the look-out all the time. 166/

Apartheid in sports

320. The Minister of Interior, Senator Johannes de Klerk, reaffirmed the Government's position, stated in 1962, that it would not approve South African teams composed of White and non-White sportsmen competing abroad or foreign teams

Cape Times, 22 November 1963. Taxi apartheid began to be introduced in Cape Town as early as 1950, when the policy was laid down that holders of existing taxi licences would be allowed to carry both White and non-White passengers, but new applicants for licences would be allowed to carry passengers of only one racial group unless they gave good reasons for exemption. Very few new licences were granted since that time for the conveyance of all races. Cape Times, 12 June 1964.

^{164/} Cape Times, 28 April 1964.

^{165/} Cape Times, 20 and 30 May 1964, 2 and 12 June 1964.

^{166/} Cape Times, 13 June 1964.

so composed entering South Africa. Separate teams of different racial groups from South Africa may compete with any team abroad. Within the Republic, however, Whites must compete only against Whites, and non-Whites against non-Whites. 167/321. The South African Press has reported that the Minister intends to introduce the Protection of Race Relations Bill to enforce rigid apartheid in virtually all cultural, sporting and entertainment fields.

322. In June 1964, the South Africa Athletic Union sent a contingent of nine White and two non-White athletes to Europe, but the President of the Union, Mr. Matt Mare, made it clear that they were not being sent as a South African team and that "the Whites will represent the Whites of South Africa and the non-Whites the non-White population".

323. The segregation in sports has led to international protests. Protest demonstrations took place in London, Oslo and other cities when South African athletes appeared in international competitions. The invitation to South Africa to compete at the eighteenth Olympic Games in Tokyo was withdrawn in August 1964 as the South African Olympic Committee declined to dissociate itself publicly from the Government's policy of banning interracial sports events.

324. The International Football Federation (FIFA) decided on 8 October 1964 to suspend South Africa indefinitely because of its apartheid policy. A proposal to expel South Africa was also presented at the meeting of the International Amateur Athletic Federation Congress in Tokyo on 22 October 1964, but it was rejected by 145 votes to eighty-two.

4. Apartheid in scientific organizations

325. Mr. Jack Basson (United Party) said in the House of Assembly that scientists were worried about the Government circular sent to scientific organizations in 1962 warning them that grants-in-aid would be withdrawn if they did not follow the Government's policy of racial separation. Most of the seventeen scientific organizations in the country had no non-White members: only about fourteen of a

^{167/} Associated Press, 21 October 1964.

^{168 /} Cape Times, 9 June 1964.

total membership of about 14,000 were non-White. But many of them were also affiliated to organizations abroad, and scientists were exceedingly worried that the Government's policy could lead to further isolation from the rest of the world. 169/

326. The Minister of Education, Arts and Sciences, however, declared that the Government would not deviate from its policy that associations should arrange their affairs separately for Whites and non-Whites and that the necessary contact should be created only at their highest level by way of affiliation, federation or other means. Subsidies for the financial year 1964-65 would be paid as previously, but would not be renewed after that year to associations which did not give effect to the Government's policy. 170/

327. Prof. W.J. Talbot, Secretary of the Royal Society of South Africa, said that seven societies had decided not to alter their constitutions: one had decided not to reapply for a grant and six were adopting a "wait and see" attitude. $\frac{171}{}$

5. Apartheid in recreational and cultural facilities

323. The imposition of apartheid in the beaches, libraries, recreational facilities and civic buildings in Cape Town is indicative of the Government's anxiety to hasten maximum separation of the races.

329. In January 1964, the Administrator of the Cape, Mr. Malan, gave notice to the Cape Town City Council that unless it put up notices by 22 February 1964 that certain beaches were reserved for Whites, he would be compelled to act in accordance with the Separate Amenities Ordinance of 1955 and put up notices at the cost of the Council. 172/The Council, however, could not designate alternate beaches for non-Whites because the whole question was "bedevilled by the Group Area Act" and available areas were reserved by the Government for other purposes. The deadline was extended pending further discussions.

^{169/} House of Assembly Debates 13 May 1964, cols. 5959-60.

^{170/} House of Assembly Debates, 14 May 1964, col. 5989

^{171/} Cape Times, 23 May 1964.

The Department of Community Affairs had ruled that non-Whites could no longer use several beaches which had been traditionally used by them because they were in White group areas. The deadline was subsequently extended pending further discussions. Cape Times, 1, 8, 10 and 25 April 1964.

^{175/} Cape Times, 28 May 1964.

- 350. The Administrator warned the City Council on 12 April 1964 that, unless it introduced apartheid in all the libraries, as contemplated by the Provincial Library Service Ordinance No. 4 of 1955, by 1965, the subsidy for free library services would be withdrawn.
- 331. The Department of Housing, the approval of which is required for the construction of new civic buildings in "group areas" has usually insisted that such buildings be for one race only. Cape Town's plan for a Civic Hall and Library at Three Anchor Bay was approved only on such a condition. Members of the City Council protested that this policy requiring the duplication of civic halls and amenities, made costs prohibitive.
- 332. The Administrator of the Cape also announced that the proposed opera house on the Cape Town Foreshore would be reserved only for the Whites. This aroused strong opposition from many organizations and individuals who pointed to the great interest of the Coloured people in the opera and their significant contribution to opera in South Africa. 175/

6. Curtailment of inter-racial communication

333. The Government is using all its powers to curtail inter-racial communication except at the level and in the form approved by it.

prime Minister Verwoerd on 8 September 1964 that Whites had no right to interfere in the politics of non-White racial groups which were being granted separate councils. He referred in particular to the activity of the Progressive Party. 176/335. Permission was refused for a Progressive Party meeting at Genadendal in the South Cape Coloured Representatives' Constituency, where the Party ran a candidate to the Provincial Assembly. The Secretary for Coloured Affairs stated that parties led or controlled by Whites would not get permission for such meetings. 177/336. The Government is reported to be planning legislation to prohibit political parties controlled by Whites from taking part in elections for non-White Councils

^{174/} The Cape Town City Council had provided separate facilities in most libraries, but not yet in the Central Library. The library service is heavily dependent on subsidy. Cape Times, 18 April 1964.

^{175/} Cape Times, 15 and 16 June 1964.

^{175/} Cape Times, 9 September 1964.

^{177/} Cape Times, 11 September 1964.

or engaging in political activities in non-White communities. Individual White candidates will, however, be allowed to participate if nominated by non-White parties, as only Whites can represent the Coloured people in the Parliament and the Cape Provincial Council. $\frac{170}{}$

337. Both the Progressive Party and the Liberal Party, which admit non-White members, denounced the proposed move.

358. The Prime Minister reaffirmed on 23 April 1964 that Government officials would not attend multiracial parties given by the Diplomatic Corps. 179/

339. The Minister of Defence said on 7 April 1964 that members of the Defence Force had been told not to accept invitations to multiracial social gatherings, including the National Day celebrations where one gathering was arranged for Whites and another for all races. $\frac{180}{}$

E. DEVELOPMENTS IN THE TRANSKEI AND OTHER AFRICAN RESERVES

340. In its report of 13 September 1963, the Special Committee analysed the moves to establish limited self-government in the African reserve of Transkei as a step towards the creation of a series of "Bantustans". It pointed out in conclusion: 181/

"These moves are engineered by a Government in which the African people concerned have no voice and are aimed at the separation of the races and the denial of rights to the African population in six-sevenths of the territory of the Republic of South Africa in return for promises of self-government for the Africans in scattered reserves which account for one-seventh of the territory.

"These reserves contain less than two-fifths of the African population of the Republic, while many of the Africans in the rest of the country are largely detribalized and have little attachment to the reserves.

"Second, the 'Bantustans' were not demanded by African leaders, but were imposed against their wishes. The leaders of the African people are silenced, entry into reserves by Whites is controlled by permit, and, under Proclamation 400, the Transkeians are denied freedom of assembly and speech.

^{178/} The Star, weekly, Johannesburg, 19 September 1964.

^{179/} Cape Times, 24 April 1964.

^{180/} House of Assembly Debates, 7 April 1964, cols. 3737-8.

^{181,} A/5497-S/5426, paras. 144-153.

"Third, the self-government granted to Transkei at present is limited in many ways ...

"Fourth, the scheme aims at reinforcing tribalism and utilizing the tribal system against African aspirations for equality.

"Fifth, the 'national units', made up of scattered reserves, are not economically viable. They do not provide a minimum standard of living even for the existing population of less than four million ... They have few known mineral resources, and they are almost devoid of industries. Their economies depend largely on the export of their labour to the 'White' areas, at the rate of over half a million migrant labourers a year. The Transkei is dependent on Government grants even for its administrative costs ...

"The creation of Bantustans may, therefore, be regarded as designed to reinforce White supremacy in the Republic by strengthening the position of tribal chiefs, dividing the African people through the offer of opportunities for a limited number of Africans, and deceiving public opinion."

1. Elections to the Transkei Legislative Assembly

Jul. Elections to the Transkei Legislative Assembly took place on 20 November 1963. Under the provisions of the Transkei Constitution Act, only forty-five out of the 109 members of the Assembly were elected; the four paramount chiefs and the sixty chiefs of the Transkei, appointed and paid by the Government of the Republic, were automatically members of the Assembly.

342. The Government announced that 880,425 persons - 414,238 men and 466,187 women - had registered as voters. Of the total registered voters, about 610,000 had registered in the Transkei and about 270,000 outside the territory. 182/343. One hundred and eighty candidates were nominated for the forty-five seats. The election contest was mainly between supporters of Chief Kaizer Matanzima, head of Emigrant Tembuland, who supported the policy of "separate development" or apartheid, and the supporters of Paramount Chief Victor Poto of Western Pondoland, who opposed that policy in principle, and called for multiracialism and a more democratic legislature. 183/ The issues in the elections, however, were rather unreal as the Government had made it clear that multiracialism could not be

^{182/} Under the Transkei Constitution Act, all Africans born in the Transkei, all Xhosa-speaking persons in South Africa and all Sotho-speaking persons linked with Sotho elements in the Transkei were regarded as "citizens" of Transkei.

^{183/} For a summary of the main points of the manifestos of Chief Matanzima and Paramount Chief Poto, see document A/5692-S/5621, annex II, foot-note 47.

allowed in the Transkei. Paramount Chief Victor Poto stated that though he was in favour of a multiracial Transkei, he realized that he would not be able to do much to promote it before the Transkei was totally independent.

3th. Moreover, the elections were conducted under a State of Emergency and with many of the most prominent leaders like Mr. Nelson Mandela, Mr. Walter Sisulu and Mr. Govan Mbeki in gaol and others like Mr. Oliver Tambo in exile.

5th. Despite the clear evidence of the Government's support for Chief Matanzima, and the repression against the opponents of apartheid, two-thirds of all the elected seats were won by supporters of Paramount Chief Poto. This was widely interpreted as a repudiation of apartheid by the Xhosa people.

5th. Chief Matanzima, however, was elected Chief Minister on 6 December 1963 by 5th votes to 49, having obtained the support of a large majority of the chiefs 185/A Cabinet of six members was announced on 11 December 186.

2. Establishment of the Democratic Party and the Transkei National Independence Party

347. The two major groups in the Legislative Assembly proceeded to form political parties.

348. On 7 February 1964, the supporters of Paramount Chief Victor Poto formed the Democratic Party and declared that its objects included retention of the Transkei as an integral part of South Africa, together with the development of a non-racial loyalty to the Government of the Transkei, as well as the South African Government. Membership was to be open to all races. The party decided not to link up with any other political party or movement in South Africa.

^{184,} South African Digest, Pretoria, 21 November 1963.

On 7 August 1964, Chief Sigwebo Mhlango, a member of the Legislative Assembly, announced that he was joining the Opposition Democratic Party and stated that he had earlier supported Chief Kaizer because of threats by certain Government officials that he would otherwise lose his rights as a traditional chief. He claimed that most of the chiefs who had supported Chief Kaizer had also been intimidated. Cape Times, 8 August 1964.

The opposition members objected to the appointment of Chief George Matanzima, brother of Chief Kaizer, as Minister of Justice on the ground that he had been struck off from the roll of attorneys on 6 June 1963 by the Supreme Court at Grahamstown which found him guilty of misconduct in the administration of trust funds. The Minister of Bantu Administration, Mr. De Wet Nel, defended Mr. George Matanzima and said that he had paid all his debt back. Southern Africa, London, 24 January 1964; Die Burger, Cape Town, 11 February 1964.

^{187/} The Star, weekly, Johannesburg, 8 February 1964.

Paramount Chief Poto said the objective of the party was "democracy and multiracialism for all in the Transkei and eventually all in South Africa". 188/349. At a conference in April 1964, the party elected Paramount Chief Victor Poto as its leader and Mr. Knowledge Guzana, an attorney, as national chairman. The conference called on the party leaders to seek the repeal of Proclamation 400 of 1960 (the Transkei Emergency Regulations), the abolition of the 90-day detention clause, the repeal of all "discriminatory" laws, the recognition of African trade unions, and the establishment of factories in the territory. 139/350. Paramount Chief Victor Poto called for African representatives in the South African Parliament. He said:

"The partial self-government in the Transkei, what we now have, is only the beginning of our dream to get to the central government."

He added that the present Government in the Transkei had a basic defect: it aimed at further consolidating separate development on the "evil basis" that "directs us to drive away the Europeans with whom we have developed the Transkei". 190/351. In his first speech in the Legislative Assembly, Paramount Chief Poto said that it had always been wrong to separate people, and that segregation had never been accepted by the people, but forced down their throats by the Governments. 191/352. Meanwhile, Chief Kaizer Matanzima announced in March 1964 that his group would be known as the Transkei National Independence Party. He declared that the party would contest any attempt to alter the principle of separate development to one of integrated multiracialism.

353. The programme of the Transkei National Independence Party stated that it recognized the Transkei constitution as its statutory basis, and would only alter the constitution "when it becomes necessary for the more efficient functioning of administrative action". It was convinced that commercial concerns now in the hands of Whites "must progressively be taken over by the Bantu with the co-operation of the Government of the Republic of South Africa". 192/

^{188/} Reuters, 9 February 1964.

^{189/} Cape Times, 6 April 1964.

^{190/} The Star, weekly, Johannesburg, 2 May 1964.

^{191/} Cape Times, 7 May 1964.

^{192/} South African Digest, Pretoria, 26 March 1964.

3. First session of the Transkei Legislative Assembly

354. The Transkei Legislative Assembly was opened on 5 May 1964 by State President Swart who said that after gradual development over the years, the people of the Transkei now had an "all Westernized system of government together with its attendant institutions", and that this was "another important milestone on the road to the development of the Bantu people". He assured the Assembly that the Republic of South Africa would continue to assist the Transkei and that South African civil servants would train their successors to office. 355. The first piece of legislation before the Assembly was the Appropriation Bill for 1964-65. It provided for an expenditure of R15,510,000 (\$21,714,000). 356. The revenue was estimated at R16,126,000 (\$22,576,400) of this, R13 million (\$18.2 million) was the grant from the Government of the Republic and Rl million (\$1.4 million) was to be derived from general tax to be collected by the Government of the Republic from Transkeian "citizens" living or working outside the Transkei. $\frac{193}{}$ The Appropriation Bill was approved on 26 May by 55 votes, with the Democratic Party abstaining from the vote. 194/ 357. Another bill adopted at this session was the Transkei Education Bill. debate reflected the unpopularity of "Bantu education" introduced by the South African Government. Following a series of motions by the members of the Democratic Party, the Legislative Assembly set up a Select Committee and subsequently approved its recommendations that the "Bantu education" syllabus

^{193/} Cape Times, 14 May 1964. The South African Minister of Finance stated in his budget statement in March 1964 that, in addition to the grant to the Transkei, a total of R1,298,000 (\$1,817,200) would be paid to officials of the Department of Bantu Administration stationed in the Transkei.

^{194/} Cape Times, 27 May 1964.

be abandoned and that the official language (English or Afrikaans) of the parent's choice be introduced as the medium of instruction from Standard III. 195/
358. The Assembly also considered several other motions by the Democratic Party. A motion recommending the immediate repeal of Proclamation 400 of 1960 (the Transkei Emergency Regulations) was opposed by the Minister of Justice, who pointed out that the matter was entirely within the competence of the Government of the Republic, and was rejected by 52 votes to 40. 196/
359. Another motion to ask the Republican Government to relax the influx-control regulations which restrict the freedom of movement of the Africans was passed with the agreement of the Chief Minister. Mr. B.S. Rajuili, a Democratic Party member, told the Chief Minister: "Even if it means you must go on your knees and plead, please plead for the relaxation of these nefarious regulations." A third motion that "rehabilitation schemes" be introduced in the Transkei only with consent of the local people, was carried by 1 vote as a number of supporters of

the Government abstained on the vote, or were absent. 198/

^{195/} The Cingo Commission, appointed by the South African Government in 1963, had reported strongly in favour of instruction in the mother-tongue. African educators and parents had complained that such instruction, especially in higher grades, separated Africans on tribal lines and caused a fall in educational standards. They had suggested that instruction in an official language of the Republic be introduced at an early age and that the choice of the official language be left to the parents. Liberal Opinion, Pietermaritzburg, July 1964; South African Digest, Pretoria, 3 July 1964.

Opposition members also criticized the appropriation of R4,176,000 ($\frac{1}{9}$ 5,846,400) for education as inadequate though somewhat higher than the expenditure in the previous year which was R3,832,000 ($\frac{4}{9}$ 5,364,800).

Mr. Knowledge Guzana, national chairman of the Democratic Party, said that it was "a drop in the ocean" considering the population of the Transkei. He suggested that the Transkei should appeal to Western countries for help if the South African Government did not have enough money for a "proper" education system in the Transkei. The Star, weekly, Johannesburg, 9 May 1964.

^{196/} Cape Times, 28 May 1964.

^{197/} Cape Times, 11 June 1964.

^{198/} Liberal Opinion, Pietermaritzburg, July 1964. These schemes for soil conservation have been unpopular as they involved demolition and removal of homes without compensation, compulsory labour and, in some cases, reduction or loss of fields by administrative decision.

4. Developments in other reserves

360. The Government is continuing with efforts to establish "Bantustans" in other African reserves.

361. The Press reported in February 1964 that plans for a "Zulustan" for the 2 million Zulus in Natal had faced resistance, particularly from Chief Gatsha Butheleji and Chief Ntando Magwaza. 199/ Zulu chiefs and leaders protested strongly against a letter received from the Secretary of Bantu Administration and Development in January 1964 indicating that the Zulus had no power "to accept or reject" the establishment of Bantu authorities under the Bantu Authorities Act of 1951. 200/

362. The Minister of Bantu Administration and Development, Mr. De Wet Nel, said on 3 March 1964, in reply to questions in Parliament, that following consultations with the tribes in Natal and Zululand, Ill tribes had asked for the establishment of the authorities, thirty-eight were not in favour and ninety had not yet decided on the matter. 201/ He rejected a referendum on the question of the establishment of a "Zulustan". 202/

363. The Minister stated, however, that his policy was not to impose the Bantu authorities on unwilling tribes. 203/ After the Chief Bantu Affairs Commissioner reiterated this assurance and appealed to Chief Buthslezi and his traditional Council to co-operate with the Government, it was reported that Chief Buthelezi had agreed not to oppose the Bantu authority system. 204/

Guoted in Spotlight on South Africa, Dar es Salaam, 6 March 1964.

Paramount Chief Cyprian was reported to have accepted the Bantustan policy in principle, but faced considerable opposition from the Zulus. At a meeting of the Zulu chiefs in March 1963, Chief Buthelezi, a cousin of Paramount Chief Cyprian, demanded a referendum on whether the people wished to participate in the Bantu Authority system.

^{200/} Cape Times, 12 March 1964.

^{201/} The establishment of local Bantu authorities and a territorial authority for the area is a prerequisite to the establishment of a "Zulustan" on the lines followed in the Transkei.

^{202/} Senate Debates, 3 March 1964, cols. 1674-75; House of Assembly Debates, 3 March 1964, cols. 2323-24.

^{203/} Ibid.

^{204/} Cape Times, 12 March 1964.

364. The Minister of Bantu Administration and Development said on 19 August 1964 that the report of the interdepartmental committee on State lands in Zululand would be available soon and that it would then be possible to decide finally the borders of the Zulu homeland. 205/

365. The Minister was reported to have stated in September 1964 that the next Bantustan would be established in "Tswanaland", a patchwork of reserves near Bechuanaland, within about two years. The Minister indicated that it may be granted self-government even before the various reserves were consolidated. 206/

^{205/} Cape Times, 20 August 1964.

^{206/} The weekly edition of the Johannesburg Star stated on 19 September 1964:

[&]quot;The area known as Tswanaland consists of at least six large and many more small African reserves dotted about the far Western Transvaal and the Northern Cape.

[&]quot;A process of consolidation - often against the wishes of the tribesmen themselves - has been going on for some years, but essentially the areas, inhabited by the Tswana ethnic group, are sprawling, scattered reserves impossible to consolidate completely without radical movement of Whites."

III. DANGER OF VIOLENT CONFLICT

366. The promulgation of legislation closing all avenues for peaceful protest against the Government's racial policies, and the ruthless repressive measures instituted against all opponents of the policies of apartheid, have increasingly persuaded non-White leaders and White opponents of apartheid that the only available and effective means within South Africa for registering protest and securing change was underground activity and violence. The struggle for equality had been carried on in South Africa for many years, and the leaders of the non-Whites showed a strong attachment to non-violent means. From 1961, however, leaders and supporters of the African National Congress and the Pan-Africanist Congress were reported to have rapidly been converted to an acceptance of violence as an inevitable and justifiable element in the struggle as the Government met peaceful demands with force and in view of the danger of the spread of terrorism by isolated groups which would have further intensified racial tension. Since then, other elements seem to have accepted this view. 367. As Dr. Jooste de Blank, until recently Anglican Archbishop of Cape Town, said in January 1964: "Repressive legislation leads to more violence and more repressive legislation until such time as it reaches a pitch when it will have to blow."207/

368. He told the delegation of the Special Committee in London in April 1964:

"What is amazing to the person who lives in South Africa is the continuing patience and the continuing goodwill of the African towards White people in the country where he is exploited and discriminated against day in and day out, month after month, year after year ...

"Unless this legislation can be brought to an end in the foreseeable future, one can look forward to nothing but bloody violence in South Africa. It seems to be unavoidable and inescapable." 208/

^{207/} Quoted in Spotlight on South Africa, Dar es Salaam 25 January 1964.

^{208/} A/AC.115/L.65.

369. It may be recalled that the South African Government alleged that an underground organization called the Poqo, associated with the Pan-Africanist Congress, was responsible for the many acts of violence, including disturbances at Paarl, the killing of five Whites at Bashee Bridge and the attempted violence at Queenstown in 1962. It charged that the Umkonto We Sizwe (Spear of the Nation), organized by leaders of the African National Congress, had organized a large number of acts of sabotage beginning in December 1961. 209/
370. The existence of a new underground organization called the African Resistance Movement (A.R.M.), composed mainly of White liberals, was reported in the summer of 1964. 210/

371. Spokesmen of the Pan-Africanist Congress and leaders of the <u>Umkonto We Sizwe</u> admitted that they had resorted to underground activity, involving sabotage or certain forms of violence, since 1961 by which time the two major African organizations had been banned.

^{209/} The Minister of Justice said on 10 March 1964 that there had been 203 serious cases of sabotage since December 1961. Senate Debates, 10 March 1964, col. 1980.

^{210/} An anonymous caller telephoned the Cape Times on 19 June 1964 and said: "This is the African Resistance Movement - the A.R.M. We have struck our first blow against South Africa." Cape Times, 20 June 1964.

On 22 June, the <u>Cape Times</u> received a circular purporting to come from "the A.R.M." <u>Cape Times</u>, 23 June 1964.

A telephone call to the Press in Johannesburg on 10 September claimed that a fire near Jeppe railway station on 9 September was a reprisal by A.R.M. for the death of Mr. Suliman Saloojee. <u>Cape Times</u>, 11 September 1964.

372. Panafrica, bulletin of the Pan-Africanist Congress published in Algiers, stated on 15 September 1964:

"After Sharpeville, the country sank into silence. All the known leaders of all the liberation movements were imprisoned. However, the Pan-Africanist Congress continued its operations, for a great many of its leaders were not known to the police. Moreover, two years later several high-ranking PAC leaders were released, having served their sentences.

"Slowly, and with the greatest circumspection, the local committees were re-formed. Since the name Pan-Africanist Congress was banned, the PAC called itself the 'Poqo'. Recruitment and preparations were going on everywhere. The centre of preparations was Maseru, the capital of Lesotho (Basutoland), where Potlako K. Leballo, General Secretary of the movement and the Presidential Council, established their headquarters. The PAC decided to launch a full-scale armed attack on the settlers, and, in particular on the gendarmerie stations.

"Unfortunately, the Government discovered the plan and as a result thousands of Africans were arrested. Despite this setback, the PAC succeeded in carrying out several attacks, in the course of which a number of policemen and Government puppets were killed ...

"The 'Pogo' campaign was thus both a victory and a defeat in the struggle for freedom. On the one hand the PAC shook the Government to its foundations and showed that the time for moderation and non-violence was over. On the other hand, the movement lost in this campaign a great many of its finest sons, who were executed or imprisoned.

"What is certain is that the people have not lost heart, that the moderate movements no longer have a place in the South African situation, and that the PAC has survived and is gaining increasing popular support."

373. It may be recalled that many of the accused in the Rivonia trial, including several prominent leaders of the African National Congress, were charged with leadership of the <u>Umkonto We Sizwe</u> and responsibility for acts of sabotage from December 1961. The defendants stated that the <u>Umkonto We Sizwe</u> had been established in 1961 and that it was distinct from the African National Congress though subject to political guidance from the latter. Mr. Nelson Mandela said on 20 April 1964:

"I do not, however, deny that I planned sabotage. I did not plan it in a spirit of recklessness, nor because I have any love of violence. I planned it as a result of a calm and sober assessment of the political situation that had arisen after many years of tyranny, exploitation and oppression of my people by the Whites ...

"Firstly, we believed that as a result of Government policy, violence by the African people had become inevitable, and that unless responsible leadership was given to canalise and control the feelings of our people, there would be outbreaks of terrorism which would produce an intensity of bitterness and hostility between the various races of this country which is not produced even by war. Secondly, we felt that without violence there would be no way open to the African people to succeed in their struggle against the principle of White supremacy. All lawful modes of expressing opposition to this principle had been closed by legislation, and we were placed in a position in which we had either to accept a permanent state of inferiority, or to defy the Government. We chose to defy the law. We first broke the law in a way which avoided any recourse to violence; when this form was legislated against, and when the Government resorted to a show of force to crush opposition to its policies, only then did we decide to answer violence with violence.

"But the violence which we chose to adopt was not terrorism. We who formed Umkonto were all members of the African National Congress, and had behind us the A.N.C. tradition of non-violence and negotiation as a means of solving political disputes. We believed that South Africa belonged to all the people who lived in it, and not to one group, be it Black or White. We did not want an inter-racial war, and tried to avoid it to the last minute ... The hard facts were that fifty years of non-violence had brought the African people nothing but more and more repressive legislation, and fewer rights. It may not be easy for this Court to understand, but it is a fact that for a long time the people had been talking of violence - of the day when they would fight the White man and win back their country, and we, the leaders of the African National Congress, had nevertheless always prevailed upon them to avoid violence and to pursue peaceful methods. some of us discussed this in May and June of 1961, it could not be denied that our policy to achieve a non-racial state by non-violence had achieved nothing, and that our followers were beginning to lose confidence in this policy and were developing disturbing ideas of terrorism ...

"At the beginning of June 1961, after a long and anxious assessment of the South African situation, I, and some colleagues, came to the conclusion that as violence in this country was inevitable, it would be unrealistic and wrong for African leaders to continue preaching peace and non-violence at a time when the Government met our peaceful demands with force.

"This conclusion was not easily arrived at. It was only when all else had failed, when all channels of peaceful protest had been barred to us, that the decision was made to embark on violent forms of political struggle, and to form Winkonto We Sizwe. We did so not because we desired such a course, but solely because the Government had left us with no other choice ...

"We felt that the country was drifting towards a civil war in which flacks and Whites would fight each other. We viewed the situation with alarm Civil war could mean the destruction of what the A.N.C. stood for; with civil war racial peace would be more difficult than ever to achieve." 211/

374. A number of other trials, which are briefly reviewed in this report, show that acts of sabotage were organized all over the country and that the organizers included men and women of all races who had patiently struggled by non-violent means for a long time and were not daunted by persecution.

375. A wave of sabotage followed the conviction of the accused in the Rivonia trial.

376. On 14 June 1964, two days after the sentences in the Rivonia trial, a "pipe bomb" planted at the post office at Vrededorp, a suburb of Johannesburg, blew out the windows and damaged the ceilings of the building. 212/

377. On 19 June 1964, two 100-foot steel pylons in the Western Cape, near Durbanville and at Vlottenberg, were wrecked by dynamite. Another explosion brought down a high-voltage pylon in Sundra, Transvaal. There was another blast near Pretoria. 213/

378. On 22 June 1964, a series of explosions brought down a power pylon on a farm near Stellenbosch, about thirty miles east of Cape Town. $\frac{214}{}$

379. On 3 July 1964, a telephone booth at the Plimville post office was blasted and there was extensive damage to the main building. $\frac{215}{}$

380. The Minister of Justice, Mr. Vorster, said in a statement on 5 July 1964, after extensive police raids and detentions in the main cities, that the police had succeeded in detecting and finding in Johannesburg a very powerful radio transmitter, certain time-bomb mechanisms and related elements which could be used for sabotage purposes. He disclosed on 9 July 1964 that another radio transmitter, 100 lb. of dynamite, and a large variety of other sabotage material had been discovered by the police in Cape Town.

^{212/} Reuters, 15 June 1964.

^{213/} Cape Times, 20 June 1964; The New York Times, 20 June 1964. The Die Burger stated that these two acts of sabotage "are the biggest yet experienced in the Western Cape ... This is the first time that saboteurs have succeeded in blowing up the giant power pylons of Escom". Quoted in The Observer, London, 21 June 1964.

^{214/} Reuters, 22 June 1964; The New York Times, 23 June 1964.

^{215/} The Star, weekly, Johannesburg, 4 July 1964.

^{216/} Cape Times, 6 May 1964.

^{217/} Cape Times, 10 July 1964.

381. On 10 August 1964, railway signal cables were cut between Muldersvlei and Krasifontein in Cape Town and two Coloured men were arrested. 218/

382. On 24 July 1964, a time-bomb in a suitcase exploded on the main concourse of the Johannesburg station and at least twenty-five persons were injured. $\frac{219}{}$

383. The Commissioner of Police, Lieut.-Gen. J.M. Keevy, said on 26 July 1964 that the Security Police had found two secret arsenals and detained forty persons in the previous three weeks and had broken the back of the new sabotage organization, the African Resistance Movement, which was active mainly in the Witwatersrand and Cape Town. 220/

384. Early in August 1964, a time-bomb was thrown into the Matroosfrontein post office in the Cape but failed to explode. 221/

385. On 19 September 1964, saboteurs made unsuccessful attempts to blow up two post offices in Dube and Jabavu, Johannesburg. Explosions occurred in both places but the damage was slight.

386. The Government countered this underground activity and violence by massive repression. It claimed that repression had succeeded in putting down such activity. 387. Statements by the leaders of Opposition parties and others seem to reflect

388. After the judgement in the Rivonia trial, the leader of the Opposition, Sir de Villiers Graaff, expressed concern that the accused men seemed to have had a "significant degree of support from the voteless section of our population. It is my sincere conviction - and I believe it is the sincere conviction of my party - that probably one of the major reasons for the support of this underground, political seething in South Africa is the fact that millions of the people of South Africa are denied legitimate political outlets". He warned that by denying a voice to all racial groups in Parliament, the Government was imperilling South Africa.

some doubts about such claims.

^{218/} Cape Times, 11 August 1964.

^{219/} Cape Times, 25 July 1964.

^{220/} Cape Times, 27 July 1964.

^{221/} Cape Times, 14 August 1964.

^{222/} Cape Times, 21 September 1964.

^{223/} House of Assembly Debates, 15 June 1964, col. 8187.

389. In July 1964, after the raids on hundreds of homes, Sir de Villiers Graaff noted that the homes of a number of very distinguished persons had been raided and asked whether there was an abuse of power by the police or "suspicions of plots involving such important sections of our people that the very existence of the State is threatened". 224/He added:

"The tragic fact is that efficient Security Police and a busy Minister may well not solve our problems till the Government faces the basic facts of the South African situation and asks itself why these underground activities are getting the alarming measures of support they appear to have done from both Black and White." 225/

- 390. Moreover, while the Government claims that it has the situation under control, its statements and actions imply that the danger has not passed.
- 391. The Minister of Justice stated on 10 March 1964 that a large number of persons had left South Africa for training in sabotage and were trying to return. Estimates of those who had left varied from 900 to 5,000. More than 150 had been caught on their return.
- 392. Police were said to have been troubled by many of the detainees who had elected to stay in jail rather than answer any questions. $\frac{227}{}$
- 393. Finally, many observers, as indicated below, have stated that the danger of wiolence would exist so long as the Government's racial policies continued.
- 394. After the explosion at the Johannesburg Station, Mr. B. Zackon, Chairman of the Cape Branch of the Liberal Party, issued a statement reaffirming the Party's condemnation of violence as a solution to the racial ills of the Republic, and adding:

"Until the Government changes its policies, or the voters change the Government, we fear these irresponsible protests will continue and no amount of police action will stop them." 228/

^{224/} Cape Times, 6 July 1964.

^{225/} Cape Times, 13 July 1964.

House of Assembly Debates, 10 March 1964, col. 1938. Commanding General P.H. Grobbelaar said in a broadcast in September 1964 that the South African Defence Force had intensively studied guerilla warfare since 1956 and could ensure that guerillas would not meet with the same success in South Africa as they had in some other countries. Spotlight on South Africa, Dar es Salaam, 2 October 1964.

^{227/} Cape Times, 13 July 1964.

^{228/} Cape Times, 28 July 1964.

- 395. The Chief Rabbi, Israel Abrahams, said in Cape Town that the "outrage" had taken place "only since peaceful protests of non-White organizations have been outlawed and no heed paid to Opposition criticisms" and appealed to the Government "to institute discussions with freely elected representatives of all sections of the community before more outrages of this kind finally ruin all hopes of a peaceful solution to the race problems of South Africa". 229
- 396. The Cape Western Region of the Black Sash also reiterated its abhorrence of violence and said that the cause of the incidents of sabotage and terrorism was the "repeated refusal by successive Governments to redress basic injustices and the indignities suffered by the vast majority of the people in this multiracial South Africa". 230/
- 397. Another source of serious concern during the period under review has been the evidence of intimidation and violence by private individuals and groups against opponents of the policies of apartheid.
- 398. Several acts of intimidation have been reported at the University of Cape Town.
- 399. On 17 October 1964, shots were fired through the windows of the homes of Mr. Peter Hjul, banned chairman of the Liberal Party in the Western Cape, Mr. Fred Carneson, banned former editor of New Age, and Mr. R. Tabakin. All three asked for police protection. 231/
- 400. There has also been considerable evidence of activity by South African vigilante groups in neighbouring territories. The Forward (October 1964) gave the following list of incidents in these territories in the previous year:

"On 11 August 1963, Kenneth Abrahams, a 26-year-old Coloured doctor from Cape Town, was kidnapped in Bechuanaland, while on his way from Ghanzi to Lobatsi.

"On 29 August 1963, a chartered East African Airways Dakota, chartered to fly fugitives Arthur Goldreich and Harold Wolpe from Francistown, was mysteriously blown upon on the airstrip.

"On 26 July 1964, the new refugee centre, known as the White House, two miles from Francistown, was blown up.

^{229/} Ibid.

^{230/} Ibid.

^{231/} Cape Times, 19 and 20 October 1964.

"On 10 August 1964, Mrs. Rosemary Wentzel disappeared from her home in Big Bend, Swaziland, and was later detained by the police at Ermelo, Transvaal and held under the 90-day law.

"On 28 August, Dennis Higgs, former lecturer at the University of the Witwatersrand, was forcibly taken from his house at Lusaka, and left bound and gagged in a motor van at the Zoo Lake, Johannesburg, where he was arrested by the Security Police."

The paper added:

"Mystery telephone calls to Johannesburg newspapers by a man who claimed to be the leader of the group which kidnapped Higgs, said it was 30 strong, had no name, and operated from the Protectorates.

"Whoever they are, the kidnappers and wreckers have displayed an uncanny insight into police investigations and a remarkable knowledge of persons wanted by the Security Police.

"Not until Higgs was kidnapped did the public know that he was on the list of police suspects in connexion with recent alleged acts of sabotage.

"It is obvious that there exists a highly organized, well-informed, expertly trained, abundantly financed 'cloak and dagger' group, dedicated to act against alleged saboteurs and refugees in areas beyond the normal scope of the South African police."

401. It may be noted that no person is reported to have been arrested in connexion with the above incidents.

IV. BUILD-UP OF MILITARY AND POLICE FORCES

402. In its previous reports, the Special Committee has reviewed the tremendous expansion of military and police forces in South Africa to meet the grave situation caused by the imposition of the policies of <u>apartheid</u> and indicated that this expansion is itself likely to have serious international repercussions.

403. The build-up of military and police forces has continued during the period under review.

404. State President C.R. Swart declared in his opening address to Parliament on 17 January 1964:

"It is gratifying to be able to mention that the programme to equip our Defence Force is proceeding according to plan, and that defence research and local production of defence requirements are progressing satisfactorily... It is also encouraging to note that the expansion of the Defence Force enjoys the general support of the nation." 232/

405. Although the Minister of Finance, Dr. T.E. Donges, claimed on 17 September 1963 that South Africa could cope with any "Army of Liberation" which did not receive financial and military support from at least two great Powers, 233/ the defence budget was greatly increased in 1964-65.

406. Defence expenditure has almost quintupled since 1960-61 when the large-scale expansion of military forces and purchase of modern equipment commenced, and now far exceeds the expenditure incurred in the years of the Second World War.

407. A document entitled "White Paper on Defence, 1964-65", tabled by the Minister of Defence in the House of Assembly on 3 June 1964, indicated that this expansion followed a military appreciation made in 1960 of the possible threat to South Africa's peaceful existence and safety "as a result of unsettled world conditions".

Africa's peaceful existence and safety "as a result of unsettled world conditions" The Government sought to ensure that the Defence Force can act "immediately, efficiently and uninterruptedly whenever this may be considered necessary". In the first phase of the naval expansion programme, which had been almost completed, major equipment worth more than 130 million Rand (\$182 million) had been purchased or ordered since 1960, "and further orders are envisaged". Strategic airfields

^{232/} Senate Debates, 17 January 1964, cols. 3-9.

^{233/} Cape Times, 18 September 1963.

for operational purposes were being constructed in various parts of South Africa in addition to the existing military airfields. Defence materials and fuels were being stored at strategic centres to be issued without delay in times of mobilization. More and more men were being sent overseas to study the handling of munitions and techniques of modern warfare "and to keep in touch with military opinion in other countries". 234/

408. The Minister of Defence, Mr. J.J. Fouche, said on 26 September 1964 that the naval expansion programme carried out in terms of the Simonstown Agreement had been concluded. Because of financial and other obligations regarding this expansion, South Africa had not been able to expand its maritime air force as rapidly as it would have wished to do. But orders had been placed for maritime strike aircraft and maritime reconnaissance aircraft. South Africa would "obviously require more major strategical equipment in future, as the defence of a country cannot be allowed to become static". He expressed the hope that "circumstances will again enable us to do big business with the United Kingdom to our mutual advantage". He added that a possible embargo on the sale of major armaments to South Africa could not only "weaken the defence of an acknowledged Western outpost" but would deprive South Africa of "the essential means to fulfil our moral obligation to Western allies during a general war". 235/ 409. In view of widespread international opposition against arms deliveries to South Africa, the South African Government has been anxious to deny that the import of arms was intended for internal purposes. Meanwhile, it has tremendously expanded the manufacture of arms and ammunition within the country.

A. INCREASE IN DEFENCE AND POLICE BUDGET

410. On 16 March 1964 the Minister of Finance, Dr. Donges, introduced a record defence budget totalling 210 million Rand (or \$294 million), and stated that the increase was to "discourage foreign aggression" and counter "threats which have been hurled at our country, threats, which at another time would have called down the condemnation of the civilized world. If I do not believe that these threats

^{234/} Cape Times, 5 June 1964; The Star, daily, Johannesburg, 3 June 1964.

^{235/} Cape Times, 29 September 1964.

will be translated into action, it is only because I know - and those who threaten us know - that our defences are strong and getting stronger by the day". 236/411. The budget estimate for police also represented an increase of over 7 per cent. 412. A comparison of the budget estimates shows that the estimates for defence have nearly quintupled in the past five years from 43,591,000 Rand (\$61,027,400) to 210 million Rand (\$294 million), and the total security budget has more than tripled from 79,791,000 Rand (\$111,707,400) to 259,129,000 Rand (\$362,868,800).

Estimates of Expenditure for Defence and Police, 1960-61, 1963-64 and 1964-65

1900=01; 1907=07					
	1960-61		1963-64		
Defence	R 43,591,000	(\$61,027,400)	R 121,604,000	(\$170,245,600)	
Police	R <u>36,200,000</u>	(\$ <u>50</u> ,680,000)		(\$ <u>64,218,000</u>)	
Total	R 79,791,000	(\$111,707,400)	R 167,474,000	(\$234,463,600)	
		1964-	<u>65</u>		
Defence	R	210,000,000	(\$294,000,000)		
Police	R	49,192,000	(\$ <u>68,868,800</u>)		
Total	R	259,192,000	(\$362,868,800)		
			- W		

Source: Republic (Union) of South Africa, Estimates of the Expenditure to be defrayed from Revenue Account during the years ending 31 March 1961, 1964 and 1965.

413. In addition, the Minister of Finance announced on 28 April 1964 that 20 million Rand (\$28 million) from the surplus for the financial year 1963-64 would be added to the Defence Special Equipment Account. 238/

^{236/} House of Assembly Debates, 16 March 1964, col. 3041.

^{237/} To this should be added 26,111,000 Rand (\$36,555,400) provided from the Loan Vote as contribution to Defence Special Equipment Account and 10 million Rand (\$14 million) provided in an additional estimate for defence. The Minister of Finance stated on 28 April 1964 that the Department of Defence had not spent about 15 million Rand (\$21 million) of its appropriation for 1963-64 as a result of delay in the completion of certain large contracts, House of Assembly Debates, 28 April 1964, col. 5101.

^{238/} He stated that it was not the intention that this money should be spent during the financial year 1964-65. <u>Ibid.</u>, col. 5101.

414. The appropriations for 1964-65 were 230 million Rand (\$322 million) for Defence and 51,792,000 Rand (\$72,508,800) for Police.

415. Some of the items of expenditure where increases in budget estimates have been impressive are indicated below:

	1963-64		<u> 1964–65</u>	
Army Stores, Services and Equipment	R 7,607,000	(\$10,649,800)	R 17,152,500	(\$24,013,500)
Aircraft, Aircraft Stores, Services and Equipment	R 10,225,000	(\$14,315,000)	R 15,008,000	(\$21,011,200)
Naval Stores, Services and Equipment	R 3,914,000	(\$ 5,479,600)	R 6,803,000	(\$ 9,524,200)
Bombs, Ammunition and Pyrotechnics	R 13,428,500	(\$18,799,900)	R 17,938,500	(\$25,113,900)
Mechanical Transport, Horses and Dogs	R 5,229,000	(\$ 7,320,600)	R 18,860,500	(\$26,404,700)
Special Equipment and Reserve Stocks*	R 29,511,000	(\$41,315,400)	R 58,812,500	(\$82,337,500)
Manufacture of Munitions	R 23,572,000	(\$33,000,800)	R 33,002,500	(\$46,203,500)

* The figure for 1963-64 includes 26,111,000 Rand (\$36,555,400) from Loan Account. The figure for 1964-65 includes appropriation of 20 million Rand (\$28 million) from the previous year's budget surplus.

Source: Ibid.

B. INCREASE IN STRENGTH OF THE MILITARY AND POLICE FORCES

416. The South African Defence Force consists of:

- 1. The Permanent Force, or the standing army (The Army, Air Force and Navy);
- 2. The Citizen Force, comprising volunteers and citizens drawn by ballot and enrolled in the Force; and
- 3. The Commandos, comprising volunteers and citizens not drawn by ballot for enrolment in the Citizen Force.

417. The Permanent Force is kept relatively low but has undergone a steady expansion. It is planned to increase it to 14,926 during the current year.

Strength of the Permanent Force, 1960-61, 1963-64 and 1964-65

	1960-61	1963-64	<u> 1964-65</u>
Officers	1,275	2,079	2,271
Other ranks	7,744	11,699	12,655
Total	9,019	13,778	14,926

Source: Estimates of Expenditure, 1960-61, 1963-64, 1964-65.

418. The Citizen Force consists of men called to service annually to serve for four years. According to the White Paper on Defence, published by the Government in June 1964, the number of men called up for the Citizen Force increased from 2,000 in 1960 when the training period was only two months, to 16,527 in 1965 with a training period of nine months. 239/ The recruits would be attached to four new regiments after the completion of their training. 240/

419. The strength of the Commando has been increased from 48,281 officers and men in 1960 to 51,487 this year. $\frac{241}{}$ The Minister of Defence, Mr. Fouche, announced at the end of May 1964 that in the future all members of Commando units would have to serve for four years and would have to undergo special training courses.

Commando members would no longer have to pay for their weapons, but would be issued with rifles, bayonets and uniforms. In other words, they would become almost the same as the pre-war Active Citizen Force soldiers. 242/

420. The Minister of Defence announced on 13 July 1964 that the planning of Air Commando squadrons was nearly complete and that he had authorized the establishment of twelve squadrons. 243/ He also assured support for civilian flying clubs as these clubs, their pilots and aircraft, would form an integral part of the defence system in time of war. 244/

^{239/} Cape Times, 4 June 1964; The Star, daily, Johannesburg. June 1964. Under the Defence Amendment Act of 1961, the period of training of members of this Force was increased to nine months in the first year and three months in the following years.

Southern Africa, London, 10 April 1964.

^{241/} White Paper on defence. Cape Times, 4 June 1964.

^{242/} Ibid., 9 June 1964.

The Star, daily, Johannesburg, 13 July 1964. The Air Commando, announced in 1963, is designed to give air reconnaissance support to Commando units.

^{244/} Ibid.

421. It may be noted that the Defence Force is entirely White, except for the Coloured Corps established recently. Instructors for this Corps are now being trained. It is intended that they will be able to take over more and more of the administrative jobs such as drivers, storemen, clerks, stretcher-bearers. The camp of the Coloured Corps in Cape Town is being prepared to accommodate 600 to 700 men for training.

422. The police force has not been greatly increased, but has been supplemented by a large police reserve and assured of support by the Armed Forces in dealing with internal disturbances.

Strength of Police Force, 1960-61, 1963-64 and 1964-65

	1960-61	1963-64	1964-65
Whites	13,452	14,560	14,862
Non-Whites	14,635	14,783	14,784
Total	28,137	29,343	29,646

Source: Estimates of Expenditure, 1960-61, 1963-64, 1964-65.

423. According to the annual report of the Commissioner of Police for 1963, the actual number of policemen was 27,440, including 13,770 Whites and 13,673 non-Whites. There were, however, 3,573 White sergeants and only 1,116 African sergeants. 246/African policemen, moreover, do not carry firearms. White control over the police is further strengthened by the police reserve.

124. The Minister of Justice stated on 3 March 1964 that the strength of the police reserve was 19,663, out of which 19,313 were Whites, 231 Coloureds and 119 Indians. 247/

425. A spokesman at the Police Headquarters said in Pretoria on 18 August 1964 that the strength of the Police Reserve had reached 17,554 and that reservists were attached to almost every police station in South Africa. He said that the scheme

^{245/} Cape Times, 18 June 1964.

^{246/} Cape Times, 30 May 1964.

House of Assembly Debates, 3 March 1964, col. 2314-5. Of these, 16,220 Whites, 187 Coloureds and 87 Indians had already completed their basic training and were doing duty on a temporary and voluntary basis to gain the requisite practical experience; and 3,093 Whites, 44 Coloureds and 32 Indians were undergoing training. The Minister stated that branches had been established for Whites, Coloureds and Indians, and that a branch for Africans would be considered when it was deemed expedient. He recalled that the police reserve had originally been planned at a total of 5,000 but stated that in view of the interest displayed, the ultimate strength would not be determined at that stage. Ibid.

was proving a big success and that the police were well satisfied with the work done by the reservists. The reserve, whose number now exceeded the total strength of the regular White police force, consists of four groups:

- (a) Group A men would be regarded as full-time police in times of emergency. They would be paid if called up and would carry out normal police duties;
- (b) Group B reservists were the "home guard" men who would do two hours police duty a day in their own residential areas during emergencies.
- (c) Group C reservists were employees responsible in emergencies for the security of important installations and services at their places of work; and
- (d) Group D men were plattelanders who would constitute a civilian riot force carrying out police duties in the initial stages of any emergency until regular police arrive in sufficient strength.

There were 4,981 men in Group A; 8,960 in Group B; 2,530 in Group C and 1,083 in Group D. Many of these reservists were doing two hours and more duty a month with the police at present. $\frac{248}{}$

426. The Police Amendment Act of 1964 249/provides for a police reserve of officers who have retired or resigned from the police. Under this Act, the Commissioner of Police, or any commissioned officer acting under his authority, is authorized to employ any member of the police reserve of officers in the police force.

427. Large numbers of civilians are being trained in the use of firearms. The Minister of Justice, Mr. B.J. Vorster, stated on 11 September 1963 that 27,250 women in South Africa belonged to pistol clubs where they received instruction from police officers. $\frac{250}{}$

428. The widespread ownership of firearms appears to be creating difficulties. Brig. L.J. Steyn, Divisional Commissioner of Police for the Witwatersrand, was reported to have stated in August 1964 that people in Johannesburg, were too trigger-happy. Shooting incidents were reported almost daily in the city. 251

²⁴⁸ The Star, daily, Johannesburg, 18 August 1964.

^{249/} Act No. 64 of 1964.

²⁵⁰ The Star, daily, Johannesburg, 11 September 1963.

The Star, daily, Johannesburg, 11 August 1964. It was estimated in 1960 that there were 100,000 firearms in Johannesburg - one to every four White men, women and children. Since then several thousand more licenses have been issued for firearms. Ibid. About half of South Africa's three million Whites are reported to possess firearms. New York Times, 8 June 1964.

C. CIVIL DEFENCE PLANS

- 429. Press reports indicated that, in April 1964, the Government had drawn up a master plan for civil defence in the event of riots or war. The plan would provide for reception centres for civilians, hospital facilities and the concentration of rescue workers at points near "target areas". 252/
- 430. Senior officials of the office of the Director of Emergency Planning were subsequently reported to have visited major cities to make preliminary exrangements such as first-aid training. 253/
- 431. The Press has also reported the approval by the Government of a national survival plan to ensure the safety of South Africa in the event of war, uprisings or any other emergency. It includes special steps to protect strategic installations, including harbours, petrol storage depots, power stations and other key points. Fences would be put up around all places declared to be of strategic importance, and they would be subject to security controls as stringent as those imposed during World War II.
- 432. The Government set up a special committee of police and defence experts to compile a list of military and strategic installations which would be declared "protected areas" in case of emergency in terms of the General Law Amendment Act of 1963. Under this Act, the Minister of Justice may declare protected areas by notice in the Government Gazette and direct the owners of "protected areas" to erect security fences, refuse admittance to all persons not authorized by the Minister and institute other precautionary measures at their own expense. He may also designate any person "in the service of the State", and specifically military personnel, to take charge of any such installation. The Minister of Defence stated that special units of the Commandos would be responsible for the security of strategic installations, and that Africans would be excluded from all duties connected with the security of such installations.
- 433. The Commissioner of Police, General J.M. Keevy, announced on 24 August 1964 that the police had finished their list of strategic installations. 254/

^{252/} Sunday Times, Johannesburg, 26 April 1964.

^{253/} Cape Times, 19 May, 1 June, 24 June and 13 August 1964.

^{254/} Cape Times, 26 August 1964. The listed installations include certain factories, petrol storage points, power stations, etc. Anyone who enters a protected area without authority can be jailed for up to fifteen years.

D. DEFENCE RESEARCH

434. Defence research, begun in 1962 with the collaboration of the Council for Scientific and Industrial Research (CSIR) and the Defence Force, was actively promoted and expanded. Close contact was maintained with industry and the universities 255/

435. Early in September 1963, it was announced that the CSIR was recruiting highly qualified scientists to be sent overseas for two years for the necessary training to conduct research into the construction of rockets. 256/

h36. On 27 October 1963, Professor L.J. Le Roux, Vice-President of the CSIR, said that South Africa was perfecting methods to combat internal danger and repel possible surprise attacks from without. He added that the newly-established Rocket Research and Development Institute was developing a rocket-propelled ground-to-air missile. He also indicated that a Naval Research Institute would soon be established to study scientific methods to protect the Republic's harbour and coastline. 257/

437. Professor Le Roux stated on 7 November 1963 that the South African Government was studying recent developments in airborne weapons, including poison gases known to be capable of massive devastation, in order to strengthen defences against surprise attacks from the air. He said that gas was coming back as a low-cost weapon of frightening power and stated:

"We appreciate that these poisons are capable of being delivered in vast quantity by aircraft or long-range missile and they can have a destructive effect similar to that of a nuclear bomb of 20 megatons. These gases are ten times more poisonous than any other substance you can name ... We must be alert to such dangers." 258/

438. On 23 August 1964, the <u>Sunday News</u>, New York, reported that Professor W.E. Schilz, Dean of Science at Pretoria University, had recently told an

^{255/} South African Digest, Pretoria, 31 October 1963.

^{256/} South African Digest, Pretoria, 5 September 1963.

^{257/} South African Digest, Pretoria, 31 October 1963; The New York Times, 28 October 1963; A.F.P. 28 October 1963.

^{258/} Reuters, 7 November 1963.

Air Force meeting in Johannesburg that chemical weapons might be the nation's only effective answer to aggression by neighbouring countries.

"Schilz said that considering the viciousness of all weapons, chemicals might be considered relatively humane.

"He also pointed out that the rural character and dispersed population of South Africa's neighbours would make their natives almost invulnerable to normal weapons if war came."

E. MANUFACTURE OF ARMS AND AMMUNITION IN SCUTH AFRICA

439. Manufacture of weapons and munitions in South Africa has been greatly expanded in recent years. The budget provision for the manufacture of munitions has increased almost a hundred-fold over the past five years as follows:

1960-61	368 , 000	Rand	(\$ 515,200)
1961-62	3,341,000	Rand	(\$ 4,677,400)
1962-63	14,289,000	Rand	(\$20,004,600)
1963-64	23,572,000	Rand	(\$33,000,800)
1964-65	33,002,500	Rand	(\$46,203,500)

Source: Estimates of Expenditure, 1960-61, 1961-62, 1962-63, 1963-64, 1964-65.

440. The Minister of Defence, Mr. J.J. Fouche, said in September 1963 that South Africa still needed certain types of arms, but so much progress had been made with the production of arms and ammunition that South Africa was now almost independent of foreign sources of supply. If the threats of certain countries to stop supplies to South Africa were carried out, he foresaw great progress in the manufacture of arms in the country. He claimed that South Africa's problem was no longer to get arms manufacturers of other countries to produce arms in South Africa, but rather to decide whose requests for the establishment of factories should be accepted. 259/441. Mr. Fouche added on 14 October 1963 that South African production of arms, ammunition and explosives had risen 80 per cent in the past four years and that the variety of arms and ammunition manufactured was three times as great as during World War II, despite the greater complexity of modern weapons. He stated

^{259/} South African Digest, Pretoria, 19 September 1963.

^{260/} A.F.P., 14 October 1963; Cape Times, 15 October 1963.

in December 1963 that South Africa had not been buying arms for internal use for some time and that it either had, or was manufacturing, all arms needed for internal security. 261/

442. He stated at a Republic Day meeting on 30 May 1964 that South Africa needed no arms from abroad "to maintain internal security". It would be "an eye-opener" to opponents of South Africa to see what arms were being manufactured. 262/ 443. According to statements in Parliament and Press reports, 263/South Africa is self-sufficient in the production of small arms and ammunition. These are produced in the South African Mint, the Defence Ordinance factories and the three factories set up by the African Explosive and Chemical Industries Ltd., a private company with a capital of 10 million Rand (\$14 million) from the Imperial Chemical Industries of the United Kingdom and IO million Rand (SJA million) from De Beers. ammunition for small arms used by the South African Army are manufactured in these factories. The Defence Ordinance Workshop at Lyttleton, near Pretoria, has manufactured 3.5 inch anti-tank rockets and 3-inch aircraft rockets. 444. Moreover, the FN 7.62 automatic rifles, manufactured under a Belgian licence, have been produced this year. On the occasion of the presentation of the first rifle to the Prime Minister, the Minister of Defence welcomed the representative of

the Belgian FN munition factory, Mr. de Gunst, and said: "We are indeed glad that you are here to share our joys on this occasion." 265/

^{261/} Southern Africa, London, 20 December 1963.

^{252/} The New York Times, 31 May 1964.

Statement by the Minister of Defence in Senate Debates, 26 April 1961, cols. 3691-92; Komando, Pretoria, December 1960; The New York Times, 26 March and 4 June 1964; Rand Daily Mail, Johannesburg, 8 August 1964.

The FN 7.62 automatic rifles were first purchased by South Africa in 1960 and the licence to manufacture obtained. Assembly and partial manufacture of the rifles began in 1961 and the first rifles made fully in South Africa tested in 1964. Komando, Pretoria, December 1960, and Rand Daily Mail, Johannesburg, 8 August 1964.

Northern News, 25 September 1964, quoted in Spotlight on South Africa, Dar es Salaam. 9 October 1964.

445. South Africa has also undertaken manufacture of the Panhard armoured car under licence from France. $\frac{266}{}$

446. A notable development in this connexion is the recent decision to manufacture aircraft in South Africa.

447. For some time, there have been reports of plans to manufacture jet trainers in South Africa to replace the ageing Harvard propeller-driven trainers.

448. The Miles Aircraft Company of the United Kingdom registered a South African subsidiary in 1964 with plans to establish a factory in Cape Town at a cost of 1,500,000 Rand (\$2,100,000) to build Mark 2 Miles Student. $\frac{267}{}$ It was noted that this move "could short-circuit any political interference from a hostile British ruling political party". $\frac{268}{}$

449. In August 1964, the Prime Minister and the Minister of Defence announced that an aircraft industry would be established in South Africa, and that jet trainers for the Air Force would be the first aircraft to be manufactured locally. \(\frac{269}{} \) 450. The Press reported that the Government had given closest consideration to the French Fouga-Magister CM-170 and to the Italian Macchi, and had decided to manufacture the Macchi under licence. The transaction was reported to involve more than 15 million pounds sterling. \(\frac{270}{} \)

451. The Atlas Aircraft Corporation has been formed by the Bonus Investment Corporation and other companies with a capital of 10 million Rand (\$14 million). 271/Dr. M.S. Iouw, Chairman of Bonuskor, said in September 1964 that the factory would be in production within two years. He added: "We have established contacts all over the world, and will be bringing in technicians and scientists from abroad in the very near future." 272/

^{266/} The New York Times, 26 March and 4 June 1964.

^{267/} The engine of this aircraft is French and is made by the same company which produces the jets for the Alouette helicopters used by the South African Air Force.

^{268/} Cape Times, 25 June 1964.

^{269/} Cape Times, 3 August 1964; The Star, daily, Johannesburg, 10 August 1964.

^{270/} Le Monde, Paris, 17 August 1964. The engines for Macchi jets are made in the United Kingdom.

^{271/} Cape Times, 10 September and 11 November 1964.

^{272/} Sunday Express, Johannesburg, 13 September 1964, quoted in Spotlight on South Africa, Dar es Salaam, 9 October 1964.

452. Meanwhile, the Munitions Production Act was promulgated in June 1964 to provide for the establishment of a Munitions Production Board empowered to manufacture and supply any munitions required by the State. 273

F. IMPORT OF MILITARY EQUIPMENT

453. The South African Government has continued to import military equipment from abroad. Delivery of the three modern anti-submarine frigates ordered by the South African Navy in the United Kingdom has been completed. The President Steyn arrived in Cape Town in September 1963 and the President Pretorius in September 1964. South Africa has also commissioned two refitted destroyers, the Simon van der Stel and the Jan van Riebeeck. It is expanding dockyard facilities at Simonstown for the Republic's war fleet. 2714

454. The South African Government was reported to have ordered sixteen Buccaneer Mark II naval strike aircraft, and the equivalent of four more in spares, in October 1963 at a cost of more than twenty million pounds sterling. The Daily Telegraph, London, reported in September 1964 that an order for sixteen more of the aircraft was under negotiation.

455. A spokesman for the manufacturers of these aircraft was reported to have stated in September 1964 that a possible change in the United Kingdom Government would not affect the early delivery of the Buccaneers to South Africa. He added that the exact delivery date was kept secret, at the request of the South African Government, but "they will be handed over within months". 276/

456. The South African Government was also reported to have negotiated for the purchase of Bloodhound Mark II anti-aircraft missiles from the United Kingdom. The Sunday Times of London quoted an official of the British Aircraft Corporation as having confirmed on 15 August 1964 that negotiations for a £15 million order

^{273/} Act No. 87 of 1964. Government Gazette Extraordinary, 7 July 1964. The composition of the Board was announced on 21 September 1964. Cape Times, 22 September 1964.

^{274,} South African Digest, Pretoria, 3 April 1964.

^{275,} Cape Times, 4 September 1964.

²⁷⁶ The Star, weekly, Johannesburg, 19 September 1964.

had been going on for many months and had reached an advanced stage. After discussion with the United Kingdom Government, however, the company decided to delay the negotiations until after the general elections. 277/

457. The victory of the Labour Party in the general elections in the United Kingdom in October 1964 led to uncertainty as to the further shipments of arms from the United Kingdom to South Africa.

458. The South African Minister of Defence, Mr. J.J. Fouche, said on 16 October 1964, however, that he did not think that the change of government in the United Kingdom would have any adverse effect on South African weapon purchases. He stated:

"I know that Mr. Wilson has said that he will not deliver anything to South Africa in that line. But if Mr. Wilson decides not to, South Africa will simply have to turn to some other country to buy the weapons which she intended to buy in Britain for 90-odd millions." 278/

^{277/} Cape Times, 17 August 1964.

^{278/} Cape Times, 17 October 1964. The Daily Telegraph, London, has reported on 8 October 1964:

[&]quot;The South African Government is waiting until after the general election to place in Britain a 'huge' order for military equipment, possibly worth £75 million, over the next few years. The order will be given at once if the Conversatives win.

[&]quot;It will be for 15 more Buccaneer Mark IIs, about 200 aircraft to be built in South Africa under licence but fitted with Bristol-Siddeley engines, and some anti-submarine helicopters.

[&]quot;South Africa also wants to order two submarines and naval equipment of an anti-submarine nature, including weapons ...

[&]quot;Recently six Canberra bombers were flown into South Africa in considerable 'confidence'. This was done to lessen the political repercussions from the delivery flight.

[&]quot;The Canberras were bought at a very fair price and are fully equipped tactical strike aircraft ...

[&]quot;A senior South African officer made it clear to me that the type of equipment the Republic wanted to buy could not be regarded as 'anti-black'.

[&]quot;It was because of South Africa's firm desire to contribute towards the military strength of the West that it wanted this sophisticated and costly equipment ...

[&]quot;If South Africa cannot buy British equipment, the order will go to a European country, probably France or Italy. Both have the equipment available and have been trying hard for the sale."

459. On 15 November 1964, Prime Minister Dr. Verwoerd stated that if the United Kingdom did not fulfil the contract for the delivery of Buccaneer aircraft, "then the Simonstown Agreement can no longer be maintained". He added that if the United Kingdom withheld arms from South Africa, "we shall be forced to buy them on the black market". 280/
460. On 17 November 1964, the Prime Minister of the United Kingdom, Mr. Harold Wilson announced:

"The Government have decided to impose an embargo on the export of arms to South Africa.

"Since the Government took office no licenses for the export of arms to South Africa have been issued. It has now been decided that all outstanding licenses should be revoked except where these are known to relate to current contracts with the South African Government. The contract to supply 16 Buccaneer aircraft is still under review.

"Outstanding commitments by the Ministry of Defence will be fulfilled, but as from today no new contracts will be accepted for the supply of military equipment. The Ministry of Defence will proceed with manufacturing agreements that have already been concluded but not yet executed.

"Licenses for the export of sporting weapons and ammunition will be revoked and shipment will be stopped forthwith. In other cases when licenses are revoked, fresh licenses will be issued to the extent necessary to permit the execution of current contracts.

"These decisions bring the Government's policy into line with United Nations resolutions on this question, the latest of which was the Security Council resolution of June 18."

461. On 25 November 1964, the Prime Minister of the United Kingdom announced that the shipment of 16 Buccaneers would be sanctioned, but no further South African contracts would be entered into. He added that shipment of spares for the 16 Buccaneers would be allowed as and when required.

^{279/} Agreement on the Defence of the Sea Routes round Southern Africa, and Agreement to the Transfer of the Simonstown Naval Base, 30 June 1955. Texts in Cmd. 9520.

^{280/} Cape Times, 16 November 1964

- 462. Meanwhile, the South African Government has continued to seek arms from other countries.
- 463. The Swiss Federal Cabinet announced in November 1963 that it had authorized a Swiss firm, Oerlikon, to deliver several anti-aircraft guns and explosives to South Africa. It stated that export of these weapons had been permitted because they were exclusively for air defence.
- 464. South Africa was also reported to have received a squadron of Mirage III-C jet fighters from France during the period under review. 282/

C. MILITARY CO-OPERATION WITH OTHER COUNTRIES

- 465. Despite the resolutions of the Security Council and the General Assembly, and the universal condemnation of the military and police build-up in South Africa, the South African Government has been able to receive co-operation from some other States in the military field.
- 466. As indicated earlier, South Africa has been able to import large quantities of military equipment. Its nationals have obtained training in the use of this equipment. It has received licences, capital and capital equipment for the local manufacture of arms.

^{281/} South African Digest, Pretoria, 21 November 1963. Further orders were reported to have been stopped in December 1963.

The South African Press reported that a double-barrelled antiaircraft gun, fully automatic and radar-controlled, was demonstrated to the Press on 12 October 1964. It is now known whether this new weapon was manufactured in South Africa or imported, as the Defence Headquarters instructed the Press to withhold its make and characteristics. Cape Times, 13 October 1964.

Delivery of these aircraft was reported to have begun in June 1963. The squadron is believed to number 17. South Africa had earlier purchased 50 Alouette jet helicopters from France. New York Times, 26 March and 4 June 1964.

M67. South Africa has maintained amicable relations, in the military field, with Portugal. The commander of the South African Air Force visited Lourenço Marques in November 1963 at the invitation of the commander of the air force in Mozambique. The Commander-in-Chief of the South African armed forces, Commandant-General P.H. Grobbelaar, visited Mozambique in May 1964 at the invitation of the Commander-in-Chief of the armed forces in Mozambique, Rear Admiral Sarmento Rodrigues.

General Joso Carrasco, Officer Commanding the military area of Mozambique, visited South Africa in October 1964.

468. South Africa participates in the annual naval exercises around the Cape, known as "Exercise Capex". The United Kingdom and Portugal took part in the latest exercise organized by the South African Navy in May 1964. The exercise involved anti-submarine, anti-aircraft and convoy operations designed to gain experience of local conditions in the defence of the sea routes around Southern Africa. 285/

H. INTERNATIONAL CONCERN OVER THE MILITARY BUILD-UP IN SOUTH AFRICA

was reflected in the Security Council resolutions of 7 August 1963, 4 December 1963 and 18 June 1964; the General Assembly resolutions 1761 (XVIII) of 6 November 1962 and 1978 (XVIII) of 16 December 1963; and the responses of Member States to the Security Council and General Assembly resolutions, including the decision announced by the United States Government in August 1963 that no arms would be supplied to South Africa beyond the end of 1963.

470. Particularly notable in this connexion has been the recent growth of sentiment against arms shipments to South Africa in the United Kingdom, which has traditionally been the principal supplier of arms to South Africa.

It may be recalled that under the Simonstown Agreement of 1955 providing for co-operation in the defence of the sea routes around the Cape, the United Kingdom agreed to supply South Africa with naval vessels. In pursuance of that agreement, South Africa purchased three anti-submarine frigates which have been delivered in 1963 and 1964. Also under this agreement, the United Kingdom supplied Westland Wasp helicopters which can be used on these frigates for submarine spotting.

^{283/} Cape Times, 19 May 1964.

^{284/} Cape Times, 28 October 1964.

^{285/} South African Digest, Pretoria, 22 May 1964.

Africa, the United Kingdom Government declared that its policy was not to export to South Africa any arms which would enable the policy of <u>apartheid</u> to be enforced. 475. A number of British organizations expressed dissatisfaction with this position and argued that a distinction between weapons which could be used for defence against external attack and weapons which could be used for internal repression could not be maintained. They stated that the United Kingdom continued to supply spare parts for the Saracen armoured personnel carriers, such as those which had been used at Sharpeville in 1960, and that the aircraft supplied by the United Kingdom could be used for internal repression. They called for a total ban on the supply of military equipment as well as spare parts.

h7h. Opposition to arms shipments increased in 1963 when the Press reported approval by the United Kingdom for the sale of Canberra Marck B 12 and P.R. 3 aircraft and Buccaneer Mark II low-level jet attack aircraft which were not covered by the Simonstown Agreement.

was encouraged by an appeal cent by Chief Albert J. Luthuli in May 1963 and published in London. In this appeal, Chief Luthuli said that the South African Government "has insanely committed itself to rule by the machine-gun and the armoured car; has elected to go down in a messy welter of blood and destruction rather than work out a clean and honorable solution". He stated that it had marshalled "the whole ferocious panoply of war" for that purpose, and added:

"Saddening as this is, there are other features of the situation which increase our sadness. Those who are providing the Government with these terrifying weapons of destruction are countries which allegedly care for human freedom. Certainly, some of them have a proud record in the defence of human liberties. Almost all of them have known the travail of war, of conflict against ruthless oppression; have known the bitterness of race hatred and the wounds of armed conflict. Yet these countries today, and Britain foremost among them, are guilty of arming the savage Nationalist Party regime. The Saracens built in Britain have already left an indelible blot in the history of my country; now it seems that your Buccaneers and your tanks must leave their foul imprint ...

^{286/} Peace News, London, 24 May 1963.

"I would ask you in particular to unite in protesting, vociferously and unremittingly, against the shipment of arms to South Africa. On this issue let our voice be clear and untiring: No Arms For South Africa.

"When you contemplate the mass of cruelly repressive legislation, when you observe the horrifying pitiful take of human suffering and indignity, and when you see the way this fair country is blasted by the racially insane, let your cry be: No Arms For South Africa.

"And when you visualise the terrible havor which may be wreaked on South Africa, havor of which Sharpeville was the merest minor portent, by the most deadly and destructive military weapons known to modern man, let your cry be: No Arms For South Africa ...

"I direct a special appeal to all the workers of the world who share with us, not only the common brotherhood of labour, but who in many instances have shared with us a common suffering and hardship. I appeal to them to make their voices heard and to show their unity with us not only in words but in actions. To those working in the factories where these deadly weapons are manufactured I say, make sure that your labour is not used to produce the weapons which will deal death to the people of my country. And to those having any part in the transaction - the dockworkers, the sailors, the airport workers and all others, I say: let your opposition be shown, not only in your cry No Arms for South Africa, but also in your resolute refusal to lend your labour for this foul purpose.

"Perhaps it is futile to appeal to those who put profits before justice and human lives. Nevertheless, in all sincerity I appeal to them to pause and rethink their sense of values which puts material values before human lives. For this is the meaning of their making available their murderous wares to the South African Government ...

"To the nations and governments of the world, particularly those directly or indirectly giving aid and encouragement to this contemptible Nationalist regime, I say: Cast aside your hypocrisy and deceit; declare yourself on the side of oppression if that is your secret design. Do not think we will be deceived by your plous protestations as long as you are prepared to condone, assist and actively support the tyranny in our land.

"The text is your stand on the principle: No Arms for South Africa. No expressions of concern, no platitudes about injustice will content us. The text is action - action against oppression."

the abstention by the United Kingdom on the Security Council resolution of 7 August. After discussion by a delegation of the Council at the Foreign Office, its Executive Committee issued a statement on 16 December calling upon the Government "to reconsider its policy concerning the sale to South Africa of further British-built or licensed military equipment or spare parts of any kind whatsoever, capable of use on land or in the air for purposes of internal repression".

1...

- 477. The question of arms shipments was repeatedly raised by Labour Party members in the United Kingdom Parliament. 287/ A few recent examples may be noted:
 - (a) On 12 March 1964, Mr. Harold Wilson, leader of the Labour Party, asked for an assurance that there would be no shipment of arms outside those specified in the Simonstown Agreement.
 - (b) On 23 April 1964, Mr. Harold Wilson suggested that the Government's representations to South Africa on repressive measures would be greatly strengthened if the Government ceased its equivocal attitude on an arms embargo on South Africa.
 - (c) On 28 April 1964, Mr. Harold Wilson asked the Prime Minister to publish all the figures of arms shipments to South Africa in 1963.
 - (d) On 16 June 1964, Mr. Patrick Gordon Walker said:

"We should forthwith stop all exports of arms. We should go further, I think, and draw up a list, with our allies and, if possible, with other Powers, of strategic goods whose export to South Africa should be banned."

478. The Government, however, took the position that the United Kingdom and South Africa had a common interest in the defence of the sea routes around the Cape, that the arms supplied to South Africa were intended first and foremost for defence against external attack, that the South African Government had not ordered more of military equipment than it could reasonably require for this purpose, and that a total ban on arms shipments would harm the economy of the United Kingdom.

479. A change of policy is anticipated with the recent change of government in the United Kingdom. Mr. Patrick Gordon Walker, now Secretary of State for Foreign Affairs, said on 1 October 1964 during the election campaign:

"We should stop all arms - anything that could be described as weapons." $\frac{287}{}$

480. The South Africa Working Party of the British Council of Churches submitted a report in September 1964 suggesting, inter alia, that the supply of any further arms to South Africa be prohibited forthwith. The Council, in a resolution on 20 October, commended the report to the member Churches and decided to seek an early opportunity to discuss the British policy towards South Africa with the Secretary of State for Foreign Affairs.

1 ...

^{287/} As early as March 1963, Mr. Harold Wilson, leader of the Labour Party, called for a ban on arms shipments.

481. The announcement by the new Government of the United Kingdom on 17 November 1964 that it had decided to impose an embargo on arms to South Africa has aroused hopes for an effective international embargo in fulfilment of the relevant decisions of the Security Council.

V. INTERNATIONAL OPPOSITION TO THE POLICIES OF APARTHEID

482. World-wide opposition to the policies of <u>apartheid</u> and the ruthless repressive measures by which these policies have been implemented, reached a new peak during the period under review. The adoption of General Assembly resolutions 1881 (XVIII) of 11 October 1963 and 1978 (XVIII) of 16 December 1963, and Security Council resolutions S/5471 of 4 December 1963, S/5761 of June 1964 and S/5773 of 18 June 1964, by unanimous or nearly unanimous votes, reflected the revulsion felt in all Member States at the racial policies of the South African Government and an awareness of the serious dangers likely to result.

A. ACTIONS BY MEMBER STATES

483. African Member States continued to show grave concern over the matter and a determination to take and promote effective measures to secure the abandonment of the policy of apartheid. The Council of Ministers of the Organization of African Unity, at its second regular session, held in Lagos from 24 to 29 February 1964, reaffirmed that "sanctions of every kind represent the only remaining means of peacefully resolving the explosive situation prevailing in South Africa", and submitted recommendations to the Heads of State and Government to promote such a solution. 288/

^{288/} For the text of resolution, see document A/AC.115/L.58.

484. The Assembly of Heads of State and Government of the Organization of African Unity, at its first ordinary session in Cairo, 17-21 July 1964, endorsing the recommendations of the Council of Foreign Ministers, reiterated its appeal to all countries to apply in the strictest manner the economic, diplomatic, political and military sanctions already decided by the United Nations General Assembly and Security Council; appealed to the major commercial partners of the South African Government to discontinue the encouragement they were giving to the maintenance of apartheid by their investment and commercial relations with the Pretoria Government; and decided to take the necessary steps to refuse any aeroplane or ship or any other means of communication going to or coming from South Africa the right to fly over the territories of Member States or utilize their ports or any other facilities. Moreover, convinced of the necessity of urgently intensifying action to further the application of sanctions against the South African Government, the Assembly appealed to all oil-producing countries to cease, as a matter of urgency, their supply of oil and petroleum products to South Africa; called on all African States to implement the decision of the Addis Ababa Conference to boycott South African goods and to cease the supply of minerals and other raw materials to South Africa; and requested the co-operation of all countries, and in particular the major trading partners of South Africa, in the boycott of South African goods. 289/ 435. The second conference of the Heads of State or Government of Non-Aligned Countries held in Cairo, 5-10 October 1964, stated that the Governments and peoples represented at the conference had decided that they would not tolerate much longer the presence of the Republic of South Africa in the comity of nations. It declared that the inhuman racial policies of South Africa constitute a threat to international peace and security. It regretted that the obstinacy of the Pretoria Government in defying the conscience of mankind had been strengthened by the refusal of its friends and allies, particularly some major Powers, to implement United Nations resolutions concerning sanctions against South Africa. conference, therefore, called upon all States (a) to boycott all South African goods, especially arms, ammunition, oil and minerals to South Africa; and (b) to break diplomatic, consular and other relations with South Africa if they had not yet done so. It requested the Governments represented at the conference

^{289/} For texts of the resolutions, see document A/AC.115/L.83.

to deny airport and overflying facilities to aircraft and port facilities to ships proceeding to and from South Africa, and to discontinue all road or railway traffic with that country. $\frac{290}{}$

486. At the Commonwealth Prime Ministers' meeting, held in London, 8-15 July 1964, several Prime Ministers called for the application of economic sanctions and an arms embargo against South Africa.

487. The actions taken by these and many other Member States in response to the resolutions of the General Assembly and the Security Council and the appeal of the Special Committee concerning trials and death sentences in South Africa, showed widespread determination to do all they could to resolve the situation in South Africa.

B. PROTESTS AGAINST APARTHEID IN THE SPECIALIZED AGENCIES AND OTHER TITTER-GOVERNMENTAL AGENCIES AND CONFERENCES

488. The abhorrence of the policies of apartheid by world public opinion and the refusal of the South African Government to pay heed to world opinion has led to the withdrawal of South Africa from a number of international organizations or expulsion from them.

489. South Africa withdrew from the United Nations Educational, Scientific and Cultural Organization several years ago. During the past two years, South Africa withdrew from, or was suspended or expelled from, the International Labour Organisation, the Food and Agriculture Organization, the United Nations Economic Commission for Africa, the Commission for Technical Co-operation South of the

^{290/} For text of resolution, see document A/AC.115/L.91.

^{291/} The communique issued at the close of the meeting stated:

[&]quot;The Prime Ministers reaffirmed their condemnation of the policy of apartheid practised by the Government of the Republic of South Africa. Some Commonwealth Prime Ministers felt very strongly that the only effective means of dealing with the problem of apartheid was the application of economic sanctions and an arms embargo. It was recognized however that there was a difference of opinion among Commonwealth countries as to the effectiveness of economic sanctions and as to the extent to which they regarded it as right or practicable to seek to secure the abandonment of apartheid by coercive action, of whatever kind. But the Prime Ministers were unanimous in calling upon South Africa to bring to an end the practise of apartheid, which had been repeatedly condemned by the United Nations and was deplored by public opinion throughout the world."

Sahara and the Council for Science in Africa. South Africa has been excluded from numerous African regional meetings and her presence at various international conferences led to vigorous protests.

490. Some of the main developments during the period since 13 September 1963 are reviewed below.

1. Food and Agriculture Organization of the United Nations

491. At the twelfth session of the Conference of the Food and Agriculture Organization in Rome, 16 November to 5 December 1963, the Government of Ghana proposed a constitutional amendment to provide for the exclusion of a member or associate member which has persistently violated the principles contained in the preamble of the Constitution of the Organization. The sponsor of the amendment and its supporters stated that the absence of such a provision in the Constitution had precluded the possibility of giving effect to the demand of the African States for the exclusion of South Africa by reason of its policies of apartheid. The amendment received 47 votes in favour, 36 against and 11 abstentions, and was not adopted as it failed to receive the required two thirds majority.

492. On 5 December 1963, the Conference adopted a resolution, with only South Africa voting against, to decide that the Republic of South Africa would no longer be invited to participate in any capacity in FAO conferences, meetings, training centres, or other activities in the African Region, until the Conference decided otherwise.

493. Subsequently, on 18 December 1963, the South African Government gave notice of withdrawal from membership in the FAO.

2. International Atomic Energy Agency

1494. On 1 October 1963, during the seventh session of the General Conference of the IAEA, twenty members from Asia and Africa submitted a joint declaration recalling that membership of the Agency is open to those States which subscribe to and act in accordance with the principles of the United Nations Charter and noting that the South African Government had continued to maintain the policies

Earlier, the second FAO Regional Conference for Africa, which had been convened in Tunis in November 1962, was unable to proceed with its work since the African delegates had refused to sit with the delegate of South Africa.

of apartheid disregarding all United Nations resolutions condemning such policies.

They (a) condemned the policies of apartheid of the South African Government;

- (b) deprecated the South African Government's irresponsible flouting of world opinion by its persistent refusal to put an end to its racial policies; and
- (c) appealed to all Member States to use their utmost endeavours to secure in the shortest possible time a review of South Africa's <u>apartheid</u> policy in the context of the work of the Agency.
- 495. At the eighth session of the General Conference in September 1964, nine African members signed a joint declaration that South Africa could not represent African countries. Several African countries asked that South Africa be removed from the Board of Governors.

3. International Civil Aviation Organization: Africa-Indian Ocean Air Navigation Meeting, November 1964

496. At the meeting of the Africa-Indian Ocean Regional Air Navigation meeting which opened on 23 November 1964 in Rome, the representative of the United Arab Republic, speaking on behalf of the African States, expressed regret at the presence of South Africa and stated that they did not desire to participate in any discussion which might be initiated by South Africa.

4. International Labour Crganisation

- 497. The question of South Africa was considered at the forty-eighth session of the International Labour Conference in Geneva, June-July 1964.
- 498. On 7 July 1964, the Conference unanimously adopted an instrument of amendment to the ILO Constitution to empower the General Conference to expel from membership any Member which the United Nations has suspended from the exercise of the rights and privileges of membership.
- 499. On the same day, the Conference adopted, by 253 votes to 24, with 35 abstentions, another instrument of amendment to the Constitution providing for the suspension from the Conference of a Member found by the United Nations to be flagrantly and persistently pursuing by its legislation a declared policy of racial discrimination such as apartheid.
- 500. On 8 July 1964, the Conference unanimously adopted a "Declaration concerning the Policy of Apartheid of the Republic of South Africa" and "An IIO Programme for the Elimination of Apartheid in Labour Matters in the Republic of South Africa".

501. The Government of South Africa had, on 11 March 1964, addressed a communication to the Director-General of IIO that it had decided to withdraw from the Organization. This communication followed recommendations adopted by the Governing Body of the IIO, at its session from 13 to 17 February 1964, which formed the basis for the decisions of the Conference.

502. Subsequently, the South African Government was reported to have sent a circular to all State Departments and to all State-aided institutions informing them that they should not react to any requests for information or aid of any kind from the International Labour Organisation. 293/

5. International Telecommunication Union: African Broadcasting Conference, Geneva. Cotober 1964

503. At the African Broadcasting Conference convened by the International Telecommunication Union in Geneva, it was decided on 13 October 1964, on the proposal of the delegation of Algeria, that the representatives of South Africa be expelled. The vote was 27 in favour, 9 against and 2 abstentions. (Thirteen delegations did not participate in the vote).

504. The Conference decided on 19 October 1964 to suspend its work <u>sine die</u> following an announcement by the Secretariat that it was obliged to withdraw its services as the decision to exclude the South African delegation was contrary to a provision of the International Telecommunication Convention.

6. United Nations Conference on Trade and Development, Geneva, March-June 1964

505. On 26 March 1964, the representative of India, speaking on behalf of the Afro-Asian Group, Yugoslavia, Trinidad and Tobago and Jamaica, at the United Nations Conference on Trade and Development, said that it was the desire of those delegations that the delegation of South Africa be excluded from participation in the conference, and that they were determined to ignore the presence of that delegation.

506. In subsequent communication, the delegations from Eastern Europe associated themselves with the attitude of the above States.

507. A great majority of delegations walked out of the Conference when members of the South African delegation spoke.

7. Universal Postal Union

508. The Congress of the Universal Postal Union in Vienna, 29 May to 10 July 1964, approved by a simple majority a declaration sponsored by thirty-one Member countries

from Africa strongly condemning "the policy of <u>apartheid</u> and the oppressive measures practised by the South African Government", declaring profound indignation at the presence of the South African delegates, contesting "the minority representation of the South African Government" and demanding "their expulsion from the Universal Postal Union". The President thereupon asked the South African delegation to leave the conference hall.

509. A proposal that South Africa should not be allowed to adhere to the new constitution and conventions of the Union was rejected on 9 July by 58 votes to 56, with 5 delegations absent.

8. World Health Organization

- 510. When the thirteenth session of the Regional Committee for Africa of the World Health Organization opened in Geneva on 23 September 1963, the representative of Mali, speaking on behalf of the African States, recalled the decisions of the Addis Ababa Conference of Independent African States and stated that it was impossible for the representatives of the African States to sit with those of South Africa. He requested the expulsion of South Africa, failing which the representatives of the African States would be obliged to leave.
- 511. The session adjourned sine die on the next day when the majority of members left the meeting.
- The seventeenth World Health Assembly, meeting in Geneva, adopted a resolution on 19 March 1964 suspending the voting privileges of South Africa in the WHO in accordance with the provisions of Article 7 of the WHO Constitution which provides for suspension of voting privileges "if a member fails to meet its financial obligations to the organization or in other exceptional circumstances". The resolution also requested the WHO Executive Board and the Director-General to submit to the next World Health Assembly formal proposals with a view to suspension or exclusion from the organization of any member violating its principles and whose official policy is based on racial discrimination. The vote on the resolution, sponsored by thirty-four Member States from Africa and the Eastern Mediterranean Region, was 66 in favour, 23 against and 6 abstentions.

At the thirty-fourth session of the Executive Board which ended on 29 May 1964, none of the three draft resolutions concerning formal proposals requested by the Seventeenth World Health Assembly received the required two-thirds majority.

- 515. The South African delegation withdrew from the Assembly after the resolution was adopted. $\frac{295}{}$
- 514. The South African Government did not send a representative to the session of the Regional Committee for Africa, held in Geneva from 14 to 21 September 1964.

C. NON-GOVERNMENTAL PROTESTS AND BOYCOTTS

- During the period under review, there was a tremendous world-wide demand by mon-governmental organizations and individuals for the release of political prisoners in South Africa, and against the Rivonia trial and the death sentences on opponents of the policies of apartheid such as Mr. Vuyisile Mini, Mr. Wilson Khayinga and Mr. Zinakile Mkaba. Organizations of churches, workers, women, youth, students, teachers and others, representing hundreds of millions of members, have participated in protests against apartheid and repression in South Africa and in demands for an immediate amnesty to all prisoners. 296/516. Committees to campaign against apartheid have been formed in many countries, including Australia, Austria, Canada, France, Germany, India, Ireland, Israel, Japan, Netherlands, Norway and Sweden and the United Kingdom.
- 517. A number of communities and organizations have boycotted South African goods in protest against the policies of apartheid.
- 518. In the United Kingdom, several town councils have decided to boycott South African goods. Among these are Aberdeen, Cardiff, and the borough of St. Pancras, London. Shops of three big co-operatives in South Wales are boycotting South African goods. $\frac{297}{}$

^{295/} Prime Minister Dr. Verwoerd told the House of Assembly on 26 March 1964 that South Africa had decided "not to withdraw voluntarily from membership of the World Health Organization, in spite of the provocation which so rightly led its delegation to leave the meeting at which the unjustifiable decision was taken."

^{296/} The documents of the Special Committee contain details on these protests. See, for instance, the letter of June 1964 from Mr. J. Thorpe, M.P., Honorary Secretary of the World Campaign for the Release of South African Prisoners, A/AC.115/L.75.

^{297/} Cape Times, 8 and 11 May 1964, 26 June 1964.

519. In Norway, the State-run Norwegian Wine and Spirits Company announced on 20 April 1964 that it would stop using South African brandy in the production of its popular brands. $\frac{298}{}$

520. In Denmark, several chain stores boycotted South African products. 299/

- 521. In the Netherlands, the campaign of the South African Committee for a boycott of South African products received considerable public support.
- 522. Many playwrights have declared that they would refuse permission to have their plays performed in South Africa and many artists have refused invitations to visit South Africa.
- 523. Numerous sport organizations have shown their revulsion against <u>apartheid</u> by excluding South African segregated teams from international competitions.
- 524. Boycotts of South African goods have been organized by dockers in Australia.
- South African haddock from a Norwegian ship Havflak and called on the Australian Council of Trade Unions to place a ban on all South African goods so long as the policy of apartheid continued. They held several stop-work meetings on this issue. Nearly 100 Sydney waterside workers were dismissed on 3 August 1964 when they refused to work on the Dutch freighter Straat Madus which, they claimed, was carrying South African cargo. Sixty Sydney waterside workers refused in September 1964 to work on the freighter New Zealand Star which carried 1,000 tons of frozen fish from South Africa, and 4,500 workers stopped work in the port in sympathy with them. School Four thousand waterside workers in Sydney

^{298/} Cape Times, 21 April 1964.

^{299/} Cape Times, 22 April 1964.

^{300/} Cape Times, 2 and 17 April 1964.

The Beatles, the British quartet announced on 10 July 1964 that they would not perform in South Africa because of racial segregation. Cape Times, 11 July 1964.

In Ireland, twenty-eight playwrights, including Mr. John McCann, the Lord Mayor of Dublin, Mr. Samuel Beckett and the late Mr. Sean O'Casey signed a declaration refusing rights for performing their plays before segregated audiences in South Africa. Cape Times, 23 September 1964.

^{302/} Cape Times, 30 May 1964.

^{303/} Cape Times, 2 and 17 June 1964.

³⁰⁴ Cape Times, 4 August 1964.

^{305/} Cape Times, 11 September 1964.

struck work for an hour on 24 September 1964 in protest against South Africa's policy of apartheid. 306/Four hundred dock workers in Freemantle, at a meeting on 10 September 1964, reaffirmed their decision to protest against the handling of cargoes to and from South Africa. 307/

526. Public support and demands for economic sanctions against South Africa have been increasing. Communications from a number of organizations, in support of economic sanctions, were published as Committee's documents. 308/

527. The International Conference on Economic Sanctions against South Africa, held in London in April 1964, reflected wide support among non-governmental organizations for economic sanctions.

528. Total or partial economic sanctions have recently been supported by the Trades Union Congress in the United Kingdom on 9 September 1964; the American Negro Leadership Conference on 28 September 1964; and the British Council of Churches on 21 October 1964.

^{306/} Cape Times, 25 September 1964.

^{307/} Cape Times, 11 September 1964. Federal Officers of the Australian Waterside Workers' Federation were reported to have explained on 10 September 1964:

[&]quot;We believe there should be a ban on the handling of all South African goods by Australians, remembering that South African unions have called for such a ban.

[&]quot;We have called on the Australian Council of Trade Unions to impose sanctions.

[&]quot;Failing that action, the federation has not applied such a ban, but the members have continued to make their protest at being called upon to handle the goods of a country which is isclated in the world by its refusal to accept world opinion." Ibid.

See communications from the Second Conference of the International Trade Union Committee for Solidarity with the Workers and People of South Africa, Accra, 9-11 March 1964, A/AC.115/L.63; Trades and Labour Council of Queensland, Australia, A/AC.115/L.72; Irish Anti-Apartheid Movement, A/AC.115/L.74; Union of Australian Women, Western Suburbs Branch, A/AC.115/L.74; International Confederation of Free Trade Unions, A/AC.115/L.74; Women's International League for Peace and Freedom, A/AC.115/L.82; and Canadian Union of Students, Ottawa, A/AC.115/L.86.

VI. SOME ECONOMIC ASPECTS OF THE SITUATION IN THE REPUBLIC OF SOUTH AFRICA

529. The intransigence of the South African Government has been encouraged by the recent boom conditions in the economy which have tended to prevent wide-spread realization of the negative effects of racial discrimination on economic growth, and to conceal the reality of increasing political isolation of the country. This boom is reflected in and supported by the increase in the foreign trade of the Republic, especially with its major trading partners.

530. The Government claims that the country need not be unduly concerned over economic sanctions as the country is economically strong and as the major trading partners would not participate in such sanctions. It has, however, taken some steps such as the development of arms production in the country and encouragement for oil prospecting in order to meet any threat of economic sanctions.

A. RECENT ECONOMIC GROWTH IN SOUTH AFRICA

531. The South African economy has recently experienced a boom because of rapid development of secondary industry and the high level of activity maintained by the gold mining industry. The great increase in the military budget has contributed significantly to this boom. 309/

532. The Minister of Economic Affairs, Dr. Diederichs, claimed in the Senate on 3 March 1964 that South Africa was enjoying a wave of prosperity such as she had never experienced and such as was being experienced by few countries in the world. In spite of threats of sanctions and the application of boycotts, he said, the economy was one of the most dynamic in the world. $\frac{310}{}$

The Minister of Defence, Mr. J. Fouche, said on 9 September 1964 that defence contracts in the current financial year would earn 35 million Rand (\$49 million) for South African industries. He added: "The fact that Defence is spending so much is one of the greatest inducements for new industrial development". Cape Times, 10 September 1964.

^{310/} Cape Times, 4 March 1964.

533. Dr. J.B. de K. Wilmot, Deputy Governor of the South African Reserve Bank, said in a broadcast on 26 July 1964 that the gross national product in real terms had risen by 7 per cent in 1962 and 7.5 per cent in 1963. 211/ 534. The South African Reserve Bank reported in August 1964, in its annual economic report for the year ended June 1964, that, from the economic and financial point of view, this year was one of the best ever in South Africa. The gross national product, according to the provisional estimate, was about 7,000 million Rand (\$9,800 million) compared with 6,330 million Rand (\$8,862 million) in the previous year, representing an increase of 10.5 per cent at current prices and about 8 per cent in constant prices. Gross private fixed investment was 800 million Rand (\$1,120 million) or an increase of 19 per cent over the previous year. Fixed investment by the Government and other public authorities, excluding public corporations, increased by about 12 per cent to 460 million Rand (\$644 million). Manufacturing output was on the average about 16 per cent higher than during the previous year. Merchandise exports increased by 116 million Rand (\$162.2 million) to 1,066 million Rand (\$1,492.4 million) and the net gold output by 40 million Rand (\$56 million) to 699 million Rand (\$978.6 million). Private consumption increased by 430 million Rand (\$602 million) to about 4,500 million Rand (\$6,300 million).312/

535. There are signs that the growth rate is slowing down as the excess productive capacity is exhausted and the economy begins to face a number of bottlenecks.

536. The Economic Advisory Council met in February and reported, according to a statement issued by the Prime Minister on 2 April 1964, that "the degree of surplus capacity which existed in the economy a year ago, has now almost completely disappeared in respect of unemployed labour and machinery capacity". It added that the inadequacy of railway transport and the bottleneck of trained manpower could retard economic development.

^{311/} Cape Times, 27 July 1964. Population increase in South Africa is about 2.3 per cent per year, so that the increase in per capita income in 1963 is about 5 per cent.

^{312/} Cape Times, 14 August 1964.

537. The scarcity of skilled manpower is tied up very closely with the policy of apartheid. Because of the policy of racial discrimination, skilled jobs are largely reserved to the Whites and the country is not able to make more use of the skills of non-White workers. Thus, there is a scarcity while there are millions of unemployed or under-employed.

538. The scarcity of skilled manpower is acute in the engineering and the building industries, the merchant marine, railways, post offices etc. The Government has encouraged White immigration to meet this scarcity. The Minister of Labour, Mr. Trollip, said in the House of Assembly on 5 June 1964 that last year the Government brought 1,200 skilled workers to the country as immigrants, 313 but the rate of immigration has proved inadequate to meet the demand.

539. Mr. H.F. Oppenheimer, chairman of the African Explosives and Chemical Industries, said on 5 April 1964 that, because of the acute scarcity of skilled manpower, the company would have to abandon or postpone some of the 90 million Rand (\$126 million) worth of projects they were considering for the next few years. He said that there was a scarcity at all levels and in all jobs, not only in the company but in South Africa as a whole. Mr. G.E. Hughes, general manager of the company, added that this lack of skilled manpower had been building up for some years, but had become acute now because of the prosperity of the country. Immigration was not an answer to the problem, as it was "just

^{313/} Cape Times, 6 June 1964.

The total number of immigrants in 1963 was 37,573 and the number of emigrants 7,225, as against 20,976 immigrants and 8,945 emigrants in 1962. Cape Times, 21 March 1964.

The rate of immigration is even higher in 1964: during the first six months of the year, 21,189 immigrants arrived in South Africa compared with 15,176 in the first six months of 1963. Cape Times, 16 September 1964.

The Minister of Immigration, Mr. Trollip, said in the House of Assembly on 8 June 1964 that at least 40,000 immigrants would come to South Africa in 1964. Prospects were that the number of immigrants would set a record, especially from the United Kingdom. <u>Cape Times</u>, 9 June 1964.

Authorities in Pretoria were quoted as saying in August 1964 that fears of future anti-White developments in the new African States were increasing immigration to South Africa. Of the 14,986 immigrants who arrived in South Africa in the first four months of 1964, nearly half were from African territories. Cape Times, 5 August 1964.

a drop in the bucket". The problem in the country was that it had a very small White population from which it could draw skilled manpower. 314/540. The policy of apartheid, it may be noted, leads to an uneven distribution of the benefits of the current prosperity.

541. The boom has led to a great increase in profits and share prices, particularly of industrial companies. According to a survey of profits of all industrial and commercial companies, the profits in 1963 were on the average 30 per cent over 1962. Share prices increased by an average of 36 per cent during the same period. 515 On the other hand, the president of the Associated Chambers of Commerce, Mr. E.P. Bradlow, stated on 11 September 1963 that "in the midst of a boom great numbers of people are living on or below the breadline". He described the life of the unskilled African workers as "an unlovely struggle against overwhelming odds" and said "the Bantu is fortunate if he can go through life avoiding destitution". He added: "It is no longer possible to cherish the illusion that Black men are indifferent to their economic position and that poverty does not arouse in them the same burning resentment as it does in other peoples." 516

542. The Prime Minister, Dr. Verwoerd, noted in a statement on 1 April 1964 on the report of the Economic Advisory Council, that the economic progress achieved in 1963 was confined mainly to the metropolitan areas. Industries had not developed rapidly in border areas - areas on the borders of African reserves - despite Government encouragement. He continued:

"There are not yet sufficient employment opportunities in the border areas and Bantu homelands to keep pace with the increase in Bantu population.

^{314/} Cape Times, 6 April 1964.

^{315/} Focus '64, Rondebosch, March 1964.

^{316/} The Star, daily, Johannesburg, 11 September 1963.

"In certain areas great poverty exists. This applies particularly to the Ciskei, where there has been economic stagnation for many decades ...

"The social problem has reached serious proportions there, while the rate of development has up to the present been low." 317/

543. Government supporters have stressed that African wages in industry had risen in 1963 by an average of 8 per cent while the wages of the White workers had risen by only 5 per cent. But, as Mr. H.F. Oppenheimer pointed out in June 1964, these percentages were meaningless because of the extreme differences between the wage bases. European wages had risen from an average of 1,953 Rand (\$2,734) to 2,060 Rand (\$2,884), an increase of 107 Rand (\$150), while African wages rose from 392 Rand (\$549).to 422 Rand (\$591), or an increase of 30 Rand (\$42). The primary reason for the low increase in non-White wages is the fact that non-White workers are denied trade union rights and freedom of choice with regard to employment.

544. The Government views the current prosperity as not only an opportunity to undertake large development projects such as the Orange River scheme, but as a means to promote apartheid. The development plan for South West Africa, the plans for industries on the borders of African reserves and the increased allocations of funds for segregation in the urban areas are designed to strengthen racial separation. Moreover, a large part of the new resources are utilized for increasing the military build-up and for projects to counter possible economic sanctions.

B. INCREASE IN THE FOREIGN TRADE OF THE REPUBLIC OF SOUTH AFRICA 545. The economic prosperity of South Africa has been reflected in and accelerated by the sharp increase in the country's foreign trade, as shown in the following table.

^{317/} Cape Times, 2 April 1964.

^{318/} The Star, weekly, Johannesburg, 27 June 1964.

Total exports and imports of the Republic of South Africa a/

(Millions of dollars, f.o.b.)

Exports				
	Year	Total	Gold	Exports
	1960	2,040.9	802.8	1,554.0
	1961	2,018.9	685.7	1,406.4
	1962	2,017.4	684.7	1,436.5
	1963	2,219.6	832.7	1,696.7

Source: Statistical Office of the United Nations Secretariat.

546. An analysis of South Africa's foreign trade in 1963 reveals the following following regional distribution:

- (a) Africa accounts for 6.7 per cent of the imports and 11.3 per cent of exports. The colonial territories in Africa contribute over half of these imports and about nine-tenths of these exports.
- (b) Europe accounts for 56.2 per cent of the imports and 55.1 per cent of the exports. The Eastern European countries account for less than 1 per cent of the imports and exports.
- (c) The American continent accounts for 21.7 per cent of the imports and 11.5 per cent of the exports. The United States and Canada accounts for 20.4 per cent of the imports and 10.4 per cent of the exports.
- (d) Asia accounts for 14.0 per cent of the imports and 11.4 per cent of the exports. Japan and Iran account for 7.3 per cent of the imports and 7.9 per cent of the exports.

547. A small number of countries account for most of this trade, as shown in the tables below:

a/ General trade.

Exports by principal countries of destination, 1963

Principal countries	Percentage	Cumulative Percentage	
United Kingdom United States Rhodesia and Nyasaland (Fe Japan Italy Germany (Federal Republic Belgium France Netherlands Mozambique Total Exports	30.1 8.9 8.3 7.8 5.5 5.4 4.3 3.5 2.7 1.5 100.0	30.1 39.0 47.3 55.1 60.6 66.0 70.3 73.8 76.5 78.0 100.0	

Source: Republic of South Africa, Department of Customs and Excise, Monthly Abstract of Trade Statistics (Pretoria), January-December 1963.

a/ Excluding gold.

Imports by principal countries of origin, 1963

Principal countries	Percentage	Cumulative Percentage
United Kingdom	29.8 16.9	29.8 46.7
United States	10.7	57.4
Germany (Federal Republic of)	4.7	62.1
Japan	3.4	65.5
Canada	2.8	68.3
Italy Rhodesia and Nyasaland (Federation of)	2.7	71.0
France	2.6	73.6
Iran	2.6	76.2
Netherlands	2.5	78.7
Total imports	100.0	100.0

Source: South Africa, Department of Customs and Excise, Monthly Abstract of Trade Statistics (Pretoria), January-December 1963.

548. A few countries have substantially increased their trade with South Africa in 1963, and accounted for the bulk of the growth in South Africa's foreign trade.

Increases in trade with the Republic of South Africa between 1962 and 1963

Country	Increase in exports to South Africa	Increase in imports from South Africa a/		
	(Millions of Rand)			
United Kingdom	58	30		
Federal Republic of Germany	27	6		
United States of America	37	2		
France	10	— ••		
Italy	5	3		
Canada	16	٠ ٦		
Japan	15	~2		
Netherlands	5	er 1		

Source: Republic of South Africa, Department of Customs and Excise, Monthly Abstract of Trade Statistics (Pretoria), January-December 1963

a/ Excluding gold.

549. In view of General Assembly resolution 1881 (XVIII) recommending an end to the supply of petroleum and petroleum products to the Republic of South Africa, and similar resolutions by the Assembly of the Heads of State and Government of the Organization of African Unity and the Second Conference of Non-Aligned countries, it may be noted that petroleum and petroleum products are imported from a small number of countries.

Imports of petroleum and petroleum products by the Republic of South Africa, 1962, by countries of origin

Petroleum, crude and partly refined:

Iran Iraq	10 m	93.6 4.4	93.6 98.0
Petroleum products:			
Iran Aden Bahrein United States Saudi Arabia Australia United Kingdom Netherlands Indonesia		36.1 15.7 14.3 9.6 6.4 3.7 3.5 2.6 2.3 0.9	36.1 51.8 66.1 75.7 82.1 85.8 89.3 91.9 94.2 95.1

- 550. Foreign capital investment continues to play a significant role in the economic development of the Republic of South Africa 319/ The United Kingdom and the United States are the leading creditor countries by a wide margin.
- 551. There has been a net outflow of capital excluding undistributed profits from the private and public sectors of South Africa since 1959. Private foreign investment, however, has increased because of the high rate of undistributed profits.
- 552. The flow to South Africa of British private direct investment including undistributed profits has averaged about \$36 million annually in recent years. In the 1959-1962 period the yearly flow of investment to South Africa represented 7 per cent of total British overseas direct investments. In 1962, the most recent year available, investment amounted to \$38 million. This represented a considerable recovery from the depressed level of \$22 million in 1961, which marked the low point of the four-year period.
- 553. Private United States direct investment, though depressed initially, increased rapidly after Sharpeville, reaching a level of \$55 million in 1963. The relative size of recent direct investment flows to South Africa is broadly similar to the relative magnitude of United States investment holdings in the country. Thus, both the value of investments at the end of 1963 and average direct investment flows in 1960-1963 amounted to about 1 per cent of the United States total.

/...

^{319/} For details on foreign investments in the Republic of South Africa, see document A/AC.115/L.56/Rev.1

554. Earnings from foreign investment in South Africa in recent years have reached very substantial levels. Thus, in each of the years since 1960 payments of interest, dividends and branch profits to foreign investors have exceeded \$260 million. The bulk of this outflow has been accounted for by direct investment earnings, though payments on other investments have been also very large. 555. The importance of South Africa to British overseas business has already been suggested in earlier sections. The earnings of companies from direct investment provide an additional measure of the importance of South Africa to British firms as well as an indication of its importance to the country's balance of payments. Barnings of British firms from South African investments rose from \$59 million in 1959 to \$30 million in 1962, and the proportion of earnings in South Africa to total earnings from 9 to 13 per cent. Earnings from direct investments in South Africa accounted for a considerably higher ratio of total earnings than the ratio of investments in South Africa to the total of British private foreign investments, which amounted to 7 per cent in 1962.

556. United States investors have also found South Africa a source of substantial revenues. Earnings rose from \$50 million in 1960 to \$86 million in 1963. A rough indication of the relatively high yields obtained from investment in South Africa may be seen in a comparison of the ratio of South African to total United States direct investment earnings with the ratio of the value of South African to total United States direct investment overseas. In 1963 these ratios were 1.9 per cent and 1.0 per cent respectively.

557. In short, while there has been, in recent years, a net outflow of capital - excluding undistributed profits - from South Africa, it is apparent that investor confidence was, at least to some degree, restored in the years immediately following Sharpeville. The flow of private direct investment - including reinvested earnings - has been at a substantial level in the case of both of the major investors in South Africa, the United Kingdom and the United States. 558. Foreign capital investment, it may be noted, is significant not only because of its volume but also because it is accompanied by technological and industrial know-how, licences and capital equipment.

^{320/} A/AC.115/L.56/Rev.l.

C. SCUTH AFRICAN REACTION TO PROPOSALS FOR ECONOMIC SANCTIONS

559. In view of the growth of the economy and of foreign trade, despite the economic sanctions imposed by a number of States, spokesmen of the South African Government have been expressing confidence that effective economic sanctions would not be imposed or implemented and that South Africa can survive the expected pressures. They have argued that though South Africa was, to some extent politically isolated, it was not isolated in other fields.

560. Mr. Eric Louw, then Minister of Foreign Affairs, said on 30 October 1963, that it stood to reason that countries like the United Kingdom and the United States which had a profitable export trade with South Africa, shipping and air services to South Africa, and large investments in the country, would not be prepared to support proposals for sanctions. He added that the Republic's huge gold production also influenced their attitude. 321/

561. On 21 January 1964 Prime Minister Dr. Verwoerd stated:

"In most spheres of international relations, the relations between South Africa and those states with which it is important for us to keep in touch and to co-operate, and with which we have also had good contacts and sound co-operation through the years, are excellent." 322/

562. The <u>Cape Times</u> reported on 4 April 1964 that the Government's top economic advisers confidently believed that South Africa's big trading partners, including the United Kingdom and the United States, would dissociate themselves from any attempt to pressure the South African Government into changing its policies by refusing to buy South African products. Though trade boycotts had cut the limited trade that South Africa carried on with a number of African countries, the expansion of other markets had more than compensated for the loss.
563. The Minister of Economics, Dr. Diederichs, said in the House of Assembly on 19 May 1964 that economic sanctions against South Africa would not succeed. As a result of threats and the "psychological war" being waged against South Africa, he said, the country was developing and diversifying its secondary industries and becoming largely self-sufficient. Official and unofficial boycotts of South African goods had not affected the country's economy, but had harmed African countries boycotting South Africa. He added that South Africa was too valuable a

^{321/} Cape Times, 31 October 1963.

^{322/} House of Assembly Debates, 21 January 1964, col. 52.

market and supplier of raw materials, gold and other minerals to the countries that really counted.

564. The Minister of Foreign Affairs, Mr. Muller, said in the House of Assembly on 8 June 1964 that South Africa was actually not as isolated internationally as some people alleged. $\frac{323}{}$

565. The Minister of Finance, Dr. Donges, said in Hong Kong on 23 September 1964 that the boycott had a "negligible" effect on the South African economy which was "buoyant". He said that South Africa's imports had risen by 46 per cent in the past two years while exports had risen by £58 million to £533 million. \frac{324}{} \frac{566}{566}. The Opposition United Party, however, has been expressing concern that the resistance of major Western Powers toward economic sanctions was weakening and that South Africa would be particularly vulnerable to economic sanctions as foreign trade played an important role in its economy, with exports equivalent to one-quarter of the gross national product and imports to one-fifth of the gross national product. \frac{325}{}

567. The Government has taken a number of steps to counter the threat of economic sanctions and to promote self-sufficiency.

568. Reference has been made earlier to the large expenditures for the manufacture of arms and ammunition in South Africa.

569. A Strategic Mineral Resources Act was passed in 1964 to establish an account for the promotion of prospecting and mining of oil and other strategic minerals in the country, and for the processing of such minerals. The Account was opened with 15,000,000 Rand (\$21 million) from the budgetary surplus for the financial year 1963-1964.

570. In view of South Africa's dependence on imported petroleum and its consequent vulnerability to an embargo on petroleum supplies, the Government has taken

He added: "There is, for example, daily contact between South Africa and many countries of the world in practically every sphere. Just take the example of our international trade. In 1963 our exports increased by R35,000,000, an increase of more than 4 per cent. Foreign capital investments in South Africa last year reached a new peak. The investments of the USA increased by 20 per cent since 1961 and British investments in South Africa increased by R200,000,000 in 1963 alone. Then there are continuously missions and groups of businessmen from overseas visiting South Africa, and South Africans who do the same." House of Assembly, Debates, 8 June 1964, col. 7374.

^{324/} Cape Times, 24 September 1964.

^{325/} Cape Times, 29 April and 15 October 1964.

vigorous steps to encourage exploration for petroleum in South Africa and South West Africa. The Minister of Economic Affairs, Dr. Diederichs, said in the House of Assembly on 21 April 1964 that the geological survey section of his Department had been told to organize its activities in a manner which would give priority to investigations relating to natural oil and to the granting of assistance to concerns which were actively prospecting for natural oil. $\frac{326}{}$

571. Prospecting rights were granted to about a dozen persons or undertakings and the search for oil is proceeding urgently. $\frac{327}{}$

572. The capacity of the SASOL plant for the production of oil from coal is being increased and the establishment of another plant is under consideration.

573. Recognizing its vulnerability with regard to shipping, South Africa is expanding its maritime fleet. The Safmarine has recently acquired four refrigerated ships, increasing its fleet to fourteen. A contract for three ships was signed with shipbuilders in the Netherlands on 29 October 1964, and an order for two more is planned. 328/

^{326/} House of Assembly Debates, 21 April 1964, cols. 4600-01.

^{327/} Cape Times, 4 May 1964; The Star, weekly, Johannesburg, 23 May 1964.

^{328/} Cape Times, 30 October 1964.

Part III

CONCLUSIONS AND RECOMMENDATIONS

574. The foregoing review of the developments since the Special Committee's report of 13 September 1963 makes it clear that the Government of the Republic of South Africa has continued to reject and defy the decisions of the General Assembly and the Security Council on the question of race conflict resulting from its policies of apartheid.

575. It has refused to comply with the requests and demands to abandon its policies of <u>apartheid</u> which, the General Assembly and the Security Council declared, were contrary to the principles and purposes of the Charter and in violation of its obligations as a Member of the United Nations and of the provisions of the Universal Declaration of Human Rights. Instead, it has extended the imposition of the policies of <u>apartheid</u> by such grossly discriminatory legislation as the Bantu Laws Amendment Act of 1964.

576. It has not complied with the demands of the General Assembly and the Security Council to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policies of apartheid; to abolish the practice of imprisonment without charges, without access to counsel or without the right to prompt trial; to end forthwith the trials instituted within the framework of the arbitrary laws of apartheid; and to renounce the execution of the persons sentenced to death for acts resulting from their opposition to the policy of apartheid.

Instead, it has greatly intensified the regime of repression by passing new repressive laws, by imprisoning and persecuting large numbers of opponents of the policy of apartheid and conducting numerous trials of such persons under arbitrary laws. It has carried out executions in defiance of the decisions of the Security Council, as well as urgent appeals by the Secretary-General and of world public opinion.

577. The Special Committee recalls that, in its reports of 23 March and 25 May 1964, it had expressed the gravest anxiety over the irrevocable consequences likely to result from the execution of death sentences against the opponents of the policies of <u>apartheid</u> and the imperative need for urgent and decisive action under Chapter VII of the Charter.

578. The Special Committee regards the recent execution of Mr. Vuyisile Mini, Mr. Wilson Khayinga and Mr. Zinakile Mkaba, despite the repeated intervention of the United Nations organs and the appeal made by the Chiefs of State who were meeting in Cairo at the second conference of non-aligned countries, as a direct challenge to the United Nations and the Chiefs of State who made the appeal, a challenge which the Organization cannot ignore. These executions have seriously aggravated the explosive situation and prove that opportunities for a peaceful solution may cease to exist unless mandatory measures are implemented without delay. The Special Committee expresses serious anxiety over the fate of other persons awaiting execution for acts arising from their opposition to apartheid. The Special Committee likewise expresses its apprehension that further executions would give drastic impetus to the rush of events in South Africa towards wide-spread and open racial conflict which could engulf Africa, and turn the course of events away from all hopes of a peaceful settlement of the crisis. 579. Moreover, by establishing a regime of repression, the South African Government has left the non-White people and even White opponents of racial discrimination with no effective means of defending their vital interests and furthering their convictions except clandestine activity and violence.

580. The South African Government has spurned the invitation of the Security Council to avail itself of the assistance of the Group of Experts, established in pursuance of the Security Council resolution of 4 December 1963, in order to bring about a peaceful and orderly transformation in South Africa through full application of human rights and fundamental freedoms to all inhabitants of the territory as a whole, regardless of race, colour or creed. It has failed to respond to the invitation of the Security Council to accept the main conclusion of the Group of Experts that "all the people of South Africa should be brought into consultation and should thus be enabled to decide the future of their country at the national level".

581. The South African Government has thus refused to participate in a search for a positive alternative to the policies of <u>apartheid</u> by peaceful means and has instead continued to aggravate the explosive situation in the country by the intensified imposition of discriminatory and repressive policies. It has

proceeded to expand greatly its military power to crush internal resistance and threaten other States which proclaim a determination to ensure the fulfilment of the purposes of the United Nations Charter in South Africa. The danger of violent conflict in South Africa is graver than ever, as is the threat of a wider conflict resulting therefrom.

582. The Special Committee has expressed its strong conviction that the situation in South Africa constitutes a serious threat to international peace and security. The policies of <u>apartheid</u> are a constant and intense provocation to the people of Africa and to the United Nations and the entire humanity. They threaten to provoke an international conflict, the dangerous prospects of which are increased by the growing militarization of South Africa.

583. This assessment of the Special Committee has been confirmed by the report of the Group of Experts and endorsed by a large majority of Member States in their official statements and in conferences such as the Assembly of Heads of State and Government of the Organization of African Unity and the second conference of non-aligned countries.

584. The Special Committee has stated that the situation in South Africa is such that it calls for urgent and energetic action by the General Assembly, the Security Council and other organs of the United Nations, and the specialized agencies, as well as other organizations and individuals. It has laid great emphasis on the need to encourage widest awareness of the dangers of the situation and to rally the widest support by the Governments and public opinion for decisive action to resolve the situation.

585. In this connexion, the Special Committee has emphasized its firm conviction that the problem in South Africa lies in the fact that the South African Government has established racial discrimination as a state policy. It has stressed that the South African Government has, by seeking to suppress and silence the non-White population, restricted in various degrees the freedoms of all the South African people, endangered the security of the White minority it seeks to represent and tended to precipitate a disastrous conflict. It

has rejected as absurd the South African claim to represent Western or Christian civilization and declared that efforts to resolve the situation in South Africa are not and should not be influenced by extraneous considerations such as the cold war. It has called for international action with the sole aim of securing the vital interests of all the people of South Africa, irrespective of race, colour or creed, in accordance with the purposes and principles of the Charter. It is convinced that the implementation of the principle endorsed by the Security Council that "all the people of South Africa should be brought into consultation and should thus be enabled to decide the future of their country at the national level" represents an appropriate method for a peaceful resolution of the situation. 586. The Special Committee feels that the failure of all efforts to persuade the South African Government by appeals or the exercise of moral pressure and the offers of assistance in the search for a peaceful solution, indicated that such efforts can have no positive effect unless they are accompanied by decisive measures to convince the privileged group in South Africa that the international community is determined to oppose the continuation and intensification of discrimination and to frustrate moves towards that end.

- 587. The Special Committee has, therefore, expressed its firm conviction that the application of economic sanctions under Chapter VII of the Charter is now the only effective peaceful means for assisting to resolve the situation.
- 588. The Special Committee notes that this view was also shared by the Group of Experts and advocated by the International Conference on Economic Sanctions against South Africa, the Organization of African Unity, the second conference of non-aligned countries and a large majority of Member States.
- 589. The Special Committee feels that in view of the gravity and the constant aggravation of the situation, such mandatory action should be taken by the United Nations without further delay.
- 590. In the light of the foregoing considerations, the Special Committee feels that the situation in the Republic of South Africa should be considered again without delay by the General Assembly and the Security Council and that decisive measures

should be adopted to meet the dangers to international peace and security. The Special Committee herewith submits a number of recommendations to assist the principal organs in the consideration of the question.

A. RECOGNITION OF THE THREAT TO INTERNATIONAL PEACE AND SECURITY

591. The Special Committee is firmly convinced that the situation in the Republic of South Africa, which has greatly deteriorated in recent months, constitutes a serious threat to the peace in terms of Article 39 of the Charter. It considers that a clear recognition of this threat by the Security Council is imperative to enable the implementation of decisive mandatory action which is required to resolve the situation before all the possibilities of a peaceful solution are eliminated. For, the Security Council cannot afford to wait to take action when such foreseeable conflicts as in South Africa could be prevented by its timely and decisive mandatory action.

592. The Special Committee notes that the Security Council, while expressing its strong conviction that the situation is "seriously disturbing" the maintenance of international peace and security, has refrained from determining it as a "threat to the peace" in terms of Article 39 of the United Nations Charter. This failure to define the situation in terms of the appropriate Charter provisions is due mainly to the reluctance of certain permanent members of the Security Council who are also among the major trading partners of South Africa.

593. The Special Committee is convinced that these Powers should recognize the existence of this threat as an objective fact and the ineffectiveness of further action under any provisions of the Charter outside the scope of Chapter VII to resolve the situation. It hopes that they will be persuaded by the influence of the opinion of the vast majority of Member States that by delaying effective action, they are not only permitting the threat to develop into alarming proportions and erupt into violent conflict, but also weakening the authority, prestige and effectiveness of the United Nations.

The Special Committee, therefore, recommends that the General Assembly should, at the earliest practicable date, record the conviction of the large majority of Member States that the situation in the Republic of South Africa constitutes a serious threat to the peace, thus calling for mandatory measures provided for in

Chapter VII of the Charter of the United Nations, and invite the Security Council to take necessary action without delay to resolve the situation.

595. The Special Committee feels that a massive endorsement of such a declaration by all Member States would not only help persuade all the permanent members of the Security Council, but would ensure the widest support for action to be taken by the Security Council.

B. APPLICATION OF ECONOMIC SANCTIONS

596. The Special Committee has emphasized that economic sanctions are the only available means for a peaceful solution of the situation in South Africa. It has further emphasized that economic sanctions would be effective if they were implemented by all States, more particularly by all the major trading partners of South Africa (United Kingdom, United States, Federal Republic of Germany, Japan, Italy, France, Netherlands, Canada, Belgium, Iran, Portugal, Sweden and Switzerland). The Committee feels that the Government of the Republic of South Africa would not be able to carry out its policies of apartheid if it did not enjoy the economic support of these trading partners.

597. The Special Committee notes with satisfaction that a large number of States have taken economic measures against South Africa during the period under review, despite the serious sacrifices involved, in pursuance of the provisions of operative paragraph 4 of General Assembly resolution 1761 (XVII). 330/ It notes

"(a) Breaking off diplomatic relations with the Government of the Republic of South Africa or refraining from establishing such relations;

African ports;
"(d) Boycotting all South African goods and refraining from exporting goods, including all arms and ammunition, to South Africa;

As indicated in the tables in Chapter VI, these are the principal countries of destination of South Africa's exports and/or principal countries of origin of South Africa's imports in 1963. Details on the direction of trade of South Africa, in 1963, based on South African official statistics, are given in annex III.

^{330/} The text of operative paragraph 4 reads as follows:

[&]quot;4. Requests Member States to take the following measures, separately or collectively, in conformity with the Charter, to bring about the abandonment of those policies:

[&]quot;(b) Closing their ports to all vessels flying the South African flag; "(c) Enacting legislation prohibiting their ships from entering South

[&]quot;(e) Refusing landing and passage facilities to all aircraft belonging to the Government of South Africa and companies registered under the laws of South Africa.

further that a number of States have implemented the decision of the Security Council that they "cease forthwith the sale and shipment to South Africa of arms, ammunition of all types, military vehicles, and equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa".

598. The Special Committee recommends that the States which have taken effective measures in implementation of the decisions of the General Assembly and Security Council be commended, and that all other States be invited to take action and report without delay.

599. The Special Committee notes that the request in operative paragraph 4 of General Assembly resolution 1761 (XVII) reflects the considered opinion of a great majority of Member States, based on the proposals of the opponents of the policies of apartheid in South Africa and the decisions of African and other States. It feels that Member States should respect that decision of the General Assembly, consider in good faith and in all seriousness the means to comply with that decision, and, above all, refrain from any action contrary to its provisions. 600. The Special Committee, however, notes that several States, including major trading partners of South Africa, have opposed economic sanctions, or expressed doubts regarding economic sanctions, and advanced various reasons for not abiding by the request in operative paragraph 4 of General Assembly resolution 1761 (XVII). 601. The Special Committee feels that these Powers should be called upon to take note that continued economic and other relations which encourage the intransigence of the Government of the Republic of South Africa are incompatible with opposition to apartheid and with concern for the authority of the United Nations; and that such relations are a likely source of friction with many States, particularly in Africa and Asia, which have already implemented economic sanctions and are determined to oppose by every means at their disposal the degradation of non-White people in South Africa.

602. The Special Committee recalls that the International Conference on Economic Sanctions against South Africa, held in London in April 1964, brought together recognized experts in various fields and helped to counter the reasons advanced against economic sanctions. The Conference concluded that economic sanctions were feasible and practicable and that the adverse effect of economic sanctions

on the economies of the major trading partners and on international trade would be marginal, though certain special interests may be seriously affected. 331/ 603. The Special Committee expresses the hope that the aggravation of the situation in South Africa, and the recent consideration of the question of economic sanctions in the United Nations and outside, will persuade all States, particularly the major trading partners of South Africa, of the desirability, appropriateness and urgency of economic sanctions against South Africa. It further expresses the hope that the technical study by the Expert Committee established in pursuance of the Security Council resolution of 18 June 1964 will facilitate an early mandatory decision by the Security Council for effective economic sanctions to be applied by all States under the auspices of the United Nations. 604. The Special Committee, meanwhile, reiterates its grave concern that certain States have increased their trade with the Republic of South Africa, despite the provisions of General Assembly resolution 1761 (XVII), thus frustrating the effect of the sacrifices of other States, and that some States continue to fail to implement fully the decisions of the Security Council, having made reservations or qualifications concerning compliance with those decisions. The Special Committee considers that such attitude constitutes an encouragement to the South African Government to continue to pursue its racial policies and challenge the authority of the United Nations.

605. The Special Committee notes in this connexion that it had expressed its appreciation for the decision of the United States Government in August 1963 and the United Kingdom Government on 17 November 1964 to stop the supply of arms to the Republic of South Africa and the hope that these Governments would take further vigorous steps to dissuade the South African Government from continuing with its racial policies. 332/

^{331/} A/5707 - S/5717. Many of the paper submitted to the Conference were published in document S/AC.14/L.2. The report by the delegation of the Special *Committee, which attended the Conference as observers, was communicated to the General Assembly and the Security Council on 25 May 1964.

The Special Committee expresses its regret that the United Kingdom Government subsequently announced that it would allow the supply of Buccaneer aircraft to the Republic of South Africa under the outstanding contract.

606. The Spēcial Committee considers that the United Nations should insist that all States, which have not yet done so, follow the example of these two major suppliers of arms to South Africa. The United Nations should moreover make it clear to all States that continued supplies of arms to the Republic of South Africa, and any moves to replace the United States and the United Kingdom as suppliers of arms, would constitute a challenge to the authority of the United Nations and a step towards the intensification of the threat to international peace.

607. The Special Committee, therefore, recommends that the General Assembly and the Security Council express regret at the actions of States which have acted contrary to the provisions of operative paragraph 4 of General Assembly resolution 1761 (XVII) or have failed to implement the decisions in operative paragraph 3 of the Security Council resolution S/5386 of 7 August 1963, reaffirmed and elaborated in operative paragraphs 1 and 5 of resolution S/5471 of 4 December 1963 and operative paragraph 12 of resolution S/5773 of 18 June 1964. 608. With regard to the shipments of arms to the Republic of South Africa, the Special Committee is convinced that a distinction between arms for internal security and arms for external purposes is unjustifiable. The Special Committee cannot accept the view that South Africa has the right under Article 51 of the Charter to obtain arms from abroad. The Special Committee believes that any increment to the armed strength of South Africa, specially if this increase comes in the form of the most modern and murderous weapons, whether denominated as for external defence or not, will only serve to bolster the arrogant selfconfidence of the South African Government in its ability to continue its repressive measures in support of the policies of apartheid and intensify its defiance of the United Nations and world public opinion with impunity. 609. The Special Committee recalls that, in its previous reports, it had made certain specific recommendations on the basis of the decisions of the Security Council and the General Assembly (see paragraphs 23 and 24 above). It wishes to reiterate and elaborate these recommendations for the consideration of the General Assembly and the Security Council.

- 610. With regard to the request to all States by the Security Council "to cease forthwith the sale and shipment to South Africa of arms, ammunition of all types military vehicles, and equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa", the Special Committee recommends that all States be requested:
 - (a) To prohibit the provision of technical assistance or capital or the granting of licences for the manufacture of arms and ammunition in South Africa;
 - (b) To prohibit any assistance in the manufacture in South Africa of aircraft, naval craft or military vehicles;
 - (c) To deny training facilities to members of the South African armed forces;
 - (d) To refrain from joint military exercise with the South African armed forces.
- 611. The Special Committee further makes the following suggestions for the consideration of the General Assembly and the Security Council:
 - (a) A request to all international agencies, in particular to the specialized agencies, including the International Bank for Reconstruction and Development and the International Monetary Fund, to take all necessary steps to deny economic or technical assistance to the Government of the Republic of South Africa without precluding, however, humanitarian assistance to the victims of the policies of apartheid;
 - (b) A request to all States to prohibit or discourage investments by their nationals in the Republic of South Africa, and the granting of loans and credits to the South African Government and South African companies;
 - (c) A request to all States to deny facilities for all ships and planes destined to or returning from the Republic of South Africa;
 - (d) A request to all States to prohibit or discourage the emigration of their nationals to the Republic of South Africa.
- 612. The Special Committee further recalls that it had recommended a study of means to ensure an effective embargo on the supply of petroleum to the Republic of South Africa, including a blockade, if necessary, under the aegis of the United Nations.
- 613. Taking note of the discussion of this question at the International Conference on Economic Sanctions against South Africa, the decisions of the Organization of African Unity and the second conference of non-aligned States, and the

communiqué of 12 November 1964 by the Expert Committee of the Security Council, as well as the Committee's own consideration of the question, the Special Committee feels that action on this matter is now appropriate, timely and essential.

614. The Special Committee, therefore, recommends that all States be requested to take immediate steps to prohibit the supply of petroleum and petroleum products to the Republic of South Africa and that all oil exporting countries be requested to co-operate in this action. The Special Committee, moreover, recommends that all States be requested:

- (a) To prohibit the petroleum companies and shipping companies registered in their countries from carrying supplies of petroleum and petroleum products to South Africa;
- (b) To take appropriate measures to discourage and prevent such companies from any action which helps to circumvent the embargo;
- (c) To prohibit the supply of machinery, technical assistance and capital for the production of petroleum and petroleum products as well as synthetic substitutes within South Africa.
- 615. The Special Committee, moreover, feels that urgent consideration should be given to other measures such as an embargo on the supply of rubber, chemicals, minerals and other raw materials to South Africa, and on the purchase of gold, diamonds, iron ore and other minerals from South Africa; the blacklisting of companies assisting the manufacture of arms and ammunition in South Africa; and the denial of all technical assistance, capital and machinery for the manufacture of motor vehicles and rolling stock in South Africa.
- 616. In connexion with the question of economic sanctions, the Special Committee expresses its conviction that total economic sanctions, universally applied and fully implemented, constitute the only effective means for achieving a peaceful solution. It has given particular consideration to certain specific measures in the hope that such measures, along with a declaration of determination to impose total economic sanctions, would persuade the South African Government to take steps to comply with the resolutions of the General Assembly and the Security

^{333/} United Nations press release SC/2654, 12 November 1964.

Council, such as a general amnesty to all persons persecuted for acts arising from their opposition to <u>apartheid</u> and an agreement to convoke a national convention of the genuine representatives of all the people of South Africa to decide the destiny of the country in free discussion.

617. The Special Committee, therefore, recommends that the General Assembly and the Security Council:

- (a) Decide on total economic sanctions against the Republic of South Africa until the South African Government agrees to comply with its obligations under the Charter of the United Nations;
- (b) Institute the measures indicated earlier, as a matter of unrgancy, to persuade the South African Government to take steps to comply with the resolutions of the General Assembly and the Security Council.

C. OTHER MEASURES

- Relief and assistance to the families of all persons persecuted by the Government of the Republic of South Africa for acts resulting from their opposition to the policies of apartheid
- 618. The Special Committee reaffirms its recommendation that the international community, for humanitarian reasons, should provide relief and assistance to the thousands of South African nationals who have been persecuted for their opposition to the policies of apartheid and whose families face serious hardship. 619. The General Assembly endorsed this recommendation in resolution 1978 B (XVIII) of 16 December 1963 and, after consultation with the Secretary-General, the Special Committee addressed an urgent appeal to Member States to contribute generously to the fulfilment of the purposes of this resolution through the existing voluntary organization or through other appropriate channels of their choice, and to give the widest publicity to the appeal in order to encourage charitable foundations, organizations and individuals in their countries to make generous contributions.

620. The Special Committee feels that action in this respect is urgent and imperative in view of the massive repression of the opponents of the policies of apartheid during the past year as detailed in the present report.

621. The Special Committee, therefore, recommends that the General Assembly invite all States and organizations to contribute generously for the religif and assistance of all persons persecuted by the South African Government for acts resulting from their opposition to the policies of apartheid and to their families. 622. The Special Committee regards this as a humanitarian gesture which should in no way weaken the international concern to secure a general amnesty for all opponents of apartheid persecuted by the South African Government.

2. Investigation of treatment of prisoners

623. The Special Committee has been gravely concerned over the numerous charges of ill-treatment and torture of opponents of the policies of <u>apartheid</u> in police custody and in prisons in South Africa. It has received copies of sworn affidavits by many former prisoners and has taken note of statements of former prisoners who escaped from South Africa concerning brutalities inflicted on them and on their colleagues. The present report contains some details on such charges published in the press or submitted to South African courts.
524. The Special Committee notes that the charges concern many prisons and police stations in South Africa and have led to inferences that torture and third degree methods have become a common practice or are condoned by the Executive. It feels that the volume of evidence and the gravity of charges are such that an impartial international investigation is called for in order to establish the truth and ensure the punishment of the guilty.

625. The Special Committee, therefore, recommends:

- (a) That an international commission composed of eminent jurists and prison officials be set up to investigate charges of torture and ill-treatment of prisoners in South Africa;
- (b) That this commission be authorized to investigate the affidavits by former prisoners, interview present and former prisoners and look into the conditions in the prisons, and report as soon as possible;
- (c) That the Government of the Republic of South Africa be invited to provide facilities for such an impartial investigation.

- 3. Fublicity for United Nations efforts against the policies of aparthoid and to inform world opinion of the dangers of the policies of apartheid.
- 626. The Special Committee, considering the problem of apartheid as a matter of concern to the entire humanity, has always emphasized the need for the widest publicity for United Nations efforts to resolve the situation in South Africa. It has attached the greatest importance to informing the people all over the world of the United Nations concern over the matter and to obtaining their support for effective United Nations action.
- 627. The Special Committee regards it as crucial for the future of the United Nations and for amicable race relations all over the world that there should be the widest awareness of the dangers of racialism in South Africa and of the imperative need to promote an end to racial discrimination. It considers it essential that every effort should be made to counteract the racialist propaganda conducted by the South African Government and its defenders. It regards it as imperative that these interests which profit from racial discrimination and oppression in South Africa should be exposed fully to the pressure of public opinion.
- Nations can contribute greatly, each within its own field of competence, in increasing public awareness of the consequences of the policies of apartheid in South Africa and the means to bring about a society based on racial equality. The United Nations Educational, Scientific and Cultural Organization (UNESCO), with its experience in combatting racial prejudice, can make a significant contribution by devoting adequate resources to the question of apartheid in the Republic of South Africa. The International Labour Organisation can play a very useful role by vigorously implementing its "Programme for the Elimination of Apartheid in Labour Matters in the Republic of South Africa".
- 629. The Special Committee has welcomed observers from the United Nations Educational, Scientific and Cultural Organization, the Food and Agricultural Organization, the International Atomic Energy Agency, the International Labour Organization and the World Health Organization to its meetings. It hopes that

this contact will promote concerted and vigorous activity by these agencies on the question of apartheid and that such activity will also be promoted through arrangements for co-ordination between the United Nations and its specialized agencies.

- 630. The Special Committee feels that Member States can make a significant contribution by disseminating information on the seriousness of race conflict in South Africa to organizations and individuals. They can, moreover, provide broadcasting and other facilities for organizations opposed to the policies of apartheid so that they may be enabled to reach the widest audiences in South Africa and outside.
- 631. While expressing its great appreciation to the Secretary-General for his co-operation in publicizing the Special Committee's activities, the Special Committee feels that he may be requested to use his influence to encourage international organizations to participate actively in combatting the policies of apartheid.
- 532. The Special Committee attaches great importance to the participation of United Nations associations, UNESCO national commissions and national and international organizations of churches, workers, teachers, students, sportsmen and others in this activity.
- 633. The Committee finds it essential that sufficient budgetary and other resources should be made available to enable it to collect and disseminate all relevant information, to maintain constant contact with non-governmental organizations concerned with the question and to promote the widest awareness of United Nations efforts on this matter.
- 634. The Special Committee attaches the greatest importance to the above measures because of its conviction that the United Nations should play a positive and active role on this question as it affects the purposes and principles of the Organization and its authority. It feels that, because of the great dangers of racialism, there should be the widest public awareness and support of United Nations action on this question. The United Nations must actively show that the policies of apartheid threaten to bring about a disastrous and widespread conflict and make clear that the United Nations seeks the security and prosperity of all the people of South Africa, including the White people, in a non-racial society.

- 635. The Special Committee, therefore, recommends that the General Assembly:
 - (a) Invite Member States to encourage and provide facilities for the widest dissemination of information to promote awareness of the dangers of the policies of apartheid and support for the United Nations activities on this question;
 - (b) Invite the specialized agencies to take concerted and active measures, in co-operation with the Secretary-General and the Special Committee, to promote the dissemination of such information;
 - (c) Request the Secretary-General to encourage international organizations to disseminate such information;
 - (d) Allocate adequate budgetary and other support for the efforts of the Special Committee in this field.
- 636. The Special Committee recalls the recommendation of the Group of Experts that the Security Council should invite all concerned to communicate their views on the agenda for the National Convention, fully representative of all the people of South Africa, to set a new course for the future, which was suggested by the Group. The Group recommended that such an invitation should be addressed to all representative groups including political parties, Congresses at present banned under the Unlawful Organizations Act, and other South African organizations such as the Churches, Universities, Trade Unions, Associations of Employers, Chambers of Commerce, Bar Associations, Institutes of Race Relations, the Press and all other representative groups.
- 637. In view of the refusal of the South African Government to entertain this suggestion of the Group of Experts, the Special Committee feels that the United Nations should promote consultations and discussions among all available groups, particularly those subscribing to the purposes and principles of the Charter, regarding the future of the country. The Special Committee has been in contact with many representative South African organizations and prominent South African nationals, and feels that these contacts should be further extended and efforts made to promote consultations and discussions suggested above. The Special Committee feels, moreover, that the United Nations should seek the assistance and advice of international organizations concerned with race relations in promoting such consultations and discussions.

4. Enlargement of the Special Committee

638. Finally, the Special Committee considers it essential that it be strengthened to fulfil more effectively the important mandate assigned to it by the General Assembly. It feels that the full participation in the Committee of the permanent members of the Security Council, who bear a special responsibility for the maintenance of international peace and security, is essential for that purpose. While hoping that the major trading partners of South Africa who bear a special responsibility for the perpetuation of the policies of apartheid will soon implement effective measures to comply with the decisions of the General Assembly and the Security Council, the Special Committee feels that their participation in its activities would be useful. The Special Committee considers further that a wider geographical distribution of membership can contribute greatly to the effectiveness of the Committee. It considers that the Secretariat should also be proportionately strengthened to ensure adequate services to facilitate greater activity by the Special Committee in promoting a peaceful solution to the grave problem of the policies of apartheid of the Government of the Republic of South Africa.

639. The Special Committee, therefore, recommends that its membership be enlarged to include permanent members of the Security Council and the present major trading partners of the Republic of South Africa, and to ensure a wider geographical distribution in its membership.

D. SUMMARY OF RECOMMENDATIONS

640. The Special Committee recommends that the General Assembly should, at the earliest practicable date:

- (a) Record the conviction of the large majority of Member States that the situation in the Republic of South Africa constitutes a serious threat to the peace, thus calling for mandatory measures provided for in Chapter VII of the Charter, and that economic sanctions are the only available means for a peaceful solution of the situation;
- (b) Invite the Security Council to take necessary action without delay to resolve the situation.

- 641. The Special Committee makes the following recommendations for the consideration of the General Assembly and the Security Council:
 - (a) Decide on total economic sanctions against the Republic of South Africa until the South African Government agrees to comply with its obligations under the Charter of the United Nations, and institute measures indicated below, to persuade the South African Government to take steps to comply with the resolutions of the General Assembly and the Security Council;
 - (b) Commend the States which have taken effective measures in implementation of the decisions of the General Assembly and the Security Council on this question; and invite all other States to take action in implementation of these decisions and report without delay;
 - (c) Express regret at the actions of States which have acted contrary to the provisions of operative paragraph 4 of General Assembly resolution 1761 (XVII) or have failed to implement the decisions on military assistance to the Republic of South Africa in operative paragraph 3 of the Security Council resolution of 7 August 1963 (S/5386), reaffirmed and elaborated in operative paragraphs 1 and 5 of the resolution of 4 December 1963 (S/5471) and operative paragraph 12 of the resolution of 18 June 1963 (S/5773);
 - (d) Request all States:
 - (i) To prohibit the provision of technical assistance or capital for the manufacture of arms and ammunition in South Africa;
 - (ii) To prohibit any assistance in the manufacture in South Africa of aircraft, naval craft or military vehicles;
 - (iii) To deny training facilities to members of the South African armed forces;
 - (iv) To refrain from joint military exercises with the South African armed forces;
 - (e) Request all international agencies, in particular the specialized agencies, including the International Bank for Reconstruction and Development and the International Monetary Fund, to take all necessary steps to deny economic or technical assistance to the Government of the Republic of South Africa without precluding, however, humanitarian assistance to the victims of the policies of apartheid.

- (f) Request all States to prohibit or discourage investments by their nationals in the Republic of South Africa, and the granting of loans and credits to the South African Government and South African companies;
- (g) Request all States to deny facilities for all ships and planes destined to or returning from the Republic of South Africa;
- (h) Request all States to prohibit or discourage the emigration of their nationals to the Republic of South Africa;
- (i) Request all States:
 - (i) To prohibit the supply of petroleum and petroleum products to the Republic of South Africa, with a special appeal to all oil exporting countries to co-operate in this action;
 - (ii) To prohibit the petroleum companies and shipping companies registered in their countries from carrying supplies of petroleum and petroleum products to South Africa;
 - (iii) To take appropriate measures to discourage and prevent such companies from any action which helps to circumvent the embargo;
 - (iv) To prohibit the supply of machinery, technical assistance and capital for the production of petroleum and petroleum products, as well as synthetic substitutes, within the Republic of South Africa;
- (j) Invite all States and organizations to contribute generously for the relief and assistance of all persons persecuted by the South African Government for acts resulting from their opposition to the policies of apartheid and to their families;
- (k) Request all States to prohibit the supply of rubber, chemicals, minerals and other raw materials to South Africa, and the importation from South Africa of gold, diamonds, iron ore or other minerals;
- (1) Request all States to deny all technical assistance, capital and machinery for the manufacture of motor vehicles and rolling stock in the Republic of South Africa;
- (m) Establish an international commission to investigate charges of illtreatment and torture of prisoners in the Republic of South Africa; authorize the commission to investigate the affidavits by former prisoners, interview

present and former prisoners and look into the conditions in the prisons, and report as soon as possible; and invite the Government of the Republic of South Africa to provide facilities for such an impartial investigation; (n) Invite Member States to encourage and provide facilities for the widest dissemination of information to promote awareness of the dangers of the policies of apartheid and support for the United Nations activities on this question; invite the specialized agencies to take concerted and active measures, in co-operation with the Secretary-General and the Special Committee, to promote the dissemination of such information; request the Secretary-General to encourage international organizations to disseminate such information; and allocate adequate budgetary and other support for the efforts of the Special Committee in this field;

(o) Enlarge the membership of the Special Committee to include permanent members of the Security Council and the present major trading partners of the Republic of South Africa, and to ensure a wider geographical distribution in its membership.

bilderes and to be married and and and and and and are married where the desired of the desired of the formation of the second o

Extract from a letter dated 21 July 1964 from the Chairman of the Presidium of the People's Assembly of the People's Republic of Albania:

"The Government of the People's Republic of Albania has constantly requested that everything possible should be done to put an end to the shameful racial discrimination and the inhuman policy of apartheid in South Africa. It maintains no relations with the Government of South Africa, nor does it intend to establish relations with South Africa until the latter's Government abandons its policy of apartheid.

"Reiterating our firm opposition to all racial discrimination and to the policy of <u>apartheid</u> of the Government of South Africa, and the determination of the people and the Government of the People's Republic of Albania to contribute to the abolition of that discrimination and that policy, we ask the United Nations to take effective measures to force the racist Government of South Africa to cease immediately the persecution of the opponents of <u>apartheid</u> and to abandon that policy.

, . . .

^{1/} The substantive parts of the communications are reproduced here. The full texts of replies are reproduced in documents A/AC.115/L.70 and Add. 1-4.

"We hope the work of the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa will prove useful in this respect. 2/33. Canno - Make allowed Compension don day to carefront assistance. with taplic opticate product you had been been been a to teach the particle of the

resignating forms arither orders and algeria set world resignation by having realist

Extract from a letter dated 12 June 1964 from the President of the See Const certificating & TE to a little as also not larger to a darger the last with the last west by administrate approximation, day to be the contract of the

"In May 1963, at the Conference of Heads of African States and Governments, certain decisions were taken with a view to defeating the radist policies of the Pretoria Government. The Algerian Government immediately carried out those decisions. More recently, by an absolute majority, the Algerian National Assembly decided to break off completely all economic relations with South Africa. This practical step only reaffirms the determination of the Algerian Government and people to continue the fight all are already waging. අත්තුම "සහ මාදුර්ග Libray" නැති එමේ එමදා එනුල්ලිය මම සහ නැති එම

"True, some results were obtained at the International Labour Conference, and the Conference of the Food and Agriculture Organization. However, the present criminal behaviour of the Pretoria authorities justify the concern which prevails on our continent and explain the increasingly vigilant attitude of all African States. The challenge hurled at Africa and the entire world must be answered by means other than resolutions. Practical solutions must be found and carried out. Any passive attitude can only encourage the most reactionary and sinister forces to persist in their fatal designs, which constitute a serious threat to the future of the United Nations.

"Consequently, you will understand, Sir, why the Algerian Government hastens to reiterate to you its determination to do everything in its power to ensure the victory of the legitimate aspirations of its sister people of South Africa, and to give it total and unconditional support until such time as an end is put to all domination or discrimination, all exploitation of man by man, all humiliation, bullying and torture. That attitude, in addition to making for an era of justice throughout Africa, can only strengthen peace and ensure the maintenance of international balance." 3/

ing letter veers have been rebelgium ev steer voor leest it seems?

Extract from a letter dated 24 June 1964 from the Permanent

Representative:

veries of moligns flow like voy suff supplies of the constraint of I "The authorities of my country have repeatedly condemned all policies of racial discrimination. In his statement at the eighteenth session of the General Assembly, on 8 October 1963, Mr. P.H. Spaak, Vice-Premier and Minister for Foreign Affairs, said, inter alia, on the subject of the policies of apartheid of South Africa: OF LAPISONA A

^{2/} A/AC.115/L.70/Add.4.

^{3/} A/AC.115/L.70/Add.2.

'... there are some policies which cannot prevail and some principles which cannot be accepted ... The problem of South Africa is even more serious, for here we are not concerned simply with a policy that is probably doomed to failure; it is a question of the United Nations making clear its disapproval of principles that run counter to the fundamental principles of the Charter ..."

"What is more, in his replies of 27 September 1963 and 29 January 1964 to the letters from the Secretary-General of the United Nations on the implementation of the Security Council resolutions concerning the shipment of arms to South Africa, Mr. Spaak once again emphasized that the Belgian Government and Belgian public opinion alike condemned the policies of apartheid pursued by the Government of South Africa.

"I am also authorized to inform you that the Belgian authorities will take advantage of any appropriate opportunity to remind the Pretoria Government once again that Belgium is opposed to the policies of apartheid and wants human rights respected throughout the world." 4/

Bulgaria

Appeal addressed to the President of the Republic of South Africa by the Chairman of the Presidium of the National Assembly of the People's Republic of Bulgaria (communicated by letter dated 22 May 1964 from the Permanent Representative):

"Having learnt of the death sentences passed on the South African militants Vuyisile Mini, Zinakile Mkaba and Wilson Khayinga, who are fighting for human rights in the spirit of the decisions of the United Nations, I appeal to your humanitarian feelings and your feelings of human justice to take whatever action may prove necessary for the annulment of the death sentences passed on these South African citizens, and also for the release of all the other militants who have taken part in the struggle for human rights and are now in prison.

"Such action on your part would be welcomed with great relief and gratification by public opinion in my country, and, I am sure, throughout the world.

"I am convinced, Mr. President, that you will take action to spare the lives of these South African citizens." 5/

^{4/} A/AC.115/L.70/Add.2

^{5/} A/AC.115/L.70.

Byelorussian SSR

Appeal dated 15 June 1964 addressed to the President of the Republic of South Africa by the President of the Presidium of the Supreme Soviet of the Byelorussian SSR (communicated by letter dated 2 July 1964 from the Acting Permanent Representative):

"It is with a feeling of deep alarm that I have learned of the numerous death sentences pronounced against citizens of the Republic of South Africa, including Vuyisile Mini, Zinakile Mkaba, Wilson Khayinga and other active participants in the movement to secure human rights and freedoms in accordance with United Nations decisions.

"Inspired by feelings of humanity and justice, I urgently appeal to you on behalf of the Byelorussian people to do everything in your power to obtain the revocation of the death sentences pronounced against the above-mentioned individuals and the release of all those participants in the movement for human rights who are now held in prison. The adoption of a decision along these lines and action to comply with other United Nations resolutions would meet the most pressing demands of public opinion throughout the world."

Cambodia

Message from the Head of State of Cambodia to the President of the Republic of South Africa (communicated by letter dated 3 July 1964 from the Deputy Permanent Representative):

"Cambodia is most disturbed about the fact that the South African authorities are continuing their policy of apartheid, which is contrary to the United Nations Charter and to human rights, and in particular about the repressive measures that have been unleashed against opponents of that policy.

"On behalf of Cambodia and the Khmer people, I request Your Excellency not to continue a policy which is contrary to all laws both human and divine, to refrain from executing political leaders opposed to apartheid, and to liberate all whose only crime is to declare that all men are brothers." 7

Canada

Extract from a note dated 6 November 1963 from the Permanent Representative to the Secretary-General (enclosed in a letter dated 11 May 1964 from the Permanent Representative):

^{6/} A/AC.115/L.70/Add.3.

^{7/} Ibid.

"Canada ... will support any proposals or measures which offer hope of a constructive and lasting solution to the problem of racial relations in South Africa ... The Canadian Government is deeply concerned over the failure of the South African Government to abandon its apartheid policies and in particular over intensification in the past year of repressive measures against individuals in South Africa who oppose these policies.

Canada, therefore, joined with 106 Members of the United Nations in voting in favour of resolution 1881 (XVIII).

"on a number of occasions during the past year and in particular since the beginning of the eighteenth Assembly, the Canadian Government has made clear to representatives of the South African Government Canada's urgent desire to see a change in the policy of the South African Government and an end to repressive measures including the arbitrary trials and arrests of individuals for political offences which were referred to in resolution 1881."

ga revillegant averse vals dan kerakera. Saparar sasar <mark>Chile</mark>r dasa dibada da kalamata da basar da da salah

Cable dated 28 April 1964 addressed to the President of the Republic of South Africa by the President of Chile (communicated by letter dated 29 April 1964 from the Permanent Representative):

"Guided solely by the deep conviction of the Chilean people and Government that human rights and fundamental freedoms must be protected and all forms of racial discrimination eliminated from the world, and with no intention of intervening in the internal affairs of South Africa, I appeal to you to use your exalted influence in order that the political leaders opposed to apartheid may be spared the death penalty. It is also my hope that racial harmony based on equality before the law, without any discrimination on grounds of colour or ethnic origin, may prevail in the Republic of South Africa, so that the country may take a glorious part in the advancement of the international community, in conformity with the principles of the United Nations Charter." 9/

egueral konsistantik dendangan II. kilatondorang**enina.** Dan elitarah bilis i Talinda do''. Dan kimitua bandangan kilatongan salah bili pangan banda ali palah galaga, kilatarah pangan ni tang

Message from the Minister for Foreign Affairs of China (communicated by a letter dated 9 June 1964 from the Acting Permanent Representative):

"My Government's views on the apartheid policy are well known. Racial discrimination in any form and under whatever guise is repugnant to the Chinese people. It is entirely alien to the Chinese culture and tradition. In the General Assembly, in the Security Council, as well as in other organs

a kindata arkinda bergali jirdan dan da 1830 da da da jar gara 22

THE WAY DO NOT THE THE RELEASE

^{8,} A/AC.115/L.70.

^{2/} Ibid.

of the United Nations, the representatives of China have made it unmistakably clear that China is unalterably opposed to racism and all its .manifestations. The first of All and Of broken course a serie demand of

"In accordance with this consistent position, the Chinese delegation has supported General Assembly resolution 1881 (XVIII) of 11 October 1963 and Security Council resolution S/5471 of 4 December 1963, in which appeals were made to the Government of South Africa to abandon the arbitrary trials and grant unconditional release to all political prisoners, and to cease forthwith its imposition of discriminatory and repressive measures which are contrary to the principles and purposes of the Charter. um enga trop dilegraf าหรือ หลังได้ เลอดส

"The Chinese Government will continue to co-operate with your Committee and other organs of the United Nations in their efforts to bring about the compliance of the Government of South Africa with the above-mentioned resolutions." 10/

ine in species the securidation as a state ion as <mark>Costa Rica</mark> mands ពុក្ខភេទនៃយោបាយមិន នៅពី នៅ ក្រុម នៅព្រះពីមែល Assis as a substitute of this account discuss in allew pull out pairs Extract from a letter dated 30 May 1964 from the President of the enamment at lease and in probable Republic addressed to the Secretary-General:

 \int "In view of the developments in South Africa I, as chief executive of a country where respect for human life and the equality of human beings are fundamental principles of the Constitution, very respectfully urge you to ask the South African Government, through the United Nations:

- (1) to refrain from executing the condemned political leaders and to spare the lives of the persons threatened with the death penalty;
- (2) to put an end to the tortures and the various humiliations inflicted on the opponents of apartheid in South Africa;
- (3) to liberate the political prisoners whose only crime is their opposition to the South African Government's policy of apartheid;
- (4) to abandon its policy of apartheid, which is centrary to the United Nations Charter and the Universal Declaration of Human Rights.

"This petition is based on elementary ethics and on the profound humanitarian sentiments of the Costa Rican people, and has no other aim than to see that justice is done where it has so far been lacking. " 11/ The safe ship of the first of being a stander of build endowed by

version of the later total same would be not reference as the terms of the terms

IN MANON OF RECUDAÇÃO

^{10/} A/AC. 115/L. 70/Add. 4. to chees such to the said seed where si if

to be in the state of the second of the contract of the contract of the second of the the thirty relies may been to mainterwitteness

Cuba

Extract from a letter dated 12 May 1964 from the President of the Republic.

"... The Cuban Government supported the recommendations in resolution S/5471 of the United Nations Security Council and undertook not to maintain diplomatic, consular or trade relations with the Government of South Africa.

"In full agreement with the spirit of the said resolution and in conformity with the principles of racial equality, the Cuban Government also offered its support for any measure aimed at eradicating in any part of the world the brutal policy of discrimination, which is a blemish on the face of humanity.

"The Revolutionary Government of Cuba maintains no relations of any kind with the Republic of South Africa and is therefore unable individually to exert any influence upon the Government of that country. For the same reason, I am unable personally to take any action of that kind. However, both the Cuban Government and I are prepared to join our voices and actions to the effective measures aimed at preventing the Government of the Republic of South Africa by peaceful means from continuing to apply the brutal laws of apartheid and to endanger, because of their international repercussions, the peace and security of nations." 12/

Denmark

Extract from a communique issued after the meeting of the Foreign Ministers of the Nordic Countries in Copenhagen on 13-14 April 1964 (enclosed in a letter dated 22 May 1964 from the Permanent Representative):

"... The Ministers ... expressed deep concern over the South African Government's continued unwillingness to co-operate with the United Nations. They supported the United Nations urgent appeals to the South African Government to refrain from execution of persons sentenced to death, to end trials now proceeding and to release the political prisoners.

"The Minister noted that, since they last considered the problem of apartheid in the autumn of 1963, the Security Council had in December 1963 unanimously passed a resolution which i.a. established a group of experts to examine the various aspects of the problem. They found it of great significance that the Security Council now is seized with the question. It is their hope that the report of the group of experts, which is expected in the near future, will provide a useful basis for the Council's further consideration of the question ...". 13/

^{12/} A/AC.115/L.70/Add.1

^{13/} A/AC.115/L.70.

Ecuador

Extract from a letter dated 30 April 1964 from the Permanent Representative:

"The Ecuadorian Government has no diplomatic or consular relations with the Republic of South Africa. For this reason, it is unable to exert its influence directly with the Government of that State. However, I have been given instructions, which I have carried out, to inform the Permanent Representative of the Republic of South Africa in a friendly way of the concern felt by the Ecuadorian Government over the possible imposition of the death penalty on political leaders, a proceeding which would be contrary to the principles which Ecuador has unswervingly followed ever since this penalty was abolished in the nineteenth century." 14

Guatemala

Extract from a letter dated 13 May 1964 from the Minister of Foreign Affairs:

"The Committee's concern is fully shared by the Guatemalan Government, which has given permanent instructions to its delegation to the United Nations to keep a vigilant watch on the distressing situation which has arisen in that country. The Government and people of Guatemala have repudiated and will always repudiate racial discrimination, which prevents rapprochement between peoples and intelligent and brotherly coexistence.

"Concerned by the magnitude of these problems which you are endeavouring to solve in a manner favourable to the majority of the black population of the Republic of South Africa, I should like to inform you that the Guatemalan Government will do its utmost to assist the United Nations in its efforts to find a solution to this situation and thus alleviate the suffering of a people which deserves the esteem and respect of all the free nations of the world."

Guinea

Extract from a letter dated 8 June 1964 from the President of the Republic:

"The South African authorities would certainly have already abandoned their inhuman policies of apartheid if all the economic sanctions recommended by the United Nations had been applied by Member States, particularly by those which have trade relations with South Africa. Yet international public opinion is aware of the dangers to international peace and security from policies based on alleged racial superiority, oppression and enslavement.

^{14,} Ibid.

¹⁵ Tota.

"It is also aware that such policies seriously jeopardize the efforts being made by all peace-loving and freedom-loving nations of the world for better understanding among men and peaceful coexistence among States.

"World opinion therefore insists that the repression against African nationalists in South Africa should cease. Accordingly, we demand energetic practical measures, which should no longer be mere recommendations. We welcome the decisions taken by the Council of Ministers of the Organization of African Unity at Lagos and by the London Conference on apartheid and we want the sanctions recommended to be applied immediately by all States Members of the United Nations.

"The time has therefore come for concerted and unflicting action by all African Heads of State, supported by their peoples. The time has also come for practical action by all men who really love peace and justice. No more shedding of crocodile tears over the misery of our brothers in South Africa and the menstrosities of apartheid but united action by all to put an end to this disgrace to mankind." 16/

Haiti

Extract from a letter dated 16 May 1964 from the President of the Republic:

"In my personal capacity, as Leader of the New Haitian Revolution, which calls for more social justice and general well-being for the masses;

"On behalf of the proud Haitian nation, which because of its revolutionary mission, enriched with the blood and sweat of its past struggles against slavery, has always, throughout its history, supported measures for the emancipation of the peoples of America and fostered a living and unselfish solidarity;

"I condemn the policy of apartheid practised by the Government of the Republic of South Africa against my courageous African brothers who have been too long appressed through the enthronement of an outmeded concept;

"I reaffirm my strongest and most whole-hearted support for all measures and all efforts embodied in an action by the Organization which has the high and imperative mission of safeguarding THE UNIVERSALITY OF THE PRINCIPLES OF THE UNITED NATIONS CHARTER AND THE UNIVERSAL DECLARATION OF HUMAN RIGHIS.

"Let the South African Government, in this year of grace of our era of progress and human conquests, confronted by an international conscience

Sagaren (h. 1. D. D. Eller

makampa seri Pastuda ed ed tam

^{16/} A/AC.115/L.70/Add.2

thirsting for justice, peace and fraternity, abandon the inhuman system of anachronistic and degrading colonialism and, by complying with the recommendations of the United Nations Special Committee on the Policies of Apartheid, bring about the triumph, to its greater glory, of the principle of the equality of all races." 17/

Hungary

Appeal addressed to the President of the Republic of South Africa by the President of the Presidential Council of the Hungarian People's Republic (transmitted by letter dated 14 May 1964 from the Minister for Foreign Affairs):

"I have been deeply shocked to learn that the authorities of the Republic of South Africa are keeping in prison and torturing numerous patriots whose only crime is their opposition to the apartheid policies of the Government and their adherence to progressive ideas. In a series of actions instituted against such patriots in court and otherwise, even death sentences have already been passed.

In the name of the dignity of human personality, in view of the lofty principles of equality of races laid down in the Charter of the United Nations Organization, in the Universal Declaration of Human Rights, and in a number of decisions adopted by the United Nations General Assembly and the Security Council, I ask you, Mr. President, to use your influence with the Government of the Republic of South Africa to annul without delay the death sentences pronounced in the case of the patriots opposing the policies of racial persecution, to release the political prisoners fighting for racial equality and other progressive ideas, to stop the proceedings taken against them and to put an end to the policies of apartheid. This step would afford relief to world public opinion and promote the lessening of the great tension prevailing on the African continent because of apartheid policies.

"I sincerely hope, Mr. President, that you will not ignore my request." 18

India

Extract from a letter dated 10 August 1964 from the Permanent Representative:

"The Government of India do not maintain diplomatic, consular, trade or any other relations with South Africa. We have already fully implemented all the various resolutions of the United Nations in this behalf.

्रमे र तार सुक्रियतीय हैंगी है। उन्होंने देशी जिल्लामार्टिंग अभिने हैं की

^{17/} A/AC.115/L.70/Add.1.

^{18/} A/AC.115/L.70.

"The Government of India will, however, continue to maintain a total boycott of relations with South Africa. We have always extended, and will continue to extend, our fullest co-operation to other States as also the Special Committee in securing the implementation of measures designed to liquidate the inhuman and immoral policies of apartheid of the Government of the Republic of South Africa and towards the attainment of justice, freedom, equality and dignity for all the people of South Africa." 19/

Indonesia

Extract from a letter dated 3 May 1964 from the First Deputy Prime Minister and Minister for Foreign Affairs:

"You are aware, Mr. Chairman, of the fact that the Indonesian Government has supported every effective measure to induce the Government of the Republic of South Africa to abandon its policies of apartheid which are contrary to the United Nations Charter and the Universal Declaration of Human Rights.

"The Indonesian Government has taken all appropriate measures requested by the United Nations and the Security Council resolutions on the policies of apartheid of the Government of the Republic of South Africa.

"It is indeed a difficult and tedious undertaking to secure compliance of said resolutions by the Government of the Republic of South Africa, but we shall all persevere until our common objective has been achieved ...

"His Excellency, President Soekarno has expressed his keen personal interest in this problem and wishes me to convey the assurance to you that the Government of the Republic of Indonesia will not cease giving this problem its full attention in a constant endeavour to find a more effective way to implement the relevant United Nations resolutions, the main substance of which are summarized in the four points mentioned in your letter.

"In this connexion the Government of the Republic of Indonesia will use its influence wherever and whenever it will have the utmost effect." 20/

Italy

Extract from a letter dated 16 June 1964 from the Permanent Representative:

"Italy, who has never concealed her firm opposition to all forms of racial discrimination, follows with deep concern the development of events in South Africa and, besides taking all necessary measures for the application of the relevant resolutions of the Security Council, has on many occasions expressed her views and used her influence in the hope to contribute to a peaceful solution of the problems of apartheid.

^{19,} A/AC.115/L.70/Add.4.

^{20/} A/AC.115/L.70/Add.3.

"As to the trials which are being held in South Africa against the people who are opposed to the policies of apartheid, may I reiterate that my country shares the concern and the feelings of the Committee and of all the countless personalities who have expressed their views thereon. In particular Italy, who in her Constitution has abolished capital punishment and solemnly reaffirmed the political freedom of all her citizens, will continue to co-operate in all appropriate manners with the Special Committee, and with the other United Nations bodies entrusted with the study of this issue, with a view to solving, in accordance with the spirit of the Charter of San Francisco, the problems created by the policies of apartheid of the Government of South Africa." 21/

Jamaica

Extract from a letter dated 29 April 1964 from the Ministry of External Affairs:

"Jamaica has neither diplomatic, consular nor trade relations with South Africa, and does not intend that such relations should be initiated or restored until the policies of apartheid of that Government have been abandoned. Furthermore, the Government of Jamaica does not believe that the rulers of South Africa are likely to heed any appeals addressed to them and will, it is felt, only respond to more tangible action." 22/

Japan

Extract from a letter dated 17 July 1964 from the Deputy Permanent Representative:

"The basic position of the Government of Japan with regard to the trials in South Africa of the leaders of the anti-Apartheid movement is fully reflected in its reply dated 9 December 1965, to the inquiry of the Secretary-General in connexion with the resolution 1881 (XVIII), (A/5614/Add.3, S/5457/Add.3). The Government of Japan is gravely concerned about subsequent developments of the situation in South Africa and wishes to take this occasion to reaffirm its preparedness to avail itself of every opportunity to appeal to the Government of South Africa to abandon forthwith the policies of Apartheid and also its readiness to support any proposal which will bring about a peaceful solution of the problems of racial strife." 25/

Netherlands

Extract from a letter dated 18 July 1964 from the Permanent Representative:

"The Government of the Kingdom of the Netherlands continues to reject categorically the policy of apartheid and is deeply concerned with the

^{21/} A/AC.115/L.70/Add.2.

^{22/} A/AC.115/L.70.

^{23/} A/AC.115/L.70/Add.3.

situation developing in the Republic of South Africa. During successive sessions of the General Assembly, the Government of the Kingdom of the Netherlands has never failed to state beyond any doubt its feelings in this regard, reflecting the profound convictions of the Netherlands people.

"The Netherlands Government is of the opinion that only through collective action within the framework of the United Nations the Government of the Republic of South Africa can be induced to abandon its policy of apartheid. The Kingdom of the Netherlands will continue to give its full support to any constructive proposal to this effect." 24/

New Zealand

Extract from a note dated 15 July 1964 from the Permanent Representative to the Secretary-General (communicated by letter dated 25 August 1964 from the Permanent Representative):

"Both by its support of United Nations resolutions, including in particular General Assembly resolution 1881 (XVIII), and through independent representations, the New Zealand Government has sought to appeal to the Government of South Africa concerning the application of this policy and the treatment of opponents of it. In conformity with resolution S/5761, the New Zealand Government will take any appropriate occasion to make further representations on this matter to the South African Government." 25/

Philippines

Letter dated 29 June 1964 from the Secretary of Foreign Affairs (enclosed in a letter dated 20 July 1964 from the Permanent Representative):

Bousel maded a season dear mail

a den Estead marka Krist et Va

HORSE THE TRANSPORT

"The Philippines remains unalterably opposed to the Policy of apartheid which is contrary to the ideals of justice and freedom and violates the United Nations Charter and the Declaration of Human Rights. This opposition has been manifested in the United Nations through consistent support by the Philippines of resolutions condemning apartheid in the General Assembly and in the Security Council.

"The Philippines views with grave concern the present potentially dangerous situation fostered by South Africa's policy of apartheid and therefore stands ready to exert diligence within the United Nations towards the formulation of measures to deter the Government of South Africa from carrying on a policy which is deplored and condemned by the majority of mankind." 26/

n de la completa de la calcia de la completa del mentre de la completa de la completa de la completa de la comp

^{24/} Ibid.

^{25/} A/AC.115/L.70/Add:4.

^{26/} Ibid.

Poland

Extract from a letter dated 22 May 1964 from the Permanent Representative:

"I would like to inform you, Excellency, that Mr. Aleksander Zawadski, President of the Council of State of the Polish People's Republic, sent an appeal to Mr. Charles Robert Swart, President of the Republic of South Africa, on 30 April 1964, asking him to take all necessary steps to revoke the death penalty passed on the three distinguished leaders of the movement for respect of human rights, Messrs. Vuyisile Mini, Zinakile Mkaba and Wilson Khayinga."

entri nen 163 (ne pressoratoren e Romania) den de recessor di disebble servi

Extract from a letter dated 16 July 1964 from the Chargé d'Affaires:

"The Romanian People's Republic, according to its consequent stand of rejection of the apartheid policy promoted by the Government of the South African Republic, does not maintain any kind of relations with the South African Republic and condemns the arbitrary actions, the racial discrimination policy of this Government and the repressions the militants for the abolition of the apartheid policy in the South African Republic are submitted to.

"The Government of the Romanian People's Republic, supporting the objectives of the resolutions 1761; S/5386 and S/5471 of the United Nations General Assembly and Security Council, considers that the strict implementation by all States of the measures advocated by them would lack the South African Government of support and encouragement in promoting the apartheid policy." 27/

way, nga , sa dhung kasa ngula kasasa ng Rwanda

Extract from a letter dated 6 May 1964 from the President of the Republic:

"My Government, as it has always done in the past, will continue its unremitting struggle on behalf of the coloured peoples of South Africa, especially within the framework of the Organization of African Unity.

"We cannot refrain from pointing out how important it is to find an adequate means of preventing the various economic, diplomatic and other sanctions taken against South Africa from being turned exclusively to the disadvantage of the Bantu peoples of that country. We feel that, without such guarantees, the actions contemplated might achieve an effect opposite to that which we desire, namely to ensure respect for the non-Whites and justice and equality among all social and ethnic groups in the country.

now of the primary and form

^{27/} A/AC.115/L.70/Add.3.

"This consideration, naturally, should not retard the efforts which are being made throughout the world to improve the lot of coloured people." 28/

Somalia

Extract from a letter dated 12 May 1964 from the President of the Republic (transmitted by letter dated 21 May 1964 from the Permanent Representative):

"The Somali Government has consistently endeavoured, and will continue to do so, at all sessions of the United Nations, Afro-Asian Group, Organization of African Unity and other International Conferences, to attack these policies of the South African Government. Furthermore in this context, the Somali Republic on attaining its independence immediately severed all diplomatic and other relations with the Government of South Africa.

"In 1962, my Government issued decrees forbidding any white South African citizen to enter this Republic; prohibiting any Somali citizen to travel in South African ships or aircraft; prohibiting South African aircraft to overfly the Somali Republic, and banning the importation of goods into this territory, or the exportation of goods from this Republic into South Africa.

"I and my Government can assure Your Excellency and the members of the Special Committee, that we will do all what is possible to implement any measures designed to deter the South African Government from carrying on their present policies of brutal oppression against the indigenous inhabitants of South Africa.

"The Somali people are linked with all other freedom-loving nations in their total abhorrence of apartheid, and racial discrimination, and we sincerely hope that other Governments will genuinely observe and give their full support to the resolutions of your Committee." 29/

Sudan

Extract from a note verbale dated 29 June 1964 from the Permanent Representative:

"The Sudan Government, in its condemnation of the persistence of the Government of the Republic of South Africa in its policies of apartheid, maintains a complete diplomatic, economic and commercial boycott of that Government. 30/

^{23,} A/AC.115/L.70.

²⁹ Ipic.

^{30/} A copy of the Sudan South Africa Boycott Act, 1963, was attached to the note.

"... The Sudan Government will spare no effort to induce the Government of the Republic of South Africa to give effect to the purposes and objectives outlined in the letter dated 23 March 1964 of the Chairman and Officers of the Special Committee referred to above." 31/

Syria

Extract from a note verbale dated 17 June 1964 from the Permanent Mission:

"The Syrian Mission is pleased to inform the Chairman of the Special Committee that the Syrian Government has agreed on 12 September 1963 to implement fully the provisions of resolution 1761 (XVII) adopted by the General Assembly at its seventeenth session, as well as all the provisions of resolution S/5386 of the Security Council dated 9 August 1963. Furthermore, the Syrian Government has neither diplomatic relations nor bilateral agreement with the Government of South Africa.

"The Syrian Government will always co-operate in applying all the resolutions and recommendations by the different organs of the United Nations." 32/

Thailand

Extract from a letter dated 6 July 1964 from the Director-General, International Organizations Department for Minister of Foreign Affairs:

"/The Government of Thailand/ has always opposed the policy of apartheid of the Government of the Republic of South Africa and has all along extended its co-operation to the United Nations in dealing with this matter. Consequently His Majesty's Government will continue to make every effort to act in conformity with the resolutions or decisions adopted by the United Nations." 33/

Ukrainian SSR

Appeal addressed to the President of the Republic of South Africa by the President of the Presidium of the Supreme Soviet of the Ukrainian SSR, (communicated by letter dated 25 May 1964 from the Permanent Mission):

"The Ukrainian people have learnt with profound alarm and concern that Vuyisile Mini, Zinakile Mkaba and Wilson Khayinga, citizens of the Republic of South Africa, have been sentenced to death for taking part in the movement for securing human rights in accordance with United Nations resolutions.

^{31/} A/AC.115/L.70/Add.3.

^{32/} A/AC.115/L.70/Add.4.

^{33/} A/AC.115/L.70/Add.3.

"On behalf of the Ukrainian people, I appeal to you in the name of compassion and humanity to use your authority to commute the death sentences passed on Vuyisile Mini, Zinakile Mkaba and Wilson Khayinga. I also appeal to you to assist in obtaining the release from imprisonment of all other participants in the movement for human rights.

"Action on your part in the spirit of these appeals will undoubtedly meet with universal understanding and satisfaction." 34/

United Kingdom

Extract from a letter dated 23 April 1964 from the Permanent Representative:

"I am instructed by Her Majesty's Government in the United Kingdom to inform you that they have, in representations to the South African Government, made clear the repugnance which they and the British people feel for the policy of apartheid and the measures used to enforce it. In this connexion I have been asked to invite your attention to the speeches by Her Majesty's Minister of State for Foreign Affairs at the 1238th plenary meeting on 11 October last year, when Her Majesty's Government voted for General Assembly resolution 1881 on political trials in South Africa, and on 17 October last year at the Special Political Committee of the United Nations." 35/

United States

Extract from a letter dated 11 May 1964 from the Permanent Representative:

"The United States supported General Assembly resolution 1881. On that occasion, Ambassador Plimpton declared that 'the United States is uncompromisingly and irrevocably opposed to legislation such as the legislation under which these defendants are being tried, which permits incarceration—and which puts on the defendant the burden of proving himself innocent.' The United States Government also recognized, as Ambassador Plimpton said at the time, the right of any country to conduct the defence of its citizens against violence, with proper safeguards for the accused.

"The United States has repeatedly supported appeals to the South African Government to liberate persons imprisoned for opposing apartheid. It voted for Security Council resolution S/5386 of 7 August 1963, which calls upon the Government of South Africa 'to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid.' It also supported Security Council resolution S/5471 of 4 December 1963, which reiterated that appeal. It continues to support it.

^{34/} A/AC.115/L.70.

^{35/} Ibid.

"May I reiterate that the United States shares the concern of the Committee over the circumstances giving rise to the security trials in South Africa, the laws under which opponents of apartheid are being detained and tried, and the consequences that could ensue both from the trials and from persisting in the policies of which the trials are an aspect. I can assure you that the United States will continue to examine carefully the circumstances and opportunities to assist in a humane and just resolution of these pressing problems." 36/

Upper Volta

Extract from a letter dated 14 July 1964 from the President of the Republic:

"/The situation in South Africa/ which flouts the most elementary principles of humanity, cannot last; what remains to be done, therefore, is to organize swiftly the active solidarity of all countries which are really anxious to see the principles of the United Nations Charter upheld. This, however, is probably one of the cases where great declarations of intention can be seen falling short of practical application.

"The long-advocated solution of concerted economic pressure would have brought the Pretoria Government to terms long before this; in practice, however, we find that those who describe themselves as our best friends are the very ones to supply that Government with the bulk of its war arsenal and the military means for its acts of provocation.

"These considerations ought not, it is true, to prevent positive and decisive solutions from being worked out and - more important - applied, by the United Nations; but experience tends to show that, here again, an additional goad is needed, generally in the form of a 'trouble spot'.

"At all events, a spur to effective action might be provided by a sharper awareness, among the independent African States as a whole, of present-day realities in South Africa; for not least among paradoxes is the fact that the excesses described in the Special Committee's report are largely unknown to the general public who, generally speaking, view the South African problems as something 'ideological', distant and even unreal." 37/

^{36/ &}lt;u>Ibid</u>.

^{37/} A/AC.115/L.70/Add.4.

Note:

The Special Committee also received the following communication dated 30 April 1964 from the Secretary of State of His Holiness Pope Paul VI:

"I have the honour to acknowledge receipt of the letter which Your Excellencies addressed to His Holiness Paul VI on 23 March 1964 asking him to intervene in favour of victims of racial conflict in South Africa and to encourage the protection and recognition of human rights in that country.

"The Sovereign Pontiff, who has examined your letter, does not fail to use his good offices, as in similar cases in the past, within the limits of his possibilities and of methods in keeping with his spiritual mission, in order that the lives of persons threatened with execution might be spared and the rights of the human person respected.

"'Relations between political communities' says the Encyclical Pacem in Terris of Pope John XXIII 'must be harmonized in truth and freedom ... A common origin, an equal Redemption, a similar fate unites all men and calls upon them to form together a single Christian family.'

"These principles of justice, of freedom and of peace, based on the natural law and on the message of the Gospel, which constitute a basic element of the magisterium of the Church, are also deeply instilled in the United Nations Charter and the Declaration of Human Rights."

1 . . .

ANNEX II

List of documents of the Special Committee 13 September 1963-27 November 1964

REPORTS OF THE SPECIAL COMMITTEE

A/5692 and S/5621

A/5707 and S/5717

Report of the General Assembly and the Security Council, adopted on 23 March 1964

Report to the General Assembly and the Security Council, adopted on 22 May 1964

DOCUMENTS OF THE SPECIAL COMMITTEE

A/AC.115/L.33

A/AC. 115/L. 34

A/AC.115/L.35

A/AC.115/L.36

A/AC.115/L.37

A/AC.115/L.38

A/AC.115/L.39

A/AC.115/L.40

Report of the Sub-Committee

Letter dated 11 September 1963 from the General Secretary of the International Confederation of Free Trade Unions to the Secretary-General of the United Nations

Letter dated 4 September 1963 addressed to the British Secretary of State by the Bechuanaland People's Party

Press Statement dated 18 September 1963 from the African National Congress, Iondon

Report of the Sub-Committee

Letter dated 30 September 1963 from the Pan Africanist Congress of South Africa, Maseru, Basutoland, regarding suggestion to partition South Africa

Letter dated 26 November 1963 from the Pan Africanist Congress of South Africa, Maseru, Basutoland: Sobukwe's life in jeopardy

Report of the Sub-Committee

A/AC.115/L.41

A/AC.115/L.42

A/AC.115/L.43

A/AC. 115/L. 44

A/AC.115/L.45 and Add.1

A/AC.115/L.46

A/AC.115/L.47

A/AC.115/L.48¹/

A/AC.115/L.49 and Add.1, 2, 3

A/AC.115/L.50

A/AC.115/L.51

A/AC.115/L.52

Letter dated 19 November 1963 from the Pan Africanist Congress of South Africa, Maseru, Basutoland

Communication received from a group of persons in Germany

Statement issued by the Meeting of the Bishops of the Church of Norway, November 1963 (Communicated by the Permanent Mission of Norway to the United Nations)

Report of the Sub-Committee

Letter dated 20 February 1964 from Mr. Noel H. Salter, Secretary, International Department, the British Council of Churches, London

Letter dated 21 February 1964 from Mr. John Lang, Director, Defence and Aid Fund, Christian Action, London

Letter dated 21 February 1964 from the Reverend Michael Scott, the African Bureau, London

Note on repressive measures against opponents of the policy of apartheid in the Republic of South Africa

Communications from the specialized agencies of the United Nations

Report of the Sub-Committee

Letter dated 22 February 1964 from Mr. B. Smith, Secretary, South African Peace Council, Johannesburg, South Africa

Ietter dated 26 February 1964 from Mr. John Lang, Director, Defence and Aid Fund, Christian Action, London

^{1/} This document was annexed to the report of the Special Committee issued under the symbols A/5692 and S/5621.

A/AC.115/L.53	Ietter dated 3 March 1964 from Mr. George Houser, Executive Director, American Committee On Africa, New York (enclosing copies of statements by South Africans detained under the 90-day Detention Act).
A/AC.115/I.54 ^{2/}	Note on developments since the report of the Special Committee to the General Assembly at its eighteenth session
A/AC.115/L.55	The pattern of foreign trade of the Republic of South Africa: prepared by the Secretariat at the request of the Special Committee
A/AC.115/L.56	Foreign investment in the Republic of South Africa: prepared by the Secretariat at the request of the Special Committee
A/AC.115/L.57	Letter dated 2 Merch 1964 from Mr. Peter Benenson, Secretary, Amnesty International, London
A/AC.115/L.58	Resolution on apartheid adopted at the second regular session of the Council of Ministers of the Organization of African Unity
A/AC.115/L.59	Letter dated 13 February 1964 from Mr. Duma Nokwe, Secretary-General of African National Congress of South Africa, addressed to the Secretary-General
A/AC.115/L.60	Text of declaration signed by 143 international personalities in connexion with the trials in South Africa
A/AC.115/L.61	Three cables concerning death sentences in Port Elizabeth, South Africa
A/AC.115/L.62	Letter dated 17 March 1964 from Mr. Raymond Kunene, London representative, African National Congress of South Africa
A/AC.115/L.63	Ietter dated 24 March 1964 from Mr. John K. Tettegah, Secretary General, Ghana Trade Union Congress, enclosing a memorandum adopted by the Second Conference of the International Trade Union Committee for solidarity with the Workers and People of South Africa held in Accra, Ghana, from 9 to 11 March 1964

^{2/} This document was annexed to the report of the Special Committee issued under the symbols A/5692 and S/5621.

A/AC.115/L.64 Letter dated 31 March 1964 from Mr. Robert Serpell, Chairman, Oxford University Joint Action Committee against racial intolerance (United Kingdom) A/AC, 115/L, 65 Report of the delegation of the Special Committee on the policies of apartheid of the Government of the Republic of South Africa on the hearing of petitioners in Iondon, 13 and 18 April 1964 A/AC. 115/L.66 Report of the Sub-Committee A/AC.115/L.67 Text of letter dated 27 April 1964 from Miss Mary Benson enclosing the statement by Mr. Nelson Mandela at his trial in Pretoria on 20 April 1964 A/AC.115/L.68³/ Report of the delegation of the Special Committee on the policies of apartheid of the Government of the Republic of South Africa on the International Conference on Economic Sanctions Against South Africa, London, 14-17 April 1964 A/AC. 115/L. 69 Letter dated 5 May 1964 from the Permanent Representative of Hungary A/AC.115/L.70 and Add.1-4 Appeal to Member States in connexion with the trials and death sentences in the Republic of South Africa and replies thereto. A/AC.115/L.71 Index of documents published between 30 July 1963 and June 1964 A/AC. 115/L. 72 Report of the Sub-Committee A/AC.115/L.73 Letter dated 12 May 1964 from Mrs. Ruth First, London A/AC. 115/L.74 Report of the Sub-Committee A/AC.115/L.75 Letter from Mr. J. Thorpe, M.P., Honorary Secretary of the World Campaign for the release of South African Prisoners, addressed to the Secretary-General of the United Nations

^{3/} This document was annexed to the report of the Special Committee issued under the symbols A/5707 and S/5717.

A/AC.115/L.76	Report of the Sub-Committee
A/AC.115/L.77	Letter dated 25 June 1964 from the Reverend Canon L. John Collins, Chairman, Defence and Aid Fund (International), London
A/AC.115/L.78	Extracts from a letter dated 30 June 1964 from Miss Margaret Roberts, Honorary Secretary, Joint Committee on the High Commission Territories, Richmond, United Kingdom
A/AC.115/L.79	Statement by His Excellency, Mr. Diallo Telli, Chairman of the Special Committee, at the thirty-eighth meeting on 30 July 1964
A/AC.115/L.80	Report of the Sub-Committee
A/AC.115/L.81	Letter dated 3 September 1964 from the representative of the African National Congress of South Africa, London
A/AC.115/L.82	Letters dated August 1964 from the International Chairman of the Women's International League for Peace and Freedom, Geneva, Switzerland
A/AC.115/L.83	Resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its first ordinary session in Cairo, 17-21 July 1964, on "apartheid in South Africa" and on "apartheid and racial discrimination"
A/AC.115/L.84	Letter dated 5 October 1964 from the Permanent Mission of Ghana
A/AC.115/L.85	Report of the Sub-Committee
A/AC.115/L.86	Resolution on South Africa transmitted by a letter dated 2 October 1964 from the Canadian Union of Students, Ottawa, Canada
A/AC.115/L.87	Memorandum dated 30 September from the World Campaign for the Release of South African Prisoners, London
A/AC.115/L.88	Ietter dated 7 October 1964 from the Permanent Representative of India
A/AC.115/L.89	Statement by the Chairman of the Sub-Committee at the forty-first meeting on 9 October 1964

The second secon	
A/AC.115/L.90	Letter dated 16 October 1964 addressed to the Chairman of the Special Committee by the Permanent Representative of Hungary
A/AC.115/L.91	Resolution adopted by the second conference of the Heads of State or Government of Non-Aligned Countries, in Cairo, 5-10 October 1964, on "racial discrimination and the policy of apartheid"
A/AC.115/L.92	Statement by Mr. Ronald Segal at the 42nd meeting on 20 October 1964
A/AC.115/L.93	Letter dated 22 October 1964 addressed to the Chairman of the Special Committee by the Secretary-General of the United Nations
A/AC.115/L.94	Statement by Mrs. Mary-Louise Hooper at the Forty-fifth meeting on 29 October 1964
A/AC.115/L.95	Report of the Sub-Committee
A/AC.115/L.96	Letter dated 9 October 1964 from Mr. S. Abdul, Honorary Secretary, the Anti-Apartheid Movement, London
A/AC.115/L.97	Memorandum dated 31 October 1964 from Dr. Hans Meidner and Mrs. Marion Friedmann, former members of the Liberal Party of South Africa now resident in the United Kingdom
A/AC.115/L.98	Appeal to Member States on relief and assistance to families of persons persecuted by the South African Government for their opposition to the policies of apartheid
A/AC.115/L.99	Note on repressive measures against opponents of the policies of apartheid
A/AC.115/L.100	Letter dated 12 November 1964 from the Permanent Representative of India
A/AC. 115/L. 101	Report of the Sub-Committee
SUMMARY RECORDS OF THE	SPECIAL COMMITTEE

RECORDS OF THE SPECIAL COMMITTEE

A/AC. 115/SR. 21-53⁴/

The summary records of the 22nd, 23rd, 24th, 25th, 32nd, 35th, 36th, 47th, second part of 48th, 49th, 52nd and first part of 53rd meetings are restricted, as these meetings, devoted to the consideration of reports by the Special Committee and to the organization of its work, were closed.

HEARTNGS	OF	PETITIONERS

26th meeting	9 March 1964	Miss Miriam Makeba, South African singer
28th meeting	11 March 1964	Miss Mary Benson, South African writer
29th meeting	12 March 1964	Mr. Oliver Tambo and Mr. Tennyson Makiwane, Representatives of the African National Congress of South Africa
A/AC.115/L.65 ² /	13 April 1964	Mrs. Barbara Castle, M.P. accompanied by Mr. S. Abdul, representing the Anti-Apartheid Movement, London
		The Rev. Canon L. John Collins, Chairman, Defence and Aid Fund, London Mr. Barney Pesai,
		President of the Coloured Peoples Congress of South Africa
		Mrs. Ruth First Journalist
	18 April 1964	The Rev. Canon Joost de Blank, former Archbishop of Cape Town and now Canon at Westminster

Report of the delegation of the Special Committee on the policies of apartheid of the Government of the Republic of South Africa on the hearing of petitioners in London, 13 and 18 April 1964 containing also memoranda and written statements from:

the Anti-Apartheid Movement, London

Mr. Barney Desai, President of the Coloured Peoples Congress

Mrs. Ruth First, Journalist

Mr. A. Manchanda, Mr. Reshid Yousuf, Mr. Mohamed Tickly

Mr. Somahlenga Mokhomoara, Mr. Ted Stagg and Mr. Brian Hamilton of the Committee of Afro-Asian Caribbean Organisations

Dr. Yousuf M. Dadoo, representative of the South African Indian Congress

⁻ Mr. Leon Levy, National President and official representative abroad of the South African Congress of Trade Unions

Mrs. Rosalynd Ainslie and Miss Dorothy Robinson, of the Anti-Apartheid Movement, London.

A/AC.115/L.65 (continued)

18 April 1964

Mr. A. Mandhanda, accompanied by Mr. Rashid Yousuf and Mr. Mohamed Tickly, representing the Committee of Afro-Asian Caribbean Organisations, London

Mr. Thabo Mbeki, son of the African leader, Mr. Govan Mbeki, now on trial in Pretoria

Dr. Yousuf M. Dadoo, representative of the South African Indian Congress

Mr. Leon Levy, National President and official representative abroad of the South African Congress of Trade Unions

42nd meeting

20 October 1964

Mr. Ronald Segal, Convenor of the International Conference on Economic Sanctions against South Africa held in Iondon, 14-17 April 1964 6/

45th meeting

29 October 1964

Mrs. Mary-Louise Hooper American Committee on Africa, New York 7/

6/ A/AC.115/L.92.

7/ A/AC.115/L.94.

ANNEX III

Direction of Imports and Exports of the Republic of South Africa

- 1. The following tables, on the direction of the imports and exports of the Republic of South Africa, are taken from the Monthly Abstract of Trade Statistics compiled by the Department of Customs and Excise of the Republic of South Africa. The titles of territories are as indicated in that publication.
- 2. In considering these statistics, the following notes from the <u>Monthly Abstract</u> should be taken into account:

"Statistical Territory - The statistical territory in respect of the external trade statistics of the Republic of South Africa does not coincide with its political boundaries, but it does include the High Commission Territories of Basutoland, Swaziland and the Bechuanaland Protectorate, as well as the Territory of South West Africa.

"Country of Destination means country of destination as far as can be ascertained at the time of shipment. A proportion of the goods declared to be for export to any one country may be distributed from that country to other countries, but as the ultimate destination is unknown when the consignment leaves South Africa the export figures are credited to the country declared on bills of entry (export).

"Country of Origin - Imports are credited, where possible, to the country in which the goods have been grown, produced, or manufactured. Where the particulars of the origin are not available the goods are credited to the country whence shipped.

"Value - Imports - The value recorded of goods imported is the f.o.b. cost of the goods to the importer.

"Value - Exports - The value of goods exported is the price of those goods free on board at the place of dispatch."

The value of trade is in rand, which is equivalent to \$1.40.

TABLE 1

REPUBLIC OF SOUTH AFRICA: IMPORTS - COUNTRIES

Summary of Imports (including Government Stores) by countries of origin, reflecting the percentage that each country bears to the total imports together with comparative figures for the corresponding period of the previous year.

Country of Origin	1/3		1562	
	Rand	σ! /0	Rand	%
AFRICA				
Morocco	1,399,956	.1	2,306,485	.2
Congo (Brazzaville)	732,165	.1	951,771	.1
Congo (Leopoldville)	21,601,943	1.8	22,540,830	2.3
Angola	1,481,515	.1	856,750	.1
South Africa	2,287,145	,2	1,241,459	.1
Rhodesia and Nyasa	32,816,008	2.7	27,478,471	2.7
Mozambique	6,092,091	• 5	2,769,783	•3
Kenya	4,161,197	• 3	2,423,324	•5
Other Africa	10,226,493	•9	9,930,870	1.0
Total Africa	80,798,513	6.7	70,499,743	7.0
EUROPE				
Norway	4,565,939	.4	3,582,713	.4
Sweden	22,023,798	1.8	18,051,652	1.8
Denmark	4,633,599	, 4	3,605,282	.4
United Kingdom	361,434,208	30.1	303,040,918	30.3
Belgium	13,716,151	1,1	12,438,655	1.2
Netherlands	30,095,780	2.5	24,823,669	2.5
Germany - Federal Republic	129,675,983	10.8	102,243,323	10.2
France	31,316,398	2.6	21,045,586	2.1
Switzerland	19,615,067	1.6	15,897,824	1.6
Austria	7,052,425	.6	6,230,671	.6
Portugal	2,236,597	.2	2,402,169	.2

TABLE 1 (continued)

Country of Origin	1952	1965		
	Rand	%	Rand	%
EUROPE (cont'd)				
Spain	1,674,481	.1	1,232,272	.1
Italy	34,096,546	2.8	28,811,079	2.9
Finland	5,665,843	•5	4,621,627	-5
Eastern Germany	1,785,380	.1	899,269	.1
Poland	767,797	.1	409,473	
Czechoslovakia	3,491,128	•3	2,697,341	•3
Hungary	951,244	.1	799,361	.1
Other Europe	913,788	.1	706,863	.1
Total Europe	675,742,152	56.2	553,539,747	55.3
AMERICA				
Canada	40,614,763	3.4	24,933,628	2.5
United States	204,519,560	17.0	166,762,610	16.7
Mexico	2,537,926	.2	2,392,824	•2
Neth. Antilles	2,192,035	.2	1,485,100	.1
Venezuela	529,793		1,209,250	.1
Brazil	6,194,277	- 5	4,716,456	• 5
Uruguay	1,141,688	.1	1,084,397	.1
Argentina	1,399,665	.1	2,400,812	.2
Peru	650 ,01 8	,1	658,703	.1
Other America	1,306,086	.1	1,353,799	.1
Total America	261,085,811	21.7	206,997,579	20.7
ASTA				
Israel	1,171,223	.1	1,179,848	.1
Saudi Arabia	2,637,309	.2	3,720,121	.4
Aden	8,444,896	•7	10,007,034	1.0
Ratar	2,323,092	•2		

TABLE 1 (continued)

Country of Origin	196	2	1962	
	Rand	%	Rand	%
ASIA (cont'd)				
Bahrein	9,565,680	.8	9,343,577	•9
Iraq	1,804,160	.2	874,020	.1
Iran	31,063,582	2.6	36,736,892	3.7
Pakistan	12,771,389	1.1	17,019,071	1.7
Caylon	13,254,567	11	12,879,598	1.3
Thaila nd	663,178	.1	860,161	. 1.
British Borneo	628,222	.1	502,006	.1
Hong Kong	7,496,571	.6	4,493,652	. 14
China	1,815,913	.2	962,911	.1
Japan	56,420,036	4.7	41,464,245	4.1
Other Asia	18,135,649	1.5	13,884,491	1.4
Total Asia	168,195,467	14.0	153,927,627	15.4
OCEANIA				
ustralia	12,419,872	1.0	13,739,463	1.4
ew Zealand	1,738,651	.1	1,646,703	.2
ther Oceania	11,766		29,780	
Total Oceania	14,170,289	1.2	15,415,946	1.5
Total All Countries	1,199,992,232	100.0	1,000,380,642	100.0
nallocated Imports throug the Post	h 2,917,545		2,654,685	
ustoms Value of Immigrant Effects	s' 9,765,506		4,760,411	
Grand Total	1,212,675,283		1,007,795,738	
			· ·	

TABLE 2

REPUBLIC OF SOUTH AFRICA: EXPORTS - COUNTRIES

Summary of Exports of South African Produce (exclusing specie) according to countries of destination reflecting the percentage that each country bears to the total exports, along with comparative figures for the corresponding period of the previous year.

	196	1965		
Country of Destination	Rand	%	Rand	%
AFRICA				
United Arab Republic	401,548		627,337	.1
Congo (Leopoldville)	6,137,725	• 7	7,473,293	.8
Angola	1,346,462	.1	1,021,245	.1
Rhodesia and Nyasa	75,142,477	8.3	84,670,008	9.7
Mozambique	13,705,665	1.5	12,131,767	7 - 2+
Mauritius	3,480,756	<u>.</u> 1t	4,173,849	• 5
Kenya	3,850,870	. lj	5,474,023	.6
Other Africa	3,302,793	. 4	4,032,629	•5
Total Africa	107,368,296	11.8	119,604,151	13.8
EUROPE				
Norway	1,957,284	.2	2,704,552	•3
Sweden	5,066,322	.6	5,562,867	. 6
Denmark	784,544	.1	1,457,992	.2
Ireland	3,278,218	. 4	1,669,173	.2
United Kingdom	272,028,414	29.9	241,933,604	27.8
Belgium	38,566,483	4.3	37,866,598	4.4
Netherlands	24,526,870	2.7	25,180,720	2.9
Germany, Fed. Republic	49,114,892	5.4	42,759,300	4.9
France	31,422,934	3.5	31,306,238	3.6
Switzerland	5,009,194	.6	5,713,683	.2
Austria	1,470,311	.2	3,045,867	•3,
	the state of the s			

TABLE 2 (continued)

	196	1963		
Country of Destination	Rand	%	Rand	%
EUROPE (cont'd)				
Portugal	3,403,088	. 14	1,591,375	.2
Spain	5,948,381	.7	3,843,817	. 11
Italy	49,322,960	5.4	44,258,626	5 .1
Finland	903,683	.1	1,568,963	.2
East Germany	2,082,418	.2	1,627,694	.2
Poland	2,436,761	•3	2,122,388	.2
Czechoslovakia	770,670	.1	581,463	.1
Albania	648,955	.1		
Greece	1,074,442	.1	1,053,302	.1
Other Europe	676,512	.1	1,021,937	.1
Total Europe	500,493,399	55.1	456,870,159	52.1
AMERICA				
Canada	13,290,111	1.5	10,385,104	1.2
United States	80,575,740	8.9	78,107,917	9.0
Mexico	4,768,949	• 5	379,474	
Colombia	430,757		660,778	.1
Chile	1,213,783	.1	1,578,994	.2
Argentina	451,670		530,431	.1
Other America	1,806,913	.2	1,934,649	•3
Total America	102,537,923	11.3	93,577,347	10.8
ASIA				
Turkey	1,530,435	.2	1,012,280	,1
Israel	2,838,517	•3	2,886,724	• 3
Aden	583 , 945	.1	339,664	
[r a q	451,486		802,044	.1
[ran	613, 268	.1	2,448,111	•3

TABLE 2 (continued)

pide and the second	1	96 <u>3</u>	19	962
Country of Destination	Rand	%	Rand	%
ASIA (cont'd)				
Pakistan	794,592	.1	1,545,140	.2 ·
Ceylon	1,224,099	,1	1,768,885	.2
Thailand	483,629	.1	468,493	.1
Hong Kong	8,539,854	•9	8,627,925	1.0
China	4,263,359	-5	938,346	
Japan	70,518,246	7.8	72,394,653	8.3
South Korea	129,221		492,251	.1
Other Asia	11,746,478	1.3	13,749,906	1.6
Total Asia	103,517,129	11.4	107,474,422	12.5
OCEANIA				
Australia	11,717,016	1.3	8,667,957	1.0
British Pacific Islands	357,551		429,169	. .1
New Zealand	1,628,075	.2	1,619,888	.2
Other Oceania	53,903		46 237	
Total Oceania	13,756,545	1.5	10,763,251	1.2
Optional	66,953,956	7.4	74,390,652	3. 5
Ship Stores	9,174,281	1.0	7,431,151	.8
Parcel Post	1,452,045	.2	1,396,535	.2
Customs Value of Emigrants				
Effects	1,714,280	.2	2,137,097	
Grand Total	906,967,854	100.0	873,644,765	100.0