



**REPORT
OF THE
SPECIAL COMMITTEE
ON APARTHEID**

GENERAL ASSEMBLY

OFFICIAL RECORDS: TWENTY-SIXTH SESSION

SUPPLEMENT No. 22 (A/8422/Rev.1)

UNITED NATIONS

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New York, 1971

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

The present report was also submitted to the Security Council under the symbol S/10366 and Corr.1.

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LETTER OF TRANSMITTAL

11 October 1971

Sir,

I have the honour to send you herewith the report adopted unanimously on 6 October 1971 by the Special Committee on Apartheid.

This report is submitted to the General Assembly and the Security Council in pursuance of operative paragraph 1 of General Assembly resolution 2671 A (XXV) of 8 December 1970.

Accept, Sir, the assurances of my highest consideration.

(Signed) Abdulrahim A. FARAH
Chairman
Special Committee on Apartheid

His Excellency
U Thant
Secretary-General of the United Nations
New York

INTRODUCTION

1. The Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa was established by the General Assembly in its resolution 1761 (XVII) of 6 November 1962 with the mandate "to keep the racial policies of the Government of South Africa under review when the Assembly is not in session and to report either to the Assembly or to the Security Council or to both, as may be appropriate, from time to time". In resolution 2671 A (XXV), adopted on 8 December 1970, the General Assembly requested the Special Committee constantly to review all aspects of the policies of apartheid in South Africa and its international repercussions, including:

(a) Legislative, administrative and other racially discriminatory measures in South Africa and their effects;

(b) Repression of opponents of apartheid;

(c) Efforts by the Government of South Africa to extend its inhuman policies of apartheid beyond the borders of South Africa;

(d) Ways and means of promoting concerted international action to secure the elimination of apartheid;

and to report from time to time, as appropriate, to the General Assembly or the Security Council, or both.

2. The General Assembly also decided in that resolution to expand the membership of the Special Committee by not more than seven additional members and requested the President of the General Assembly to appoint the additional members, taking into account the principle of equitable geographical distribution.

3. Accordingly, the President of the Assembly appointed Guatemala, India, the Sudan, the Syrian Arab Republic and the Ukrainian Soviet Socialist Republic as members of the Committee. He indicated that no representative from the group of Western and other States had agreed to serve on the Special Committee on Apartheid. The President also appointed Trinidad and Tobago to fill the vacancy caused by the withdrawal of Costa Rica.

4. The Committee is therefore composed of the following 16 members: Algeria, Ghana, Guatemala, Guinea, Haiti, Hungary, India, Malaysia, Nepal, Nigeria, Philippines, Somalia, Sudan, Syrian Arab Republic, Trinidad and Tobago and Ukrainian Soviet Socialist Republic.

5. Acting on a recommendation of the Special Committee, the General Assembly also decided, on 8 December 1970, to shorten the title of the Committee to "Special Committee on Apartheid".

6. On 19 January 1971, the Special Committee re-elected Mr. Abdulrahim A. Farah (Somalia) as its Chairman and Mr. Uddhav Deo Bhatt (Nepal) as Rapporteur. On 10 February 1971, Mr. Mikhail D. Polyanichko (Ukrainian Soviet Socialist Republic) and Mr. Raoul Siclait (Haiti) were elected as Vice-Chairmen.

7. On 19 January 1971, the Special Committee decided that the representatives of Algeria, India, Nepal, Nigeria, the Philippines, Somalia and the Ukrainian Soviet Socialist Republic should constitute the membership of the Sub-Committee on Petitions, and that the representatives of Ghana, Guinea, Haiti, Hungary, Malaysia, the Sudan, the Syrian Arab Republic and Trinidad and Tobago should be members of the Sub-Committee on Information on Apartheid. On 10 February 1971, the representative of Guatemala was elected to the Sub-Committee on Petitions. The Special Committee also decided that Mr. Ahmed Oucif (Algeria) and Mr. Yeop Adlan-Rose (Malaysia) should be re-elected as Chairmen of the Sub-Committee on Petitions and the Sub-Committee on Information on Apartheid, respectively.

8. The representatives who served on the Special Committee during the year under review are listed in annex I of the present report.

9. On 6 October 1971, the Special Committee decided unanimously to submit the present report to the General Assembly and the Security Council.

I. REVIEW OF THE WORK OF THE SPECIAL COMMITTEE ON APARTHEID

A. Report of 18 September 1970 by the Special Committee to the General Assembly and the Security Council

10. In its report of 18 September 1970 to the General Assembly and the Security Council (A/8022, S/9939), the Special Committee noted that the Government of South Africa continued to challenge the authority of the United Nations by applying the measures of racial separation and segregation and severely persecuting the militant opponents of apartheid under its repressive legislation designed to suppress demands for social, economic and political changes normally accepted elsewhere in the world. The policies and actions of the South African Government could not but heighten racial bitterness and increase the danger of violent conflict inside South Africa.

11. The Special Committee emphasized that the extensive military build-up of South Africa was fraught with the danger of unleashing an arms race in southern Africa and posed a real threat to the security and sovereignty of independent African States opposed to the racial policies of the Government of South Africa, as well as to international peace and security. It expressed the view that the situation was sufficiently grave to merit measures of a mandatory character under the Charter of the United Nations.

12. The Special Committee pointed out that many countries, especially the Federal Republic of Germany, Japan, the United Kingdom of Great Britain and Northern Ireland and the United States of America, had increased their trade with South Africa, thus contributing largely to the functioning of the South African economy; foreign capital had continued to flow to that country on a large scale. In the view of the Special Committee, States maintaining economic and trade relations with South Africa were contributing to the consolidation of the apartheid régime. Their investments yielded high rates of return because of cheap labour made possible by the policies of apartheid, particularly the exploitation of the non-white workers.

13. In that respect, the Special Committee took note of the measures called for by the General Assembly in paragraphs 5, 8 and 10 of resolution 2506 B (XXIV) of 21 November 1969 inviting all States (a) to desist from collaborating with the Government of South Africa, by taking steps to prohibit financial and economic interests under their national jurisdiction from co-operating with the Government of South Africa and companies registered in South Africa; (b) to prohibit airlines and shipping lines registered in their countries from providing services to and from South Africa and to deny all facilities to air flights and shipping services to and from South Africa; (c) to refrain from extending loans, investments and technical assistance to the Government of South Africa and companies registered in South Africa; and (d) to take appropriate measures to dissuade the main trading partners of South Africa and economic and financial interests from collaborating with the Government of South Africa and companies registered in South Africa.

14. It recalled that the specialized agencies of the United Nations and other international organizations had also been urged in resolution 2506 B (XXIV) to refrain from extending facilities to banks and other financial institutions

providing assistance to the Government of South Africa and to companies registered in South Africa, and to withhold the benefits of international co-operation from the Government of South Africa so long as it persisted in its policies of apartheid.

15. The Special Committee recommended that the General Assembly issue another request to Member States to refrain from continuing or establishing diplomatic, consular or commercial relations with South Africa and to suspend sporting exchanges with the racist régime of South Africa and with organizations or institutions in South Africa which practise apartheid.

16. It expressed the belief that the International Labour Organisation's call for the abandonment of the practice of apartheid in the labour field required concrete action and recommended that the ILO consider the possibility of convening an international conference of trade unions in order to decide on a concrete programme of action against apartheid.

17. Taking into account the provisions of General Assembly resolution 2506 B (XXV) reaffirming its recognition of the legitimacy of the struggle of the oppressed people of South Africa and urging all States and organizations to provide increased assistance to the national movement of the oppressed people of South Africa against the policies of apartheid, the Special Committee recommended that all States and organizations be requested to provide urgently needed material assistance to the oppressed people of South Africa and their movement for liberation, either directly or through the Organization of African Unity.

18. The Special Committee called attention once again to the main role played by South Africa in resisting all efforts towards the liberation of Southern Africa; reiterated its view that it was necessary to consider the questions relating to South Africa, Namibia, Southern Rhodesia and Territories under Portuguese domination in the southern African context; and recommended that the United Nations organs dealing with the questions of southern Africa should co-operate more closely in order to consider the interrelationships of the problems confronting the United Nations in southern Africa and assist the Organization in taking more effective action.

19. The Special Committee took note of the intensification of the South African propaganda aimed at making its policies acceptable to countries that are maintaining political and economic relations with South Africa and to the international community and emphasized once again the great importance it attached to the dissemination of information on apartheid as an essential means to enlighten public opinion on the evils of apartheid and on the efforts of the international community in dealing with the situation.

20. In conclusion, the Special Committee reaffirmed its conviction that the struggle of the non-white people of South Africa for equality and justice could be successful if States Members of the United Nations took strong and resolute action in support of that struggle. The lack of progress, it declared, was attributable to two main factors: the intransigence of the Government of South Africa, and to the unco-operative attitude of those States which continue to maintain diplomatic, consular, economic, commercial and military relations with the racist régime. On the occasion of the twenty-fifth anniversary of the United Nations, the Special Committee expressed the fervent hope that, in conformity with their commitments to the objectives and principles of the United Nations, these Member States would re-examine their policies in relation to the Government of South Africa and demonstrate by deeds their condemnation of apartheid.

B. Action taken by the General Assembly at its
twenty-fifth session

21. After considering the report of the Special Committee, the General Assembly, at its twenty-fifth session, adopted resolutions 2624 (XXV) and 2671 (XXV) endorsing most of the recommendations of the Special Committee. It expanded the mandate of the Special Committee and requested it to undertake a number of tasks in the promotion of the international campaign against apartheid.

22. In its resolution 2624 (XXV) adopted on 13 October 1970 on the policies of apartheid of the Government of South Africa, the General Assembly called upon all States to take immediate steps to implement fully the provisions of Security Council resolution 282 (1970).

23. In resolution 2671 (XXV), adopted on 8 December 1970, the General Assembly dealt with various aspects of the question.

24. In part A of the resolution, it expanded and redefined the mandate of the Special Committee.

25. In part B of the resolution, the Assembly requested the Secretary-General, in co-operation with the Organization of African Unity, to take all appropriate steps to promote assistance in the economic, social and humanitarian fields by Governments, organizations and individuals to the oppressed people of South Africa in their legitimate struggle against apartheid.

26. In part C of the resolution, the Assembly requested the Secretary-General to take appropriate steps to ensure the widest dissemination of information on the evils and dangers of apartheid and invited Member States, specialized agencies, regional organizations, anti-apartheid movements and other non-governmental organizations to help the United Nations information campaign on apartheid.

27. In part D of the resolution, the Assembly requested the Secretary-General to take appropriate steps, in consultation with the Special Committee, to promote the widest possible campaign against apartheid during the International Year for Action to Combat Racism and Racial Discrimination; and requested and authorized the Special Committee (a) to hold consultations with experts and representatives of the oppressed people of South Africa, as well as anti-apartheid movements; (b) to send a mission from United Nations Headquarters to consult with the specialized agencies, regional organizations and non-governmental organizations on means to promote further concerted international action against apartheid; and (c) to send representatives to the United Nations seminar at Yaoundé, as well as to international conferences on apartheid, during the International Year for Action to Combat Racism and Racial Discrimination. It also requested the Special Committee, in consultation with the Organization of African Unity and the International Labour Organisation, to report to the General Assembly at its twenty-sixth session on the possibility of holding an international conference of trade unions in 1972, and on any alternative proposals it may receive from the principal trade union federations, for promoting concerted action against apartheid by the trade-union movement at the national and international levels. It urged all States and organizations to observe the International Year for Action to Combat Racism and Racial Discrimination in solidarity with the legitimate struggle of the oppressed people of South Africa.

28. Part E of the resolution was devoted to the United Nations Trust Fund for South Africa.

29. In part F of the resolution, the General Assembly declared that the policies of apartheid of the Government of South Africa were a negation of the Charter of the United Nations and constituted a crime against humanity; reaffirmed its recognition of the legitimacy of the struggle of the people of South Africa to eliminate, by all means at their disposal, apartheid and racial discrimination and to attain majority rule in the country as a whole, based on universal suffrage; condemned the establishment of "Bantustans" as a violation of the principles of self-determination and prejudicial to the territorial integrity of the State, and the unity of its people; and again called upon the Government of South Africa to end all repressive measures against African patriots and other opponents of apartheid and to liberate all persons imprisoned, interned or subjected to other restrictions for their opposition to apartheid.

30. It again drew the attention of the Security Council to the grave situation in South Africa and in southern Africa as a whole, recommended that the Council resume urgently the consideration of effective measures, in the light of relevant General Assembly resolutions, including those under Chapter VII of the Charter of the United Nations, and urged all States:

(a) To terminate diplomatic, consular and other official relations with the Government of South Africa;

(b) To terminate all military, economic, technical and other co-operation with South Africa;

(c) To end tariff and other preferences to South African exports and facilities for investment in South Africa; and

(d) To ensure that companies registered in their countries and their nationals comply with the United Nations resolutions on this question.

31. It also requested all States and organizations to suspend cultural, educational, sporting and other exchanges with the racist régime and with organizations or institutions in South Africa which practise apartheid.

32. It requested the Secretary-General to convene, early in 1971, a joint meeting of the Special Committee, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and the United Nations Council for Namibia, to consider the interrelationships of the problems of southern Africa and propose measures for greater co-ordination and more effective action, so that the three committees can take the results of the meeting into account in their programmes of work.

33. Reference to the question of apartheid was also made in other resolutions adopted by the General Assembly during its twenty-fifth session under other items on the agenda.

34. In the Declaration on the Occasion of the Twenty-fifth Anniversary of the United Nations (resolution 2627 (XXV)), paragraph 7 stated:

"We strongly condemn the evil policy of apartheid, which is a crime against the conscience and dignity of mankind and, like nazism, is contrary to the principles of the Charter. We reaffirm our determination to spare no effort, including support to those who struggle against it, in accordance with the letter and the spirit of the Charter, to secure the elimination of apartheid in South Africa. We also condemn all forms of oppression and

tyranny wherever they occur and racism and the practice of racial discrimination in all its manifestations".

35. In its resolution 2646 (XXV), adopted on 30 November 1970, on "elimination of all forms of racial discrimination", the General Assembly reaffirmed the legitimacy of the struggle of all oppressed peoples everywhere, and in particular those of South Africa, Namibia, Southern Rhodesia and Territories under Portuguese colonial domination, to obtain racial equality by all possible means; condemned the activities of those States which, by political, economic and military collaboration with the racist régimes of southern Africa, enabled and encouraged those régimes in the enforcement and perpetuation of their policy of apartheid and other forms of racial discrimination; and called upon all those Governments which still maintained diplomatic, consular, commercial, military, social and other relations with the Government of South Africa and other racist régimes in southern Africa to terminate such relations immediately in accordance with the relevant resolutions of the General Assembly and the Security Council; and urged all progressive forces within southern Africa, especially the youth, to intensify their struggle against the policy of apartheid and all other forms of racial discrimination.

C. Consideration of the programme of work

36. Bearing in mind the decisions and requests of the General Assembly in its resolution 2671 (XXV), the Special Committee considered its programme of work for 1971 at its 148th, 150th, 151st and 153rd meetings. Following consideration of the question within the Working Group, 1/ and at its request, the Rapporteur prepared a tentative time-table, which was adopted by the Special Committee at its 153rd meeting.

37. Subsequently, on 7 April, the Committee decided to accept an invitation to send a delegation to attend the Assembly of the World Council of Peace at Budapest in May and a rally to mark the International Year for Action to Combat Racism and Racial Discrimination. It also decided on 18 June to accept an invitation by the Afro-Asian Peoples' Solidarity Organization to send a representative to attend a session of its Executive Committee at Damascus in July. Details of these activities are given in the relevant sections below.

D. Observance of the International Year for Action to Combat Racism and Racial Discrimination

38. It may be recalled that the Special Committee decided in 1970 to promote the widest and most effective observance of the International Year for Action to Combat Racism and Racial Discrimination. It addressed a letter on 14 April 1970 to a number of anti-apartheid movements and non-governmental organizations concerned inviting them to participate actively in the observance of the Year by undertaking, in co-operation with other organizations and institutions, as appropriate, programmes that would contribute to the elimination of all forms of racial discrimination, particularly apartheid.

39. In part D of resolution 2671 (XXV), the General Assembly, considering that the widest possible campaign against apartheid should be promoted during the International Year in solidarity with the legitimate struggle of the oppressed people of South Africa, requested and authorized the Special Committee:

1/ The Working Group consists of the Committee's officers, and the Chairmen of its two Sub-Committees.

(a) To hold consultations with experts and representatives of the oppressed people of South Africa, as well as anti-apartheid movements;

(b) To send a mission from United Nations Headquarters to consult with the specialized agencies, regional organizations and non-governmental organizations on means to promote further concerted international action against apartheid;

(c) To send representatives to the United Nations seminar at Yaoundé as well as to international conferences on apartheid, during the International Year for Action to Combat Racism and Racial Discrimination.

The activities of the Special Committee in implementation of these provisions are reviewed in other sections of the present report.

40. It may be noted here that the Special Committee received a number of communications, in connexion with the International Year, from anti-apartheid movements and non-governmental organizations concerned with apartheid, as follows:

(a) 7 July 1970, Miss Barbara Haq, General Secretary, Movement for Colonial Freedom, London;

(b) August 1970, Mr. Dennis Brutus, International Defence and Aid Fund, London;

(c) 18 December 1970, Mr. T.O. Newnham, Honorary Secretary of the New Zealand Race Relations Council, Auckland, New Zealand;

(d) 18 January 1971, Mr. Sindiso Mfenyana, Representative of the African National Congress, Cairo;

(e) 29 January 1971, New Zealand Race Relations Council, Auckland, New Zealand;

(f) 8 March 1971, Mr. Joë Nordmann, General Secretary of the International Association of Democratic Lawyers, Brussels;

(g) 18 March 1971, Miss Alba Zizzamia, Representative of the World Union of Catholic Women's Organizations, New York;

(h) 19 March 1971, Mr. John Carey, Chairman of the Board of Directors, International League for the Rights of Man, New York;

(i) 26 March 1971, Mr. C.F. McNeil, Executive Director of the National Assembly for Social Policy and Development, Inc., New York;

(j) 3 April 1971, Mr. Youssef El Sebai, Secretary-General of the Afro-Asian Peoples' Solidarity, Organization, Cairo;

(k) 13 April 1971, Mr. L.H. Horace Perera, Secretary-General, World Federation of United Nations Associations, Geneva;

(l) 7 May 1971, Mrs. Richard B. Persinger, United Nations Representative of the Young Women's Christian Association of the United States of America;

(m) 9 July 1971, Mr. Kadar Asmal, Vice-Chairman of the Anti-Apartheid Movement, Dublin.

41. The Special Committee issued the following message on 21 March 1971 in connexion with the International Year:

This year has been proclaimed the International Year for Action to Combat Racism and Racial Discrimination, and the Special Committee on Apartheid joins the appeal to members of the international community, to non-governmental organizations and to individuals, to bring about an end to racism and racial discrimination wherever they exist.

In this era of unparalleled scientific and technological achievement, an era that has extended mankind's knowledge and mastery of material things far beyond terrestrial limits, there are still some countries which have yet to build their societies so that their peoples can achieve human dignity and not fall victim of discrimination, oppression and injustice because of differences of race, colour or religion. This situation is particularly pronounced in southern Africa and will continue so long as Member States, organizations and individuals give financial, moral and political support to the present South African régime.

The Special Committee urges all concerned to take effective political social and economic action so that substantial progress can be achieved in securing for all people everywhere the full enjoyment of their rights as envisaged in the Universal Declaration of Human Rights, and to co-operate with the United Nations in its campaign to eliminate once and for all racism and racial discrimination at all levels.

42. The Special Committee also held a special session from 22 March to 24 March in connexion with its observance of the International Year. 2/

E. Commemoration of the International Day for the Elimination of Racial Discrimination

43. As in previous years, the Special Committee has promoted the observance of the International Day for the Elimination of Racial Discrimination by issuing an appeal and by holding a special meeting.

44. On 10 February 1971, the Special Committee adopted the text of an appeal which was addressed, through the Secretary-General, to Member States, specialized agencies and regional organizations. The appeal was also transmitted to a number of non-governmental organizations concerned with the struggle against racism and apartheid. It read as follows:

"This year the observance of the International Day for the Elimination of Racial Discrimination has a special significance because it falls within 1971, a year designated by the General Assembly for intensifying and concerting action to combat racism and racial discrimination wherever those practices may exist.

"The Special Committee on Apartheid has been encouraged in the past by the response of anti-apartheid movements and other non-governmental organizations to its appeals to initiate or be associated with special programmes that would

2/ See section F below.

mark this special day and help to promote the cause of racial harmony in their respective communities. The Committee trusts that this year we can again count on the co-operation of non-governmental organizations so that our collective efforts will make 1971 a memorable year in the struggle against racial discrimination.

"There is ample evidence in many places of the world of the inhumanity and injustice which are created by racial discrimination, but nowhere is this more forcibly demonstrated than in southern Africa where racist minority régimes, motivated by a philosophy of racial superiority, have seized power illegally and have deprived the majority of the people, who are non-white, of their human rights.

"As in all situations which are unjust, the perpetrators must resort to increasingly harsh and unjust measures in order to maintain their authority and their privileges. This is the situation which confronts us in South Africa today. The Special Committee is convinced that every concerned person, individually or as part of a group, can play a part in the international campaign against apartheid and all other forms of racism.

"There are a variety of ways in which non-governmental organizations can take action to combat racial discrimination. They can, for example, organize meetings and discussion groups in order to engender interest and to disseminate information on the question; as a number of organizations have already done; they can withdraw from or refuse involvement in firms and banks which help to bolster the South African racist régime through economic and financial co-operation; they can bring pressure to bear on sports organizations to exclude South Africa teams which are selected on a racial basis; and they can collect contributions in support of United Nations Trust and Educational Funds, and in support of liberation movements and other organizations which are active in the struggle against apartheid. Of course there are other ways in which organizations can give tangible expression to their concern over racial discrimination either at the political, legal, social or cultural level. Naturally it will be for each group to select the most appropriate form of action.

"The Special Committee is fully aware of the magnitude of the challenge presented by the problem of racial discrimination. We know that the major thrust of our campaign must come from the action of Governments. But we also believe that government action can be spurred by energetic action on the part of concerned individuals and organizations. We look forward to your continued support."

45. The Special Committee held a special meeting at United Nations Headquarters on 22 March 1971 to commemorate the International Day. In response to the invitation of the Committee, representatives of Permanent Missions to the United Nations, the specialized agencies of the United Nations and the Organization of African Unity attended the meeting. The Secretary-General, the President of the twenty-fifth session of the General Assembly, the President of the Security Council, the Chairman of the Committee of Trustees of the United Nations Trust Fund for South Africa and the Chairman of the Special Committee made statements. The meeting closed with a minute of silence in tribute to the memory of the victims of Sharpeville and those countless others in other parts of the world who have fallen victim to racial persecution and racial injustice.

F. Special session of the Special Committee, 22 to 24 March 1971

46. Under paragraph 2 of General Assembly resolution 2671 D (XXV), the Special Committee was requested and authorized to hold consultations with experts and representatives of the oppressed people of South Africa, as well as anti-apartheid movements. Within the context of these consultations, the Special Committee decided, in principle, at its 148th meeting on 27 January 1971, to convene a special session of the Committee in connexion with the observance of both the International Day for the Elimination of Racial Discrimination and the International Year for Action to Combat Racism and Racial Discrimination.

47. The arrangements for the session were discussed by the Special Committee and its Working Group during several meetings.

48. At its 151st and 152nd meetings, on 17 and 25 February, respectively, the Special Committee decided to hold the special session from 22 to 24 March and to invite the following to participate in the session:

(a) The Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the President of the United Nations Council for Namibia;

(b) Representatives of the specialized agencies and the Organization of African Unity;

(c) Representatives of international non-governmental organizations active against apartheid;

(d) Representatives from anti-apartheid movements in Canada, France, the United Kingdom of Great Britain and Northern Ireland and the United States;

(e) Representatives of liberation movements: African National Congress, Pan-Africanist Congress of South Africa, South West Africa People's Organization and Frente de Libertação de Moçambique.

49. It agreed that the session would be conducted somewhat like a seminar and would follow the procedure of special sessions held in 1968 and 1969.

50. The Committee established the following agenda for the special session:

1. An examination of the present situation in South Africa and an analysis of the implications of recent developments.

2. An examination of the arguments for and against economic sanctions and other measures, including:

(a) A proposal by some States for a "dialogue" with the South African régime and the experience of the United Nations in this respect;

- (b) The effects of continued foreign financial investments in South Africa;
 - (c) The aims behind the policy of creating Bantustans.
3. An examination of measures taken by Governments, non-governmental organizations and the public for the elimination of apartheid, and means to promote a more effective international campaign against apartheid, with special reference to:
- (a) Material assistance to the national movement of the South African people against apartheid;
 - (b) Actions against vested interests collaborating with the South African régime;
 - (c) Actions by trade unions, churches, youth, students and other groups.
4. Consideration of conclusions arising from the discussion at the special session.

51. The following documents were submitted to the special session in connexion with items on the agenda:

- (a) A paper entitled "Bantustan policy: a fraud and a fantasy", prepared by Professor Leslie Rubin (A/AC.115/L.286);
- (b) A working paper on "Dialogue" with South Africa, prepared by the Chairman of the Sub-Committee on Information on Apartheid (A/AC.115/L.287);
- (c) A paper entitled "Poverty, apartheid and economic growth", prepared by Mr. Sean Gervasi (A/AC.115/L.288);
- (d) A working paper on the "outward-looking" policy of the Government of the Republic of South Africa, prepared by the Sub-Committee on Information on Apartheid (A/AC.115/L.289);
- (e) A working paper on collaboration with the South African régime by other Governments and economic and financial interests, prepared by the Sub-Committee on Information on Apartheid (A/AC.115/L.290);
- (f) A paper prepared by the Chairman of the Sub-Committee on Petitions, entitled "Means to promote an international campaign against apartheid" (A/AC.115/L.291); and
- (g) A report of the Sub-Committee on Information on the main trading partners of South Africa (A/AC.115/L.292).

In addition, the participants were invited to submit papers, which were circulated in the original languages.

52. Twelve non-governmental organizations accepted the invitation of the Special Committee and participated in the special session. The names of these organizations and of their representatives are given below: 3/

Anti- <u>Apartheid</u> Movement, London:	Mr. Abdul S. Minty (Honorary Secretary)
Comité français contre l' <u>apartheid</u> , Paris:	Maitre Jean-Jacques de Féllice (Secretary-General)
Canadian Committee for a Just Policy in Africa, Toronto:	Dr. Cranford Pratt
African National Congress:	Mr. Thami Mhlambiso
International Confederation of Free Trade Unions:	Miss Beatrice Von Roemer (United States Liaison Officer)
World Federation of Trade Unions:	Mr. Brian Barton (Representative at the United Nations)
International Association of Democratic Lawyers, Brussels:	Mr. S. Faulkner, New York
International Commission of Jurists, Geneva:	Mr. Michael Davis, New York
International Union of Students, Prague:	Mr. Fathi El-Fedl (General Secretary)
World Student Christian Federation, Geneva:	Mr. Louis Simon (Representative at the United Nations)
American Committee on Africa:	Mr. George Houser (Executive Director)
	Mrs. Janet Hooper (Executive Associate)
Southern Africa Committee	Mr. Kenneth Carstens Mr. Tim Smith

53. A fruitful discussion and exchange of views took place at the four meetings of the special session from 22 to 24 March.

3/ The Special Committee also invited the following United States church groups to participate in the special session as observers: United Methodist Church, National Council of the Churches of Christ, Episcopal Churchmen for South Africa, American Friends Service Committee, Lutheran Church in America, Episcopal Church, National Council of Churches, Unitarian Universalists and Presbyterian Church.

54. Subsequently, the Working Group prepared a report containing the suggestions made at the special session (A/AC.115/L.293). These suggestions were discussed by the Special Committee at its 171st to 174th meetings.

55. At the 174th meeting, on 3 June 1971, the Special Committee approved a number of measures on the suggestions made at the special session. These were taken into account in the work of the Committee during the year and in the formulation of the programme of work for 1972.

G. Consultations with experts and representatives of the oppressed people of South Africa, as well as anti-apartheid movements

56. The Special Committee devoted its 164th meeting on 24 March 1971, held immediately after the special session, to consultations with the representatives of the African National Congress of South Africa, the British Anti-Apartheid Movement, the Comité français contre l'apartheid, the American Committee on Africa and the Canadian Committee for a Just Policy in Africa. The exchange of views was helpful to the Committee in formulating its programme of work for the year and in deciding on arrangements for the mission of the Special Committee to Europe and Africa.

57. As noted in the next section, this mission consulted representatives of a number of liberation movements, non-governmental organizations and experts during its visit to Europe and Africa.

H. Mission of the Special Committee to Europe and Africa

58. In paragraph 2 of resolution 2671 D (XXV), the General Assembly requested and authorized the Special Committee to send a mission from United Nations Headquarters to consult with the specialized agencies, regional organizations and non-governmental organizations on means to promote further concerted international action against apartheid. Provision was made for this mission to represent the Special Committee at the United Nations Seminar on Measures to be Taken on the National Level for the Implementation of United Nations Instruments Aimed at Combating and Eliminating Racial Discrimination and for the Promotion of Harmonious Race Relations: Symposium on the Evils of Racial Discrimination, which was held at Yaoundé, the Federal Republic of Cameroon, from 16 to 29 June 1971. 4/

59. The Special Committee considered the arrangements for the mission at its 171st to 174th meetings between 12 May and 3 June 1971. It decided that the mission would be composed of the Chairman of the Special Committee and the representatives of Hungary and India. It approved a list of specialized agencies, liberation movements and non-governmental organizations to be consulted and a list of items for discussion during the consultations.

60. The Mission left New York on 3 June 1971 and returned to Headquarters on 26 June. It visited Dublin, London, Brussels, Geneva, Paris, Yaoundé and Addis Ababa, and held 34 meetings for consultations with specialized agencies, the Organization of African Unity, liberation movements, anti-apartheid movements and other organizations. It attended the United Nations Seminar at Yaoundé from

4/ For the report of the seminar, see document ST/TAO/HR/42.

16 to 23 June. Its members also attended as observers the Assembly of Heads of State and Government of the Organization of African Unity in Addis Ababa on 24 June.

61. On its return, the Mission submitted a detailed report to the Committee, including a number of conclusions and recommendations for the consideration of the Special Committee. These conclusions and recommendations were as follows (A/AC.115/L.308 and Corr.1):

(a) The trade union movement is strategically placed to carry out an intensified world-wide campaign to inform public opinion of the evils of apartheid, and to bring about greater respect by Governments and private interests for the resolutions of the United Nations on the subject. An international conference of trade unions against apartheid, as referred to in paragraph 4 of resolution 2671 D (XXV) of the General Assembly, would have a concrete effect in enlisting the support of workers in many parts of the world, in favour of concerted international measures to exercise pressure against South Africa. The Mission notes the generally favourable response to this proposal by organizations concerned and welcomes the initiative taken by one of the major international trade union organizations, the World Confederation of Labour (WCL), in response to the Special Committee's invitation of February 1971. It also notes with satisfaction that the World Federation of Trade Unions (WFTU) is in full agreement with the proposal for an international conference. The Mission has received expressions of support from some national trade unions it was able to meet from the South African liberation movement and from various non-governmental organizations involved in the campaign against apartheid. The Organization of African Unity has also expressed itself in favour of the proposal. However, the Secretary-General of the International Confederation of Free Trade Unions (ICFTU) has regrettably not been able to endorse the proposal.

(b) The United Nations is centrally placed to play a positive role in promoting and supporting an international trade union conference. The conference should preferably take place at the United Nations Office at Geneva in 1972, immediately following the ILO General Conference in June. The Mission trusts that conference facilities, technical services and documentation could be provided by the United Nations and the ILO. The latter would also be in a position to provide any specialized information it has on the subject before the conference.

(c) The Mission has taken note of the proposal of WCL to set up a preparatory committee for the conference which would meet early in 1972. It suggests that the Special Committee on Apartheid should decide to designate one or more representatives to attend the preparatory meeting. Furthermore, the Special Committee should take an active role in the conference by sending representatives and providing it with basic studies and documentation.

(d) Among the measures which the conference should study are the imposition of boycotts against South African goods, withdrawal of investments from South Africa, a ban on emigration of labour to South Africa (particularly skilled labour), and an end to the supply of weapons and all technical assistance for the manufacture of arms to South Africa.

(e) The Mission notes that employers within the ILO structure had already expressed, in principle, their opposition to apartheid, but had not yet considered

what concrete action they could undertake as a separate group. It recommends that a communication should be addressed to the International Organization of Employers in Geneva on this matter, to ascertain what specific action the organization would be in a position to initiate in the international campaign against apartheid.

(f) Noting the interest of a number of non-governmental organizations in promoting greater co-ordination between them in anti-apartheid activities, the Mission considers that such co-ordination is essential because of different conditions in the various countries and differences in the programmes and methods of work of the organizations. However, a consensus of views was against the creation of a formal co-ordinating body or a working council representing all non-governmental organizations, at the present stage. Moreover, a formal body would be difficult to finance. Therefore it would seem preferable that, pending a workable arrangement, the United Nations should continue to play a role in co-ordination among the various organizations and movements. A useful means of co-ordination would be the holding of international or regional conferences with United Nations participation. Consequently, the Special Committee should continue to serve as a co-ordinating body. In this respect the Unit on Apartheid would serve as a clearing house for information. As a matter of procedure the Mission suggested that all communications should be addressed to the Special Committee through its Secretary.

(g) The question of an international conference of non-governmental organizations opposed to apartheid was discussed by the Mission with some of the groups concerned and with OAU. The Mission agreed that a number of considerations, particularly in connexion with financing, the venue and the programme of the conference were of prime importance. While the organizations might be able to pay the travel and living expenses of their representatives, they would not be in a position to cover the remaining expenditure of the conference. The Conference would have to be in a central place in Western Europe. Its programme should be action-oriented, well defined and carefully prepared in advance. It would also be necessary to obtain the active support of the South African liberation movement.

(h) In view of the fact that the OAU is contemplating the sponsorship of an international conference in a Western European capital against colonialism and apartheid, the international conference envisaged in the preceding paragraph would not be necessary if the OAU conference should materialize. In that case, the aims of a conference of non-governmental organizations would be satisfied by the OAU conference. Consequently, the Mission suggests that the plans of the OAU in this regard, as soon as they are finalized, be supported by the United Nations. Furthermore, the Mission recommends that the Special Committee be associated with the project.

(i) The Mission draws attention to comments by non-governmental organizations on the need for more audio-visual material on apartheid. Great emphasis has been laid on the role of films, posters etc., in promoting knowledge about conditions in South Africa among the general public. Consequently, the Mission recommends that more films about racism and apartheid be produced by international organizations. As far as possible, films produced by the United Nations Office of Public Information should be provided with sound-tracks in French, German, Italian or other European languages, so as to have the maximum effect on public opinion in countries where strong links exist with South Africa. In this connexion, the Mission notes that all organizations and movements which the Mission interviewed

during its visits to Western European capitals were unanimous in expressing their disappointment at the insufficient response by information media, particularly the press, to the appalling conditions in South Africa. In view of the urgent need for disseminating information on apartheid and in the Western European information media, the Mission recommends that the Special Committee request the Secretary-General to take appropriate steps. The Office of Public Information should make alternative arrangements aiming at overcoming the inertia in the information media.

(j) The Mission also hopes that an office of OAU will be set up in the near future in Western Europe to maintain liaison with specialized agencies, anti-apartheid movements and other organizations with respect to action against apartheid.

(k) The Mission is of the opinion that the proposal for an "educational kit" on southern Africa and apartheid is of the utmost importance. It notes the favourable reaction which the proposal received from various organizations, including the liberation movement. The proposed kit would be for use in schools and by teachers, and should therefore be adaptable to the local conditions of each country. It would seem essential, therefore, that the appropriate departments of UNESCO should furnish professional advice and expertise in drawing up the basic version of the kit, which would be adapted by the National Committee of UNESCO in each country for its own use. While no final decision has yet been taken by UNESCO on this project, the Mission notes with satisfaction that the preliminary evaluation made of the "study kit" by UNESCO officials has been a favourable one. It trusts that prompt action will be forthcoming and that consultations between UNESCO and the Anti-Apartheid Movement in London would be actively pursued in order to finalize the project.

(l) According to the Mission's latest observations, the work undertaken by UNESCO and the ILO in the field of information on apartheid continues to expand. In addition, the secretariats of these organizations have requested regular and faster deliveries of documentation of apartheid from the United Nations to serve as a basis for their own information activities. It hopes that material produced by the specialized agencies would also cover the whole range of United Nations activities against apartheid, including the work of the Special Committee on Apartheid, the General Assembly and the Security Council. It also hopes that more material would be produced in French and other languages for distribution among readers of UNESCO and ILO publications.

(m) The Mission agrees with the OAU secretariat as to the need for radio programmes on conditions in the colonial Territories and on apartheid in South Africa to be broadcast throughout Africa. It is hoped therefore that financial means would be found to establish a studio for recording the programmes envisaged by OAU. The Mission suggests that the Special Committee recommend that the General Assembly appeal to Member States to make voluntary contributions for that purpose.

(n) The Mission has taken note of the activities of the United Nations High Commissioner for Refugees in providing training and employment to some refugees from South Africa. It recommends that the Special Committee issue an appeal to all Member States, especially African countries and in particular those neighbouring South Africa, to consider assisting South African refugees in finding employment, wherever possible.

(o) It is generally recognized that action on behalf of political detainees and victims of South African repression has become increasingly difficult over the years, in view of the ruthless methods employed by the South African authorities. Attempts at providing legal aid to the prisoners have systematically brought retaliation on the lawyers and legal aid organizations concerned. The Mission welcomes, however, the interest expressed by a number of organizations in furnishing maximum assistance to the detainees and other victims of South African oppression. It recommends that an appeal be addressed to professional associations everywhere to raise their voices in protest and to take whatever action they might deem necessary each time members of their professions are victimized by the South African régime for opposition to apartheid.

(p) The Mission was gratified that the repeated appeals by the United Nations for moral, political and material assistance to the national movement of the oppressed people of South Africa have received increasing support from Governments and organizations. However, the actual assistance received by the movement is far from commensurate with the needs. The movement requires and deserves greater assistance for various aspects of the struggle against the South African régime, which is able to utilize its control of the rich resources of the country and receive considerable foreign co-operation in its efforts to defame and suppress the struggle for freedom. The Mission feels that efforts should be redoubled to promote greater assistance to the liberation movements and, in this connexion, considers that the newly established OAU Assistance Fund for the Struggle against Colonialism and Apartheid provides an appropriate channel for such assistance.

(q) In this connexion, the Mission attaches importance to assisting the liberation movement to reach the public in all countries, including especially the countries collaborating with the South African régime, with information on the struggle of the South African people for liberation. The attention of the Mission was drawn to the desirability of assisting external representatives of the liberation movement in the study of languages, such as French, German and Italian, in order to enable them to communicate more effectively with the organizations and the public in Western European countries. The Mission suggests that the United Nations and other organizations consider the provision of assistance for this purpose.

(r) The Mission was impressed by the work accomplished by a number of organizations in the United Kingdom, Ireland, Australia, and New Zealand in drawing world attention to the question of apartheid in sports. In connexion with the International Year for Action to Combat Racism and Racial Discrimination, it has been suggested that the General Assembly, at its next session, should issue an international declaration against racism in national and international sport. The Mission commends this suggestion to the consideration of the Special Committee.

(s) In view of the increase in Western investments in South Africa, as pointed out by certain anti-apartheid movements, fresh consideration should be given to the problem of collaboration with South Africa. In particular, the report that the United Kingdom has been providing aid and technical advice in the nuclear field to South Africa should be fully investigated by the Special Committee. Similarly, reports on increased mining and oil-drilling activities in Namibia should be studied and acted upon as a matter of priority. The Mission has also been disturbed to learn that close co-operation existed between South Africa and Belgium in various fields, and that there has been mounting supplies of arms by France. The Mission supports the action undertaken by anti-apartheid movements in Western Europe to denounce the links between their countries and the colonial and racist régime in South Africa.

(t) The Mission considers that participation by a representative of the Special Committee in the international conference on Namibia to be held in Brussels later this year would be useful.

62. The Special Committee considered these conclusions and recommendations at its 180th and 181st meetings, on 3 and 7 September 1971, and took them into account in formulating the conclusions and recommendations of the present report.

I. Proposed international trade union conference against apartheid

63. In paragraph 4 of resolution 2671 D (XXV), the General Assembly requested the Special Committee "in consultation with the Organization of African Unity and the International Labour Organisation, to report to the General Assembly at its twenty-sixth session on the possibility of holding an international conference of trade unions in 1972, and on any alternative proposals which it may receive from the principal trade union federations, for promoting concerted action against apartheid by the trade-union movement at national and international levels".

64. Accordingly, at its 151st meeting on 17 February 1971, the Special Committee approved the text of a letter to be sent by the Chairman to the main international trade union organizations - the World Federation of Trade Unions (WFTU), the International Confederation of Free Trade Unions (ICFTU) and the World Confederation of Labour (WCL) - and to the All-African Trade Union Federation (AATUF).

65. Subsequently, the mission despatched by the Special Committee to Europe and Africa in June held consultations on this matter with the ILO, the Organization of African Unity, the ICFTU, the WCL and national trade unions in Ireland and France. The mission reported that, with the exception of the ICFTU, the general response to the proposal was both affirmative and enthusiastic.

66. The World Confederation of Labour, in particular, took the initiative of contacting other international trade union organizations, as well as important national affiliates of ICFTU, in connexion with the proposal. By a letter to the Committee dated 24 August, the Secretary-General of WCL indicated that it expected responses by 15 September and that the Executive Board would consider the matter at its next session at the end of September.

67. Since the results of the meeting of the WCL Executive Board had not been received at the time of the adoption of the present report, the Special Committee decided to make a separate report to the General Assembly on the question of an international conference of trade unions.

J. Repressive measures against opponents of apartheid

68. On a number of occasions during the course of the year, the Chairman and Rapporteur of the Special Committee on Apartheid drew the attention of the Committee to reports of intensified repression being carried out against opponents of apartheid. A brief account of the Committee's proceedings on this aspect is outlined below.

69. In a statement on 27 January 1971, the Chairman expressed the indignation of the Committee at the detention of the Anglican Dean of Johannesburg, the Very Reverend Gonville Aubrey French-Beytagh, under the notorious Terrorism Act. He said that this use of the provisions of an Act ostensibly passed to combat terrorism against men of faith and peace was new proof of the hypocrisy of the South African régime, which resorts to describing as a terrorist any person willing to raise his voice in support of freedom and human dignity.

70. On 3 March 1971, the Rapporteur made a statement in which he drew attention to recent developments in South Africa, including the widespread raids carried out by the Security Police on 25 February 1971 against church and other organizations. He pointed out that these actions appeared to be, in part, reprisals for the donations made by the World Council of Churches to anti-racist organizations. Humanitarian organizations had been the victims of the new campaign, among them the Dependents' Conference which carried out relief work for the dependents of political prisoners. He noted that the Minister of Justice, replying to questions in Parliament, had stated that, as of 1 January 1970, there were 809 persons serving sentences under South Africa's security legislation. Nineteen Africans, including Mrs. Winnie Mandela, wife of the African National Congress leader now serving a life sentence on Robben Island, had twice been acquitted of political charges by the courts, but were nevertheless served with stringent banning orders after their release from prison.

71. The Chairman said that it was clear from the dawn raids carried out on 25 February 1971 that a purge of the Church had begun. The South African régime, he said, was caught in a web of fear created by its own violence and had now started to persecute white as well as black people.

72. At its 155th meeting, held on 15 March 1971, the Special Committee heard a statement by Mr. William Johnston, representing the Episcopal Churchmen of South Africa, who said that his organization was very concerned about the purge of church people which was going on in South Africa. Since October 1970, the Pretoria régime had ordered the deportation of 18 foreign church workers, both clergy and lay, representing churches from Belgium, France, the United Kingdom and the United States, who had in any way indicated their support for a free and unfettered society. The recent actions of the Security Police and the prosecution of the Dean of Johannesburg were, he said, an attempt by the Government to strike terror into the community and suppress all dissent.

73. On 7 May 1971, the Chairman of the Committee drew the attention of the Committee to a new wave of repression conducted by the Security Police in all parts of South Africa. An undisclosed number of persons were being held in detention at the mercy of the Security Police, he said, and there was an overwhelming amount of evidence that they were being subjected to the physical and psychological torture that had become the standard fate of all political prisoners in South Africa. He made reference to the current trial of Mr. James April in Durban under the Terrorism Act and, on behalf of the Committee, appealed to all organizations, groups and individuals concerned at the fate of the victims of repression, to continue to give active support to every step aimed at alleviating the suffering of those human beings, at obtaining legal justice for the oppressed and at bringing the oppressors to justice.

74. On 19 July 1971, the Special Committee heard a statement by Mr. William Booth, a Judge of the Criminal Court in New York City, who had recently returned from South Africa, where he had been sent as an observer at the trial of the Dean of Johannesburg. Mr. Booth told members of the Committee of the inhuman and unconscionable laws being applied by South Africa, which permitted unlimited detention without charge. He told the Committee that 1,900 Africans were arrested daily for violations of the pass laws and that it was estimated that these defendants were given only 20 seconds to be charged, tried and sentenced. He went on to tell the Committee of the inhuman conditions in which black prisoners were kept at Leeuwkop prison. He stated that the treatment meted out to prisoners in South Africa was clearly a crime against humanity.

75. At the 177th meeting of the Special Committee on Apartheid, held on 26 July 1971, the Chairman expressed indignation at two trials to be staged under the Terrorism Act on 2 August 1971: the trial in Pretoria of the Dean of Johannesburg and the Pietermaritzburg trial of 14 members of the Non-European Unity Movement. The Chairman noted that the Movement was an organization which was aimed at promoting the unity of all non-white persons against racial discrimination and that, although it had not been formally banned, its leaders had been constantly subjected to harassment and persecution and several had been forced into exile. The trial showed that the spirit of freedom could never be suppressed and that South Africa would not know peace and stability until racism was abolished.

76. At the time of the adoption of the present report, the trials of the Dean of Johannesburg and the members of the Non-European Unity Movement were still in progress.

K. Embargo on the supply of arms to South Africa

77. At the 152nd meeting, on 24 February 1971, the Chairman drew the attention of the Special Committee to the announcement by the Government of the United Kingdom on 22 February that it would authorize the supply of WASP helicopters and spare parts to South Africa under the Simonstown Agreement concluded between the United Kingdom and South Africa in 1955.

78. The Chairman emphasized that the supply of military equipment would be in violation of Security Council resolutions 181 (1963), 182 (1963) and 282 (1970), which made no exceptions for the continued supply of arms under existing agreements and made no distinction between arms for internal use and arms for external defence. The consensus in the United Nations, he noted, was that arms of all types increased the capacity of the South African Government to maintain and extend its iniquitous policies - which negated the spirit and provisions of the Charter and the Universal Declaration of Human Rights - in its own territory, in Namibia and Southern Rhodesia. As for the justification by the Government of the United Kingdom of its decision on the grounds of its obligations under the Simonstown Agreements, the Chairman recalled that General Assembly resolution 2734 (XXV), to which the United Kingdom had subscribed, reaffirmed the primacy of the obligations of States under the Charter. The Committee then issued the following communiqué on this matter:

"The Special Committee on Apartheid views the recent decision of the Government of the United Kingdom to resume the supply of aircraft and other military equipment and spare parts to the Government of South Africa as a breach of the provisions of Security Council resolutions 181 (1963), 182 (1963) and 282 (1970).

"When the embargo was first called for in 1963 no exceptions were made for the continued supply of arms under existing agreements. This fact was spelt out in clearer terms in the resolution adopted by the Security Council in July last year. Similarly the resolutions make no distinction between arms for internal use and arms for external defence.

"It is the consensus of the United Nations, and this was borne out during the last session of the General Assembly, that arms of all types increase the capacity of the South African Government to maintain and extend its iniquitous racist policies in its territory and in those of neighbouring Namibia and Southern Rhodesia.

"To justify its action, the United Kingdom Government cites the opinion of its law officers that it is legally obligated to provide the helicopters and spare parts.

"Under the provisions of the Charter, Members of the United Nations have an obligation to accept and carry out the decisions of the Security Council. It is pertinent to call attention to paragraph 3 of General Assembly resolution 2734 (XXV) which reaffirms 'that in the event of a conflict between the obligations of the Members of the United Nations under the Charter and their obligations under any other international agreement, their obligations under the Charter shall prevail'. The United Kingdom subscribed to that resolution.

"In view of the urgent and serious nature of the matter, the Committee has decided to take action as follows:

"(1) To lodge a strong protest against the decision of the United Kingdom Government. This protest will be conveyed to the Government through its Permanent Representative to the United Nations by a special delegation of the Committee composed of the Chairman, the two Vice-Chairmen and the Rapporteur. A meeting has been arranged for 10 a.m. on 25 February;

"(2) To draw up a special comprehensive report on the arms trade with South Africa since the adoption of the Security Council resolution of July 1970."

79. At the request of the Committee, its officers conveyed, through the Permanent Representative of the United Kingdom to the United Nations, its uncompromising opposition to the Decision of the Government of the United Kingdom.

80. The Committee also requested the Rapporteur to prepare a special comprehensive paper on developments in the arms trade with South Africa since June 1970. The report of the Rapporteur on this matter was issued (A/AC.115/L.285) and supplemented by three addenda. The Rapporteur also drew the attention of the Committee to relevant developments in statements at the 154th meeting, on 3 March, and the 165th meeting, on 9 April.

81. After considering these reports, the Special Committee decided, at the 167th meeting on 26 April 1971, to bring the available information on the implementation of the arms embargo against South Africa to the attention of the Security Council and the General Assembly.

82. At the meeting on 12 May 1971, the Special Committee approved the text of a letter dated 7 May from the Chairman of the Special Committee to the President of the Security Council (S/10190), transmitting the comprehensive paper and two addenda prepared by the Rapporteur. In this letter, the Special Committee recalled Security Council resolution 282 (1970), adopted on 23 July 1970, and General Assembly resolutions 2624 (XXV) and 2671 (XXV), adopted on 13 October 1970 and 8 December 1970, and stated inter alia:

"As the Special Committee has repeatedly emphasized, South Africa has been encouraged to carry out its inhuman racial policies by the assistance it has received from certain countries and foreign economic interests in building up its military strength. The deployment of South African forces in Namibia and in Southern Rhodesia is but one proof of South Africa's aggressive designs, and its determination to resist by force the United Nations efforts to promote the independence of neighbouring colonial countries. Moreover, it has been reported in the press that the South African Government has at least twice offered ground and air units for Portuguese military campaigns against the legitimate struggle of the peoples of Angola and Mozambique for independence. It is therefore a matter of great regret to the Special Committee that three permanent members of the Security Council - France, the United Kingdom and the United States - failed to support resolution 282 (1970).

...

"Despite these resolutions, adopted by overwhelming majorities, serious breaches of the arms embargo have continued. On 22 February 1971 the United Kingdom Government announced under various pretexts, its decision to grant export licences for WASP helicopters and certain spare parts to South Africa, thus signalling the resumption of arms sales to that country.

"The Special Committee views the decision of the United Kingdom as a clear breach of the provisions of Security Council resolutions 181 (1963), 182 (1963), 191 (1964) and 282 (1970) and of its international obligations under the Charter. It rejects the United Kingdom Government's contention that a legal obligation exists for it to supply the helicopters and spare parts. It notes, moreover, that the United Kingdom Government has yet to give its assurance that it would not consider further sales of military equipment beyond those defined in its White Paper (document S/10132).

"Information concerning the involvement of the United Kingdom has been more readily available than that of other countries because of the public and political controversy it has created, and of the extensive coverage given to the matter by the national and international press. In the case of France, presently the main supplier of arms, the Federal Republic of Germany, Israel, Switzerland, Belgium, the United States and others, information has been restricted, so that the amount of coverage given in the report by the Rapporteur to the collaboration of these countries does not necessarily reflect the full extent to which they are involved in the arms trade.

"Thus, it is obvious that French sales of military aircraft have continued and that the supply of other defence equipment from France is being envisaged. United States-made helicopters are being openly advertised and sold in South Africa. These can be adapted for military use, as has been the experience in other parts of the world. The Federal Republic of Germany and Israel's involvement are becoming more apparent.

"The Special Committee on Apartheid considers it essential that all breaches of the arms embargo by States concerned should be stopped forthwith if the purpose of the measure is not to be defeated. It will continue its efforts to obtain fuller information concerning any breach of the arms embargo and to expose its authors. Such information will be incorporated in subsequent reports and made available to the Security Council and the General Assembly."

83. Subsequently, at the 172nd meeting on 19 May, the Committee considered a third addendum to the report by the Rapporteur (A/AC.115/L.285/Add.3) concerning the manufacture of Israeli Uzi submachine guns in South Africa under a special licence agreement. Pursuant to its decision, the Vice-Chairman of the Special Committee addressed a further letter to the Security Council (S/10202) transmitting this addendum.

84. In connexion with the letter of 7 May 1971 by the Chairman of the Special Committee to the President of the Security Council, the Permanent Representatives of Belgium, Israel and the United States of America and the Permanent Observer of the Federal Republic of Germany addressed letters to the President of the Security Council. The Permanent Representatives of Belgium and Israel also addressed letters to the Chairman of the Special Committee, while the Permanent Representative of the United States of America sent a copy of his letter to the President of the Security Council.

85. In his letter dated 19 May 1971 (S/10201), the Permanent Representative of Belgium referred to the statement in the report by the Rapporteur (A/AC.115/L.285/Add.2) concerning the granting of a licence to South Africa through Belgium for the manufacture of an Israeli light gun. He informed the Committee that this event was not a new development concerning the implementation of the arms embargo against South Africa, and that the Belgian firm concerned had granted the manufacturing licence in question in 1960. He took the opportunity to reiterate that, since the Security Council resolutions of 1963 and 1964, Belgium was no longer exporting arms to South Africa and no licence for the manufacture of weapons had been granted to that country.

86. The Special Committee decided, at its 173rd meeting on 26 May, to request the Chairman to write a letter to the Permanent Representative of Belgium inquiring whether the Belgian Government had complied with paragraph 4 (b) of Security Council resolution 282 (1970) by revoking the licence granted to South Africa by the Belgian firm for the manufacture of the gun.

87. In a reply dated 16 June 1971, the Permanent Representative of Belgium informed the Chairman that the contract granting the licence had expired in 1963. He added:

"Since all the obligations arising from it have been performed, there is no longer any legal tie between the Belgian company in question and the Government of South Africa. Accordingly, no action by the Belgian Government is required."

88. At its 176th meeting, on 19 July 1971, the Special Committee considered this reply and noted that South Africa was still manufacturing the weapon. After obtaining legal advice from the Secretariat, the Committee requested the Chairman, on 29 September, to address a further communication to the Permanent Representative of Belgium seeking clarification on the nature of the contract between the Belgian firm and South Africa.

89. Meanwhile, at the 174th meeting on 3 June 1971, the Chairman informed the Committee that he had received a letter dated 26 May, from the Permanent Representative of Israel to the United Nations, attaching a copy of the letter sent by him to the President of the Security Council on 14 May (S/10195) denying press reports referred to in the report of the Rapporteur (A/AC.115/L.285/Add.2) concerning alleged Israeli involvement with South Africa in the field of military supplies. Following statements by several members commenting on the contents of this letter, the Committee decided to defer consideration of the matter.

90. At the same meeting, the Committee took note of the letter of 25 May from the Permanent Representative of the United States of America (S/10212), in which it was pointed out that the sale of American helicopters to South Africa was carefully regulated to ensure that such sales as do occur do not violate the letter or spirit of the arms embargo. If it should be ascertained that United States helicopters being sold or advertised in South Africa are being adapted for military use, the Government of the United States would take prompt measures to deal with the situation.

91. At the 176th meeting, on 19 July 1971, the Chairman made a statement concerning press reports that agreements had been negotiated for the manufacture of Mirage III and F-1 jet fighters in South Africa under licence from France. According to these reports, a French aviation company would initially supply technical personnel, while South Africa would send technicians to France for training. He said that, if the reports that France licensed the production of Mirage aircraft and continued to supply weapons were correct, that would be the coup de grâce to the arms embargo, the only United Nations measure against apartheid which carried the authority of the Security Council. The Committee decided to request the Chairman to ascertain from the Permanent Mission of France whether the press report was correct. It requested the Rapporteur of the Committee to compile a report on the situation and agreed to consult with the Council for Namibia and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to consider collectively the steps which should be taken to deal with the situation.

92. Accordingly, the Chairman and the Rapporteur met with the Permanent Representative of France to convey the views of the Committee. At their request, the Permanent Representative offered to send the Committee a written statement of the position of France. Subsequently, however, the Permanent Mission of France indicated that an oral reply would be conveyed to the Chairman rather than a written statement.

93. At the 180th meeting, on 3 September, the Chairman reported to the Special Committee on an oral reply received from the Chargé d'affaires of the Permanent Mission of France. 5/ He stated:

5/ See A/SPC/145, annex.

"The French Chargé d'Affaires said that by nature and education the French people had no prejudices based on race and colour. That attitude stemmed from a secular tradition. France condemned racial discrimination and particularly apartheid. In conformity with that attitude the French Government had decided to prohibit the sale to South Africa of weapons which that country could use for internal police operations dictated by racist prejudices. Such prohibition was announced on 7 August 1963 by the Permanent Representative of France. The list of prohibited arms was extended on 4 December 1963 when France informed the Security Council that it would also prohibit the sale of equipment and material which could be used for the manufacture of those weapons.

"The French Chargé d'Affaires said France had been guided in the establishment of that list of prohibited arms by the fundamental distinction between arms which could be used in anti-guerilla operations and arms which could be used for defence against external threats. Under the former category France had prohibited the sale to South Africa of light weapons which could be used in so-called police operations such as slow observation planes, slow ground-attack planes, automatic weapons, light mortars, flame throwers and ammunition for those weapons, including napalm bombs and grenades. That list, he said, had recently been extended by the addition of helicopters and light armoured vehicles.

"With regard to the second category of arms, i.e. arms for defence against external threats, the French Chargé d'Affaires emphasized that South Africa could purchase such arms from France under the same conditions as any other State. Such arms were suitable only for external defence and in conflict situations involving the employment of regular armies. Arms falling into that category included high-speed planes, reconnaissance planes, transport and liaison planes, air-defence systems, naval material, tanks, anti-tank weapons, heavy artillery and heavy mortars.

"The French Chargé d'Affaires stated that the distinction between the different categories of weapons according to their use was implicitly admitted by the Security Council in its resolution 181 of 7 August 1963. Four months later, he claimed, the Security Council noted with satisfaction the assurances given by Governments within the framework of resolution 181 of 1963. Among the assurances was a statement by the French delegation which established a distinction between the two types of weapons.

"The French Chargé d'Affaires stated that it was on the basis of that distinction that one should assess the recent deliveries of Mirage planes to South Africa. He explained that they were planes of high performance and could be used only as interceptor aircraft or for aerial combat. In view of their high minimum speed, his Government considered that they were absolutely unsuitable for use in anti-guerilla operations. The French Chargé d'Affaires said that it was normal that the South African Government should try to organize its external defence and that it should acquire such material and equipment in France. He emphasized that the co-operation which was envisaged between the industrialists of the two countries was the result of direct agreements between interested firms and did not result, in any way, from military co-operation between the two Governments.

"The French Chargé d'Affaires was firm in his opinion that the sale of 'Mirage' planes, as well as the licensing for the production of those planes in South Africa, would not strengthen the anti-guerilla potential of South Africa. Finally, the French Chargé d'Affaires stated that none of the deliveries made to South Africa by French companies could assist the South African Government in any possible operations of internal repression. Any criticism expressed in this regard against the French Government was, in his view, unfounded."

94. The Chairman added that he had explained to the Chargé d'Affaires that the verbal communication begged the question; the Special Committee had wanted to know whether there was any truth in the report published in the international press that France had agreed to license the production of "Mirage" aircraft in South Africa. He had pointed out that that question had not been answered in the oral communication and had expressed the hope that it could be answered. He had said that, unless there were a final denial, the Special Committee would have every reason to conclude that such a licence had been given. The Chargé d'Affaires had agreed that the communication had not been clear on that point and had said he would endeavour to give a specific answer in due course.

95. At the time of the adoption of the report, no further information had been received from the Permanent Mission of France.

96. The Committee decided, at its 180th meeting on 3 September 1971, to communicate the text of the Chairman's statement, together with the statement on the matter by Mr. Camilleri, a petitioner, 6/ to the Joint Meeting of the Special Committee on Apartheid, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and the United Nations Council for Namibia.

97. On 6 October 1971, after a decision taken at the 186th meeting of the Special Committee, the Chairman addressed letters on behalf of the Committee to the President of the Security Council (S/10354) and the President of the General Assembly (A/SPC/145) concerning the reported agreement on the manufacture of Mirage III and F-1 aircraft in South Africa. The letters read as follows:

"During the past year, the Special Committee on Apartheid has had to devote considerable attention to the implementation of the arms embargo against South Africa because of the failure of certain States to implement the provisions of Security Council resolution 282 (1970) and General Assembly resolution 2624 (XXV).

"In a letter dated 7 May 1971 (S/10190) I transmitted to the Security Council, on behalf of the Special Committee on Apartheid, available information on breaches of the arms embargo and stated that 'the Special Committee on Apartheid considers it essential that all breaches of the arms embargo by States concerned should be stopped forthwith if the purpose of the measures is not to be defeated'.

"Regrettably, it has since been brought to the attention of the Special Committee that an agreement had been concluded between the Armaments Development and Production Corporation of South Africa, Ltd., and a French aviation company for the manufacture in South Africa of Mirage III and

6/ See section R below.

F-1 aircraft. The Special Committee conveyed its concern to the Government of France through its permanent representative to the United Nations and emphasized that the arms embargo by the Security Council had not made any distinction between arms for internal repression and arms for external defence.

"At the request of the Special Committee I have the honour to transmit to you: (a) a statement made by the Chairman of the Special Committee on Apartheid on 3 September 1971 containing an oral reply received from the Chargé d'Affaires of the Permanent Mission of France; and (b) a note by the Rapporteur of the Special Committee on 'Recent developments concerning military co-operation by France with South Africa'."

98. Meanwhile, a note by the Rapporteur on recent developments concerning military co-operation by France with South Africa was issued as a document of the Committee (A/AC.115/L.313). The Committee also received from the Organization of African Unity a memoranda on the relations between South Africa and several Member States which, inter alia, contained information on military co-operation with France.

L. United States Sugar Act

99. At its 166th meeting, on 14 April 1971, the Special Committee considered a communication from the Executive Director of the American Committee on Africa informing it that the United States Congress was shortly due to consider a bill informing for the continuation of a quota for the importation of sugar from South Africa at preferred rates. He informed the Special Committee of the opposition of his organization to this measure.

100. Pursuant to the decision of the Special Committee, the Chairman addressed a letter to the Permanent Representative of the United States of America on 15 April 7/ conveying the concern of the Special Committee and its hope that the preferential sugar quota allocated to South Africa would be cancelled.

101. In a reply dated 3 May, the Permanent Representative of the United States of America stated that the letter had been forwarded to the appropriate persons in Washington, D.C. He added that he would keep the Committee informed of any developments which might occur with respect to the renewal of the Sugar Act of 1934, last renewed in 1965.

102. At the 178th meeting, on 4 August 1971, the Special Committee took note of reports that the United States Senate had approved continuation of the South African sugar quota. The Chairman addressed a letter to the Permanent Representative of the United States of America on 25 August requesting confirmation of whether the review undertaken by Congress of the Sugar Act had been concluded. He stated that the Special Committee would be interested to know what outcome that might have on the preferential treatment to the Republic of South Africa and to South African interests.

103. At the time of the completion of the report, no reply had been received from the Permanent Representative of the United States of America.

7/ Reproduced in document A/AC.115/SR.170.

M. International boycott of racially-selected South African sports teams

104. The Special Committee devoted considerable attention during the year to the question of the international boycott of racially-selected South African teams, especially in response to a number of communications received by it from Australian groups opposed to apartheid.

105. At the 177th meeting on 26 July 1971, the Rapporteur reported to the Committee on the situation created in Australia as a result of a tour by an all-white South African rugby team from 26 June, despite widespread protests by anti-apartheid organizations, churches, trade unions, student bodies and political leaders.

106. The Special Committee decided to send a message to the Australian organizations which opposed the visits by racially-selected South African teams expressing its support for their efforts.

107. At the request of the Committee, the Chairman and the Rapporteur met with the Permanent Representative of Australia on 28 July and expressed their disappointment that the Australian authorities had allowed the South African rugby team to tour Australia, as well as their concern at reports that they had agreed to a tour by a racially-selected South African cricket team in October 1971. They expressed the hope that the Australian Government would reconsider its position. The Permanent Representative of Australia stated the position of his Government. It was opposed to apartheid; the Australian people were entitled to freedom of choice within the law at all times. He stated further that politics and sports should not be linked together and that sports activities should not be subjected to duress from any source for political motives. He agreed, however, to transmit to the Australian Government the view of the Special Committee.

108. Earlier, pursuant to a decision at the 174th meeting of the Special Committee on 3 June 1971, the Chairman sent messages of appreciation to two New Zealand organizations - Halt All Racist Tours, Auckland, and Citizens' Association for Racial Equality - which were campaigning against exchanges with racially-selected South African sports teams, especially as part of their observance of the International Year for Action to Combat Racism and Racial Discrimination.

109. At its 182nd meeting on 10 September 1971, the Committee took note of reports that the Australian Cricket Board of Control had cancelled the scheduled tour of Australia by the South African cricket team. It decided to convey to the anti-apartheid movements in Australia its appreciation of their efforts and its satisfaction at the cancellation of the tour.

110. The Committee also took note of proposals received by it for a declaration against racism in national and international sport, 8/ and decided to recommend that the General Assembly adopt a declaration on the matter. 9/

8/ See para. 61 (r) referring to the report of the mission and testimony of Mr. Dennis Brutus, paras. 159-163.

9/ See paras. 291-293.

N. OAU Assistance Fund for the Struggle Against
Colonialism and Apartheid

111. At its 165th meeting, on 7 April 1971, the Special Committee took note of the establishment by the Organization of African Unity (OAU) of an Assistance Fund for the Struggle against Colonialism and Apartheid. Particulars on the Fund, designed to provide economic, social and humanitarian assistance to the liberation movements, had been communicated to the Secretary-General by OAU and had been transmitted to Member States.

112. At the 179th meeting, on 26 August 1971, the Special Committee decided:

(a) To take note of and welcome the establishment of the Fund as one of the means to facilitate the implementation of General Assembly resolution 2671 B (XXV);

(b) To express the hope that all Governments, organizations and individuals would respond to the appeal of OAU for contributions to the Fund or directly to liberation movements, especially in view of the overwhelming support for resolution 2671 B (XXV);

(c) To request the Secretary-General to convey this endorsement of the Special Committee to all States and to request information on their contributions; and

(d) To request the Chairman to inform the Joint Meeting with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the United Nations Council for Namibia of the action taken by the Special Committee in the hope that the other two bodies would take similar action.

O. Attendance of a delegation of the Special Committee at a meeting
of the World Council of Peace in Budapest

113. At its 165th meeting, on 7 April 1971, the Special Committee considered a cable from the World Peace Council, Helsinki, inviting the Chairman and a delegation from the Committee to attend its Assembly at Budapest in May 1971 and a rally to mark the International Year for Action to Combat Racism and Racial Discrimination. The Committee decided to accept the invitation.

114. At the 167th meeting, on 21 April, the Committee decided that the delegation would be composed of the Chairman and two members. The Committee subsequently appointed the representatives of Malaysia and Trinidad and Tobago to accompany the Chairman.

115. At the 174th meeting, on 3 June 1971, the Chairman reported to the Committee on the participation of the Committee's delegation in the Assembly of the World Peace Council and on the decisions of the Council. He stated that the Assembly had provided a useful opportunity to meet a number of representatives of organizations and to participate in a press conference and a mass meeting.

116. He reported that the Council had recognized the important role played by the United Nations and the need to accentuate the economic, political and diplomatic isolation of South Africa. It had rejected any idea of a dialogue with South Africa, had recognized the need to organize a large-scale campaign to make known all the iniquities of apartheid, and had pronounced itself in favour of the organization, at the international and national levels, of fund-raising to assist the liberation movements and of demonstrations against those who were collaborating with South Africa. It had expressed encouragement for all measures to assist the victims of the régime and to support the programme established by the United Nations to ensure the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the United Nations Declaration on the Elimination of All Forms of Racial Discrimination. Lastly, the Council had taken the position that racism was an extreme form of colonialism.

P. Attendance at an anti-apartheid conference in Berlin

117. Meanwhile, the Chairman informed the Committee on 28 April that he had been invited to attend an anti-apartheid conference at Berlin in May, sponsored by the League for the United Nations in the German Democratic Republic, and the newly formed anti-apartheid movement, in connexion with the International Year. As he was unable to attend the conference, invitations were subsequently extended by the sponsors to the representatives on the Committee of Algeria, Guinea and the Sudan. These three representatives attended the conference at Berlin in May 1971 and joined the Committee's delegation to the Assembly of the World Council of Peace. They reported on the Berlin meeting at the 174th meeting of the Special Committee on 3 June.

Q. Attendance at the meeting of the Executive Committee of the Afro-Asian Peoples' Solidarity Organization in Damascus

118. At its 175th meeting, held on 18 June 1971, the Special Committee decided to accept an invitation from the Afro-Asian Peoples' Solidarity Organization to send representatives to a meeting of the Executive Committee of that organization in Damascus. The meeting was to take place on 23-24 June and among the items on its agenda were the questions of apartheid and racism.

119. The Special Committee decided at the same meeting to authorize the Permanent Representative of the Syrian Arab Republic to represent it at the meeting of the Executive Committee in Damascus.

120. On 4 August 1971, the Permanent Representative of the Syrian Arab Republic submitted a report on the meeting. He stated that it had been attended by delegations from 26 countries represented on the Executive Committee, as well as a number of guests and observers. It had noted with satisfaction the presence of representatives of the Special Committee on Apartheid and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and had expressed the hope that contacts with these committees would be maintained.

121. The meeting, in its resolutions, recognized that the overtures of the South African régime for a dialogue with independent Africa were neo-colonialist manoeuvres to confuse and divide African States; condemned the sale of arms to South Africa and any other form of military co-operation with the apartheid régime; called upon the progressive forces to campaign for a total boycott and isolation of the white minority régime in South Africa; supported the just struggle of the oppressed black masses of South Africa against the inhuman system of apartheid; and called for the stepping-up of material and financial aid to the African National Congress of South Africa.

R. Joint Meeting with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the United Nations Council for Namibia

122. It may be recalled that in paragraph 11 of resolution 2671 F (XXV), the General Assembly requested the Secretary-General "to convene, early in 1971, a joint meeting of the Special Committee on Apartheid, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and the United Nations Council for Namibia, in order to consider the interrelationships of the problems of southern Africa and to propose measures for greater co-ordination and more effective action, so that the three organs can take the results of the meeting into account in their programmes of work".

123. The Special Committee was consulted on the arrangements for the Joint Meeting, which was held in two sessions, from 3 to 5 May and 23 August to 13 September 1971. The Joint Meeting adopted a consensus, which has been transmitted to the General Assembly (A/8388).

S. Co-operation with the Organization of African Unity

124. The Special Committee has maintained close co-operation with the Organization of African Unity during the year, which has been represented by an observer in the meetings of the Committee. The Mission of the Special Committee held discussions with the Administrative Secretary-General of OAU, Mr. Diallo Telli, and the Assistant Secretary-General for Political Affairs, Mr. Mohamed Sahnoun, during its visit to Addis Ababa in June on various aspects of the campaign against apartheid. Members of the Mission also attended the session of the Assembly of Heads of State and Government of the Organization of African Unity as observers. The Chairman of the Committee was received by the Chairman of the Assembly, the President of Mauritania.

125. Mr. Mohamed Sahnoun addressed the Special Committee at its 183rd meeting, on 29 September, and expressed the high appreciation of OAU of the work of the Committee. He invited the Committee's participation in the proposed OAU world conference for support of victims of racism and colonialism, which is scheduled to be held at Oslo in May 1972.

T. Work of the Sub-Committee on Petitions

126. During the period under review, the Sub-Committee on Petitions held a number of meetings to consider requests for hearings and communications received from organizations and individuals in connexion with the policies of apartheid of the Government of the Republic of South Africa. It submitted nine reports 10/ drawing the attention of the Special Committee to the communications.

1. Communications issued as documents of the Special Committee

127. The following communications were issued as documents of the Special Committee:

(a) Communication dated 16 October 1970 addressed to the Secretary-General, from the African National Congress, Morogoro, United Republic of Tanzania, containing a statement by the Congress on the announcement by the Government of the United Kingdom that it would resume arms sales to South Africa (A/AC.115/L.284 and Corr.1). The Congress urged the General Assembly and the Security Council to take appropriate action against this move;

(b) Communication dated 14 February 1971, addressed to the Chairman of the Special Committee, from Miss Caroline Hunter, correspondent of the Polaroid Revolutionary Workers Movement concerning her suspension by the Polaroid Company (A/AC.115/L.295). Miss Hunter transmitted with this communication a statement issued by the Movement, on the suspension of her colleague and herself because of their activities advocating a boycott of Polaroid products;

(c) Communication dated 8 March 1971, addressed to the Chairman of the Special Committee, from Mr. David M. Sibeko, Head of Mission to Europe and the Americas of the Pan Africanist Congress of Azania (South Africa), concerning the disturbance which occurred on 6 March 1971 at Gevandale (A/AC.115/L.296). Mr. Sibeko urged the Special Committee to draw the attention of the international community to the continuing suppression of the African people in Azania;

(d) Communication dated 28 April 1971, addressed to the Special Committee on Apartheid, from Mr. Joe Nördmann, Secretary-General of the International Association of Democratic Lawyers (Brussels), transmitting a list of persons arrested during police operations in South Africa in February and March 1971 (A/AC.115/L.298). Mr. Nordmann expressed the special concern of the Association over these detentions under apartheid laws;

(e) Communication dated 3 May 1971, addressed to the Chairman of the Special Committee, from Mrs. Ethel de Keyser, Executive Secretary of the Anti-Apartheid Movement, London, regarding the commemorative events on the International Day for the Elimination of Racial Discrimination (A/AC.115/L.300).

(f) Communication dated 9 June 1971, addressed to the Chairman of the Special Committee, from Mr. J.J. de Félice, President of the French Committee against Apartheid, concerning French violations of the arms embargo against South Africa (A/AC.115/L.303). Mr. Félice stated that the Committee protested

10/ A/AC.115/L.283, 294, 297, 299, 301, 307, 309, 310 and 314.

most strongly against the decision to allow the manufacture of Mirage fighter aircraft in South Africa under licence as that would strengthen the already alarming military potential of the régime in South Africa;

(g) Cable dated 15 July 1971, addressed to the Special Committee on Apartheid, from the African National Congress, Dar es Salaam, vehemently condemning the imposition of the state of emergency by the Queensland Government in Australia during the tour of an all-white South African rugby team (A/AC.115/L.304);

(h) Communication dated 5 July 1971, addressed to the Special Committee on Apartheid, from the International Association of Democratic Lawyers, Brussels, concerning a new racist trial to begin in South Africa on 2 August (A/AC.115/L.305). The Association appealed to all its national associations and all lawyers to denounce these acts of persecution and to demand respect for the rights of the accused and the abolition of racist laws in South Africa;

(i) Cable dated 16 July 1971, addressed to the Secretary-General, from Mr. P. McGregor of the Anti-Apartheid Movement in Sydney, drawing attention to the situation caused in Australia by the visit of an all-white South African sports team (A/AC.115/L.306). Mr. McGregor requested the Secretary-General to draw the attention of the General Assembly to the appalling situation and to condemn the support of the Australian Government for apartheid;

(j) Communication dated 14 July 1971, addressed to the Secretary-General, from Mrs. Devi Venkatrathnam, Mrs Toni Wilcox and Mrs. Christina Vusani, Durban, South Africa, appealing for help in the trials of their husbands and 11 others accused under the Terrorism Act (A/AC.115/L.302);

(k) Communication dated 29 July 1971 from Mr. Imerglik, President of the Movement against Racism and Antisemitism and for Peace, concerning the establishment in the Movement of a special committee to combat apartheid in southern Africa (A/AC.115/L.311);

(l) Communication dated 21 September 1971, addressed to the Chairman of the Special Committee, from Mr. B.R. Lourigan, Acting Secretary of the Queensland Branch of the Australian Labour Party, Brisbane, concerning the Party's commitment to oppose the exchange of any sporting teams which are selected on a racially-discriminatory basis (A/AC.115/L.315);

(m) Communication dated 2 September 1971, addressed to the Secretary-General, from Mr. R.J. Gregory, Acting State Secretary of the South Australia Council of the Amalgamated Engineering Union, Adelaide, drawing attention to a resolution against apartheid passed at the Commonwealth Conference in May 1971 (A/AC.115/L.316);

(n) Communication dated 12 September 1971, addressed to the Chairman of the Special Committee, from Mr. P. McGregor, Convenor of the Anti-Apartheid Movement, Roseville, Australia, seeking the help of the Committee in opposing the proposed sporting exchanges between South African and Australian teams (A/AC.115/L.317).

2. Hearing of petitioners

128. On recommendation of the Sub-Committee, the Special Committee heard statements by Mr. George Houser, Executive Director of the American Committee on Africa and by Mr. Ken Williams and Miss Caroline Hunter, representatives of the Polaroid Revolutionary Workers Movement, at the 149th meeting on 3 February 1971; Mr. William Johnston, President of the Episcopal Churchmen for South Africa, New York, at the 155th meeting on 10 March 1971; the Rt. Rev. Edward Crowther, Assistant Bishop in the Diocese of California, at the 170th meeting on 7 May 1971; Mr. William H. Booth, Judge of the New York City Criminal Court, at the 176th meeting on 19 July 1971; and Mr. Dennis Brutus, President of the South African Non-Racial Open Committee for Olympic Sports (SAN-ROC), London, at the 179th meeting on 26 August 1971.

(a) Hearing of Mr. George Houser 11/

129. Mr. Houser, Executive Director of the American Committee on Africa, recalled the campaign of the Committee for disengagement from South Africa and said that a new dimension had been added to that campaign in the autumn of 1970, when workers at the Polaroid Corporation in Cambridge, Massachusetts, had publicized their demand that the Corporation should put an end to all its business dealings with South Africa. Part of that business was the supply to the South African military of equipment for producing identity cards. The company also supplied film used in making passbooks, which were a corner-stone of the apartheid system. In reply, the Polaroid Corporation had stated that it would stop sales of equipment for passbook purposes, although the same equipment would be available for public sale in South Africa. It had sent a committee of four persons, two blacks and two whites, to South Africa to report on the situation. On 13 January 1970, it had taken out full-page advertisements in a large number of newspapers to announce its decision to continue to do business in South Africa.

130. In an effort to show that it favoured progressive change, the Company had announced an experimental programme of assistance to Africans. However, it had admitted, under questioning, that it would operate within the laws of South Africa. As the Special Committee was aware, African workers in that country had no political rights, their unions were not recognized and strikes were illegal. The Polaroid agent in South Africa, as quoted in the Johannesburg Star of 16 January 1971, had said that he envisaged African employees holding jobs as supervisors of African staff only. In that case, the number of opportunities would be very limited, for Polaroid's total black and white staff in South Africa amounted to only 180 people. Polaroid would also pay the educational expenses of 500 black students, but education for blacks in South Africa was both Government-controlled and specifically designed to prevent any change.

131. Polaroid's experiment was merely a paternalistic act of charity and the danger was that it might be seen as a substitute for the programme being supported by the United Nations, opposition African parties and the people actually waging the struggle against apartheid.

11/ The text of the statement was reproduced in document A/AC.115/L.282.

132. Finally Mr. Houser declared that the American Committee on Africa would support the Polaroid workers' call for a boycott of Polaroid products and expose the Corporation's campaign of self-justification. At the same time, it urged the Special Committee to call upon those countries which supported the strategy of disengagement from South Africa to join forces in discouraging foreign corporations from maintaining business relations with the Republic. Such an effort should be centred on certain corporations which were of special importance to South Africa. Lastly, the Special Committee should ascertain whether United Nations agencies were using Polaroid products and call for action to ban the purchase and use of those products.

(b) Hearings of Mr. Ken Williams and Miss Caroline Hunter 12/

133. Mr. Williams representative of the Polaroid Revolutionary Workers Movement said that with the ID-2 system developed by the Polaroid Corporation, tested and perfected in South Africa, masses of people could easily be controlled by means of identification cards. He called upon all nations to boycott the products of the Polaroid Corporation.

134. Reviewing the history of the Polaroid Revolutionary Workers Movement, a group of black workers at the Polaroid Corporation, Miss Hunter said that on 5 October 1970, the Movement had initiated a campaign by issuing leaflets containing general information concerning the Corporation's operations in South Africa to all Polaroid employees. The following day, the Corporation had circulated a memorandum stating that Polaroid had not sold its ID-2 system to the South African Government for use in the apartheid programme but that 67 ID-2 machines had been sold to the South African Army and Air Force. The memorandum had also stated that Frank and Hirsch, Ltd., Polaroid's South African distributor, had adopted a policy of equal employment opportunity for blacks.

135. On 8 October 1970, the Movement had presented the Corporation with three demands: (a) that Polaroid should disengage from South Africa; (b) that it should make a public statement in both South Africa and the United States confirming its position with regard to apartheid; and (c) that it should contribute all profits made in South Africa to recognized African liberation movements. On 21 October 1970, the Polaroid Corporation had issued a press release stating that it would discontinue the sale in South Africa of any of its products, including film, used directly or indirectly in South Africa's passbook programmes. On 27 October 1970, the Movement, in order to emphasize the urgency of its three demands, had called for a world-wide boycott of all Polaroid products. Meanwhile, Frank and Hirsch, Ltd., had publicly denied that it practised an equal employment opportunity policy, stating that the Government of South Africa would not allow such a policy to exist. During December 1970, Polaroid had sent a group to South Africa, composed of two black and two white employees, to investigate conditions there. On 12 January 1971, Polaroid had announced its findings at a closed press conference, and the following day had published an announcement, entitled "An experiment in South Africa", which had appeared in newspapers all over the country.

136. The crux of that announcement was that Polaroid would not withdraw from South Africa since it was in the best interests of the black population of that country for the company to remain.

12/ The statement submitted by the Polaroid Revolutionary Workers Movement was reproduced in document A/AC.115/L.281.

137. She emphasized that the Polaroid experiment was an insult to the Movement and to everyone striving for the liberation of black South Africa. The Movement would continue to press for an international boycott of all Polaroid products. It called upon the Special Committee to support that boycott and to use its influence to persuade the Polaroid Corporation to abandon its operations in South Africa.

138. Finally, Miss Hunter warned that the Polaroid experiment in South Africa was dangerous not only because the ID-2 equipment was a tool of repression and was very useful in maintaining the apartheid system, but also because it gave other American and foreign businesses an opportunity to continue to support the racist régime and at the same time, by providing training for black workers, to provide a solution to South Africa's acute labour shortage.

(c) Hearing of Mr. William Johnston

139. Mr. Johnston, President of the Episcopal Churchmen for South Africa, referred to the decision by the Episcopal Church to call upon the General Motors Corporation to begin to phase out its operations within the Republic of South Africa. The Episcopal Church was supporting the Presbyterian Church, which had investments in the Gulf Oil Corporation, in opposing oil exploration in the colonial Territories in southern Africa. He said that there would be a battle within the Episcopal Church and in other churches involving the Church's responsibility with regard to any funds obtained in part from investments in a system abhorrent to all mankind. His organization strongly supported the Polaroid Revolutionary Workers Movement, which was making great progress in bringing home to Americans and American corporations an awareness of their duty to oppose apartheid.

140. Referring to the work of the Episcopal Churchmen for South Africa over the last 15 years, Mr. Johnston stated that it had expressed concern for the people of southern Africa and had tried to maintain contact with them. He said that it was currently very much concerned about the purge of church people in South Africa. Since August 1970, the Pretoria régime had deported or issued deportation orders against 18 foreign church workers - clergymen and lay people of many churches from Belgium, France, the United Kingdom and the United States. Within the past month, 12 people had been served with deportation orders. A matter for great concern was the forthcoming trial of the Anglican Dean of Johannesburg, the Very Reverend Gonville Aubi French-Beytagh.

141. Mr. Johnston warned that a war was, in effect, being waged against the church. The events of the past few weeks, including country-wide police raids, arrests and deportations, pointed to an all-out effort to crush dissent in the Christian churches.

142. His organization believed and hoped that the arrest and trial of the Dean of Johannesburg would really open the eyes of the Christian countries of the West to the fact that South Africa was no longer a Christian country. It was encouraging that a world-wide conference of the Anglican church, meeting near Nairobi the previous week, had adopted a number of resolutions on racism and apartheid.

143. Finally, Mr. Johnston said that the Episcopal Churchmen for South Africa would continue to help the Committee in its work, principally by reaching people in the churches in the United States of America.

(d) Hearing of the Rt. Rev. Edward Crowther

144. Bishop Crowther, Assistant Bishop in the Diocese of California, spoke mainly about his recent visit to Australia and New Zealand at the invitation of defence and aid committees, in connexion with the International Year for Action to Combat Racism and Racial Discrimination. During this visit, he had co-operated with several of the anti-apartheid movements, such as the Campaign Against Racism and Sport in Australia and Halt All Racist Tours in New Zealand. He had tried to pinpoint the importance of sport in the strategy of South Africa to maintain its racist policies at home but at the same time to gain much-needed acceptance overseas, especially with its white trading partners, which appeared to be increasingly becoming partners in apartheid. He had spoken to church groups of his own experiences as a bishop in South Africa, and of the enormity of apartheid as a way of life.

145. Bishop Crowther stated that South Africa had become the laboratory in which the experience of race could be dissected and analysed perhaps more than in any other country in the world. He believed that white South Africans lived in a state of advanced paranoia, and one manifestation of that disease in the minds of many of them was the fear of isolation.

146. At first sight, sport did not seem to be a particularly significant issue. However, he believed that a closer analysis showed that sport was one of the most important channels possessed by Mr. Vorster for communicating the South African way of life to the outside world; unlike so many political and economic issues, sport affected the daily lives of almost every member of those predominantly white countries with which Mr. Vorster had to maintain contact in order to preserve his credibility among the white voters of South Africa. He had, therefore, tried in Australia and New Zealand to persuade the ordinary people of those countries to vote "no" to apartheid when it was exported to Australia and New Zealand in the form of sport.

147. On countless occasions during his tour of Australia and New Zealand, Bishop Crowther had heard the question "Cannot sport and politics be kept separate?" The answer was surely obvious. In South Africa nothing could be separated from politics, and even the so-called concessions in sport did not affect the basic issue of the retention of white supremacy, which was what apartheid was. Thus, the previous year three Maori members of the New Zealand rugby team had been permitted to tour South Africa and many people throughout the world had misguidedly thought that a major concession had been made which might lead to the breakdown of apartheid. The fact was, however, that sport remained totally segregated in South Africa itself.

148. Bishop Crowther said that the results of his tour had been quite staggering and most encouraging. He believed that the anti-apartheid movement was on the verge of a significant breakthrough as far as public opinion in Australia and New Zealand was concerned. Demonstrations were now the order of the day in both countries whenever and wherever all-white South African touring teams appeared.

149. He suggested that the work of the local leadership of the anti-apartheid movement in Australia and New Zealand should be supported in every possible way. Those people hoped that the Special Committee on Apartheid and all United Nations committees would show them that they had the support of the world community.

150. Further, he said, no opportunity should be lost to exert and encourage every kind of outside pressure on South Africa in every area where it was possible to oppose apartheid and to show that apartheid - whether it was economic, political or legislative apartheid or the brutal harassment which kept in operation the ghastly police State which South Africa had become - was a way of life which was unacceptable to the civilized, decent, moral society of which the United Nations was the international spokesman.

151. In conclusion, he hoped that the Committee would continue its excellent policy of issuing an increasing amount of information so that people overseas would be kept informed of what the world community was saying, studying and doing about apartheid because such information gave tremendous moral encouragement to the movement throughout the world.

(e) Hearing of Mr. William H. Booth

152. Mr. Booth, Judge of the New York City Criminal Court, said that he had recently spent 10 days in South Africa as one of two observers for his Church, the American Protestant Episcopal Church, at the trial in Johannesburg of the Dean of the Anglican Cathedral. He pointed out that a considerable public relations effort was being made by South Africa to change its image. For example, it had been stated in the press that penalties for pass law violations had been reduced. However, the new "relaxation" had simply given rise to increased repression since black persons who were allegedly in the wrong place at the wrong time were now sent, not to a court, but to an administrative office, where, in effect, their labour was sold to the lowest bidder. The Government would therefore have a better controlled labour market.

153. Another example of the South African Government's public relations effort was the call for a "dialogue" with black African nations. That appeared to be a logical and civilized approach, but the Organization of African Unity had fortunately seen through it and had voted against such a dialogue. The OAU had decided that a dialogue would be meaningless unless apartheid were discussed and unless black South Africans were included in the talks.

154. Turning to his own experience of "separate development" in the area of Dimbaza in South Africa, Mr. Booth said that he had seen the graves of 38 children under the age of one year who had died of malnutrition in the previous month. He had seen 62 more open graves prepared for dead infants in Dimbaza, the resettlement or homeland area where black people were consigned for separate development. Of all children born in Dimbaza, 50 per cent died of malnutrition before they reached one year of age. Their parents decorated their pitiful graves with milk bottles and other toys so that they would be as happy in death as they had been unhappy in life.

155. A cruel propaganda hoax was played by South Africa in its slick, lavishly-illustrated book entitled Prison Administration in South Africa. That costly fraud contained pictures of Leeuwkop prison for black prisoners, which he had visited. The pictures showed beds with blankets, sheets and pillows in a dormitory for prisoners which had good lighting and desks and was not overcrowded. What he had seen in Leeuwkop, however, had been just the reverse. He had visited cells, 30 feet by 30 feet, which were occupied by 35 to 40 prisoners, serving long terms with no beds, no desks, no lights, no furniture and no facilities

except for one open toilet bowl and a water tap, which served the dual purpose of flushing the toilet bowl and providing water that was drunk out of cupped hands. The prisoners slept on small pieces of cloth, 3 feet by 6 feet, laid directly on the concrete floor.

156. South Africans were proud of their judicial system and the law did seem to be well administered, he said, but the law itself was bad, inhumane and unconscionable. There existed laws which provided for unlimited detention without charge. The South African Parliament had proclaimed that no court could intervene to determine the reasonableness of such detention or to set bail.

157. Another example of injustice was provided by the Bantu Commissioner's Courts, which administered pass law violations. At one of them in Fordsburg, the authorities had detained the visiting mission in order to prevent it from witnessing the full operation of the courts. In fact, because of overcrowded calendars (1,900 blacks were arrested daily for pass violations), the defendants were herded through like cattle. It had been estimated that each defendant was given 20 seconds for charge, trial, decision and sentence. The few black lawyers in Johannesburg occupied their offices illegally since no black man was allowed to occupy urban space. Even in court, a black lawyer had to sit at a separate table. The finding of contempt against one such lawyer, who had refused to follow that practice, had been upheld on appeal. Lawyers who had wished to talk with the petitioner at a luncheon had been refused service at two restaurants and had been obliged to meet him in the office dining room of a client.

158. He stated that hope for South Africa's future lay in three factors: the evident freedom of the South African English-language press; the growing awareness of young South Africans, both black and white; and the concern of the outside world. In order to increase that concern, all United States and international institutions should communicate with corresponding institutions in South Africa. Thus international unions in the United States should organize South African workers. United States business enterprises ought not to rely upon the opinions of their resident managers and directors, which were formed in a South African environment, but should practise in South Africa the same equal opportunity code preached in the United States. Compliance officers had been established for United States corporations operating in the United States, and an extension of such offices to South Africa was urgently needed. United States churches should face the problem of apartheid squarely and should communicate with South African churches.

(f) Hearing of Mr. Dennis Brutus

159. Mr. Brutus, President of the South African Non-Racial Open Committee for Olympic Sports (SAN-ROC), said that the question of the sale of arms to the apartheid régime in South Africa should be a matter of continuing concern, and that two issues particularly called for the attention of the Special Committee. They were, firstly, the decision of the French Government to license the manufacture of Mirage jet aircraft in South Africa, and, secondly, the decision of the British Government to supply helicopters to the apartheid régime and its refusal to give any commitment about restricting future sales of arms. As it was necessary to provide fresh incentives to those campaigning against the sale of arms, he hoped that the Special Committee would see fit to express its renewed concern about offending countries, particularly France and the United Kingdom.

160. With regard to the International Year for Action to Combat Racism and Racial Discrimination, he stated that it should be borne in mind that there had been a considerable response on the part of non-governmental bodies to the request by United Nations for the staging of special events, but that the response from Governments had been disappointing. The United Kingdom, for instance, had failed to organize any special activities for 1971 - indeed, its legislation had been in the direction of increased racialism. He urged the Special Committee to issue a further call to Governments to organize special activities and events before the end of the year. He also urged the Committee to appeal for donations to the victims of apartheid and racism, through both the United Nations Trust Fund for South Africa and the International Defence and Aid Fund. The latter was in fact the only fund which specifically directed its resources to the cause of the oppressed victims in southern Africa and it intended to continue to do so, despite the threats of Prime Minister Vorster. The two major political trials currently being staged in South Africa should lead to increased concern and action.

161. Turning to racialism in sport, he thanked the Special Committee for its continuous support of the fight against racialism in sport, particularly its recent approaches to the Government of Australia on the question of sports exchanges with South Africa on a racialist basis. He urged that similar action should be taken with regard to the "Miss World" contest to be held in London in November, to which South Africa intended to send a contestant selected from among white South Africans. He hoped that the Special Committee would also express its disapproval of the proposed tour of France by an all-white South African rugby team in 1972. There were signs that the demonstration of protest by the French public against the tour would be at least as significant as that which had occurred recently in Australia. The United Kingdom was proposing to receive an all-black rugby team in December. The South African Non-Racial Open Committee for Olympic Sports (SAN-ROC) intended to record its opposition and urged the Committee to do likewise. SAN-ROC was also hostile to the proposed visit to South Africa by the American golfer, Lee Elder, because, as a foreign sportsman, he would be given privileges which were not granted to other blacks resident to South Africa. There was also a possibility that visits might be made by Aretha Franklin, the singer, and Muhammad Ali, the boxer, which would do disservice to the cause of racial justice.

162. As regards racialism in industry, he stated that to accept racialism in industry was also to add strength to apartheid. SAN-ROC condemned those companies which were still functioning under and profiting from apartheid. Important pressures had been brought to bear recently, particularly with regard to the Polaroid Corporation's activities in South Africa, and others were planned with regard to the involvement of International Business Machines (IBM). The American Committee on Africa had played an important part in publicizing the action taken, and he trusted that the Special Committee would also take an active interest.

163. Mr. Brutus concluded that pressures on racism and apartheid continued to build up. In addition to the activities of the liberation movements, there were increasing indications that local pressures were being developed.

(g) Hearing of Mr. Joseph Camilleri

164. Mr. Camilleri, Chairman of the Committee Against Arms for Apartheid, stated that the Committee Against Arms for Apartheid was opposed to arms sales by any country. There was, he said, a widespread impression that the French position in the matter was unassailable. In fact, however, because of its desire to maintain its image with the third world, the French Government was more vulnerable than others. If, therefore, France continued to sell arms to South Africa, all anti-apartheid groups and organizations should consider ways and means of tarnishing that image and thus persuading the Government to abandon its policy.

165. In April 1970, the Committee Against Arms for Apartheid had entered into direct contact with the French Government and had received letters from the French Prime Minister and Foreign Minister. The Foreign Minister had sent a very detailed letter in which he had advanced approximately the same arguments in favour of the Government's position as had the Chargé d'Affaires of the Permanent Mission of France to the United Nations in the oral statement reported by the Chairman at the beginning of the meeting. When reports of the French Government's decision to allow the manufacture under licence of Mirage jets in South Africa had become known, the Committee Against Arms for Apartheid had again written to the French Government pointing out that a position based on a distinction between arms to be used for internal and external defence was untenable, that France should demonstrate its opposition to apartheid by specific actions and that France was damaging its image in the third world.

166. Mr. Camilleri expressed the hope that the Special Committee on Apartheid would immediately issue a strong statement on the unacceptability of the French position in the matter. It would also seem opportune for the Special Committee to make a study in depth of the military build-up in South Africa, of the nature and extent of South Africa's armed forces and of the strategic objectives underlying that country's desire for such a vast military arsenal. The study should also analyse the strategic and military, as opposed to the economic, objectives of those countries which continued to supply arms to South Africa and acquiesced in the military build-up taking place in South Africa, in Territories under Portuguese domination in Africa and in Southern Rhodesia. Such a study would enable the Special Committee and the voluntary anti-apartheid organizations working in France, the United Kingdom and other States to expose the position of various Governments and take further action to persuade them to alter their policies.

(h) Hearing of the World Council of Peace

167. The delegation of the World Council of Peace which appeared before the Special Committee was composed of the following members: Mr. Romesh Chandra, Secretary-General of the World Council of Peace, India; Mr. Aziz Sherif, Minister of State, Iraq; Mr. Roberto Gabaldon Marquez, lawyer, diplomat and former President of the National Agrarian Institute, Venezuela; Senator Alberto Baltra, university professor, Chile; Mr. V.K. Krishna Menon, Member of Parliament and former Defence Minister, India; Mr. Evgueni Fyodorov, Academician and Head of the Hydrometeorological Service, the USSR; Dr. Carlton Goodlett, physician, publisher-

editor and member of the Steering Committee of the People's Coalition for Peace and Justice, United States of America; Mrs. Isabelle Blume, former Member of Parliament and National President of the Belgian Union for the Defence of Peace, Belgium; Mr. Camara Damantang, Secretary of State for Foreign Affairs, Guinea; Mr. Raymond Guyot, Senator, France; Mr. Emilson Randriamihasinoro, Secretary of the World Council of Peace, Madagascar; Mr. Guido Fanti, President of the Regional Government of Emilia Romagna, Italy; and Mgr. Brezanoczy, Archbishop, Hungary.

168. Mr. Chandra stated that the elimination of racial discrimination was the main guiding principle of the World Council of Peace. Throughout its existence, the Council had carried on a constant campaign of activities directed against racism and apartheid and had always endeavoured to isolate the racist régime of South Africa from the world community. The late Chief Albert Lutuli had been one of its founders, Mr. Oliver Tambo, Acting President of the African National Congress, was a member of the Council's Presidential Committee, and many other leaders of the liberation movement in South Africa and the Portuguese colonies were members of the Council. The World Council of Peace played a significant part in organizing protests around the world against the policy of the Government of the United Kingdom for supplying arms to South Africa, but there were other less obvious indications of the extent to which United Nations resolutions calling for a general boycott of racist southern African régimes were being violated.

169. Mr. Chandra stated that the co-operation of the Committee would be of great assistance to the Council in increasing the effectiveness of its own work with a view to isolating South Africa and assisting the liberation movements. The Council would look to the Committee for guidance and hoped to carry out liaison tasks by making known to the Committee the specific desires of the peoples of the world for United Nations action with regard to southern Africa.

170. Mr. Chandra said that the Council would be honoured to receive the Chairman and other members of the Committee at the next session of its Presidential Committee to be held at Helsinki from 28 to 30 January 1972. At that session, the Presidential Committee would examine the results of the actions undertaken by the Council during the International Year for Action to Combat Racism and Racial Discrimination. Mr. Chandra suggested that the Committee should consider holding a joint meeting in 1972 with the Council's Commission on Racism, which was concerned with planning broad measures for the elimination of racial discrimination and racism and he hoped that such a meeting could be scheduled at United Nations Headquarters. He also suggested that the Committee might explore other ways of associating the World Council of Peace with its work on a continuing basis. The Council was prepared to mobilize public opinion in support of the Committee's work and to report to the Committee on its own activities and on the specific problems it encountered in organizing anti-apartheid activities in different countries. It desired work with the Committee in building a vast, popularly based anti-apartheid movement dedicated to securing not merely verbal condemnations of apartheid, but a genuine change in policy on the part of those Governments which supported the racist and colonialist régimes of southern Africa.

171. Mr. Damantang stated that the South African Government could not long continue to defy the international community with its policy of institutionalized racism. The time had truly come for the United Nations to reconsider the question of the membership of that fascist Government which dared to invite independent African countries to open a "dialogue" with a view to working out a modus vivendi.

172. With reference to the question of a "dialogue" with South Africa, Mr. Damantang stated that the African States were well aware of the real intentions of the racist South African régime. Any accommodation would have to be worked out between the minority elements and the African majority within South Africa itself.

173. Mr. Randiamihasinoro denounced apartheid as a twentieth-century form of slavery and a crime against humanity. He stressed the importance of the role of the imperialist régimes which worked in collusion with South Africa to further their own ambitious colonialist designs. In violation of the arms embargo, those countries had supplied South Africa with an immense military arsenal which placed the independent States of Africa under a constant threat. Indeed, no African country was safe from sudden military attacks like those which had been unleashed against Guinea in November 1969.

174. South Africa's true intention, he said, was to surround itself with economic hostages which would eventually form a buffer zone within which it would feel free to pursue its oppressive and exploitative policies of apartheid. With that end in view, South Africa worked constantly to sap the strength of the national liberation movement and to crush the efforts of Africans to achieve unity, economic development and social progress. If South Africa were sincere in its desire to change its hostile attitude towards independent African States and to initiate a genuine dialogue, it would begin at home by freeing imprisoned leaders of the liberation movements and offering democratic representation to its subject African peoples.

175. Mr. Goodlett, emphasized the role played by the Governments and commercial companies of Western countries, particularly the United States of America, in the maintenance and intensification of apartheid, racial exploitation and oppression in South Africa. Those countries accounted for most of the foreign investments in South Africa and it was from them that South Africa obtained the capital and arms it needed to thwart attempts to liberate its black population. The NATO countries, he said, were responsible for the continued supremacy of the whites in South Africa and must be vigorously condemned by the United Nations, the World Council of Peace and other organizations working for peace and justice in the world.

176. Mr. Guyot stated that the peace movement in France was opposed to certain aspects of French policy in respect of South Africa and called for the implementation of the relevant United Nations resolutions. That the peace movement's action was necessary was proved by the fact that only very recently the Chargé d'Affaires of the Permanent Mission of France to the United Nations had informed the Special Committee that French sales of Mirage jet aircraft to South Africa did not contravene the United Nations embargo because the aircraft were to be used for external defence only. The French Peace Movement completely rejected that statement.

177. Mrs. Blume stated that the World Council of Peace and national peace movements in Europe had been struck by the fact that economic assistance was becoming an instrument of neo-colonialism in Africa and, together with sales of arms, was serving to bolster the policies of apartheid and racism on the continent. It was to be hoped that the Special Committee and the World Council of Peace would co-operate in studying that development and devising means to combat it.

178. In reply to a question by a member of the Special Committee, Mr. Menon stated that the policy of apartheid was contrary to the principles of the United Nations Charter and the time would surely come when countries which pursued the policies of racism and apartheid would be expelled from the Organization. Acceptance of South Africa's contention that its policy should serve as a model for other multiracial States would be tantamount to acceptance of racism as a political philosophy.

179. The Special Committee was in a good position to promote anti-apartheid campaigns and had already done much to educate public opinion against the evils of racism and apartheid. It should continue its good work for there was no doubt that, as a result of its efforts and those of other bodies, opposition to racism and apartheid was growing.

U. Work of the Sub-Committee on Information on Apartheid

180. The Sub-Committee on Information on Apartheid held a number of meetings to consider various aspects of dissemination of information on apartheid in the light of the new and increased responsibilities of the Special Committee under General Assembly resolution 2671 C (XXV) of 8 December 1970.

181. At its meeting, on 9 February 1971, the Chief of the Secretariat's Unit on Apartheid gave a report on the Unit's publications programme in 1970. Thereafter, the Sub-Committee held several consultations with the Unit on Apartheid on the latter's publications programme for 1971.

182. In a report to the Special Committee at its 150th meeting, on 10 February, the Chairman of the Sub-Committee presented the list of papers and studies proposed by the Unit on Apartheid for 1971 and approved by the Sub-Committee. The Sub-Committee also suggested that separate special studies should be undertaken on South Africa's relations with its main trading partners and with specific geographic regions. When completed, such a series of papers and studies on economic, military and trade relations with individual countries and regions would complement a previous study by an expert, Mr. Sean Gervasi, entitled "Industrialization, foreign capital and forced labour in South Africa". 13/ The Special Committee endorsed the publications and studies programme.

183. At its 151st meeting, on 17 February 1971, the Special Committee authorized the Sub-Committee on Information to prepare special studies on South Africa's economic, military and trade relations with other countries and regions. The Sub-Committee decided on 23 February to establish a Working Group to prepare such studies, and appointed the representatives of Hungary, Malaysia, the Sudan and Trinidad and Tobago to the Working Group.

184. At the 157th meeting of the Special Committee, on 17 March, the Acting Chairman of the Sub-Committee introduced its first study on collaboration with South Africa. It was entitled "The main trading partners of South Africa" (A/AC.115/L.292) and listed the 10 countries which accounted for 50 million rand (\$US 70 million) or more of South Africa's foreign trade in 1969. Together, they accounted for 77 per cent of South Africa's foreign trade and also provided the main sources of foreign investment in South Africa. The countries are (in order of volume of trade): the United Kingdom of Great Britain and Northern Ireland, the United States of America, the Federal Republic of Germany, Japan, Italy, France, Belgium, Canada, the Netherlands and Australia.

13/ ST/PSCA/SER.A/10 (United Nations publication, Sales No.: 70.II.k.8).

185. The Sub-Committee also prepared three other working papers for the special session of the Special Committee, which was held at United Nations Headquarters from 22 to 24 March 1971. They were entitled: (i) "Collaboration with the South African régime by other Governments and economic and financial interests" (A/AC.115/L.290); (ii) "The 'outward-looking' policy of the Government of the Republic of South Africa" (A/AC.115/L.289); and (iii) "The proposal by some States for 'dialogue' with the South African régime and the experience of the United Nations in this respect (A/AC.115/L.287).

186. The Unit on Apartheid greatly expanded the volume of its publications in 1971, in consultation with the Sub-Committee, in view of the request for such an increase in connexion with the International Year for Action to Combat Racism and Racial Discrimination. It initiated two new series, entitled "Papers" and "Background notes", and its publications were issued in many more languages than in the past.

187. Following is a list of topics published by the Unit in 1971 under its series of "Studies" and "Notes and documents":

<u>Number</u>	<u>Date</u>	<u>Title</u>
		<u>Studies</u>
ST/PSCA/SER.A/11	January	Foreign investment in the Republic of South Africa.
		<u>Notes and documents</u>
1/71	January	Special Committee on <u>Apartheid</u> begins work for 1971; text of statement by the Chairman of the Special Committee; the Anglican Dean of Johannesburg - latest victim of the "Terrorism Act".
2/71	February	The Dutch Reformed Church in South Africa and the ideology and practice of <u>apartheid</u> by Dr. J. Verkuyl.
3/71	February	Irish opposition to <u>apartheid</u> , by Kader Asmal.
4/71	February	Tenth anniversary celebrations of South African "Republic" to be boycotted; what have 10 years of "Republic" brought us? - text of letter by President of National Union of South African Students.
5/71	February	International Day for the Elimination of Racial Discrimination; text of appeal by the United Nations Special Committee on <u>Apartheid</u> ; note by the Unit on <u>Apartheid</u> .
6/71	February	Special Committee on <u>Apartheid</u> holds hearing on "Polaroid experiment" in South Africa; idea that foreign investment can improve conditions of Africans - a delusion, by Mrs. Jean Sinclair; some views of <u>apartheid</u> ; world against <u>apartheid</u> ; publications of the Unit on <u>Apartheid</u> in 1970.
7/71	February	Facts and figures on South Africa (with special reference to racial discrimination).

<u>Number</u>	<u>Date</u>	<u>Title</u>
		<u>Notes and documents</u>
8/71	February	Twenty persons detained under "Terrorism Act"; working group of Human Rights Commission reports on violations in southern Africa.
9/71	March	Women under <u>apartheid</u> .
10/71	March	World against <u>apartheid</u> .
11/71	March	UNESCO and <u>apartheid</u> .
12/71	March	Bantustan policy: a fantasy and a fraud, by Professor Leslie Rubin.
13/71	March	Books banned in South Africa.
14/71	March	Discrimination and segregation in education in South Africa, by Billy Nannan.
15/71	April	International Year for Action to Combat Racism and Racial Discrimination; messages by the President of the General Assembly, the Secretary-General of the United Nations, the Special Committee on <u>Apartheid</u> , the Organization of African Unity.
16/71	April	International boycott of <u>apartheid</u> sport (with special reference to the campaigns in Britain by the Anti- <u>Apartheid</u> Movement), by S. Abdul Minty.
17/71	April	Assistance to the victims of <u>apartheid</u> , by the Reverend Canon L. John Collins.
18/71	April	<u>Apartheid</u> : the politics of sport, by the Right Reverend C. Edward Crowther.
19/71	May	Responsibility of United States Catholics and racism in southern Africa; violence in southern Africa - a Christian assessment.
20/71	May	Further violations of trade union rights in South Africa; report of the <u>Ad Hoc</u> Working Group of Experts.
21/71	May	A letter to the workers of America, by Mark Williams-Shope.
22/71	May	<u>Apartheid</u> - a threat to Africa's survival, by Oliver Tambo.

<u>Number</u>	<u>Date</u>	<u>Title</u>
		<u>Notes and documents</u>
23/71	May	Church and race in South Africa, by the Reverend Kenneth N. Carstans.
24/71	June	Racialism in action - South Africa (from <u>Young Citizen</u> , Dublin).
25/71	June	United Nations Economic and Social Council adopts resolution on <u>apartheid</u> and racial discrimination.
26/71	June	South African propaganda: <u>apartheid's</u> camouflage, by John Laurence (from <u>Christian Action</u> , London); international image-making: the case of South Africa, by Douglas P. Sanders and Sanford H. Bederman; fantasy and the facts (from <u>X-ray</u> , published by the Africa Bureau, London).
27/71	June	<u>Apartheid</u> - the laboratory of racism, by the Right Reverend C. Edward Crowther.
28/71	July	The Group Areas Act and its effects, by Barry Higgs.
29/71	July	Organization of African Unity adopts declaration and resolution on <u>apartheid</u> .
30/71	July	Poverty, <u>apartheid</u> and economic growth, by Sean Gervasi.
31/71	July	Netherlands opposition to <u>apartheid</u> , by Dr. Karel L. Roskam.
32/71	July	ILO action against <u>apartheid</u> ; resolution concerning <u>apartheid</u> and the contribution of the International Labour Organisation to the International Year for Action to Combat Racism and Racial Discrimination; message from the Director-General of the International Labour Organisation, Mr. Wilfred Jenks.
33/71	August	Some recent views on <u>apartheid</u> .
34/71	August	Banning orders against opponents of <u>apartheid</u> in South Africa.
35/71	August	Special Committee on <u>Apartheid</u> hears Judge William H. Booth.
36/71	August	New Zealand opposition to <u>apartheid</u> , by Tom Newnham.

<u>Number</u>	<u>Date</u>	<u>Title</u>
		<u>Notes and documents</u>
37/71	August	<u>Apartheid</u> - a form of slavery, by Mohamed Awad.
38/71	August	United Nations Trust Fund for South Africa.
39/71	August	Don't play with <u>apartheid</u> , by Peter Hain.

II. ACTIVITIES OF SPECIALIZED AGENCIES AND OTHER ORGANIZATIONS IN THE CAMPAIGN AGAINST APARTHEID

188. The General Assembly has designated 1971 as the International Year for Action to Combat Racism and Racial Discrimination, and, in resolution 2671 D (XXV), declared that the widest possible campaign against apartheid should be promoted during the International Year in solidarity with the legitimate struggle of the opposed people of South Africa. The work of the Special Committee was, accordingly, focused during this year on measures to promote the international campaign against apartheid with the participation of specialized agencies, regional organizations, non-governmental organizations and the public in general.

189. The International Year helped to focus attention on racism and apartheid and resulted in significant decisions and activities by specialized agencies and other organizations. Some of the main developments in this connexion are noted below.

A. Actions by specialized agencies

190. The Special Committee notes with satisfaction that conferences of the specialized agencies - particularly the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Labour Organisation (ILO), and the International Civil Aviation Organization (ICAO) - have recently taken important decisions which would enable these organizations to play a more active and effective role in the international campaign against apartheid.

1. United Nations Educational, Scientific and Cultural Organization

191. The last General Conference of UNESCO in November 1970, in resolution 8, noted "that apartheid is an affront to mankind and that it should not be countenanced or supported in any form by UNESCO". It recalled anew that the policy of colonialism, neo-colonialism and racialism constitutes "a constant danger to the peace and security of nations". It reaffirmed its decision not to accord any help to the South African Government in the realms of education, science and culture and, in particular, not to invite it to participate in conferences and other UNESCO activities until such time as the authorities of that country desist from their policy of colonial oppression and racial discrimination. It invited the Director-General to send a mission to the Organization of African Unity (OAU) to report on assistance to be given, within the limits of UNESCO's competence, to refugees from colonial territories, and other peoples striving to liberate themselves from colonial domination and all forms of apartheid.

192. The Conference also requested the Director-General to intensify his efforts to counteract the propaganda of the South African Government by furnishing OAU, and those countries desirous of receiving it, with information obtained under UNESCO projects in a form that can be adapted for use by the communication media.

193. Finally, the Conference provided for the breaking off, by the end of 1971, of any relations by UNESCO with non-governmental organizations whose branches in South Africa, Rhodesia or the Territories under Portuguese administration practice racial discrimination or segregation, or co-operate in any way with the South African Government in its apartheid policy.

2. International Labour Organisation

194. The General Conference of the International Labour Organisation, in June 1971, adopted a resolution deciding to give particular emphasis to the fight against apartheid in the contribution of the ILO to the International Year for Action to Combat Racism and Racial Discrimination. It stated inter alia:

"6. Calls on member States and on employers' and workers' organizations to intensify their efforts during the International Year to promote effective action to secure the elimination of apartheid and its causes and, in particular, to abstain from any policy encouraging or facilitating emigration to South Africa in so far as it tends to consolidate the policy of apartheid.

"7. Invites the Governing Body of the International Labour Office to request the Director-General:

"(a) to ensure the widest dissemination in all countries, including countries and territories under a colonial régime or foreign domination in any form, of information on the evil consequences of the apartheid system in the social and labour field, in particular by giving the largest distribution among employers and workers to the special reports on the application of the Declaration concerning the Policy of Apartheid in as many languages as possible;

"(b) to invite member States, in consultation, so far as possible, with the employers' and workers' organizations, to submit regularly reports on the action taken by them to give effect to the policies of the International Labour Organisation in respect of apartheid, with particular reference to the factual guidance provided by the special reports on the application of the Declaration concerning the Policy of Apartheid;

...

"8. Invites the Governing Body of the International Labour Office to give special consideration to all action required in order to maximize the effectiveness of the Declaration concerning the Policy of Apartheid and the ILO Programme for the Elimination of Apartheid in Labour Matters, with a view to elaborating a coherent set of measures designed to contribute to restoring fundamental human and trade union rights in South Africa."

195. The resolution was considered by the Governing Body immediately after the Conference and transmitted to the Special Committee.

3. International Civil Aviation Organization

196. The Assembly of the International Civil Aviation Organization, at its eighteenth session at Vienna in June and July 1971, adopted a resolution (A 18-4) in which it declared:

"i. RESOLVES that as long as the Government of South Africa continues to violate the United Nations General Assembly resolutions on apartheid and on the Declaration on the Granting of Independence to Colonial Countries and Peoples:

"(a) South Africa shall not be invited to attend any meetings convened by ICAO, except as provided in articles 48 (B), 53 and 57 (b) of the Convention;

"(b) South Africa shall not be provided with any ICAO documents or communications except (i) in cases where the Convention specifically requires that such documents or communications be provided, and (ii) documents for meetings which South Africa is permitted to attend;

"2. DECLARES that in case of conflict between the present resolution and any other Assembly resolution, the present resolution shall prevail."

B. Actions by the Organization of African Unity^{14/}

1. The OAU Assistance Fund for the Struggle Against Colonialism and Apartheid

197. The Organization for African Unity has recently established an Assistance Fund for the Struggle against Colonialism and Apartheid designed to provide economic, social and humanitarian assistance to the movements struggling against colonialism and apartheid. The purposes of this Fund are in line with the past recommendations of the Special Committee concerning assistance to the national movement of the oppressed people of South Africa, and the provisions of General Assembly resolution 2671 B (XXV). The establishment of this Fund should facilitate participation by Governments and organizations all over the world in assistance to the legitimate struggle of the people of South Africa for a non-racial society. Support for this Fund by the United Nations constitutes a further step in the implementation of the firm intention of the United Nations, as expressed in General Assembly resolution 2505 (XXIV), in co-operation with the Organization of African Unity, to intensify its efforts to find a solution to the present grave situation in southern Africa. The Special Committee has welcomed the establishment of this Fund and will lend its full co-operation to the Secretary-General in promoting contributions to it.

2. Question of dialogue with South Africa

198. The OAU Assembly of Heads of State and Government, at its session in June 1971, endorsed important decisions adopted by the OAU Council of Ministers on the struggle against apartheid.

^{14/} The resolutions adopted by the Eighth Assembly of Heads of State and Government were transmitted to the Security Council by the Executive Secretary of the Organization of African Unity (S/10272).

199. In the "Declaration on the Question of Dialogue with South Africa", it reaffirmed that the Manifesto on Southern Africa (Lusaka Manifesto), unanimously adopted by OAU and endorsed by the United Nations and the Conference of Heads of State or Government of Non-Aligned Countries, but rejected by the racist régimes of southern Africa, is the only objective basis for any meaningful solution to the problems of apartheid, racialism and colonialism in Africa. It reaffirmed the legitimacy of the struggle being waged by the peoples of Africa to obtain their legitimate rights to independence, freedom, human dignity and equality. It agreed that any action to be taken by member States in regard to the solution of the problems of colonialism, racial discrimination and apartheid in Africa, must be undertaken within the framework of OAU and in full consultation with the liberation movements of the territories concerned. It added:

"The Council rejected the idea of any dialogue with the minority racist régime of South Africa which is not designed solely to obtain for the enslaved people of South Africa their legitimate and inherent rights and the elimination of apartheid in accordance with the Lusaka Manifesto.

"The Council of Ministers also considered and agreed that in any case any form of dialogue should appropriately be commenced only between the minority racist régime of South Africa and the people they are oppressing, exploiting and suppressing.

"The Council of Ministers also agreed that the proposal for a dialogue between the independent African States and the racist minority régime of South Africa is a manoeuvre by that régime and its allies to divide African States, confuse world public opinion, relieve South Africa from international ostracism and isolation and obtain an acceptance of the status quo in southern Africa.

"In view of the above considerations, the Seventeenth Ordinary Session of the Council of Ministers of the Organization of African Unity emphatically declares that there exists no basis for meaningful dialogue with the minority racist régime of South Africa. Under these circumstances, the Council reaffirms its determination to continue to render and increase its assistance to the liberation movements until victory is achieved."

3. Resolution on apartheid and racial discrimination

200. In the resolution on "apartheid and racial discrimination", the Council of Ministers inter alia rejected and denounced the deceitful propaganda and manoeuvres of the South African authorities in promoting their so-called "outward policy"; condemned the main investors as well as trading partners of South Africa for encouraging and assisting the South African authorities in their oppression of the African people; and strongly condemned all the Powers, particularly France and the United Kingdom, for continuing to supply the Pretoria régime with arms in violation of the resolutions of the Security Council.

201. The Council of Ministers called for world-wide campaigns:

"(a) For the cessation of all military co-operation with South Africa;

"(b) For the boycott of South Africa in economic, cultural, sports and other fields;

"(c) For the ending of torture in South African prisons and the release of all political prisoners;

"(d) To apply to freedom fighters the relevant articles of the Geneva Conventions of 1949 on the treatment of prisoners of war and to ensure participation of liberation movements in the drafting and application of international humanitarian law applicable to the so-called internal conflict;

"(e) For appropriate action against companies investing in South Africa; and

"(f) For prohibiting emigration of persons, especially skilled workers, to South Africa."

C. Actions by non-governmental organizations and the public

202. On the level of non-governmental organizations, significant developments have taken place.

203. The decisions of the World Council of Churches, taken in August 1970 and September 1971, to make grants to the African National Congress of South Africa and to a number of national organizations active in the campaign against apartheid in Europe and Africa were of great significance in demonstrating the commitment of the churches to the struggle against apartheid and in destroying the pretensions of the South African régime to represent "western" and "Christian" civilization. The action of the World Council of Churches has helped increase the awareness among churchmen of the inhumanity of apartheid and has also encouraged other organizations to participate more concretely in the struggle against apartheid.

204. The Assembly of the World Council of Peace held at Budapest in May 1971, at which the Special Committee was represented, took a number of decisions which should presage even greater activity by this international movement in the campaign against apartheid in co-operation with the United Nations.

205. The Special Committee's consultations with trade union organizations indicate the possibilities of increasing participation by trade unions in campaigns to discourage emigration of skilled workers to South Africa, to denounce racial discrimination against non-white workers in South Africa and suppression of trade union rights, and to promote an end to collaboration with the South African régime. The Committee has also been greatly encouraged by its contacts with organizations of jurists, students and youth.

206. The International Year has seen an upsurge of activity, with the active participation of large numbers of organized groups and individuals, in a variety of campaigns at a national level against collaboration with the South African régime and acquiescence in its racial policies.

207. The boycott of racially selected South African sports teams has attained new successes. Particularly significant was the movement in Australia, one of the few countries which has maintained close sporting relations with South Africa. Tens of thousands of persons participated in demonstrations against exchanges with racially selected sports teams, with the support of trade unions, churches and student organizations. The tour of the South African cricket team, scheduled for October, had to be cancelled because of the strength of this movement. Significant success has also been achieved by the movement in New Zealand.

208. Reference must also be made to the growing movement in Western countries which maintain close economic relations with South Africa, against companies involved in profiting from racial discrimination. The protests against the Polaroid Corporation, on which the Special Committee received petitions, are one of numerous campaigns in many countries by churches, stockholders, students and others in support of United Nations resolutions calling for disengagement from South Africa. The Committee noted the development of such campaigns directed at a number of national and multinational corporations such as General Motors, Imperial Chemical Industries, Barclays Bank, International Business Machines and Honeywell.

209. The anti-apartheid movement has spread into more countries and has attracted new segments of the public. Pressure on the South African régime is developing on a much wider front as opponents of racism have shown perseverance and determination, and have constantly developed campaigns to embrace more and more of the public in their countries.

210. Much remains to be done however. Even on the boycott of racially selected sports teams, a campaign which has achieved significant successes, there is need to continue efforts. The recent visit of a French rugby team to South Africa and the projected visit of a South African white rugby team to France are illustrative of continued acquiescence in racism by sporting circles in some countries.

III. CONCLUSIONS AND RECOMMENDATIONS

A. General review

Introduction

211. During the past year, the situation in South Africa has continued to deteriorate as the Government has continued to pursue its apartheid policy. 15/

212. Tens of thousands of Africans have been expelled from urban areas and the farming areas outside the reserves to the overcrowded and poverty-stricken reserves or to the miserable "resettlement camps", which have been aptly described as "dumping grounds". Poverty, malnutrition and disease in the reserves and the resettlement camps have been a source of grave concern.

213. The arrests of Africans under pass laws and other discriminatory laws which apply to Africans alone and which restrict their freedom of residence, movement and employment reached the rate of almost a million a year. Even an African bishop of the Anglican church, Bishop Zulu, was arrested under the pass laws in a dawn raid during a church conference. The Government has announced its intention to reduce arrests by bringing offenders to "aid centres", where Bantu Affairs Commissioners could take administrative action, but this has only aroused suspicion that the Government seeks to avoid the publicity of even the summary trials, which average less than a minute per case, and leave the Africans at the mercy of the Commissioners, who wield arbitrary powers.

214. Thousands of non-white families have been forced to move out of their homes under the Group Areas Act, which enforces residential segregation. The implementation of this Act has continued to cause immense suffering, insecurity and impoverishment.

215. Other discriminatory laws and regulations preventing African advancement to various occupations, imposing segregation in education, and preventing interracial contacts continue to be implemented without let up.

216. The continued and intensified implementation of such oppressive measures has led to an increasingly intolerable situation for the non-whites. It has evoked bitter protests from the African, Indian and Coloured communities and from a number of whites.

Repressive measures

217. The Government has continued its efforts to suppress all such protests by repressive measures which violate all principles of law. The opponents of apartheid are subjected to arbitrary arrests, indefinite detentions with solitary confinement, house arrests and banning orders. Africans who have completed long

15/ For a detailed review of developments, see annex II below.

prison sentences are deported to "resettlement camps" where no possibilities of employment exist. Many persons who have completed prison sentences, and even those acquitted by courts, have been subjected to severe restrictions under banning and house arrest orders, which have often deprived them of employment.

218. There have been continued reports of torture of political prisoners during interrogation.

219. A significant development in the past year has been the application of such repressive measures against churchmen who have criticized apartheid or assisted its victims. The Anglican Dean of Johannesburg, the Very Reverend G.A. French-Beytagh, was detained under the Terrorism Act in January and subsequently put on trial under that notorious law. Most of the charges against him relate to the assistance he provided to the families of political prisoners and to banned persons.

220. Father Cosmas Desmond, a Franciscan priest who made a painstaking survey of "resettlement areas" and publicized the miserable conditions existing there, was placed under house arrest in his small flat for five years.

221. A number of churchmen have been deported from South Africa for having opposed apartheid.

222. The Government has repeatedly threatened churches that it would take stern measures unless they ceased opposition to apartheid or support to the World Council of Churches.

223. Similar threats have been directed against student and other organizations which have been active particularly in protest demonstrations against repressions. Under the General Law Further Amendment Act, brought into force on 16 October 1970, magistrates were empowered to ban demonstrations.

Resistance to apartheid

224. Despite these measures, there is continued evidence of growing opposition to apartheid and underground activity. The incident on 8 March 1971 in Port Elizabeth, where protests of Coloured people against an increase in bus fares were met by police shooting resulting in several deaths, was described by the South African press as a "mini-Sharpeville". In August 1971, leaflet bombs exploded simultaneously in 11 locations in four South African cities (Johannesburg, Durban, Cape Town and Port Elizabeth), scattering leaflets of the banned African National Congress of South Africa. It may be recalled that similar explosions took place in August 1970. These explosions, as well as the arrests and trials of a large number of persons under security laws, have demonstrated the survival and growth of an underground movement, despite the ruthless, repressive measures of the Government and its Security Police.

Military build-up

225. Meanwhile, the Government has continued its military build-up. The defence budget for 1971-72 reached a record figure of \$443.1 million, an increase of 18 per cent over the previous year.

226. The Government has been able to obtain military equipment, as well as assistance for local manufacture of such equipment, from other countries despite the arms embargo called for by the Security Council. 16/ Co-operation by these countries has enabled South Africa to establish a sizable arms industry and to manufacture aircraft. Recent press reports indicate that South Africa is now in a position to export arms and military equipment.

Real significance of certain recent developments

227. A significant development during the past year has been the propaganda emanating from the South African Government and from Governments and agencies collaborating with South Africa that racism was being undermined by economic and other forces in South Africa and that the objectives of non-racialism may be achieved merely by dialogue and contact with the racist régime rather than by measures adopted by the United Nations with a view to the isolation of the South African régime and support for the oppressed people in their legitimate struggle against apartheid.

228. It is, therefore, essential to set out briefly the reality and the significance of certain recent trends and developments in South Africa and to place in perspective certain recent developments which are exaggerated by this propaganda in order to justify continued profiting from the oppression and exploitation of the great majority of the people of South Africa.

229. The Government has been obliged to make certain adjustments in its policies and practices because of international and internal opposition, and economic and other difficulties. For instance, because of the acute shortage of white skilled labour, it has had to grant temporary exemptions to regulations reserving certain occupations to whites. But it must be noted that the discriminatory laws remain unchanged. The non-whites are paid lower wages and have no job security. The policy of prohibiting any non-white from a supervisory position over a white remains. Indeed, any concessions are entirely within the limits of acquiescence of white labour unions which are, in most cases, extremely racist in their policies.

230. To quote from the conclusion of a paper prepared by an expert for the special session of the Special Committee:

"The situation of Africans in the reserves and in 'white areas' of South Africa is actually worsening in every sense. A small percentage of Africans may be somewhat better off than it was ten years ago but the whole system of apartheid has become far more oppressive. The vast majority of Africans continue to live in real poverty and there is no prospect of their situation changing at all. It will certainly not change as a consequence of further economic growth... Those who speak of the 'liberating effects' of market forces are flying in the face of reason and the facts." 17/

16/ See chapter I, section K below.

17/ Sean Gervasi, "Poverty, apartheid and economic growth", Unit on Apartheid, Notes and Documents, No. 30/71, March 1971. Also issued under the symbol A/AC.115/L.288.

231. Similarly, because of international opposition to racialism enforced in South African sport, the South African régime has made some concessions such as permitting mixed competitions for selecting entrants to international events not involving teams. But the Government remains adamant in prohibiting mixed sport in South Africa and prohibits even mixed audiences without special permits.

232. Again, because of the need for larger markets for its economy, and to overcome its isolation, the South African régime has espoused an "outward policy" and has made friendly gestures to certain African States such as inviting their leaders to South Africa and proposing the exchange of ambassadors. But the Government remains opposed to discussions with OAU on the basis of its Manifesto on southern Africa, and has continued threats against African States which support the legitimate aspirations of the oppressed people of South Africa.

233. Meanwhile, some foreign business interests, faced with strong pressures by anti-racist organizations, have announced some amelioration in the wages and benefits of their non-white employees in South Africa and have begun to engage in propaganda that continued investment in South Africa, rather than disengagement, is beneficial to the non-white population of South Africa. It must be noted, however, that these corporations have now merely met some minimum demands, within the limits of apartheid laws of discrimination, which they have hitherto callously denied to their non-white employees. The improvements that they have announced under pressure do not end discrimination and exploitation and they do not affect the apartheid laws. While pressure on the foreign investors should be continued, attention cannot be diverted from the struggle against apartheid and the isolation of the South African régime.

234. Reference may also be made to increasing uneasiness with and criticism of apartheid expressed within South Africa. Certain circles in South Africa and abroad have emphasized this criticism, especially by non-white representatives in apartheid institutions (the Bantustan authorities, the Coloured Persons Representative Council and the South African Indian Council) and by certain Afrikaner intellectuals. They see in these instances of criticism hopeful signs of reforms leading to a peaceful settlement in South Africa.

Bantustans and other apartheid institutions

235. The South African press has, indeed, reported a significant increase in protests against the inequities of apartheid, and demands for amelioration of the conditions of the African and other non-white inhabitants, especially in view of the continued dispossession of the non-whites and the increasing oppressiveness of the apartheid system as indicated above.

236. While these demands for the amelioration of the conditions in the Bantustans deserve attention on humanitarian grounds, it must be emphasized that such amelioration must not blind us to the grave political injustices that are being imposed on the non-white people of South Africa by the division and dismemberment of their country. The Bantustan scheme, as well as the Group Areas Act, is designed to displace and dispossess the non-white people, to deny them their legitimate rights in the country as a whole and to perpetuate the rule of the racist white minority. The propaganda concerning separate development has been exposed as a fraud, designed to deceive world public opinion. It can never be over-emphasized that the essence of the Bantustan scheme is to confine any rights

of the African people to the reserves, which comprise only one-eighth of the country. These reserves cannot provide a livelihood for the African people and they would have to be dependent on South Africa as reservoirs of cheap labour. There can be no peaceful and just solution to the South African situation within the framework of the policy of apartheid by the development of the segregated apartheid institutions. A just solution would require an end to the scheme of Bantustans and the elimination of all forms of racial discrimination and segregation.

237. The leaders of the Bantustan Government of the Transkei have felt it necessary to demand more autonomy for the territory, more land for the African people and more economic development in the reserves.

238. The head of the Zulu Territorial Authority, Chief Gatsha Buthelezi, has condemned the dispossession of Zulu peasants and demanded opportunities for education and employment. On 25 August 1971, he called for "a convention of the leaders of the different races to decide the future modus vivendi of the people of this country", thus echoing the long-standing demand of the African people.

239. The Labour Party, which has a majority of the elected seats in the Coloured Persons Representative Council, has strongly denounced racial discrimination against the Coloured people. Though the Government had negated the Labour Party's majority by nominating candidates rejected by the Coloured voters, the Party has been able to oblige the Council to adopt several resolutions demanding equality for the Coloured people in education, employment, housing and salaries.

240. Press reports indicate the development of movements among the Indian people to fight for the dignity of man on a non-racial basis.

241. Moreover, there appears to be an urge among the various non-white groups to present a united front against discrimination, thus defying the Government's efforts to eliminate interracial co-operation.

242. There has indeed been evidence of realization among some whites, including some prominent Afrikaner intellectuals, that drastic adjustments must be made in the Government's policy towards reducing racial discrimination. They call for citizenship rights for the Coloured people, greater educational opportunities for non-whites, economic development of the reserves and acceptance of urban Africans as permanent residents of the urban areas rather than as migrant labourers. It should be noted, however, that these intellectuals have only proposed a reduction of racial discrimination, having recognized the dangers of the present course of the Government, but not the elimination of racial discrimination and segregation.

243. These developments have, indeed, highlighted the contradictions of apartheid. They have caused some difficulties to the Government which has sought to present the members of the apartheid institutions as genuine leaders of the non-white people, which has tried to preserve a solid white front against change in racial policies and which has claimed that South Africa was calm and peaceful. But the Government's reactions destroy any hopes of a peaceful settlement in accordance with the legitimate demands of the oppressed people and the United Nations resolutions.

244. The Government has reprimanded the Chief Minister of the Transkei for raising public demands. It has bluntly rejected Chief Buthelezi's call for a national

convention, on the grounds that it was not seeking a policy - or, in other words, that it was determined to impose its policy without consultation.

245. Prime Minister Vorster himself has denounced proposals by Afrikaner academics for equal rights to the Coloured people as "half-baked projections of future developments". In a speech in Windhoek on 17 August, he warned "people who believe they can create an uproar in South Africa", presumably referring to liberal whites, "you are making a mistake if you think that we shall be afraid of world pressure or that acting against you will harm our relations with African or any other States".

246. In the face of this defiant intransigence of the South African régime, the international community is left with no other choice but to intensify its efforts to isolate that régime and to provide assistance to the oppressed people of South Africa and their movement for liberation.

Increasing collaboration by certain Governments and private enterprises

247. While public opposition to apartheid has increased the Special Committee cannot but note with grave concern the continued and increasing collaboration by certain Governments and private enterprises with the South African régime.

248. The main trading partners of South Africa continue to increase their trade with South Africa. The figures for the 10 most important trading partners of South Africa, from South African statistics, are illustrative:

South Africa: imports and exports (In millions of rand)

	<u>Imports</u>		<u>Exports</u>	
	<u>1960</u>	<u>1970</u>	<u>1960</u>	<u>1970</u>
United Kingdom of Great Britain and Northern Ireland	313.8	560.6	223.1	446.4
United States of America	213.8	423.8	54.5	129.3
Federal Republic of Germany	110.8	372.4	35.4	109.1
Japan	40.6	221.2	30.3	180.6
Italy	31.0	104.4	26.6	42.4
France	23.7	89.1	28.3	40.2
Belgium	15.8	34.0	32.2	55.7
Canada	39.2	70.5	6.6	28.2
Netherlands	27.0	58.6	15.9	34.9
Australia	12.3	60.5	9.7	12.7

249. New capital inflows to South Africa have also reached a record level of over \$1,000 million in the financial year 1970-71. This investment is almost wholly from the main trading partners of South Africa, especially the United Kingdom, the United States of America, the Federal Republic of Germany and France.

Need for further intensification of the campaign against apartheid

250. In view of continued persistence of the South African régime in the policies of apartheid, and the increasingly grave situation in South Africa and in southern Africa as a whole, as well as the increasing collaboration by certain Governments and private enterprises with that régime in violation of United Nations resolutions, the Special Committee considers it essential to intensify the international campaign against apartheid. Efforts should be further intensified to isolate the South African régime, to combat its misleading propaganda, to discourage collaboration with it and to assist the legitimate struggle of the oppressed people of South Africa.

251. The activities during the International Year for Action to Combat Racism and Racial Discrimination provide a basis for the further development of the international campaign against apartheid with the co-operation of Governments, specialized agencies, regional organizations, non-governmental organizations and the public in general. The Special Committee submits the following recommendations towards that end.

B. Restatement of United Nations objectives

252. The Special Committee considers that, during the International Year for Action to Combat Racism and Racial Discrimination, the General Assembly should adopt a declaration on the elimination of apartheid, stressing the grave concern of the international community over the situation in South Africa and restating the essential elements of a solution in accordance with the Charter. Such a declaration would help counteract the propaganda and manoeuvres of the South African régime and its friends, and would represent a programme of action for the opponents of racism everywhere.

253. The Special Committee considers that this declaration should note the grave deterioration of the situation in South Africa as a result of the imposition of racial discrimination as a State policy; the rejection by the South African régime of appeals by United Nations organs for a peaceful and just solution; and the growing threat to the peace in South Africa and in southern Africa as a whole.

254. It should restate the essential recommendations by United Nations organs for a peaceful solution and reaffirm the principles of the OAU Manifesto on Southern Africa which has been overwhelmingly endorsed by the General Assembly in resolution 2505 (XXIV).

255. In this connexion, the Special Committee recalls that the Security Council, in resolution 182 (1963) adopted on 4 December 1963 by a unanimous vote, indicated that a solution requires "the 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".

256. As regards the modalities, the Group of Experts appointed in pursuance of that resolution stated: 18/

18/ Official Records of the Security Council, Nineteenth Year, Supplement for April, May and June 1964, document S/5658, annex, paras. 8 and 44.

"The future of South Africa should be settled by the people of South Africa - all the people of South Africa - in free discussion. There can be no settlement and no peace while the great majority of the people are denied the fundamental freedom to participate in decisions on the future of their country. We are convinced that a continuation of the present position, including a denial of just representation, must lead to violent conflict and tragedy for all the people of South Africa. We wish, therefore, to emphasize the first and basic principle 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.

"In order to give effect to this essential principle, we consider that all efforts should be directed to the establishment of a national convention fully representative of the whole population. Such a representative national convention would consider the views and proposals of all those participating and set a new course for the future.

....

"There is, however, one prerequisite which is essential if the discussions are to proceed and if the convention is to be successful. The convention must be fully representative, and it cannot be so unless all representative leaders can freely participate. For this purpose an amnesty for all opponents to apartheid, whether they are under trial or in prison or under restriction or in exile, is essential and we add our urgent appeal to those already made by the General Assembly and the Security Council that an immediate amnesty should be declared."

257. It may be recalled that the Security Council, in its resolution 191 (1964) of 18 June 1964, endorsed the 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". It invited the South African Government to accept this conclusion and to submit its views on such consultations by 30 November 1964. Though the South African régime rejected this invitation, the Security Council has failed to consider the matter again.

258. The Special Committee feels that the entire membership of the United Nations should be enabled to pronounce its judgement through a declaration of the General Assembly calling for a democratic national convention, and indicating its prerequisites such as an amnesty for political prisoners and the lifting of bans on African political organizations. It should reject and denounce the attempts of the white minority régime to impose Bantustans and other racialist and undemocratic institutions. In particular, the Bantustan policy and the expulsion of hundreds of thousands of Africans from most of the country deserve to be condemned as designed to deprive the African people of their legitimate rights and to impose an unjust partition of the country.

259. The General Assembly should declare the readiness of the United Nations to assist in promoting consultations among the genuine representatives of the population of South Africa towards the convening of a national convention to seek a just and peaceful solution, and reject any efforts at dialogues which do not include the genuine representatives of the people of South Africa and are not based on the principles endorsed by the United Nations and OAU.

260. While calling for world-wide efforts to promote a solution through a democratic national convention, the General Assembly should appeal for increased assistance to the oppressed people of South Africa in their legitimate struggle against the ruthless racist régime for their inalienable rights.

C. Arms embargo against South Africa

261. It may be recalled that, in resolution 2624 (XXV), adopted on 13 October 1970, the General Assembly expressed serious concern at reports that Security Council resolution 282 (1970) calling upon all States to strengthen the arms embargo against South Africa was not yet being implemented by some States. It further expressed grave concern about the continued build-up of the South African military and police forces and the consequent aggravation of the situation in southern Africa. It called upon all States "to take immediate steps to implement fully the provisions of Security Council resolution 282 (1970)".

262. This resolution was adopted by a vote of 98 to 2, with 9 abstentions. Only Portugal and South Africa voted against, while Australia, Canada, France, Italy, Malawi, New Zealand, Swaziland, the United Kingdom of Great Britain and Northern Ireland, and the United States of America abstained. Subsequently, Canada indicated support for the resolution.

263. Despite this overwhelming support for the arms embargo, the Special Committee deplores the fact that it has not yet been implemented on the part of certain States. It has devoted considerable attention to this matter during the year because of the failure of certain States to implement fully the provisions of Security Council resolution 282 (1970), and, indeed, the supply by them of additional equipment and technical assistance to the South African Government for its military build-up. 19/

264. The Special Committee considers that the attitudes and actions of these Powers constitute an encouragement to the South African régime in its defiance of the United Nations and in its pursuit of the inhuman policy of apartheid. They undermine the arms embargo, which is the first and minimal measure taken by the Security Council in order to arrest the aggravation of the situation in southern Africa.

265. The Special Committee considers that the General Assembly and the Security Council should urgently consider the grave situation resulting from these violations of the arms embargo. They should:

(a) Reaffirm Security Council resolution 282 (1970) and General Assembly resolution 2624 (XXV);

(b) Deplore and condemn the actions of Governments which have continued assistance in any form for the military build-up of the South African régime;

(c) Reaffirm that the resolutions of the Security Council and the General Assembly do not admit distinctions between arms for external defence and arms for internal repression, and provide for no exceptions to the arms embargo;

19/ See A/AC.115/L.185/Add.1, 2 and 3, and A/AC.115/L.313.

(d) Declare that no justifications for continuing military co-operation with South Africa, such as commitments under earlier agreements or understandings with the South African régime, can be accepted;

(e) Request all States to exert all their influence on the Powers concerned to dissuade them from violating the arms embargo; and

(f) Launch a solemn appeal to all organizations and to public opinion to denounce all military collaboration with South Africa and to support the United Nations efforts to implement an effective arms embargo against the South African régime.

266. The Special Committee reiterates that it is essential that the Security Council should declare that the arms embargo against South Africa is mandatory.

D. Economic and related measures

267. The Special Committee draws attention to the continued and increasing collaboration by some Governments and private enterprises with the South African régime and South African companies in violation of repeated recommendations of the General Assembly. It recommends that such activities be condemned as they encourage and enable the South African régime to persist in implementing its policies of apartheid and that all States be urged once again:

(a) To terminate diplomatic, consular and other official relations with the Government of South Africa;

(b) To terminate all military, economic, technical and other co-operation with South Africa;

(c) To end tariff and other preferences to South African exports and facilities for investment in South Africa;

(d) To ensure that companies registered in their countries and their nationals comply with the United Nations resolutions on this question.

268. It recommends that adequate provision be made to enable the Special Committee to prepare and publicize periodically reports on continued collaboration by Governments and private enterprises with South Africa. The Special Committee will co-operate with the Organization of African Unity and its Bureau of Sanctions and Decolonization in this regard.

269. Taking note of the recommendation of the General Conference of the International Labour Organisation, 20/ the Special Committee recommends that the General Assembly again request all States to take steps to dissuade their nationals from emigrating to South Africa so long as the South African Government pursues the policies of apartheid.

20/ See paragraph 194 above.

E. Assistance to the national movement of the oppressed people of South Africa

270. In order to ensure the provision of greater assistance to the national movement of the oppressed people of South Africa, the Special Committee recommends that the General Assembly:

(a) Welcome the establishment of the Organization of African Unity Assistance Fund for the Struggle against Colonialism and Apartheid;

(b) Appeal for contributions by Governments, organizations and individuals to the Fund or directly to liberation movements; and

(c) Request the Secretary-General to promote such contributions in co-operation with the Organization of African Unity and report to the General Assembly from time to time.

271. The Special Committee feels that assistance to the liberation movement to train its officials and members in public information and in languages (particularly the languages of the main trading partners of South Africa) would be particularly useful in enabling the movement to communicate more effectively with the public in various countries. The Special Committee suggests that a request be addressed to the appropriate United Nations agencies, to Governments and to organizations to provide scholarships and other assistance as may be requested by the movement.

F. Dissemination of information on apartheid

272. The Special Committee has always attached great importance to the dissemination of information on apartheid in order to make world public opinion aware of the evils and dangers of apartheid, the legitimate struggle of the oppressed people of South Africa for a non-racial society, the efforts of the United Nations to resolve the grave situation in South Africa, and the activities of Governments and private enterprises which are encouraging and enabling the South African régime to defy the resolutions of United Nations organs.

273. The Special Committee notes with satisfaction that, during the International Year for Action to Combat Racism and Racial Discrimination, the Unit on Apartheid and the Office of Public Information have increased their information activity on apartheid. It notes in particular that the Unit has issued some publications in French and that some of them have been translated into other languages through the Information Centres.

1. Action by the Unit on Apartheid and the Office of Public Information

274. In view of the extensive propaganda of the South African régime and its friends, and the increasing demand for United Nations information material, the Special Committee considers it essential that the United Nations should greatly increase its information activity on apartheid.

275. It recommends in particular:

(a) That the Unit on Apartheid should ensure that all its publications are normally issued in English and French and that a greater number are translated into other languages, especially those of the main trading partners of South Africa;

(b) That the Office of Public Information should produce more films and audio-visual material on apartheid in various languages; and

(c) That the United Nations information centres and other offices should be instructed to make maximum efforts to disseminate information material on apartheid.

276. In this connexion, it draws attention to the recommendation of the Economic and Social Council, in its resolution 1591 (L) of 21 May 1971, that the General Assembly provide funds on the scale required to combat effectively the propaganda undertaken by the Government of South Africa, by which that Government seeks to defend and justify the policy of apartheid. It also draws attention to the appeal of the Organization of African Unity to the United Nations and other organizations for continued efforts in acquainting world opinion of the inhumanity of apartheid and the legitimate struggle of the liberation movement.

277. The Special Committee suggests that the General Assembly invite Governments and organizations to co-operate with the Unit on Apartheid and the Office of Public Information by all appropriate means, especially in connexion with the translation of publications, production of commentaries for films in various languages, the wider dissemination of United Nations publications, films and audio-visual material on apartheid.

2. Assistance to the Organization of African Unity for radio programmes

278. The Committee recalls the recommendations in its last report concerning radio programmes to southern Africa, in particular that the United Nations adequately assist the Organization of African Unity in undertaking regular broadcasts on apartheid to South Africa and to southern Africa as a whole. Following further consultations with OAU on this matter in June 1971, it was ascertained that their immediate need was the establishment of a recording studio with the necessary equipment to enable OAU to record and distribute information on apartheid through various broadcasting facilities. The Special Committee recommends that the General Assembly appeal to Member States and organizations to make voluntary contributions to enable OAU to acquire recording equipment for this purpose. It recommends further that the Secretary-General, the specialized agencies and other organizations be invited to lend their co-operation to OAU in preparing and disseminating radio broadcasts on apartheid.

3. Action by the United Nations Educational, Scientific and Cultural Organization

279. The Special Committee feels that UNESCO can play an important role in the wider dissemination of information on apartheid. It notes with satisfaction the recent decisions of UNESCO in that connexion.

280. The Special Committee recommends, in particular, in the light of its consultations with UNESCO and a number of non-governmental organizations concerned, that UNESCO should be requested to prepare an "educational kit" on apartheid and southern Africa.

281. The Special Committee also suggests that UNESCO consider the production of films and audio-visual material on apartheid, with special reference to its effects on education, science, culture and information.

4. Action by other specialized agencies

282. The Special Committee considers that other specialized agencies can also make a contribution to the campaign against apartheid in their respective fields of competence. It notes the activity of the International Labour Organisation in this connexion and hopes that it will intensify dissemination of information among trade unions and promote action by them against apartheid.

283. The Committee also suggests that other agencies, especially the World Health Organization and the Food and Agriculture Organization of the United Nations be invited to prepare studies on the effects of apartheid in their fields of competence as a basis for consideration of appropriate action.

284. The Committee further suggests that the General Assembly also invite the International Bank for Reconstruction and Development and the International Monetary Fund to suggest ways and means by which their respective organizations could help to prevent the South African Government from executing its policy of apartheid and extending it to other Territories.

5. National committees on apartheid

285. The Special Committee feels that the establishment of national committees against apartheid in all countries would greatly contribute to a concerted international campaign against apartheid. It suggests that the General Assembly invite non-governmental organizations concerned to take appropriate steps toward the establishment of such national committees, and authorize the Special Committee to promote their establishment in consultation with non-governmental organizations.

G. Relations with anti-apartheid movements and other non-governmental organizations

286. The Special Committee considers it essential to maintain the closest relations with anti-apartheid movements and other appropriate non-governmental organizations in order to promote the international campaign against apartheid. The Special Committee has widened such contacts during the past year by sending representatives to the Assembly of the World Council of Peace in Budapest in May, and to the meeting of the Executive Committee of the Afro-Asian Peoples' Solidarity Conference at Damascus in June, and by means of the consultations of its mission to Europe and Africa in June. It feels that attendance at international conferences and missions to headquarters of non-governmental organizations are essential to disseminate information on the work of the Committee and to promote concerted international action against apartheid.

287. It notes that several important international conferences are scheduled for 1972 and that the sponsors have invited or indicated their intention of inviting delegations of the Special Committee. The Organization of African Unity has invited the association of the Special Committee in the proposed International Conference against Colonialism and Apartheid, which is to be convened under its sponsorship. Participation would enable the Committee to consult with numerous organizations engaged in the struggle against apartheid and to develop closer relations with the Organization of African Unity.

288. The Special Committee recommends that adequate budgetary provision be made to enable the Committee to send delegations to the following meetings:

(a) The meeting of the Presidential Council of the World Council of Peace at Helsinki in January 1972;

(b) The Namibian International Conference at Brussels in February 1972;

(c) The Organization of African Unity International Conference against Colonialism and Apartheid in a Western European capital in the first half of 1972;

(d) The proposed international trade union conference against apartheid at Geneva in June and July 1972.

289. The Special Committee further recommends that the Secretary-General make necessary arrangements to enable the Unit on Apartheid to maintain close liaison with the anti-apartheid movements and non-governmental organizations concerned and to publicize their activities against apartheid.

290. The Special Committee has suggested to the Organization of African Unity that it consider establishing an office in Western Europe to maintain liaison with anti-apartheid movements and other non-governmental organizations concerned with apartheid and to help in the co-ordination of their activities. It recommends that the Secretary-General be invited to lend appropriate co-operation to that office when established.

H. Declaration against racialism in national and international sport

291. The Special Committee expresses satisfaction at the response in many countries to the appeals of the General Assembly and the Special Committee for the boycott of racially selected South African sports teams. The Special Committee recommends that the organizations and the public which participate in such boycotts be commended.

292. In connexion with the observance of the International Year for Action to Combat Racism and Racial Discrimination, the Special Committee recommends that the General Assembly adopt a declaration against racism in national and international sport - inviting Governments, sports organizations and the public to pledge to combat racial discrimination in sport and not to patronize any sporting events in which teams selected on the basis of racial discrimination participate.

293. The Special Committee considers that recent experience underlines the need for such a declaration, strongly endorsing the Olympic principles, by the United Nations and appropriate specialized agencies. It notes that certain Governments have failed to take action against racial discrimination and segregation in sport, and have acquiesced in apartheid in sport, giving as justification that sports

should be free of politics. It wishes to stress that racism, enshrined as a political policy in South Africa and condemned by the United Nations as a crime against humanity, cannot be permitted in the field of sports. It suggests, therefore, that Member States should express their abhorrence of racism in sport and thereby encourage the organizations concerned and the public to abide by the Olympic principles.

I. Assistance to refugees from South Africa

294. The Special Committee recommends that the General Assembly issue an appeal to all Member States, especially African countries and in particular those neighbouring South Africa, to assist South African refugees to obtain travel documents, education and training and suitable employment.

J. South Africa and southern Africa

295. Finally, the Special Committee wishes to emphasize again the need to consider the problem of apartheid in its wider context.

296. The South African régime has become the bastion of racism and colonialism in southern Africa, in defiance of the United Nations and the international community. It continues in illegal occupation of the Territory of Namibia, which is legally under the interim administration of the United Nations. It has provided military and economic assistance to the illegal racist minority régime in Southern Rhodesia in its efforts to bypass the economic sanctions imposed by the Security Council and in its military action against freedom fighters. It has encouraged and assisted the Government of Portugal in its colonial wars in Angola and Mozambique, and has become the main participant in the Cabora Bassa and Cunene projects in those Territories.

297. The so-called outward looking policy of the South African régime is designed primarily to obtain acquiescence in its racial policies through aid, trade and other means; to divide the African and other States; to confuse world public opinion; to counter the international isolation of South Africa; to hinder assistance to the liberation movement by the international community and to create a buffer zone around its borders; and thereby to consolidate white minority rule in southern Africa.

298. Foreign economic interests engaged in activities hindering the process of liberation in southern Africa operate largely through South Africa in alliance with South African companies.

299. The forces which sustain apartheid are essentially the same as those which sustain colonialism in southern Africa. The forces which support the legitimate struggle against apartheid are essentially the same as those which support the legitimate struggle of the peoples in the colonial Territories in southern Africa.

300. It is, therefore, essential that the United Nations organs concerned study the situation in southern Africa as a whole and promote concerted and co-ordinated international action. The wider strategic implications of the supply of arms and military assistance to South Africa, and the ramifications of the foreign economic interests in the area, for instance, deserve urgent and thorough study.

301. The Special Committee feels that the decision of the General Assembly, in resolution 2671 A (XXV), to request the Committee to review "all aspects of the policies of apartheid in South Africa and its international repercussions" and the Assembly's recognition of the need to avoid undue duplication of efforts were important steps towards more co-ordinated action.

302. Likewise, the Joint Meetings of the Special Committee on Apartheid, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the United Nations Council for Namibia, held in pursuance of General Assembly resolution 2671 F (XXV), have been useful in promoting co-operation between the three subsidiary organs of the General Assembly concerned with southern Africa.

303. The Special Committee recommends that the General Assembly take appropriate action on the consensus adopted by the Joint Meeting, in order to enable the three bodies to undertake joint or co-ordinated activities and to assure more effective Secretariat services with respect to research, information and publicity on southern Africa.

304. It recommends further that provision be made for a series of joint meetings in 1972 - with the participation of specialized agencies, regional organizations, liberation movements and non-governmental organizations concerned - in order to make a thorough study of the interrelationships of the problems of southern Africa and formulate a plan for more effective international action to secure the elimination of apartheid and colonialism in the area.

K. Programme of work for 1972

305. The Special Committee feels that it should intensify its work in 1972, in the light of the decisions to be adopted by the General Assembly at its twenty-sixth session, in order to promote further the international campaign against apartheid.

306. The main lines of activity for 1972 have already been indicated in the recommendations above. In addition, the Special Committee intends to undertake the following specific activities in its programme of work for 1972:

(a) Identification of the principal national and multinational corporations with investments in southern Africa and encouragement of campaigns in the countries concerned to persuade them to abandon support for apartheid;

(b) Meetings with representatives of Governments and business companies collaborating with South Africa to dissuade them from such collaboration, as well as meetings with groups campaigning for an economic boycott of South Africa;

(c) Publication of periodic reports on the collaboration of Governments and private enterprises with the South African régime;

(d) A special session with representatives of a number of national and international organizations, including two meetings devoted to consultations with church and religious organizations concerned with apartheid in March 1972, to consider the results of the observance of the International Year for Action to

Combat Racism and Racial Discrimination and the means to carry forward the campaign against apartheid; and

(e) An investigation of the recent reports concerning torture and ill treatment of political prisoners in South Africa and the preparation of a report on the crimes committed by the South African régime in the implementation of its apartheid policies, which could later be incorporated in a register of crimes.

IV. SUMMARY OF RECOMMENDATIONS

307. The General Assembly should adopt a declaration on the elimination of apartheid, stressing the grave concern of the international community over the situation in South Africa and restating the essential elements of a solution in accordance with the Charter. It should reject the attempts of the white minority régime to impose Bantustans and other racialist and undemocratic institutions, as well as any efforts at dialogues which do not include the genuine representatives of the people of South Africa and are not based on the principles endorsed by the United Nations and the Organization of African Unity.

308. The General Assembly and the Security Council should:

(a) Reaffirm Security Council resolution 282 (1970) and General Assembly resolution 2624 (XXV);

(b) Deplore and condemn the actions of Governments which have continued assistance in any form for the military build-up of the South African régime;

(c) Reaffirm that the resolutions of the Security Council and the General Assembly do not admit distinctions between arms for external defence and arms for internal repression, and provide for no exceptions to the arms embargo;

(d) Declare that no justifications for continuing military co-operation with South Africa, such as commitments under earlier agreements or understandings with the South African régime, can be accepted;

(e) Request all States to exert all their influence on the Powers concerned to dissuade them from violating the arms embargo; and

(f) Launch a solemn appeal to all organizations and to public opinion to denounce all military collaboration with South Africa and to support the United Nations efforts to implement an effective arms embargo against the South African régime.

309. The Security Council should declare that the arms embargo against South Africa is mandatory.

310. The General Assembly should condemn the collaboration by some Governments and private enterprises with the South African régime and South African companies in violation of its recommendations, reaffirm its previous decisions calling for an end to such collaboration and make adequate provision to enable the Special Committee to prepare and publicize periodically reports on such collaboration. The General Assembly should again request all States to take steps to dissuade their nationals from emigrating to South Africa.

311. The General Assembly should request appropriate United Nations agencies, Governments and organizations to provide scholarships and other assistance as may be requested by the liberation movement to train its officials and members in public information and in languages.

312. The General Assembly should request the Secretary-General to ensure:

(a) That the Unit on Apartheid publications are normally issued in English and French and that a greater number are translated into other languages, especially those of the main trading partners of South Africa;

(b) That more films and audio-visual materials are produced by the Office of Public Information in various languages; and

(c) That the United Nations information centres and other United Nations offices are instructed to make maximum efforts to disseminate information material on apartheid.

The General Assembly should provide adequate budgetary resources for these purposes.

313. The General Assembly should invite Governments and organizations to co-operate with the Unit on Apartheid and the Office of Public Information for the wider dissemination of information on apartheid.

314. The General Assembly should:

(a) Appeal to all Member States and organizations to make voluntary contributions to enable OAU to establish a recording studio with the necessary equipment to enable it to record and distribute information on apartheid through various broadcasting facilities; and

(b) Request the Secretary-General, the specialized agencies and other organizations to lend their co-operation to OAU in preparing and disseminating radio broadcasts on apartheid.

315. The General Assembly should request UNESCO:

(a) To prepare an "educational kit" on apartheid and southern Africa; and

(b) To consider the production of films and audio-visual material on apartheid, with special reference to its effects on education, science, culture and information.

316. The General Assembly should invite all specialized agencies to take appropriate action in the international campaign against apartheid and, in particular, invite WHO and FAO to prepare studies on the effects of apartheid in their fields of competence.

317. The General Assembly should invite non-governmental organizations concerned to take appropriate steps towards the establishment of national committees against apartheid and authorize the Special Committee to promote their establishment in consultation with non-governmental organizations.

318. The General Assembly should make adequate budgetary provision for the participation of the Special Committee in international conferences concerning apartheid in 1972.

319. The General Assembly should invite the Secretary-General:

(a) To make necessary arrangements to enable the Unit on Apartheid to maintain close liaison with the anti-apartheid movements and non-governmental organizations concerned and to publicize their activities against apartheid; and

(b) To lend appropriate co-operation to the proposed office of OAU in Western Europe to maintain liaison with anti-apartheid movements and other non-governmental organizations concerned with apartheid.

320. The General Assembly should adopt a declaration against racism in national and international sport.

321. The General Assembly should issue an appeal to all Member States, especially African countries and in particular those neighbouring South Africa, to assist South African refugees to obtain travel documents, education and training and suitable employment.

322. The General Assembly should:

(a) Take appropriate action on the consensus adopted by the joint meeting of the three Assembly bodies concerned with southern Africa in order to enable them to undertake joint or co-ordinated activities, and to assure more effective Secretariat services with respect to research, information and publicity on southern Africa;

(b) Invite the organs concerned to study the wider strategic implications of the supply of arms and military assistance to South Africa, and the ramifications of the foreign economic interests in the area; and

(c) Make provision for a series of joint meetings of the three bodies in 1972 with the participation of specialized agencies, regional organizations, liberation movements and non-governmental organizations concerned.

323. The General Assembly should take note of the programme of work of the Special Committee on Apartheid for 1972.

ANNEX I

LIST OF MEMBERS, ALTERNATES AND OBSERVERS

1. Members and alternates

ALGERIA

Representative Mr. Ahmed OUCIF

GHANA

Representative Mr. Richard Maximilian AKWEI
Alternate Representative Mr. Benjamin GODZI GODWYLL

GUATEMALA

Representative Mr. Rafael E. CASTILLO-VALDES
Alternate Representative Mr. Juan Carlos DELPREE-CRESPO

GUINEA

Representative Mr. El Hadj Abdoulaye TOURE
Alternate Representative Mr. Boubacar DIABATE

HAITI

Representative Mr. Raoul SICLAIT
Alternate Representative Mr. Alexandre VERRET

HUNGARY

Representative Mr. Károly SZARKA
Alternate Representative Mr. János VARGA

INDIA

Representative Mr. Samar SEN
Alternate Representative Mr. Barakat AHMAD

MALAYSIA

Representative Mr. Yusof ARIFF
Alternate Representatives Mr. Ismail BUDIN
Mr. Yeop ADLAN-ROSE

1. Members and alternates (continued)

NEPAL

Representative
Alternate Representatives

Major-General Padma Bahadur KHATRI
Mr. Uddhav Deo BHATT
Mr. Nir Bahadur JOSHI

NIGERIA

Representative
Alternate Representative

Mr. Edwin O. OGBU
Mr. J.O. EDREMODA

PHILIPPINES

Representative
Alternate Representatives

Mr. Narciso G. REYES
Mr. Iluminado G. TORRES
Mr. Federico T. TIONGSON

SOMALIA

Representative
Alternate Representative

Mr. Abdulrahim A. FARAH
Mr. Hassan Kaid ABDULLEH

SUDAN

Representative

Mr. Kamal MUSTAFA

SYRIAN ARAB REPUBLIC

Representative
Alternate Representative

Mr. George J. TOMEH
Mr. Najdi JAZZAR

TRINIDAD AND TOBAGO

Representative
Alternate Representative

Mr. Frank Owen ABDULAH
Mr. Mahmud AZIZ

UKRAINIAN SOVIET SOCIALIST REPUBLIC

Representative
Alternate Representatives

Mr. Mikhail D. POLYANICHKO
Mr. Viktor G. BATIOUK
Mr. Boris I. KORNEENKO

2. Observers

(a) Specialized agencies

International Labour
Organisation

Mr. C.M. von STEDINGK
Mr. Juan A. MATEOS-CICERO

United Nations Educational
Scientific and Cultural
Organization

Mr. Victor NIKOLSKY

World Health Organization

Dr. Rodolphe L. COIGNEY

(b) Regional organization

Organization of African Unity

M. Mamadou M. THIAM

Annex II

REVIEW OF DEVELOPMENTS IN SOUTH AFRICA
SINCE 4 OCTOBER 1970

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I. GENERAL REVIEW OF DEVELOPMENTS

1. During the year under review, the Government of South Africa has persistently applied the measures and practices of apartheid in various fields. Repressive legislation has been used against opponents of apartheid, leading to more arrests and detentions. In particular, a wave of arrests was reported in February and March 1971, adding to the more than 500 political prisoners who are languishing in South African jails under security legislation.

2. Numerous persons have been persecuted under arbitrary repressive laws such as the Suppression of Communism Act, the Unlawful Organizations Act and the Terrorism Act, which have been condemned by United Nations organs as violating the Universal Declaration of Human Rights. Among those persecuted are a number of churchmen active in expressing opposition to apartheid or concern for its victims, including the Anglican Dean of Johannesburg, the Very Reverend G.A. French-Baytagh, who was charged under the Terrorism Act. Also on trial or detention under this Act, which provides for the death penalty, are a number of members of the Non-European Unity Movement. A number of persons have been subjected to banning and house arrest orders, including Mrs. Winnie Mandela and her colleagues, who were twice acquitted by courts, and Reverend Cosmas Desmond, a Catholic priest.

3. Detainees are normally held incommunicado and are frequently reported to have been subjected to brutal torture. Relatives and friends of political prisoners have been harassed by the Security Police.

4. The policy of displacing Africans and other non-whites in order to enforce racial segregation has continued without let-up. Under the Group Areas Act, further thousands of non-white families have been uprooted from their homes and communities. According to press reports in March 1971, more than 300,000 Africans were to be ejected from Natal farms because they had been declared surplus to labour needs in that area. 1/ In this connexion the Minister of Bantu Administration and Development has reportedly stated that the Government was working to reduce the number of Africans in the white areas, to consolidate the so-called homelands and to eliminate "black spots" which are African-owned or cultivated land surrounded by white-owned farms or plantations. He stated that already five homelands for Xhosas, North Sothos, Shangaans, Vendas and Zulus were accommodating the majority of their population groups. 2/ Thousands of African workers living in the so-called white areas continue to be considered as migratory labourers.

The "outward-looking" policy

5. The deepening reaction of world public opinion to conditions in South Africa over the last few years has been felt by that country. South Africa is undertaking a very intensive propaganda campaign in many parts of the world to

1/ Rand Daily Mail, Johannesburg, 31 March 1971.

2/ House of Assembly Debates (Hansard), 18 May 1971, col. 7026.

cover up the true meaning of its actions. In 1971 the South African Government is reportedly spending some \$9.6 million on propaganda; in addition, millions of dollars would be spent by South African private interests active in the fields of trade, tourism, public relations and lobbying.

6. The political aspect given to this new approach has been referred to as the "outward-looking" foreign policy of South Africa. It will be recalled that after Mr. J.B. Vorster succeeded Dr. Verwoerd as Prime Minister, the new "outward-looking" policy was devised in order to counter the growing isolation of South Africa in the international sphere. The activities of anti-apartheid groups all over the world, including churches and youth groups, as well as sports boycotts, had convinced the South African Government that a new approach was needed. South Africa intensified its propaganda and coupled it with some economic aid to certain countries in order to achieve its objective. The South African information media embarked upon a policy of trying to project a new image of South Africa in order to secure the goodwill of some African States, particularly those neighbouring South Africa. The strategy also involved closer co-operation between Portugal and South Africa, and assistance by South Africa to the Portuguese in the border areas of Mozambique and Angola. South African finance and technology have been provided in the planning of the Cabora Bassa dam project and there have been reports of secret military arrangements between South Africa and Portugal.

7. In September 1970, the Prime Minister of South Africa, renewing his attempts, offered to enter into non-aggression pacts "with any Black State irrespective of whether they are immediate neighbours or further up, such as Tanzania, Zambia and other States in Africa".

8. In March 1971, the South African Prime Minister confirmed that formal invitations would be sent out to certain African States to visit South Africa. He also confirmed that he would be willing to discuss the policy of "separate development" with visiting Africans. This has been interpreted in some quarters to mean that South Africa was now trying a new method of dividing the African States by calling on some of them to establish contact and "dialogue" with it. In support of this approach, certain African leaders made well-publicized declarations to the effect that they would be willing to enter into a "dialogue" with South Africa.

9. On 1 April 1971, the African National Congress (ANC) issued a statement in Dar es Salaam condemning the proposed "dialogue" between some African Heads of State and the Premier of South Africa. It stated that the invitation by South Africa to all those African leaders who were prepared to have "a dialogue" with the white racists was the logical culmination of the sinister northward policy of colonialism and neo-colonialism so cunningly pursued by the racist régime. It added that those who were going to allow themselves to be seduced to betray the interests and aspirations of the people of southern Africa and the whole continent must know that they could not do so with impunity. The Pan Africanist Congress also strongly denounced a dialogue as professed by South Africa.

10. The question of "dialogue" with South Africa was discussed by the Council of Ministers of the Organization of African Unity in Addis Ababa in June 1971. The Council rejected the idea of a "dialogue" with the minority racist régime of South Africa which was not designed solely to obtain for the enslaved people

of South Africa their legitimate and inherent rights and the elimination of apartheid in accordance with the Lusaka Manifesto. Any form of dialogue, it was agreed, should appropriately be commenced only between the minority racist régime and the people they were oppressing, exploiting and suppressing. The Council of Ministers agreed that the proposal for a dialogue was a manoeuvre by South Africa and its allies to divide African States, confuse world public opinion, relieve South Africa from international ostracism and isolation and obtain an acceptance of the status quo in southern Africa.

Visit of the President of Malawi to South Africa

11. In the pursuit of its "outward-looking" policy, the South African Government has developed closer economic relations with Madagascar, and contacts are also reported to have been made with Mauritius. But the most significant advance has been in the development of relations with Malawi, culminating in the visit of its President, Dr. N. Kamuzu Banda, to South Africa, from 16 to 20 August 1971.

12. The President was welcomed by the South African State President, Mr. J.J. Fouché, and received with full military honours upon his arrival at Waterkloof Air Base near Pretoria.

13. All through the tour, which was described as "historic" by both the Malawian and South African mass media, the President and his entourage were given the red-carpet treatment.

14. Among his engagements were visits to Cape Town, the Simonstown Naval Base, Stellenbosch University, the Brakpan Gold Mine near Germiston in the East Rand, where he was employed as a young man more than 40 years ago, and a tour of the African township of Soweto. President Banda also addressed Malawians working in South Africa and held discussions with the Prime Minister, Mr. Vorster, the Chief Minister of the Transkei, Chief Kaiser Matanzima, the heads of the Bantustan territorial authorities, the Chairman of the Executive Committee of the Coloured Persons' Representative Council, and the Chairman of the Executive Committee of the South African Indian Council.

15. Addressing the staff and students of the University of Stellenbosch, President Banda defined his role in African politics as that of acting as a bridge to span the races in the continent. He said:

"I reject the idea of force. I reject the idea of isolation ... There is a future in Africa for all of us - for the majority and the various minorities." 3/

16. The President, defending his good relations with white-ruled South Africa, told a meeting of Malawian workers in South Africa that he had defied the OAU which at its last Assembly of Heads of State and Government had decided against contacts with the minority régimes of southern Africa.

3/ Rand Daily Mail, Johannesburg, 18 August 1971.

17. The Malawi President declared:

"I defied everyone - and with the full support of my Parliament... They /the OAU/ did not want me to come here but I defied everyone..." 4/

18. The South African State President, Mr. Fouché, paid tribute to Dr. Banda at a State banquet for leading the way in constructive fruitful co-operation between fellow African States.

19. Mr. Fouché said, inter alia, that the basis of international State relations was mutual understanding, which could only be achieved by dialogue.

20. He continued:

"The principle of dialogue - in its special African context - has become very much an issue of late. As we have often declared, South Africa is willing to talk to any other State on an equal footing." 5/

21. On 19 August, President Banda held an hour-long formal meeting with Prime Minister Vorster.

22. At a news conference at the end of his State visit, President Banda announced that the South African President had accepted an invitation to visit Malawi.

23. Asked whether he would recommend that other African leaders visit South Africa, he said:

"I have said to leaders and groups that it is no use we African leaders shouting against apartheid thousands of miles away in Addis Ababa, London, New York, Singapore... Let us visit South Africa, see things for ourselves, hear things for ourselves and talk to the leaders there; not shouting like this, not uttering empty and idle threats from these cities." 6/

24. While the South African press attached significance to the visit of President Banda, 7/ referring particularly to the relaxation of apartheid regulations in connexion with the visit, the South African liberation movements and the press in many African countries expressed strong criticism of the visit as a move against African solidarity in support of the oppressed people of South Africa.

4/ Rand Daily Mail, Johannesburg, 19 August 1971.

5/ Ibid.

6/ Blantyre radio.

7/ In an editorial on Dr. Banda's visit, the Rand Daily Mail wrote that South Africa was discovering that multi-racialism "is possible - and relatively painless". The front-page editorial stated that it could think of "nothing that has so dented the institutions and attitudes of apartheid... What has happened over these past four days has been a spectacular advance in the inexorable crumbling of apartheid."

Opposition to apartheid in South Africa: boycott of celebration of the tenth anniversary of the Republic

25. The South African régime held month-long celebrations in May 1971 to mark the tenth anniversary of the establishment of the Republic. 8/ The celebrations included a sports festival from 1 May; a large naval display off Table Bay on 28 May, in which all South African Navy vessels, including submarines and aircraft of the Air Forces Maritime group participated; an Air Force fly-past on 31 May; and a military parade with 6,000 troops and a mechanized battalion of combat vehicles.

26. A nation-wide campaign by prominent South Africans to urge the Government to extend an amnesty to political prisoners 9/ on the occasion of the tenth anniversary of the Republic was ignored by the Pretoria régime. In March 1971, a "National Committee of Clemency" was formed, headed by Mr. Mewalal Ramgobin a Durban businessman, and including prominent professors, writers and churchmen. The Prime Minister and the Minister of the Interior refused to receive a deputation from this Committee or to consider an amnesty for the political prisoners.

27. Although the Government had tried to involve the "non-white" South Africans in the celebrations, and had specifically set aside funds for this purpose, there were many moves, even by "moderate" organizations, to boycott the celebrations. Thus in October 1970, the Urban Bantu Council of Soweto turned down a R500 (\$700) offer from the Department of Bantu Administration and Development to celebrate the anniversary. A council member, Mr. David Thebahali, was reported to have said: "What is there to celebrate in the Republic if you are an African". 10/ The National Executive of the Coloured Labour Party decided in January not to support any of the Republic festival activities. It asked parents of Coloured schoolchildren not to allow them to take part in any of the organized group displays and sports in connexion with the festival, or in the events planned for Coloured schools. The Coloured people of South Africa were urged to boycott the festival celebrations in a motion tabled at the Coloured Persons' Representative Council in Cape Town on 19 November 1970.

28. The National Union of South African Students (NUSAS) refused to participate in the celebrations. The President of NUSAS stated that "the ten years of the Republic have seen an alarming growth of restrictive legislation, inroads on human freedom and waste of the rich human and material resources of South Africa - at severe cost to all South Africans".

8/ It will be recalled that a referendum limited to whites was held in South Africa in 1960 and it was decided that the country should become a Republic. The results of the referendum were 850,458 in favour and 775,878 against. After the passage of appropriate legislation by the all-white Parliament, South Africa declared a Republic on 31 May 1961.

9/ The Minister of Justice stated in the House of Assembly on 18 May 1971 that, as of 1 January 1971, there were still 549 persons serving sentences under the security laws.

10/ Rand Daily Mail, Johannesburg, 3 October 1970.

29. A black coffin, on which was inscribed "Here lies the Rights of the Cape Coloured People", was carried in a mock funeral procession to the Gevandale Coloured township outside Port Elizabeth on 30 May. Mr. Abraham Domingo, a leader of the Labour Party, said that the day had been set by the Coloured people as a day of mourning for the denial of political rights to non-whites. 11/ A campaign to discourage non-whites from taking part in the celebrations had been conducted in Port Elizabeth throughout May with house-to-house visits and the distribution of 50,000 anti-Republic Day leaflets. 12/

30. Students at the University of the Witwatersrand distributed 30,000 anti-Republic Day pamphlets in the Johannesburg area and paraded with posters outside the University on 26 May 1971. The posters read: "Don't celebrate apartheid", "Abolish detention without trial" and "Give South Africa something to celebrate". 13/ The students declared that Republic Day should rather be a day of mourning. Police stood by and refused to "intervene" when students, protesting against the Republican Festival, were assaulted by onlookers.

31. Other protest demonstrations were marked by vigorous police action. The President of NUSAS stated in Cape Town on 30 May that 50 students had been questioned or detained by the police during protests against the celebrations. 14/

32. In addition, 10 Indian students, most of them from the Indian University College in Durban, were reported to have been detained by the Security Branch in Durban on 26 May in connexion with the protests.

II. MEASURES OF RACIAL SEPARATION AND DISCRIMINATION

33. During the past year, the South African Government has expanded the implementation of its policy of racial separation and segregation. Consequently, its non-white citizens have continued to suffer severe hardship and humiliation.

34. Under the Group Areas Act, further thousands of non-white families have been uprooted from their homes and communities. Convictions for pass offences have increased. The arrest of the Right Reverend Bishop Zulu on pass charges highlighted the arbitrariness of the pass laws. The Government, pressing ahead with its policy of residential segregation, continued to "endorse out" Africans from the ever-expanding areas designated for exclusive white habitation. In pursuit of that commitment, African lawyers and other professional men were barred from using professional offices in some areas of Durban township.

35. Further legislative measures designed to ensure further territorial separation of the races and to stifle protest demonstrations against the record number of repressive laws were enacted. Chief among the new laws were the Bantu Homelands Constitution Bill, which purported to grant vague "independence" to those African "homelands" which requested it and the General Law Further Amendment Act (No. 92 of 1970), which vested magistrates with power to withhold permits for processions and demonstrations if he felt that such demonstrations "may endanger the maintenance of law and order".

11/ Rand Daily Mail, 10 May 1971.

12/ Ibid.

13/ Rand Daily Mail, Johannesburg, 27 May 1971.

14/ Ibid., 31 May 1971.

36. Meanwhile, development in the Transkei - advertised as the model for other African homelands - proved that the Africans there were determined to test the sincerity of the all-white Government in some of its pronouncements. There were greater demands for land and job opportunities, as well as for the authority to make their own decisions in the Transkei.

A. Implementation of the Group Areas Act

37. Measures for residential segregation in urban areas, notably the Group Areas Act, 15/ continue to be implemented relentlessly, even in communities where there has been no friction or conflict and where the residents did not seek separation.

38. The Minister of Community Development, Mr. Blaar Coetzee, in reply to a question by Mr. Eric Winchester, told the South African Parliament on 5 February 1971 that 1,578 white families, 70,889 Coloured families, 38,180 Indian families and 933 Chinese families had become "disqualified" in terms of various Group Areas proclamations. Of these, 1,246 white, 37,616 Coloured, 23,588 Indian, and 64 Chinese families had been resettled in other areas. 16/ It was estimated that between 500,000 and 600,000 people were affected. No statistics for the African families involved were disclosed.

39. In reply to another question from Mrs. Helen Suzman, the Minister of Community Development stated that 64,352 Coloured and Indian families in the Cape Province, Transvaal and Natal had been removed or were due to be removed as a result of Group Areas proclamations issued in 1969 and 1970 alone. 17/

40. Protests against the forced removal of people from their homes in terms of the Group Areas Act increased in the past year.

41. Mr. Eric Winchester, the United Party Member of Parliament for Port Natal and a critic of both the Group Areas Act, announced in November 1970 that he was compiling a second detailed report which would highlight the inhumanity and ineptitude of the Department of Community Development which administers the Act. 18/

42. He said that the report would deal with the upheaval caused to Coloured, Indian and white communities in Durban by the enforcement of the Group Areas Act. He charged that the Department paid less attention to the needs of people than farmers did to their cattle. He added:

15/ Act No. 41 of 1950, as amended.

16/ House of Assembly Debates (Hansard), 4 February 1971, col. 19.

17/ Rand Daily Mail, Johannesburg, 5 February 1971.

18/ Ibid., 14 November 1970. In an earlier report he stated that more than 1,100,000 people of all races had been uprooted from their homes by 1968. He also estimated that 2 million Africans would be resettled and rehoused in Natal province alone during the next five to ten years (see Official Records of the General Assembly, Twenty-Fifth Session, Supplement No. 22 (A/8022/Rev.1), annex II, paras. 41 and 42).

"At least a farmer who moves animals sees that the new pasture contains the necessities of life. With the Government's brand of separate development there is plenty of separation, but not much development." 19/

43. The Rand Daily Mail termed the Department of Community Development as one of the "most odious of all the instruments of apartheid". In an editorial comment the paper stated:

"It was specially created to shunt people around, to move them out of homes and business areas that they had sometimes occupied for generations and herd them into ethnic ghettos. It performs this task on a vast scale and with a minimum of human compassion. And what is more it manages to make a lot of money in the process. It has become a huge and privileged property speculator, holding land worth more than \$70 million in the country's four main cities. Aptly, it has been called the world's largest and most ruthless estate agency." 20/

44. Developments relating to the removal of Indians from a section of Johannesburg are typical of the operation of the Group Areas Act.

45. For most of this century, hundreds of Indians had lived and conducted their family businesses in what was called the Diagonal Street complex. It was in the heart of Johannesburg's Indian quarter and was known for its atmosphere of diversity and colour. According to a South African newspaper, the area was "a world of colour with a colour bar. Africans, whites, Coloured people and Indians shop(ped) alongside one another". 21/

46. A few years ago the area was proclaimed a "white" area. The Schlesinger Organization Real Estate Corporation purchased the properties occupied by the Indians, gave notice that occupants should leave the premises, and stated that it would construct a multistorey commercial building on the site. No alternative business and residential accommodation was offered to the Indians. One of the residents, Mr. G. O. Patel, 62 years old, said: "It is my life. I can't go anywhere else when they move me out. I won't get a licence." 22/

47. Early in January 1971, the Schlesinger Corporation served some 60 Indian businessmen with notices to evacuate the area by the end of the month. Some of the others were also to go within a year.

48. The affected Indians formed an association with the hope of securing somewhat more favourable compensatory conditions. Mr. A. A. Laher, chairman of the association, estimated that the 60 traders had between them more than R3 million (\$4.2 million) in trading stock, and goodwill worth another R1 million (\$1.4 million). Customers owed them R2 million (\$2.8 million).

19/ Ibid.

20/ Rand Daily Mail, Johannesburg, 11 December 1970.

21/ Rand Daily Mail, Johannesburg, 10 December 1970.

22/ Ibid.

49. He said:

"Besides the more than 6 million rand (\$8.4 million) involved, the livelihood of our families and staff is seriously jeopardized. The total number of family dependants of the traders is about 250. The number of staff and their dependents is about 1,000." 23/

50. He felt that the notice given to the traders was unfair and suggested that the Schlesinger Corporation should alleviate their hardship by extending the notices for at least another two years. He also appealed to the Government to help them survive, as it was morally bound to do, by providing alternative accommodation. The matter was desperately urgent. An alternative business area must be declared at once. 24/

51. In anticipation of their displacement, the Indian traders had presented a three-point appeal to the Minister of Community Development in September 1970. They had appealed that they be allowed to remain in their premises for at least two more years, to be given permits to remove their licences and occupation rights to European-owned properties in Fordsburg and that suitable accommodation be provided for them in Fordsburg or Ferreirastown until final arrangements about the future of their business had been made.

52. They were also reported to have implored the Minister on humanitarian grounds to consider their case as many of them would be ruined financially and otherwise because of lack of suitable alternative accommodation.

53. The Minister, in reply, said the acquisition of their area was "purely a business transaction", and that he had no authority to delay the private development plans. 25/

54. He added that his department did not have any other business premises available to offer the traders and suggested that they "should endeavour to find other business premises in the controlled areas - areas which have not been proclaimed as group areas". 26/

55. Soon after, the remaining section of the Indian quarter was proclaimed a "whites only" area under the Group Areas Act.

56. On 11 January 1971, Mr. Patel, spokesman for the Indian traders, expressed doubts about whether all the 60 displaced Indian businessmen could find alternative business premises in Johannesburg. 27/

57. Many Indians who owned property sold out to the Schlesinger agency at a considerable loss. Mr. S. H. Joosub, one of the few who had alternative premises and was moving to Pretoria, added:

23/ The Star, daily, Johannesburg, 6 January 1971.

24/ Ibid.

25/ Rand Daily Mail, Johannesburg, 8 January 1971.

26/ Ibid.

27/ Rand Daily Mail, Johannesburg, 12 January 1971.

"I will lose my clients, contacts and goodwill. I will have to start from scratch. If I had been able to get land, I would have put up my own premises. Land for Indians at present is at super-inflated prices, as you can imagine. In the Indian townships, the price of property is about a third of what it is in the city - which is very high." 28/

58. On 12 January 1971, Mr. A. Habib, a former member of the South African Indian Council, called upon the South African authorities to "review the entire position of the Indian trader as a whole at Cabinet level to obviate the anxiety and frustration which have become the lot of the trader". 29/

59. Further details about how the enforcement of the Group Areas Act had affected the Indian population of South Africa were provided in a sociological study released in January 1971.

60. In a paper prepared for the Social Commission of the Study Project on Christianity in Apartheid Society, Mrs. Fatima Meer, a senior lecturer in sociology at Natal University, said that the Group Areas Act was succeeding in eliminating or whittling away all Indian commerce in South Africa. Whole communities of Indian traders have been uprooted without any compensation for loss of goodwill or depreciation of stock. 30/ The Rand Daily Mail of 25 January 1971 also quoted Mrs. Meer. By 1966, all but 7.5 per cent of the Indian population in Transvaal had been affected by Group Areas Act proclamations. By 1966, 23.65 per cent had already been moved and 63.97 per cent were in the process of being moved.

61. The paper went on to state:

"Of the 500 traders evicted from Johannesburg to date, only 50 have succeeded in re-establishing themselves in commerce." 31/

62. The Government had encouraged Indians to establish some industries, and figures showing an increase in Indian manufactures might appear impressive. But on the other hand, Mrs. Meer pointed out that in one Indian area alone - Diagonal Street, Johannesburg - the white Group Areas proclamation had resulted in a loss of R20 million (\$28 million) in business turnover to 310 Indian businesses and a further loss of R13.7 million (\$19.18 million) in stocks, goodwill and facilities. 32/

28/ Ibid.

29/ Rand Daily Mail, Johannesburg, 13 January 1971.

30/ The Star, weekly, Johannesburg, 23 January 1971.

31/ Ibid.

32/ Ibid.

B. Removal of "black spots" and "endorsement out" of Africans

63. The Minister of Bantu Administration and Development, Mr. M. C. Botha, declared in the South African Parliament on 18 May 1971 that the Government was working round the clock to rid "white South Africa" of so-called "black spots" - generally pockets of African-owned or cultivated land surrounded by white-owned farms or plantations. 33/

64. He went on to say "with a measure of pride" that the latest census statistics showed that the five homelands for the Xhosas, North Sothese, Shangaans, Vendas and Zulus were "accommodating the majority of their population groups". It was the Government's intention not only to maintain those statistics, but to improve upon them.

65. He added that the two challenges facing the Government were reducing the number of Africans in the white areas and the consolidation of homelands and elimination of "black spots". In reiterating the Government's commitment to that policy, he declared: "It is our desire that there should be an acceleration of pace in this regard." 34/

66. How the Government faced the challenge of removing "black spots" is illustrated in the following paragraphs.

67. Many generations of Zulus had worked as labour tenants in white-owned farms in the Vryheid and Louwsburg districts of Natal.

68. In September 1970, 500 of them fell victim to the "black spot" removal policy and were evicted from their homes. The Government offered them alternative residential sites at Paulpietersburg. Situated many miles away on Bantu Trust land in the bare veld, the new site had neither water nor shelter of any kind. The Zulus defied the eviction order.

69. On 4 September 1970, Chief Nkosiyenhliziyo Buthelezi, leader of the tribe, appeared at the Louwsburg Magistrate's Court. He was warned that unless he moved to the new settlement at Paulpietersburg by 18 September, punitive action would be taken against him. At his second appearance before the Court on 18 September, the Chief was fined R50 (\$70). The sentence was suspended for three months. He was again ordered to move to Paulpietersburg within three months. 35/

70. Chief Nkosiyenhliziyo told The World that of the 500 involved in the move, he was the only one offered available land and given permission to take his stock of cattle along. The others were not allowed to do so. Without water, there was no advantage in moving to the new site.

71. In a comment on the situation, the Chief Executive Officer of the Zulu Territorial Authority, Chief Gatsha Buthelezi, stated that he had received a delegation from Chief Nkosiyenhliziyo and had discussed the matter with the Chief Bantu Affairs Commission in Pietermaritzburg. He added that the authorities had been "most sympathetic" and were trying to arrange to make water available in

33/ House of Assembly Debates (Hansard), 18 May 1971, col. 7026.

34/ Ibid.

35/ The World, Johannesburg, 25 September 1970.

Paulpietersburg. Noting that the problem of landless tenants was a very real and growing danger in Zululand, Chief Buthelezi expressed the hope that an early solution for it would be found. 36/

72. However, Chief Nkosiyenhliziyo Buthelezi's "defiance" of the Government was short-lived. He reportedly returned home after a three-week absence to find that his entire family had been forcibly removed from the white farm in Louwsburg and his kraal razed. 37/

73. Growing African resistance and opposition to indiscriminate removals from many of their ancestral communities is further exemplified by the events at the Majong Bantu Reserve.

74. It was reported in February 1971 that about 300 African families resisted the Government's plan to move them from the Majong Bantu Reserve, 60 miles from Kimberley, to a new reserve at Vaalboshoek. The community had opposed the Government's removal orders since December 1968. Eighty families had, however, been removed to the new reserve between December 1970 and January 1971, and were obliged to live in tents. The others refused to move.

75. On 1 February 1971, the police raided the Majong Bantu Reserve at dawn and detained seven leaders of the tribe. They included the Chief of the Bathlaping tribe, four counsellors, a minister of religion and the Chief's cousin.

76. The Government threatened tribesmen who stayed behind with prosecution. It also closed the tribe's only primary school on 1 February and moved the teachers and school furniture to Vaalboshoek.

77. On 2 February, all seven, together with the police, were present at another scheduled removal. But only a few families accepted the Government's offer to free transportation to the new site. 38/

78. The tribesmen stated that they had already purchased building materials to construct a bigger school at the Majong Reserve. Moreover, they complained that the Government had not offered adequate compensation to those who removed and that the land in the new site was not arable. 39/

79. A Government spokesman, however, claimed that the projected resettlement was voluntary. He also said that the affected area in the Majong Bantu Reserve had been expropriated by the Department of Agricultural Technical Services and those who refused to move were illegal squatters. 40/

80. The tragic break-up of many African families as a result of the implementation of the "endorsement out" policy under the Group Areas Act continued unabated during the year under review.

36/ Ibid.

37/ Ibid., 30 September 1970.

38/ Rand Daily Mail, Johannesburg, 3 February 1971.

39/ Ibid.

40/ Rand Daily Mail, Johannesburg, 3 February 1971.

81. In a report published in December 1970, the Black Sash, a liberal women's organization, described the tragedy of thousands of African men and women who had no hopes of ever living together anywhere at all. The report stated that there were many families on the Reef alone where the husband lived in one prescribed area and the wife in another - maybe only a few miles away - "but to live together they both must qualify under the Group Areas Act to live in the same area". 41/

82. In its report for February-March 1971, the Black Sash stated that most of the African women and children who had sought assistance from its Advice Office in Johannesburg had been ordered to leave the area in which they lived within 72 hours.

83. The report added: "The three prerequisites for a modicum of security are a name listed on a house permit, a birth certificate and a reference book. Without the three documents, proof of long residence in the prescribed area is difficult to furnish." 42/

84. It continued:

"The onus of proof bears heavily on all Africans. For women and children it is an almost insuperable problem. A woman has to prove that she is the natural mother of her child and in the absence of birth certificates, which were not compulsory until fairly recently, it is very difficult to establish."

85. Typical of the heartlessness of the policy is the break-up of the family of Mr. Harlem Msini, a 49-year-old crippled African factory worker in Paarl, near Cape Town.

86. Mr. Msini and his wife Lena have four children, but under apartheid laws they were not allowed to live together.

87. In 1966, Mrs. Msini was "endorsed out" of the Paarl area. She was told that as the wife of a "disqualified" person she could return to live with her husband only when he had earned the right of permanent residence in Paarl by serving 10 years in continuous employment to the same employer. She therefore went to the Dordrecht location in eastern Cape where she had been born. 43/

88. Mr. Msini "qualified" in July 1970; whereupon the headman at Dordrecht sent her back to live with her husband in Paarl. Mrs. Msini thereby forfeited her right to live in Dordrecht.

89. Instead of a permanent residence permit, the authorities in Paarl gave her a temporary one. It was renewed four times. Despite appeals by Mr. Msini's employers and social workers, the permit was not further renewed. In November 1970, she was fined \$42 (or six weeks' imprisonment) for being illegally in the area. She became another "displaced" person with no place of legal residence in her own country.

90. Mrs. Anna Pearce, a social worker in Paarl, told the press: "Many people tend to think that cases like these are exceptional, but I can assure them they are not. There are many Africans in the position in which the Msinis find themselves today - and no one can tell us what the answer is to the problem." 44/

41/ Ibid., 15 December 1970.

42/ The Star, daily, Johannesburg, 18 March 1971.

43/ Cape Times, 14 November 1970.

44/ Ibid.

91. Following the publicity given to the case and the appeals by two professors of theology at Stellenbosch University, and her husband's appeal to the local Bantu Affairs Commissioner, Mrs. Msini was given a temporary permit to return to live in Dordrecht.

92. The Cape Times noted in a comment: "It is ironic that in an age when so many people are spending good money on being separated, Mr. and Mrs. Msini spend theirs in a vain bid to stay wed." It added that the fact that Mrs. Msini was made "a human shuttlecock, without a place to live legally is presumably a trifling anomaly in the vast system designed to save 3.8 million White Skins at the tip of Africa".

93. The paper blamed "influx control" laws for causing "untold misery and hurt to untold numbers of ordinary, law-abiding human beings. Assurances that petty or ru-apartheid will one day wither away are limp when seen against the background of smashed marriages, overflowing gaols and vast, enforced movements of population". 45/

94. The Black Sash's Athlone Advice Office in Johannesburg stated in its November 1970 report: "Man's inhumanity to man would appear to have passed all previous records this year. The tearing apart of husbands and wives, parents and children is not only quite incredibly cruel but it is leading to an unprecedented level of illegitimacy, promiscuity, malnutrition, deficiency diseases, and of notified cases of tuberculosis among Africans. To force men and women who want to work and whose services are badly needed, to go to a place where there is no work and therefore no food is not only wicked but stupid...." 46/

95. In other related developments, a young couple, married for only two months, was legally separated by South Africa's ruthless residential regulations.

96. Mr. Shadrack Kumalo, a young journalist, was married to Miss Nonyaniso Madikeleza in November 1970. Mrs. Kumalo is the younger sister of Mrs. Winnie Mandela.

97. Though Mrs. Kumalo had lived continuously in Johannesburg since 1960, she was ordered to leave Johannesburg. 47/

98. In February 1971, Mrs. Kumalo appealed against the expulsion order. She also appealed to the Bantu Commissioner's Court for permission to live in Johannesburg and take care of her sister, Mrs. Winnie Mandela, who was under banning orders. Her counsel submitted that since Mrs. Mandela was subject to heart attacks, it was essential that someone lived in the same house with her.

99. Attacking the attitude of the Commissioner and other officials connected with the hearing, Mr. Carlsen said: "None of the applications has been properly heard. I have not been told the reasons for the judgements made." 48/

100. Nevertheless, her appeal was rejected and she was ordered to leave Johannesburg by 15 February 1971, thus making her another of the thousands of African "influx widows".

45/ Ibid., 16 November 1970.

46/ Ibid., 14 November 1970.

47/ The Post, Johannesburg, 14 February 1971.

48/ Ibid.

C. Implementation of the "pass laws"

101. The relentless harassment of Africans for contravening the pass laws, under which almost one million Africans a year face prison sentences, evoked increased concern during the past year.

102. The Reverend C. F. Beyers Naudé, Director of the Christian Institute of South Africa, recalled on 19 October 1970, the centenary of these humiliating laws, that when they were introduced in 1870, they were said to provide the "native" with an identification certificate for his protection and a guarantee that he could travel freely throughout the country. They had been regarded by former political leaders, especially by Dr. D. F. Malan, as "a temporary system to be amended when a higher system of education is reached by a reasonable percentage of the population". 49/ But, he said, "the system has become a tool for enforcing the system of apartheid on the African people". 50/

103. The national leader of the Black Sash, Mrs. Jean Sinclair, also stated that the pass laws were the most bitterly resented of all the laws governing the African people. She said:

"They cause misery and hardship. They separate husbands from their wives and children from their parents; they remove security and stability and cause unemployment and poverty, which leads to malnutrition and starvation, and they turn technical offenders into statutory criminals. This Government has increased their severity and made many of the provisions intolerable. The Black people have been forced into a position of having to plead for a permit to be allowed to satisfy their most basic human rights." 51/

104. The pass laws evoked renewed public protests because of the arrest, on 11 March, of the Right Reverend Alpheus Hamilton Zulu, Anglican Bishop of Zululand and a vice-president of the World Council of Churches. He was among those arrested in a pass raid on a dormitory at St. Ansgar's Lutheran Mission in Roodepoort, where a seminar on "Black Theology" was being held.

105. The police reportedly entered the dormitory at about 4.00 a.m. when the participants were sleeping, flashed torchlights on them and demanded passes from the sleepy delegates.

106. When asked by a white policeman for his pass, Bishop Zulu replied that he had left it at home and gave the number of his reference book. Whereupon the policeman was quoted as saying:

"Every Bantu must carry a reference book and produce it when required." 52/

107. Two other African church workers, one of them with his wife and two infant children, were also arrested.

49/ Rand Daily Mail, Johannesburg, 20 October 1970.

50/ Ibid.

51/ Ibid.

52/ Ibid., 12 March 1971.

108. Bishop Zulu was then charged with violating the pass laws, held in the offices of the Non-European Affairs Department for more than four hours, and then released on his own cognizance. He told the press that he would rather appear in Court, than pay a \$7 admission of guilt fine. Because of a storm of angry protests, the Government decided on 13 March to withdraw the charges against him. 53/

109. Christian leaders and politicians were among those who denounced this illustration of the enforcement of "petty apartheid" regulations.

110. The Reverend C. F. Beyers Naudé, Director of the Christian Institute, warned that the action would "further incense Blacks inside and outside our country, and will lead to further tragic estrangement".

111. Chief Gatsha Buthelezi, chief executive officer of the Zulu Territorial Authority, saw in the arrest "an almost irreparable harm to race relations". He added that Bishop Zulu's humiliating experience "highlights the indignities suffered by Black men, particularly if they are educated and sophisticated. I speak from experience because twice while visiting the Reef I was also subjected to similar incidents...." 54/

112. Even a Nationalist Party newspaper Rapport sharply criticized the arrest, and wrote in part:

"The person, the arrest, the nature of the offence - everything fell together perfectly to guarantee the maximum of bad publicity." 55/

113. It advised:

"Somebody with authority must please explain to such people (the police) that discriminatory laws must be implemented with discrimination - but above all with tact, consideration and understanding." 56/

114. On the other hand, the Rand Daily Mail asked in an editorial comment:

"... but is it really worse when a harsh law hits one man of distinction than when it hits two thousand ordinary people as the pass system does every day?" 57/

115. The comment was concluded as follows:

"The point surely is that the case of Bishop Zulu is an embarrassment only because it highlights the fundamental injustice of the pass laws. If there were nothing wrong with these laws - if it did not look so grotesque to the world at large that just because you are Black it becomes a crime to visit a town - then there would have been no scandal and no bad publicity. And when you have an unjust law, then it is simply not possible for it to be justly administered."

53/ The New York Times, 14 March 1971.

54/ Rand Daily Mail, Johannesburg, 12 March 1971.

55/ Ibid., 15 March 1971.

56/ Ibid.

57/ Ibid. The Town Clerk of Roodeport, Mr. J. S. du Toit, dismissed the arrest of Bishop Zulu as "a storm in a teacup". The Minister of Bantu Administration and Development blamed the Lutheran church minister, Dr. Marcus Braun, for not obtaining licences to have Africans on his church premises (Rand Daily Mail, 25 March 1971).

116. The Government's embarrassment about the unfavourable publicity sparked by the Bishop's arrest encouraged demands for a reform of the most obnoxious aspects of the pass system.

117. On 7 June 1971, Dr. Piet Koornhof, Deputy Minister of Bantu Administration and Education, announced that the Government planned to introduce a new system of dealing with pass law offenders. Instead of being jailed indiscriminately as in the past, such offenders would be "processed" through homeland rehabilitation centres as provided for in the Bantu Laws Amendment Act of 1964.

118. It will be recalled that, in terms of the 1964 legislation, any African who "is arrested or convicted on a charge of having contravened or failed to comply with" the various pass laws and regulations may "be admitted to an aid centre". The Commissioner of Bantu Affairs was allowed to hold a court in an aid centre. He might "after due inquiry and with due regard to the family ties or other obligations or commitments of such a Bantu, make such an order as may appear to him to be just in finding a job for him - or "in regard to the repatriation of such Bantu and his dependants to his home or last place of residence, or to a settlement, rehabilitation scheme or any other place indicated by such Bantu Affairs Commissioner". 58/

119. The Black Sash denounced the Government's new plan as yet another instrument speeding up enforcement of pass laws and of facilitating the removal of Africans from urban areas to homeland settlements. It called, instead, for abolition of the pass laws.

120. In a statement released on 9 June, Mrs. Jean Sinclair, President of the Black Sash, conceded that the establishment of aid centres "may reduce the number of people serving short-term prison sentences for infringement of the pass laws". 59/

121. The statement continued:

"But this will be only because instead of going to prison the people will be taken to the homelands or rural areas and placed in employment where there is a shortage of labour - particularly on white farms - and the statistics will no longer be available....

"Given the wide definition of 'idle and undesirable Bantu' as laid down in the 1964 Act, thousands of people are going to be removed to the homeland settlements - to be forced to remain and accept employment offered to them whether or not the wages offered are commensurate with their skill....

"The way to circumvent the flow of technical offenders to both the courts and to prison is to abolish the pass laws and influx control and allow people to sell their labour on an open and competitive market." 60/

122. On 15 June, Mrs. Helen Suzman charged in the House of Assembly that arrest and imprisonment under the pass laws was probably the greatest cause of racial friction in South Africa. She said:

58/ Rand Daily Mail, Johannesburg, 17 June 1971.

59/ Ibid., 10 June 1971.

60/ Ibid.

"If one looks at these wire cages full of human captives and watches this sausage machine that disposes of them at the rate of about one a minute with fines of 10 rand (\$14) of two weeks - one cannot help but end up hating the pass system." 61/

123. The Deputy Minister of Bantu Administration and Education said, in reply, that the police would not be given charge of the projected aid centres and that they would not be operated as detention barracks. 62/

D. Implementation of the Immorality Act

124. The Immorality Act, another pillar of the apartheid system, which prohibits sexual intercourse between whites and non-whites, continued to be enforced relentlessly without any consideration for the consequences.

125. Replying to a question by Mrs. Helen Suzman, the Minister of Justice and of Prisons, Mr. P. C. Pelser, told Parliament on 8 February 1971 that 571 men and 449 women had been charged under the Immorality Act between 1 July 1969 and 30 June 1970. During the same period, 294 men and 221 women had been convicted. 63/

126. Behind these statistics lie harrowing experiences ranging from broken marriages and suicides to the humiliation and misery of social ostracism for many persons charged or prosecuted for contravention of the Act. The following cases are illustrative.

127. In October 1970, charges were brought against seven white men and 15 African women under the Immorality Act at Excelsior, a small town in the Orange Free State. Subsequently, the charges against one white were withdrawn, and the remaining whites were released on bail. Eight of the African women charged were, however, detained in the local gaol. Soon after, one of them, the town's only butcher, Mr. Johannes M. Calitz, reportedly shot himself. 64/

128. When the trial began on 26 January 1971, the public prosecutor announced, on the orders of the Attorney-General, that all the cases were to be withdrawn as the witnesses upon whom the State case depended were not willing to give evidence. 65/

61/ Ibid., 16 June 1971.

62/ Ibid.

63/ House of Assembly Debates (Hansard) 8 February 1971, col. 83. The Minister gave the details of charges and convictions by racial groups as follows:

	<u>Charged</u>		<u>Convicted</u>	
	<u>Men</u>	<u>Women</u>	<u>Men</u>	<u>Women</u>
White	543	18	284	7
African	12	216	4	123
Coloured persons	8	208	3	87
Asiatic	8	7	3	4

64/ Cape Times, 25 January 1971.

65/ Ibid., 27 January 1971.

129. The Excelsior events led to renewed controversy and bitter condemnation of the Immorality Act. Mr. J. C. Bornman, one of the acquitted farmers, stated: "I shall sell my farm and leave Excelsior as soon as I can. A few friends have stuck by me, but many people in this town won't even greet me. They turn away when they see me coming."

130. Mr. Bornman asked: "What kind of law is this when any woman can come along and accuse you - and you can then be locked up?" 66/

131. On 3 February 1971, Mr. Louis Van Der Walt, the attorney retained for the defence of the Excelsior citizens, suggested that the sections of the Immorality Act prohibiting sexual relations between the races be completely abandoned.

132. He said: "I think I speak for 60 per cent of attorneys when I call for a complete abandonment of the Act."

133. While some demands for repeal of the Act have been motivated by humanitarian considerations, some sections of the South African press showed more concern about the country's international image in respect of upholding the rule of law. For instance, an Afrikaans paper which normally supported the Government commented: "What good came out of the (Excelsior) affair? We received an evil lot of distasteful publicity; there was a suicide; families were devastated; and we witnessed an unpleasant spectacle of a group of state witnesses who took it upon themselves in this case to balk the law."

134. One of the most constant criticisms voiced against the Immorality Act is the "stigma" attached to any person charged under it. Rather than face the "stigma" and cruel social sanctions arising therefrom, many persons have committed suicide. It was reported that between September 1970 and February 1971, five persons committed suicide after being charged under the Act. 67/

135. In some instances, families of the deceased were left alone. Mrs. Anne Van Schalkwyk, a widow, was not.

136. Her husband, Mr. Johannes Van Schalkwyk, a 50-year-old municipal clerk, was found dead in a field near his home on 16 February 1971, a day before he was due to appear in court on charges under the Immorality Act.

137. His family did not know that he had been charged and his wife remained convinced of his innocence.

138. She said: "I know that he was innocent and would have cleared his name. But the poor man was too ill (he believed he was dying of incurable cancer) to go through the ordeal of a trial."

139. After his death, his widow and three children were subjected to harrowing experiences.

66/ Ibid.

67/ Sunday Times, Johannesburg, 21 February 1971.

140. Mrs. Van Schalkwyk said:

"... my children and I have been viciously ostracized by the townspeople of Stilfontein. We have received ugly, anonymous phone calls and when we walk in the streets people stop and stare and say awful things about us.... People passing in cars stop outside our house and laugh as they stare. It has become hell to leave the house at all. 68/

141. The couple's 17-year-old daughter, Estelle, was also taunted and teased at school. She said: "... life at school became unbearable and I stopped going. All my so-called friends deserted me, except my very best friend.... The others kept teasing me in such a way that I couldn't stop crying.... I still cannot believe that people can be so cruel when one has just lost a father...."

142. Mrs. Van Schalkwyk, in referring to the effects of the Immorality Act, said: "The Immorality Act is so cruel and destructive that it ruins lives even when people are innocent as my husband was." 69/

143. The Opposition United Party has reiterated its demand for a full-scale commission of inquiry on the working of the Immorality Act and its consequences for and effects on the lives of the individuals involved. Its director, Mr. F. J. Van Wyk, declared: "There is no doubt about it, my institute would welcome this." He further said that the institute had "always been opposed to the control of people's morals with laws. This is the sort of legislation that would never be accepted by the modern world.... You cannot govern people's morals by making laws about them. They must be seen as part of the whole social fabric." 70/

144. On the other hand, in February 1971, the Minister of Justice, Mr. Pelsler, declared that the Government would not repeal the Immorality Act. But the Rapport, a newspaper which supports the Nationalist Party, published an editorial advocating some changes in the enforcement of the Act. It wrote:

"... there is clearly a considerable section of the (Nationalist) party who feel unhappy about the existing situation. These people are asking that the law be implemented more judiciously. ... they have the feeling that it should be possible to put a stop to incidents like that at Excelsior, that the police sometimes go too far in their attempts to get convictions and that it is unnecessary to burrow into the past. 71/

E. Developments in the Coloured community

145. As indicated in the last report of the Special Committee, the South African Government nullified the "Victory" of the anti-apartheid Labour Party in the elections to the Coloured Persons' Representative Council by filling the

68/ Ibid.

69/ Ibid.

70/ Ibid., 30 August 1970.

71/ Rand Daily Mail, Johannesburg, 8 February 1971.

20 nominated seats with members of the Federal Party and its allies. 72/ Yet the debates in the Council clearly reflected the dissatisfaction of the Coloured community with the Government's racial policies.

146. The 1970 session of the Coloured Persons' Representative Council started under the threat of a boycott by the Labour Party. Its members mounted "stay away" demonstrations in protest against the Government's apartheid policies and the limited powers of the Council. When the Labour Party ended its demonstrations, it reportedly showed disinclination to participate in the budget debate. However, it supported and was actively involved in the rest of the Council's proceedings. 73/

147. On 11 November 1970, both the Federal Party and the Labour Party gave their support to a motion calling for compulsory education for Coloured children.

148. On 12 November 1970, the Council unanimously adopted a motion urging the authorities to ensure that Coloured group areas are provided with all public amenities as soon as possible. 74/ During the debate on the motion, members of both the Federal Party and the Labour Party criticized the uprooting of Coloured communities under the Group Areas Act, and cited instances of dismal neglect on the part of the authorities.

149. The Council also called for an independent commission of experts to inquire into the serious backlog in housing, the continued growth of emergency camps and further removals under the Group Areas Act. It requested additional land at the Reigerpark in the Transvaal for the Coloured people.

150. It may be recalled that, at the first session of the Coloured Persons' representative Council, a motion asking for equal pay for equal work for all races was unanimously accepted. The Minister of Coloured Affairs denied the request, pleading South Africa's "traditional way of life".

151. On 26 November 1970, Mr. N. S. Middleton (Labour Party) introduced a motion in the Council stating that the Minister's reply to the Council's unanimous resolution on equal pay for equal work was "totally unacceptable". This motion further asked that the matter "be given attention outside the ideological party beliefs and the so-called traditional South African policies". 75/

F. Developments in the Transkei

152. The Transkei has been described by the Government as representing "a unique experiment in self-government within the multinational society which is South Africa". One of the significant developments in this territory during the past year was the increasing demand for real self-government and land.

153. On 13 April 1971, Paramount Chief Kaiser Matanzima, the Transkei Chief Minister, demanded a great measure of autonomy for the territory. He said that the people were no longer prepared to remain satisfied with "second-class citizenship" under the policy of "separate development".

72/ Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 22 (A/8022/Rev.1), annex II, paras. 96-111. The Labour Party polled 140,631 votes out of the 286,957 votes cast in the election and won a clear majority of 26 of the 40 seats contested.

73/ Cape Times, 5 December 1970.

74/ Ibid., 13 November 1970.

75/ Ibid., 27 November 1970.

154. He declared: "We want full control of our land and full administration of our affairs.... Separate development must be real and not ideological.... The land question is the most important aspect of the policy of separate development. No country can be self-governing and no country can be independent unless it has full control of the land within its boundaries. By land, I refer to both rural and urban land." 76/ He called for many drastic changes in the relationship between the Transkei and the South African Government.

155. Among other things, he demanded that all departments in the Transkei still under the control of the South African Government be transferred to the Transkei Government; that the white districts of Port St. Johns, Mount Cume, Maclear, Elliot and Matatiele be incorporated into the Transkei; that the South African Government make a greater contribution towards industrial development in the Transkei; that Transkei citizens replace whites in the departments of posts and telegraphs and of transport in the Transkei; that Transkei civil servants be given higher pay; and that the South African Government's labour policy be "completely reoriented". 77/

156. On 15 April, he reiterated his view that the acquisition of more land was the most vital single factor for improving living conditions in the overcrowded Transkei. 78/ He stated that he would continue to make claims for the white areas bordering the Transkei.

157. The Minister of Bantu Administration and Development, speaking in Parliament on the next day, said that he had "reprimanded" Chief Matanzima for his statement. He warned that he would not tolerate leaders of Bantustans making public demands or attempting to hold the Nationalist Party Government to ransom in any way.

158. Turning to the demand for more land for the Transkei, he declared: "I want to say very clearly that they (the areas listed by the Chief) are white districts and this Government has no intention whatsoever of including them in the Bantu area of the Transkei or the Ciskei.... The Government of the Transkei must realize that this Government will not give more ground simply because the Bantu Governments do not protect their own land." 79/

159. On the other hand, the leader of the Opposition in the Transkei Legislative Assembly, Mr. Knowledge Guzana, called upon the South African Government to stop repatriating Africans to the Transkei. He stated that there was considerable unemployment which in turn had led to an increased crime rate. If, however, the Government insisted on "repatriating them", the Transkei had no obligation to provide funds for resettlement. 80/

76/ Financial Times, London, 14 April 1971.

77/ Ibid.

78/ Rand Daily Mail, Johannesburg, 16 April 1971.

79/ Ibid., 17 April 1971.

80/ Sunday Times, Johannesburg, 18 April 1971.

160. Commenting on Chief Matanzima's statement, he said "The Chief Minister, obviously, has come to the conclusion that separate development is not as parallel and equal as he had allowed himself to be led to believe; that it has not shown to the Africans that it is not discriminatory; and that after seven years of partial self-government the disabilities of the African people have not diminished, even within the Transkei." 81/

161. On 19 April, Chief George Matanzima, Transkei's Minister of Justice, disclosed that during the discussion of Transkei's draft constitution with the late Dr. Verwoerd, the Xhosas had laid claim to the white areas bordering the Transkei. However, the committee responsible for drafting the constitution was told that self-government would be delayed if those lands were included, as negotiations and settlements would take years to complete.

162. The Minister added: "Because of the hurry of the committee, the claim had to be dropped to get self-government as soon as possible. So the Transkei Government is not making bogus claims or claims it has not made before." 82/

163. Though the South African Government had not acceded to the request for greater autonomy in the Transkei, Mr. Vorster has reiterated that it was his Government's policy to lead the various homelands to independence, in the ordinarily accepted meaning of the word. 83/

164. It was reported that members of the Transkei Legislative Assembly were becoming increasingly impatient at the many unfulfilled promises made by the South African Government. Chief Mteti Matanzima, one of the legislators, said: "The Transkei has been at a constitutional standstill since the inception of self-government.... We are becoming impatient with vague promises and are justifiably losing confidence in the Government's ability to carry out separate development. The time of reckoning has come." 84/

III. REPRESSIVE MEASURES AGAINST OPPONENTS OF APARTHEID

165. The South African Government continues ruthlessly to suppress all opposition to apartheid. Numerous persons have been detained, sentenced to prison, banned or harassed under the repressive security legislation enacted by the South African Parliament.

A. Political trials and political prisoners

166. In answer to questions in Parliament, the Minister of Justice, Mr. Pelsler, gave the following statistics on persons serving sentences under South Africa's security legislation:

81/ Ibid.

82/ Rand Daily Mail, Johannesburg, 20 April 1971.

83/ Ibid., 22 April 1971.

84/ Ibid., 3 May 1971.

Number of persons serving sentences

(As of 1 January 1971)

	<u>Whites</u>	<u>Africans</u>	<u>Coloured people</u>	<u>Asians</u>
Sabotage Act	6	312	9	13
Suppression of Communism Act	5	28	1	1
Unlawful Organizations Act	0	125	0	0
Terrorism Act	0	49	0	0
Total:	11	514	10	14 <u>85/</u>

167. He disclosed that five Africans and three Asians had been convicted during 1970; 86/ and that three whites, 255 Africans, one Coloured person and one Asian had been released during 1970 after completion of sentence. 87/ (It may be noted that the Government does not disclose the number detained under the Terrorism Act.)

168. In September 1970, Mr. Benjamin Sello Ramotse was found guilty in the Pretoria Supreme Court on six counts under the Terrorism Act 88/ and was sentenced to 15 years' imprisonment. 89/ The charges included, inter alia, transporting trained guerillas from Zambia to Southern Rhodesia and Botswana for military operations. As in many cases in the past, Mr. Ramotse's conviction was based on the testimony of a secret police witness. The presiding judge ordered that the agent's name be withheld after argument by the State that any identification could prejudice the secret work the agent was still doing for the police. 90/

169. Mr. James Edward April, a 31-year-old Coloured man, was found guilty in Pietermaritzburg Magistrate's Court on 10 May 1970 of four counts under the Terrorism Act and was sentenced to 15 years' imprisonment. 91/ He was found to have been involved in a clash with the security forces of the illegal régime

85/ House of Assembly Debates (Hansard), 18 May 1971, cols. 895-896.

86/ Ibid.

87/ Ibid.

88/ Act No. 83 of 1967.

89/ Rand Daily Mail, Johannesburg, 1 October 1970. Mr. Ramotse was the only one of the 20 accused who was not acquitted in Pretoria on 14 September 1970, and his trial proceeded separately. For background on the trial, see Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 22 (A/8022/Rev.1), annex II, paras. 112-115.

90/ Rand Daily Mail, Johannesburg, 22 September 1970.

91/ Sunday Express, Durban, 9 April 1970.

in Rhodesia and to have entered into "armed revolution in an attempt to overthrow the South African Government". The court ordered that the identity of the State witness, on whose testimony much of the prosecution had relied, be withheld. Mr. April, in his statement from the dock, said that he believed that what he did was the right thing. He went on to say: "I am prepared to face the consequences of my actions no matter how stiff the penalty may be." In passing judgement on the accused, Mr. Justice Kennedy said that he could understand that hundreds of thousands of Coloured people in the Republic felt a sense of frustration in that they had lost their right to vote "but it is not for me to condone subversive means of restoring previous situations.... I am sorry for you, but I cannot allow sympathy to overrule my duty to uphold law and order in this country." 92/

170. Three British seamen were sentenced to 12 months' imprisonment in Port Elizabeth Regional Court on 19 May 1971 after being convicted of contravening the Suppression of Communism Act. Mr. Michael Galvin, Mr. Andrew Petts and Mr. Joseph Carrol were found guilty of having taken part in the activities of an unlawful organization by distributing pamphlets of the African National Congress in Port Elizabeth on 23 April. 93/

171. Mrs. Winnie Mandela was sentenced to a year's imprisonment in Johannesburg Regional Court on 3 March 1971 for failing to comply with the terms of the stringent banning order served on her in September 1970. She was found guilty of having illegally received a banned person, Mr. Peter Magubane, in her home and of communicating with him. 94/ On appeal, the conviction was upheld, but the sentence was suspended. 95/

172. Mrs. Violet Weinberg was given a suspended sentence on 2 February 1971 for breaking the terms of her banning order by failing to report to the police daily as required. She had been served with four different banning orders on 14 November 1968, when she was released from prison after serving two years' imprisonment on the charge of taking part in the activities of the banned South African Communist Party. She said her memory had become worse since her prison experiences. The judge, in handing down a suspended sentence, said he accepted Mrs. Weinberg's explanation that her failure to report was due to a lapse of memory. 96/

173. The Very Reverend G. A. French-Beytagh, the Anglican Dean of Johannesburg, was brought to trial in Pretoria on 2 August 1971 under the Terrorism Act. 97/ According to the charges listed in the 36-page indictment, the Dean is accused of having advocated the violent overthrow of the South African Government, and of distributing funds from the International Defence and Aid Fund, London, to families of political prisoners in South Africa.

174. The Dean had originally been detained on 20 January 1971 under the indefinite detention provision of the Terrorism Act, the first Christian priest to be so

92/ Sunday Times, Johannesburg, 16 May 1971.

93/ Rand Daily Mail, Johannesburg, 20 May 1971.

94/ In terms of South African law, it is illegal for two banned persons to communicate with one another.

95/ Rand Daily Mail, Johannesburg, 9 July 1971.

96/ Ibid., 3 February 1971.

97/ Ibid., 2 July 1971.

held. 98/ After nation-wide protests and representations by the Government of the United Kingdom, permission was granted for the Dean, who is a British citizen, to be visited by a senior British consular official. He was charged on 28 January under the Suppression of Communism Act, but these charges were then replaced on 1 July by more serious charges under the Terrorism Act. 99/ The Dean was freed on R10,000 (\$14,000) bail until the opening of the trial.

175. Meanwhile, on 25 February 1971, the South African Security Police raided the homes and offices of a number of organizations, churchmen, journalists and students in various parts of the country. The Chief of the Police, Brigadier P. J. Ventner, said that the raids were connected with investigations into the activities of the Anglican Dean of Johannesburg. He stated that the Security Police were conducting one of the most comprehensive investigations of the past decade into alleged subversive activities. 100/

176. On 16 August 1971, 14 persons, all of them Africans and Indians, were brought to trial in Pietermaritzburg under the Terrorism Act. Most of the accused had been detained during a wave of arrests in February and March 1971. 101/

177. The other 13 accused are: Mr. Kader Hassim, Pietermaritzburg lawyer; Mr. Joseph Bransby Vusani, Johannesburg lawyer; Mr. Mogani Josiah Moeng; Mr. Msolwane Mbela; Mr. Pindiso Zimembane; Mr. Dam Gideon Mahanjane; Mr. Neikwe Nagi Vimba; Mr. Max Bantwini Tabata; Mr. Frank Anthony, Cape Town teacher; Mr. Robert Wilcox, Cape Town accountant; Mr. Albert Kwenzi Tahangama; Mr. Montford Mzoli Mabute and Mr. Surinarayan Kala Venkatrathnam, Durban articulated clerk. They are alleged to have conspired to overthrow the South African Government. They are also accused of having incited, instigated or procured at least 32 people to undergo military training on behalf of the Non-European Unity Movement and the African People's Democratic Union of South Africa (APDUSA).

178. The fate of a number of other persons detained during the pre-dawn raids in February and March 1971 is not known. The Minister of Police refused in Parliament, on 12 February, to disclose even the number of persons being held under the Terrorism Act on the grounds that it was against the "public interest". 102/ Among those known to have been detained are: Mrs. Nina Hassim, wife of Kader Hassim; Mr. Peter Tsie; Mr. Johnson Sijaji; Mr. Sidwell Mabutu; Mr. P. A. Pillay; Mr. Armstrong Nkosi; Mr. M. C. Moodliar; Mr. Alfred Wilcox and his sister, Miss Gwendoline Wilcox; Mr. Denis Lebi; Mr. Jeffrey Smith; Mr. Leo Sihlali; Mr. Joseph Mketanane and Mr. G. Qaba.

179. Mr. Peter Magubane, a renowned African photographer, who had been detained thrice since May 1969, was released on 14 June 1971 after a total of 586 days in prison, mostly under solitary confinement.

98/ Ibid., 21 January 1971.

99/ A conviction under the Terrorism Act carries a possible death penalty, with provision for a lesser sentence of not less than five years.

100/ Rand Daily Mail, Johannesburg, 26 February 1971.

101/ Charges against one of the accused, Mr. Joseph T. Maleke, were withdrawn and he was remanded for a separate trial.

102/ House of Assembly Debates (Hansard), 12 February 1971, col. 177.

180. The Rand Daily Mail, the Johannesburg daily for which he worked before his arrest, wrote on 16 June 1971:

"After keeping Mr. Peter Magubane in solitary confinement and interrogating him for 586 days, the Security Police have apparently come at last to the conclusion that he has committed no crime. They have released him and there is no indication that he is to be charged...

"Yet he has been grievously punished. He has spent more than a year and a half in jail under conditions of extraordinary duress. He has suffered heaven knows how much psychological damage from all that time in solitary confinement...

"The authorities offer no recompense, no apology, no explanation even. Only an arrogant silence."

181. In addition to the above detentions, 13 other persons, all of them non-white, are known to have been detained in Welkom in connexion with alleged subversive activities. The Chief of the Special Branch of the Police in Welkom, Major D. Potgieter, confirmed that they were being held and that investigations were continuing. The names of the detainees have not been released. 103/

182. Mr. Benjamin Pogrund was charged at Johannesburg in July 1971 with the illegal possession of banned documents and publications, including some old periodicals. The case is a sequel to an eight-hour search of Mr. Pogrund's flat during the nation-wide raids carried out by the Security Police on 25 February. 104/ It will be recalled that Mr. Pogrund, senior reporter on the Johannesburg Rand Daily Mail, was given a suspended sentence under the Prisons Act in 1969 for articles published in 1965 alleging brutal treatment of prisoners.

B. Prison conditions and ill-treatment of prisoners

183. On numerous occasions, the Special Committee has expressed grave concern over the treatment of persons gaoled under South Africa's security legislation. At least 14 persons are known to have died while in detention, according to information released by Government Ministers. 105/ The Government has always claimed that their deaths were due to "natural causes" or "suicide", but there has been disquieting evidence to the contrary. Evidence of assaults and electric shock torture has been amply documented in the past and, on occasion, the South African courts themselves have issued restraining orders against the police and prison authorities. A number of civil lawsuits have been lodged against Government ministers for alleged assaults, but none of these has been adjudicated upon, as the Government has made ex gratis payments, without admitting liability, in order to put an end to the litigation.

184. During the period under review, the Government once again made an out-of-court settlement, this time to the widow of the late Imam Haron, a prominent Moslem leader of Cape Town, who was widely known for his anti-racialist views. The Imam

103/ Rand Daily Mail, Johannesburg, 21 May 1971.

104/ Ibid., 28 July 1971.

105/ For details, see Unit on Apartheid, Notes and Documents, No. 18/70.

died on 27 September 1969 while in detention under the Terrorism Act. 106/ He had been known to be in good health prior to his detention. The Government claimed his death was due to a fall down a flight of stairs.

185. An inquest revealed that the Imam's body had 26 bruises, a haematoma, and a broken rib. A specialist surgeon testified at the inquest that all of the bruises could not have been caused by a fall down a flight of stairs, as alleged by the State. The inquest further revealed that Sergeant J. van Wyk, one of the Special Branch officers who was interrogating the Imam before his death, was the same officer who had assaulted Miss Stephanie Kemp and Mr. Alan Brooks. 107/ The inquest magistrate, however, accepted the evidence of the police and found that death was attributable to heart failure.

186. The widow of the Imam then brought a civil suit against the Minister of Police and Justice for compensation for the loss of her husband. On 28 April 1971, the suit was withdrawn. The Minister of Police, Mr. S. L. Muller, confirmed in Parliament on 18 May 1971 that the Government had made an out-of-court settlement of R5,000 (\$7,000) to the family of the deceased. 108/ During the debate on the Police Vote, he gave Parliament the reasons for the Government's action:

"... there are... certain circumstances which introduce a degree of risk. The man was detained by the Police and there were certain bruises on his body. There is the possibility of negligence which might have had to be taken into consideration. Taking everything into account, with the risks attached to the matter, we felt, for the sake of the widow and children as well, that it would be better to reach a settlement in regard to the case." 109/

He denied, however, that the payment was an admission of responsibility or of guilt on the part of the police. 110/

187. Mrs. Catherine Taylor, an opposition Member of Parliament, attacked the Government for evading court cases by making ex-gratia payments. On 19 May 1971, she stated:

"It is quite clear that the case was withdrawn in order to prevent the whole story of the Imam's incarceration, interrogation and death from being brought to the attention of the public...

"This type of so-called ex-gratia payment to people held and interrogated for indefinite periods by the Security Police with subsequent disclosures that they were injured is becoming far too frequent: It is an ugly aspect of the administration of justice in South Africa." 111/

106/ See Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 22 (A/8022/Rev.1), annex II, paras. 123-126.

107/ In both of these cases, the Government settled out of court and allowed the victims to leave the country (see Official Records of the General Assembly, Twenty-first Session, Annexes, agenda item 34, document A/6486, annex II, paras. 163-165).

108/ House of Assembly Debates (Hansard), 18 May 1971, col. 894.

109/ Ibid., 2 June 1971, cols. 7996-7997.

110/ Ibid.

111/ The Star, daily, Johannesburg, 19 May 1971.

188. In a statement to the press on 9 June 1971, Mrs. Taylor called for a commission of inquiry to publicly investigate the death of the Imam, as there was "universal disquiet over this and similar cases". 112/

189. It has been disclosed that a large number of police officers, who have been convicted of assaults, have been retained on the force. According to statistics furnished by the Minister of Police, 480 policemen were convicted in courts of law during 1969-1970 on charges of common assault. The services of 455 of these men were retained. Of these 455, 62 had had previous convictions, 24 of these for assault. During the same two years, 36 policemen were convicted of assault with intent to do bodily harm: 20 of these were retained on the force and, of these, four had previous convictions, two of them for assault. In 1970, three policemen were convicted of culpable homicide and the services of one of them were retained. This policeman had two previous convictions, both for reckless driving. Also during 1970, one policeman was convicted of attempted murder and his services were retained. The Commissioner of Police said that if the police had to fire everyone who committed an offence, or who had previous convictions, it would not show much of a belief in the rehabilitation of the individual. 113/

C. Banning and house arrest orders

190. Under the Suppression of Communism Act, the Minister of Justice has wide and arbitrary powers to prohibit any person from attending "gatherings" 114/ and to prohibit the publication of any statement made by that individual. In addition, the banned person may be prohibited from teaching or participating in trade union or political activities, and subjected to various other restrictions. The banned person has no opportunity to defend himself or right of appeal to courts. More than 300 persons are known to be under banning orders. An extremely restrictive form of banning order is the house arrest order, by which the Minister of Justice may order an individual confined to his or her flat. Over 40 persons are now under such orders. 115/

191. Father Cosmas Desmond, a Franciscan priest, who came to South Africa in 1959 and obtained South African citizenship in 1968, was served with five-year banning and house arrest orders on 28 June 1971. Father Desmond is the author of The Discarded People, which exposed the appalling conditions of "resettled" Africans in the reserves. The book attracted wide publicity both in South Africa and abroad. In 1970, he assisted the British television team, Granada, in the making of the film "The Dumping Grounds", which dealt with malnutrition in the reserves. Under the terms of the banning order, Father Desmond is ordered

112/ Rand Daily Mail, Johannesburg, 10 June 1971.

113/ House of Assembly Debates (Hansard), 2 June 1971, col. 7975.

114/ In terms of South African law, a "gathering" consists of an assemblage of more than two persons.

115/ The Minister of Justice stated in the House of Assembly on 28 February 1969 that 41 persons were under 12-hour arrest and that one was under 24-hour house arrest. Since that time, four more persons have been placed under house arrest and two have been released.

confined to his flat from 6 p.m. to 7 a.m. on weekdays and all day on Saturdays, Sundays and holidays. He is required to report to the police station every Monday. He is prohibited from receiving any visitors except a doctor or his parents, who reside in England. And like all other banned persons, he is prohibited from attending any "gathering" and from publishing any writings. He may not be quoted. 116/

192. Five-year banning orders have also been issued against Mr. Rowley Arenstein, a Durban attorney who was released late in October, after completing a four-year gaol sentence imposed under the Suppression of Communism Act. 117/ On 4 August 1970, under a 1966 amendment to the Suppression of Communism Act, Mr. Arenstein's name was removed from the roll of advocates permitted to practice in South Africa.

193. Mr. Isaac Haymann, who completed serving a five-year sentence for membership and participation in the activities of the banned African National Congress, was placed under five-year banning orders on 5 May 1971.

194. On 22 June 1971, the Transvaal Supreme Court dismissed the applications of Mr. Robert Sobukwe and Miss Shanti Naidoo, who had instituted legal proceedings to be able to use their exit permits in order to leave the country. The court ruled that the banning orders served on Mr. Sobukwe and Miss Naidoo were equivalent to a court order of imprisonment and therefore should take precedence over the privilege conferred by the exit permits. 118/ It will be recalled that Mr. Sobukwe, a former President of the banned Pan Africanist Congress, who was detained on Robben Island for six years after the completion of a gaol sentence for his political activities, was banned and placed under house arrest in Kimberley in 1970. Miss Naidoo, who has been banned for seven years, was sentenced to a prison term when she refused to give evidence in the 1969 trial of Mrs. Mandela and 21 other Africans under the Suppression of Communism Act. In 1971, both Mr. Sobukwe and Miss Naidoo applied for exit permits. The permits were finally granted, but the terms of their banning orders confine them to the magisterial districts of Kimberley and Johannesburg, respectively, thus preventing them from travelling to an airport or port of departure from South Africa.

195. Mrs. Phyllis Naidoo, whose husband is serving a sentence on Robben Island for a political offence, was served with five-year banning and house arrest orders on 31 March 1971. She is restricted to her home from 6 p.m. to 7 a.m. on weekdays and all day on weekends and holidays. Mrs. Naidoo, who is a final year articulated law clerk in a Durban law firm, is also prevented from continuing her profession as the banning order prevents her from entering a court of law. 119/

196. Mrs. Winnie Mandela (wife of Nelson Mandela, leader of the African National Congress, now serving a life sentence on Robben Island), and 18 other Africans who were acquitted of charges under the Terrorism Act, were banned on 1 October 1970, barely two weeks after their acquittal. 120/ It may be recalled that they had been

116/ Rand Daily Mail, Johannesburg, 29 June 1971.

117/ The Star, weekly, Johannesburg, 24 October 1971.

118/ Rand Daily Mail, Johannesburg, 23 June, 1971.

119/ Ibid., 1 April 1971.

120/ Ibid., 2 October 1970.

tried under the Suppression of Communism Act and were acquitted in February 1970. 121/ They were not set free, however, but were immediately retained by the Security Police and were held once again in solitary confinement for several months. After widespread protests, the Government charged them again under the Terrorism Act in June 1970. On 14 September, the Pretoria Supreme Court acquitted them on the grounds that they were being charged with substantially the same acts as those in the previous indictment. 122/

197. On 8 October 1970, 2,500 students from the University of the Witwatersrand marched through Johannesburg in peaceful protest against the banning orders served on Mrs. Mandela and the other Africans. The students carried signs which read "Government terrorism against the people" and "Acquitted, then banned". 123/

198. Nevertheless, the Minister of Justice claimed there was no conflict between the banning orders served on them and the verdicts of the courts, which on two occasions found them "not guilty". Replying to statements that he had acted in direct opposition to the court's decisions, he said that banning orders were not intended as a punishment for previous deeds, but as a "deterrent to future subversive acts". 124/

199. The Minister of Justice declined on 8 October to give details on the restrictions imposed on the former detainees. According to press reports, Mrs. Mandela was placed under 12-hour house arrest on weekdays and 16-hour house arrest on weekends and holidays. She has been restricted to Orlando Township. 125/ Mr. Elliot Tshabangu has also been placed under house arrest, under conditions which are reported to be more stringent than those of Mrs. Mandela. 126/ Miss Joyce Sikhakhane, a former reporter on the Rand Daily Mail, will not be able to continue her work on the newspaper as a result of imposition of the banning orders, for banned persons may not be quoted anywhere in the Republic. This was confirmed by the Minister. 127/ Mr. Owen Vanqa likewise will not be able to continue his work on the Daily Despatch. Mr. and Mrs. Lawrence Nizanga, both of whom are banned, are not permitted to receive visitors, for three persons would constitute a "gathering", which is prohibited in terms of the banning orders.

200. Others subjected to banning orders are: Mr. Samson Rathshivande Ndo; Mr. David Motau; Mr. Hiengani Jackson Mahlaule; Mr. Joseph Sikalala; Mr. David Dalton Tsetetsi; Mr. George Mokwebo; Mr. Joseph Chamberlain Nobanda; Mr. Samuel Solomon Pholotho; Mr. Simon Mosikare; and Mr. Peter Magubane. The specific terms of their banning orders are not known except that they are prohibited from attending social, political or educational gatherings for the next five years.

121/ See Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 22 (A/8022/Rev.1), annex II, paras. 113-115, 122 and 130.

122/ Rand Daily Mail, Johannesburg, 15 September 1970.

123/ Ibid., 9 October 1970.

124/ The Star, daily, Johannesburg, 23 October 1970.

125/ Rand Daily Mail, Johannesburg, 2 October 1970.

126/ The Star, weekly, Johannesburg, 10 October 1970.

127/ Rand Daily Mail, Johannesburg, 9 October 1970.

D. Other repressive measures

201. The Government has continued to use various other methods to restrict and harass persons who oppose the policies of apartheid. These have included the imposition of banishment and deportation orders and the refusal to grant visas and passports to persons critical of the régime.

202. In response to questions in Parliament by Mrs. Helen Suzman, the Minister of Bantu Administration and Development, Mr. M C. Botha, gave statistics on the number of Africans who have been served with banishment orders which enable the Government to order Africans into indefinite exile to areas far from their homes. He indicated in Parliament on 23 April 1971 that 32 Africans were under banishment. 128/ One of them, Chief Paulus Howell Mepeli, had been ordered to a remote farm since 1951; two others, Mr. Piet Mokoena and Chief Vuna Miya, had been under banishment since 1954.

203. Twenty-three other Africans are under banishment orders in the Transkei issued under Proclamation 400 of 1966, which enables chieftains to order the removal of dissident Africans from their areas. Of these 23 orders, six have been in force for more than nine years and six others for more than eight years. 129/

204. The Government has recently made a series of attacks against clergymen in South Africa, especially since the decision of the World Council of Churches to support anti-racialist movements.

205. Mr. Robert Mercer, an Anglican priest at Stellenbosch, was served with a deportation order following the distribution during a Sunday sermon of an article entitled "Money for terrorists". In this article, Mr. Mercer discussed the decision of the World Council of Churches to give financial aid to various liberation movements (described by the Government as "terrorist movements"). His article was interpreted by the Government as condoning the decision. 130/

206. Rev. Bernard Chamberlain, who also attempted to examine the reasons underlying the World Council of Churches decision at a sermon he delivered at Stellenbosch, was ordered out of the country as well. He commented on the Government's action as follows:

"Being deported without any reasons given, has enabled me to share in a tiny way in what the African, Coloured and Indian peoples are experiencing daily - enforced subjection to an impersonal minority rule which disposes of you as it thinks fit, allowing no right of appeal.

"My experience of people and places in this country has brought me a deepening hatred of apartheid and all its work, for the unnecessary and cruel suffering it causes to fellow human beings and for the damage it is doing to the White man." 131/

128/ House of Asserby Debates (Hansard), 23 April 1971, col. 777.

129/ Ibid., 18 May 1971, col. 896.

130/ The Argus, Cape Town, 2 October 1970.

131/ The Star, weekly, Johannesburg, 31 October 1970.

207. Dr. Marcus Braun, a visiting Lutheran minister from the Federal Republic of Germany, was ordered to leave the country by the end of March. 132/ He had taken an African to a service at a Dutch Reformed Church which practises apartheid in Church attendance.

208. Rev. Colin Davidson, an Anglican priest who had served at the Christian Institute since 1963, was ordered out of South Africa by 28 February 1971. He was quoted as saying:

"The Government has done this to me because it believes Christianity to be subversive and I believe it will continue to act against anyone in South Africa who tries to live out the teaching of the Gospel." 133/

Rev. Davidson had expressed concern over the detention of Mrs. Mandela and 21 other Africans under the Terrorism Act and had participated with students in a protest march.

209. In January, the Government ordered four Americans, all of whom were doing multiracial church work in Durban, to leave the country. They are: Mr. and Mrs. Reed Kremer, Mr. Gus Kious 134/ and Mr. Howard Trumbull. 135/ No reasons for the deportations were given.

210. The Government has also refused to renew the residence passport of Mr. Rex Heinke, an American citizen who served as President of the Students' Representative Council at Witwatersrand University and Deputy Vice-President of the National Union of South African Students (NUSAS). Mr. Heinke commented that the action was "indicative of the increasingly dictatorial attitude of the apartheid government". 136/

IV. SOME DEVELOPMENTS RELATING TO CHURCHES, STUDENTS AND WORKERS

211. With the elimination of even minimal representation of non-whites in Parliament by white members, the Parliament has, since the elections of April 1970, included representatives of white voters only. The Nationalist Party, with 118 members, advocates apartheid. The opposition United Party, with 47 members, also supports racial discrimination though in different forms. The Progressive Party, with one member, opposes apartheid, but advocates a qualified franchise rather than the complete elimination of racial discrimination. Though the member of the Progressive Party and some members of the United Party frequently criticize the Government's racial policies and their implementation, the Parliament as presently constituted is overwhelmingly in favour of racial discrimination.

132/ Rand Daily Mail, Johannesburg, 15 January 1971.

133/ Ibid., 8 February 1971.

134/ Cape Times, 17 January 1971.

135/ Ibid., 23 January 1971.

136/ Ibid., 17 January 1971.

212. With the banning of the two major African political organizations - the African National Congress and the Pan Africanist Congress - and the banning of several other anti-apartheid organizations (or of their leaders), as well as the prohibition of multiracial parties, the possibility of legal opposition to apartheid is extremely limited. The few groups which have expressed such opposition, even to a limited extent, have been subjected to persecution.

213. Some developments concerning the opposition - by the churches, students and workers - are briefly indicated in this chapter.

A. Churches

214. During the past year, churches opposed to apartheid have been subjected to increasing harassment and intimidation by the South African Government. Such pressures increased particularly in view of the growing condemnation of apartheid by religious bodies in various parts of the world, demonstrated by their moral and material support to the oppressed people of South Africa and their activities to discourage corporations from investment in South Africa.

215. On 3 September 1970, the Executive Committee of the World Council of Churches announced that grants totalling \$200,000 were being made to 19 organizations from a special fund established as part of its Programme to Combat Racism. The recipients of the grants included southern African liberation movements, among them the African National Congress of South Africa, as well as the British Anti-Apartheid Movement, the International Defence and Aid Fund, the Africa Bureau and Africa 2000, which were active in opposition to apartheid.

216. Though active in opposition to apartheid, the organizations concerned had given assurances that the grants would be used for purposes consonant with those of the World Council of Churches, and not for military purposes. Spokesmen of the South African Government denounced the World Council of Churches for allegedly giving grants to "territoriests". There was also some controversy and discussion among the churches on the propriety of grants to organizations involved in armed struggles for freedom.

217. In January 1971, the Central Committee of the World Council of Churches, meeting in Addis Ababa, expressed overwhelming support for the actions taken by the Executive Committee and declared:

"The churches have always to stand for the liberation of the oppressed and of victims of violent measures which deny basic human rights.... Violence is in many cases inherent in the status quo. Nevertheless, the WCC does not and cannot identify itself completely with any political movement. Nor does it pass judgement on those victims of racism who are persuaded that violence is the only way left to redress grievances and open the way for a new and more just social order." 137/

137/ The Star, weekly, Johannesburg, 23 January 1971.

The action of the World Council of Churches received wide support from churches around the world. 138/

218. In South Africa there were sharp reactions to the grants, heightening the conflict between the State and a number of churches and religious groups opposed to apartheid. The grants were condemned by the ruling Nationalist Party, the opposition United Party, the Dutch Reformed Churches and the Afrikaans press. The English-speaking churches and associated bodies, such as the Christian Institute, and some of the more liberal English-language newspapers either deplored, or dissociated themselves from the action of the World Council of Churches, but added that apartheid was equally deplorable.

219. On 9 September, a specially summoned meeting of the South African Council of Churches issued a statement in which it dissociated itself from the decision of the World Council of Churches and its "implied support of violence"; pointed out that South African member churches had not been present when the decision was taken; and acknowledged that the World Council of Churches had acted in response to racial injustice which the South African churches themselves had failed to overcome. 139/

220. However, Prime Minister Vorster warned in the House of Assembly on 15 September 140/ that, if churches in South Africa did not decide to dissociate themselves from the World Council of Churches, he would take action against them.

221. Commenting on this statement, Mr. Naudé, Director of the Christian Institute of Southern Africa, questioned the authority of the Prime Minister to threaten action against the churches. He said that the church had no option but to resist the Government's demand to withdraw from the World Council of Churches. 141/

222. The first member church to hold its annual meeting after the Prime Minister's threat was the Presbyterian Church of Southern Africa. In defiance of the threat, the Presbyterian General Assembly retained its membership in the World Council of Churches but withheld its subscription of \$700. It declared:

"It dissents from the violence pursued by the guerrilla organizations and from the WCC grant to them... /but/ must dissent at least as much from violence inherent in the racial policies of the South African Government.

138/ According to press reports, support was expressed by the British Council of Churches, the All-Africa Conference of Churches, the Presbyterian Church in Western Australia, and the United Methodist Board of Missions in the United States. The Lutheran World Federation followed the example of the World Council of Churches by voting a \$92,900 programme of aid to the Mozambique liberation movement (FRELIMO) in April 1971. The Synod of the Evangelical Church of Hesse-Nassau voted \$30,000 in December 1970 for the Programme to Combat Racism of the World Council of Churches. Queen Juliana of the Netherlands was reported to have made a substantial contribution to the Programme through a Netherlands Committee.

139/ 1970 Survey of Race Relations, (South African Institute of Race Relations, Johannesburg, 1971), pp. 14f.

140/ House of Assembly Debates (Hansard), 15 September 1970, col. 4045ff.

141/ Cape Times, 17 February 1970.

"General Assembly protests against the Prime Minister's threat against the Christian churches of South Africa that are members of the WCC and his attempt to coerce them by threats not only to dissent from the WCC in this particular instance but to break entirely with the WCC for political reasons." 142/

223. Soon after, Prime Minister Vorster retreated from his earlier position. Speaking in the House of Assembly on 1 October, 143/ he said he was "glad that some of the churches" that had met had "adopted a clearcut attitude". But he was also "sorry" that none had withdrawn its membership from the World Council of Churches. "However", he added, "that is their affair. Apart from expressing my regret..., I want to leave it at that... I am not seeking a confrontation with any church."

224. While avoiding a direct confrontation with the churches, the Government continued deportation or persecution of individual churchmen.

225. Subsequently, the annual meetings of other member churches also decided to retain their membership in the World Council of Churches. They all criticized the aid to liberation movements as implicit support of violence, and most withheld or suspended their annual contributions and asked for consultation with the World Council of Churches on this question. However, they also condemned South African racism. For example, the Bantu Presbyterian Church expressed concern over the decision because it appeared to support some of those who advocated violence as a way of obtaining relief from racism. But it stated that it equally abhorred the violence done to its people daily, physically and spiritually, through racism in South Africa. 144/

226. The Annual Conference of the Methodist Church stated, on 22 October, that it took exception to the action of the World Council of Churches but,

"at the same time Conference freely acknowledges our own shortcomings in seeking a solution of the problem of racism which apparently prompted the WCC to act as it did, and reaffirms our condemnation of a system which denies to the majority of its people the fundamental rights of human dignity and social justice." 145/

227. A resolution passed by the Provincial Synod of the Anglican Church said the World Council of Churches had "abandoned its role as reconciler" in southern Africa, but acknowledged:

"that the growing condemnation and isolation of southern Africa by the rest of the world, of which the action of the WCC is an extreme though questionable example, is a judgement on our policies of racial discrimination and a warning to us."

142/ Southern Africa, London, 3 October 1970.

143/ House of Assembly Debates (Hansard), 1 October 1970, col. 5474.

144/ 1970 Survey of Race Relations, p. 17.

145/ Kairos, Johannesburg, November 1970.

228. The Assembly of the United Congregational Church, in a resolution adopted on 5 October 1970, stated:

".... We abhor... violence and terror as means to political change and also as methods of maintaining racially separated societies, believing that violence breeds violence and terror produces terror.

"The Assembly, whilst viewing with grave concern the implications of the action of the WCC... recognizes:

- (i) that the WCC is responding to a serious racial situation which calls for responsible Christian action;
- (ii) that the desperate measures adopted by liberation movements are the product of a system in which men and women are denied effective participation in the State which governs their lives;...." 146/

229. Before all the annual meetings of the churches had taken place, the Minister of Bantu Administration and Development, Mr. M. C. Botha, is reported to have said that churches engaged in missionary work in the African reserves must let the Government know their views on the African liberation movements, because these views would determine the Government's attitude towards such churches. Mr. Botha added that "each African Group must have its own church". 147/

230. The Kempton Park Town Council decided that churches that contribute to the World Council of Churches would lose their tax privileges and would have to pay municipal taxes. 148/ The Mayerton Town Council ruled that future applications for church property must contain repudiations of the action of the World Council of Churches. It was reported that other towns are considering similar actions. 149/

231. Meanwhile, in a statement in March, the Prime Minister said he would consider allowing a deputation of the World Council of Churches into South Africa for the purpose of giving the South African Council of Churches "an opportunity to confront" the World Council of Churches over its "abhorrent decision" to aid liberation movements. Both the South African Council of Churches and the World Council of Churches welcomed this possibility without commenting on the language in Mr. Vorster's statement. 150/

232. Subsequently, however, the South African Government imposed restrictive conditions confining the World Council of Churches delegates to the International Hotel at Jan Smuts Airport, confining their stay to the actual duration of the consultation, and confining the agenda to the single item of a "confrontation" over the "abhorrent decision" of the World Council of Churches to make grants to "terrorists" in southern Africa. 151/

146/ Ibid.

147/ The World, Johannesburg, 19 October 1970.

148/ Rand Daily Mail, Johannesburg, 27 January 1971.

149/ Southern Africa: A Monthly Survey of News and Opinion, New York, March 1971, p. 21.

150/ Religious News Service, 18 March 1971.

151/ This Month, Ecumenical Press Service, July 1971, pp. 4 and 5.

233. On 14 June, Dr. E. C. Blake, General Secretary of the World Council of Churches, declared in Geneva that Prime Minister Vorster had evidently decided to make the consultation impossible by imposing new conditions that were totally unacceptable. The consultation was therefore postponed "indefinitely".

B. Students

234. Student opposition to apartheid and repression continued during the year.

235. The National Union of South African Students (NUSAS) has opposed the British arms sales to South Africa and frequently protested against the injustices of apartheid. NUSAS and the various affiliated Students' Representative Councils played an important role in the mass country-wide protests against the banning of Mrs. Winnie Mandela and 16 other Africans after they had twice been acquitted in court of charges, first under the Suppression of Communism Act and then under the Terrorism Act.

236. The National Union of South African Students has also promoted a boycott of the celebrations for the tenth anniversary of the Republic. As noted earlier, a number of students were arrested for participation in these protests.

237. Because of its continued opposition to apartheid, Government spokesmen have repeatedly attacked NUSAS and threatened it with action.

238. The University Christian Movement (UCM), which has many African members, including its President, Mr. Justice Moloto, has also faced attacks and repression by the Government.

239. In April 1970, a Security Branch officer, Colonel Mayer, was reported to have said that UCM and NUSAS were among the most corruptive influences among South African youth. 152/

240. Following police raids on the offices of UCM, NUSAS and other organizations in February 1971, an article in the UCM newsletter stated that the Movement was facing a "fascist, power-drunk, nationalist régime which will stop at nothing to maintain its positions of absolute authority". The newsletter referred to "some vicious allegations" and concluded:

"We are also up against the established churches [which] have failed to stem the tide of conformism and whose chief response to the cry of the oppressed for liberation has been the passing of condemnatory motions." 153/

241. A significant development during the period was the growth of the all-black South African Students' Organization (SASO), established in July 1969. At its annual conference in 1970, SASO declared that the first allegiance of black students was to the black community, with whom they shared the burdens and injustices of apartheid. Their duty was to promote community awareness, capability,

152/ Rand Daily Mail, Johannesburg, 9 April 1971.

153/ Religious News Service, 3 March 1971.

achievement and pride, in order that the various groups could ultimately come together on a basis of equal strength. 154/ They declared that the term "non-white" was a denial of respect, and the majority in South Africa resolved to use the term "black" instead when referring to the African, Indian, and Coloured persons inclusively. Recognition of NUSAS as a truly national union, was withdrawn by SASO, which instructed its executive to maintain such contact as was compatible with its own aims. 155/

242. Speaking at the University of Cape Town in January 1971, Mr. Barney Pitso, President of SASO, said:

"Blacks can no longer afford to be led and dominated by non-blacks ... Black people must realize that they are on their own. Their destiny lies in their hands."

243. He said, "there must be an identity of interests" if a group were to bring about change, and this was lacking between blacks and whites in South Africa. "Blacks are best qualified to determine the means for change", he said. 156/

244. The 1970 NUSAS Congress acknowledged that the Union could represent black students only to the extent that they were willing and able to participate. 157/ It recognized SASO as the representative body of black students. The role of NUSAS, it decided, would be to try to keep the ideal of non-racialism alive. The executive was instructed to seek the maximum contact with SASO. 158/

245. The University Christian Movement has supported SASO and has continued activity in areas not covered by SASO.

246. Press reports indicated the emergence of some liberal trends among students in Afrikaans universities, especially the University of Stellenbosch. The student newspaper there published letters which strongly attacked the Government for deporting two Anglican priests and for its application of apartheid to Coloured persons. 159/ The students led a move to establish a new National Federation of South African Students, which proposes to promote meaningful dialogue between students regardless of colour. 160/

247. Recently, the Student Representative Council of Stellenbosch University undertook a contact tour of non-white "university colleges". The chairman of the Council, Mr. Etienne de Villiers, stated that he and his fellow students had been

154/ 1970 Survey of Race Relations, p. 245.

155/ Ibid.

156/ Rand Daily Mail, Johannesburg, 22 January 1971.

157/ The authorities have prohibited student bodies in non-white universities and colleges from affiliating with NUSAS. Some individual students who became members of NUSAS were subjected to persecution.

158/ 1970 Survey of Race Relations, p. 248.

159/ Cape Times, 8 October 1970.

160/ 1970 Survey of Race Relations, p. 248.

"dumbstruck" by the total rejection of apartheid and the open animosity towards whites among African students. Lack of communication, especially the lack of white listeners to the African viewpoint on apartheid, had forced the Africans to turn their backs on the whites and to seek their salvation with their own people. Mr. de Villiers concluded that eventually the Africans would no longer be able to endure the situation. 161/

248. The National Youth Action was formed in October 1970 by white high-school students to express their concern over the grossly unequal educational opportunities available to white and African children. The students set up an African Scholars Education Fund and began campaigning for free schoolbooks for Africans and for the extension of free compulsory education to all non-white South Africans. Deploring the fact that free school-books are available to white and Coloured, but not to African pupils, the Chairman of the National Youth Action, Simon Walker, declared that free books should be made available on the basis of need, not of race. 162/

C. Workers

249. During the past year, business leaders, municipal officials and economists, both English and Afrikaner, have expressed increasing concern over the shortage of skilled and semi-skilled labour and called for reform of laws and practices which restrict training and advancement of African workers.

250. Mr. B. P. Marais, President of the influential Afrikaanse Handelsinstituut (Afrikaans Business Institute), suggested that "non-white labour" must play a greater role in the economy and that facilities for apprenticeship and technical training must be made available. 163/

251. During the Budget debate in the Assembly in August 1970, the Leader of the Opposition, Sir de Villiers Graaff, charged that the Government's artificial, ideologically-created labour shortage inhibited South Africa's rate of growth, limited its prosperity, and threatened security and harmonious race relations. A crash training programme was needed, he said, to equip workers of all racial groups for the jobs awaiting them and to retrain white labour for more responsible work. White workers should be protected from any harsh consequences of changes. He emphasized that he was not in favour of African trade unions. 164/

252. Mrs. Helen Suzman of the Progressive Party stated that the manpower problem was the result of many years of deliberate inhibition of the productivity and skills of non-white workers, not only by the Government, but by previous Governments too. It had developed as a result of many years of deliberate pandering to the racial prejudices of the whites and of many years of indoctrination, such as equating "civilized" and "white". 165/

161/ Sunday Times, Johannesburg, 20 June 1971.

162/ Cape Times, 7 October 1970.

163/ 1970 Survey of Race Relations, p. 95.

164/ House of Assembly Debates (Hansard), 19 August 1970, cols. 2054--2056, 2059-2062.

165/ Ibid., 18 August 1970, col. 1981.

253. Government spokesmen have asserted that they were doing all they could about the labour problems, but only within the framework of its apartheid policy. The Minister of Labour reiterated that "Whites and non-Whites should not be working together in the same employment situation and that no white person should find himself in a position where he is working under a non-white person". 166/

254. Any advancement of African workers, according to Government, must be with the agreement of white workers and unions. It may be noted that unions of South African workers are not recognized and that the recognized unions consisted mostly of white members. 167/

255. The attitudes of the white trade unions have varied.

256. At the annual congress of the Trade Union Council of South Africa (TUCSA), held at Durban in August 1970, the President, Mr. Tom Murray, urged that the labour movements be included in any discussions between the Government and industrialists on the labour shortage. He did not believe that the solution lay in opening the floodgates to cheap labour: the rate for the job should apply. For the next five to six years, there were probably enough Coloured and Indians to fill the vacancies for artisans, if they were accepted. But after that - or perhaps even sooner - blacks would have to be introduced. Their training should start now.

257. The TUCSA delegates unanimously adopted a motion asking the Prime Minister to assume personal responsibility for allocating more money for education at all levels; providing funds and personnel for a State productivity promotion programme; and arranging for a Government-sponsored annual conference on the development of the country's manpower resources. 168/

258. The position of the Confederation of Labour has been in favour of the principle of job reservation. While more non-whites would have to be appointed in jobs previously held by whites, the whites should be promoted to more sophisticated posts.

259. The Confederation's executive committee recommended to the Prime Minister's Economic Advisory Council that, after negotiations between management, workers, and the trade union concerned in a particular industry, each industry should work out its own plan for the utilization of non-whites in previously white jobs, with the proviso that the security of white workers should not be threatened. 169/

166/ Ibid., 19 August 1970, col. 2068. The latest available figures on the number and membership of the registered trade unions is as follows:

TRADE UNION MEMBERSHIP

<u>Type of unions</u>	<u>Number of unions</u>	<u>White</u>	<u>Coloured and Asian</u>
White	90	350,191	
Coloured and Asian	49		71,481
Mixed	43	54,841	110,729

167/ House of Assembly Debates (Hansard), 23 February 1971, cols. 273-274. Membership figures reflect the position as at 31 December 1969 except in the few cases in which the unions had already submitted their membership figures for 31 December 1970. Ibid.

168/ 1970 Survey of Race Relations, p. 97.

169/ Ibid.

260. The Government has consistently succumbed to pressure from the white trade unions. This is illustrated by the fate of the proposal to promote advancement of African miners in the mines in African reserves.

261. On 8 September 1970, the Minister of Bantu Administration and Development stated that the Government's position on African miners in the "homelands" was that there were no restrictions and in principle no ceiling for them in their avenues of employment. 170/

262. On 11 September, the Minister of Mines stated in the House of Assembly that "express provision" had been made in the Mining Rights Act of 1967 for Africans "to obtain and exercise mining rights in the homelands". 171/ In addition, provision was made in the Mines and Works Act of 1956, for Africans, in "certain circumstances", to perform work in mines in African areas which was normally reserved for persons of other racial groups. There was no question regarding the principle, he said. However, an African could be trained only "if the White mineworkers are prepared to train him with enthusiasm". 172/

263. On 13 October, the Prime Minister was reported to have said at a Nationalist Party meeting in Natal that, while workers would be fully protected by the Government, the apartheid policy required that the interests of Africans should be paramount in their own areas. 173/

264. The executive committee of the Mineworkers Union declared, however, that it would not support the Government's plan for the gradual advancement of Africans in the homelands. The members of the Union were called upon not to train African miners. 174/

265. The Union held a series of protest meetings, in some of which Nationalist Party Members of Parliament were shouted down. On 8 October, it was announced that the Council of Mining Unions, consisting of nine unions, would support the Mineworkers' Union and forbid members to train Africans to carry out skilled or semi-skilled work. Two of these unions, representing Boilermakers and Iron Moulders, were affiliated with TUCSA. A few days later, TUCSA issued a statement saying that, while it favoured the gradual advancement of African workers, it would not tolerate changes in the black/white labour patterns without full consultation to ensure the protection of white workers. 175/

266. On 13 October, the Minister of Mines released the text of a letter and memorandum he had sent to the Mineworkers' Union the previous week. While reiterating the Government's policy, he introduced a new factor that would restrict any advancement to very few Africans, namely, the assurance that exemptions would be considered only for Africans who were members of the ethnic group in whose "homelands the mine in question may be situated". 176/ (Under

170/ House of Assembly Debates (Hansard), 8 September 1970, col. 3636.

171/ Ibid., 11 September 1970, cols. 3940-3942.

172/ Ibid., col. 3980

173/ The Star, Johannesburg, 14 October 1970.

174/ 1970 Survey of Race Relations, p. 153.

175/ Ibid.

176/ Cape Times, 14 October 1970.

this restriction, in the Impala and Rustenburg mines, which are in the Tswana areas, only about 2 per cent of the approximately 42,000 Africans employed are Tswana, and only these Tswana miners would be eligible for the exemptions.) 177/

267. After further pressure from the unions, the Minister of Labour announced in May 1971 that the provisions of the Industrial Conciliation Act giving white miners job reservation and preferential treatment, would be re-extended to the "homelands". 178/

268. On 19 May, an editorial in the Rand Daily Mail declared:

"The Government took another sidestep to the Right this week in announcing its submission to reactionary pressure over the issue of African advancement in the homelands. In doing so it showed yet again that White prejudice still carries more weight with it than any high-flown ideas about separate development."

269. Meanwhile, the Government has tried to deal with the shortage of skilled and semi-skilled labour by encouraging white immigration and granting exemptions to job reservation in some cases. Under these exemptions, non-white workers are generally employed at much lower wages and enjoy little security.

270. Many violations of job reservation regulations are also reported to be tolerated by the Government, though occasionally cases are brought before courts. The press reported, for instance, the conviction of a steel company and two of its directors under the Industrial Conciliation Act in December 1970. They were found guilty of employing three Africans as moulders from 5 January to 28 April 1970, while the Africans were not eligible for membership of a trade union. The judge pointed out that the Industrial Conciliation Act (No. 28 of 1956), laid down that Africans are removed from the operation of the Act. "Africans cannot form trade unions, the purpose of this being the prevention of political subversion through organized Black labour. So, at the basis of our system there is a very basic discrimination between Black and non-Black."

271. Some African trade union activity continues, however, despite ruthless persecution.

272. During August 1970, a dispute took place between the management and more than 400 African workers of McPhail's Coal Yards in Johannesburg after a foreman dismissed two workers and, it was reported, threatened to dismiss others. An official of the Department of Labour tried to settle the dispute and, when he failed, the police were summoned and arrested 84 workers who refused to resume their duties. The arrested workers were refused bail. About 100 of their fellow-workers then staged a sit-down strike, demanding the release of these men. The Labour Department official, with the agreement of the management, then negotiated through the court for the release of the 84 workers upon the payment of R5 (\$7.00) admission of guilt fines. 179/

177/ Ibid., 19 October 1970.

178/ The Star, weekly, Johannesburg, 22 May 1971.

179/ 1970 Survey of Race Relations, p. 127.

V. NEW LEGISLATION

A. Bantu Homelands Constitution Act, No. 21 of 1971

273. The Bantu Homelands Constitution Bill was introduced in the House of Assembly on 1 February 1971. It provides the legal framework whereby "self-government" can be applied to any of the Bantustans by the State President by proclamation "after the people had been consulted". This would take place "without further debate in the South African Parliament". However, the Senate and the House of Assembly may disapprove of any such proclamation of self-government or any of its provisions, without prejudice to the validity of anything done while the proclamation was effective.

274. As in the Transkei, all laws passed by any of the Bantustan legislative authorities must be approved by the State President, who has the right to refer any measure back to the assembly concerned for further consideration. Each "self-governing territory" will be empowered to decide on its own flag and anthem, and will maintain its own civil service, but will not be allowed to maintain an army or quasi-military organization or be able to enter into diplomatic or consular relations with foreign countries.

275. In the second reading of the Bill, the Minister of Bantu Administration and Development, Mr. Botha, said:

"... I want to state categorically that the Government will not deviate from past assurances to the different Bantu nations of the Republic that it is the firm and irrevocable intention of the Government to lead each individual nation to self-government and ultimate possible independence." 180/

B. General Law Further Amendment Act, No. 92 of 1970

276. After a number of demonstrations were held in South Africa, protesting against the indefinite detention of persons opposed to the policy of apartheid, the Government passed the General Law Further Amendment Act. This Act, brought into force on 16 October 1970, inter alia, empowers magistrates to withhold permits for processions and demonstrations. Section 15 of the Act stipulates:

"A magistrate shall refuse to grant his permission, approval or leave ... if he has reason to believe that the holding or organizing of the procession may endanger the maintenance of law and order."

Opposition Members of Parliament expressed fear that the Act was designed to be the mechanism whereby all further protest demonstrations inside South Africa would be prohibited.

277. The Minister of Justice revealed in Parliament on 4 June 1971 that two processions had been banned in terms of the above legislation. 181/

180/ House of Assembly Debates (Hansard), 8 February 1971, col. 477.

181/ Ibid., 4 June 1971, col. 976.

VI. APARTHEID IN SPORT

278. During the past year, the international sports community has taken further measures to exclude all-white teams from South Africa from a number of international sports contests.

279. On 31 August 1970, the International Amateur Athletics Federation, unanimous vote at its congress in Stockholm, banned South Africa from taking part in virtually all international competitions for the next two years. The Federation also decided to review South Africa's continued membership in it during the Olympic Games in 1972.

280. The South African team was barred from the Third World Netball Tournament and Conference in Jamaica in December 1970.

281. For the second successive year, South Africa was excluded from the Davis Cup Tennis competition in January 1971.

282. In February 1971, the South African Government for the third time refused to grant Mr. Arthur Ashe an entry visa to enable him to participate in the so-called South African Lawn Tennis Open Championship. As in 1970, the United States Ambassador in South Africa "had strongly urged the South African Government to approve Mr. Ashe's request for a visa"; 182/ it was reported that some officials of the South African Lawn Tennis Union, tennis players and other sports organizers had also championed Mr. Ashe's cause to no avail. 183/

283. On the other hand, Miss Evonne Goolagong, the Australian aboriginal tennis champion, was allowed to compete in South Africa.

284. The period under review was marked by a groundswell of opposition to South Africa's racialism in sports in many countries, especially in Australia and New Zealand - two of the few countries maintaining sports exchanges with South Africa. In both countries, organizations comprising students, labour unions, politicians and clergymen were formed to campaign against scheduled tours. In Australia, the well-organized and unprecedented protests of anti-apartheid demonstrators all but disrupted the tours of three South African teams - a ladies' lawn tennis team, a surf life-saving team and a rugby team.

285. Within South Africa, a greater number of white sportsmen and sports administrators than hitherto pressed demands for integrated teams selected on merit. Possibly due to such pressure, the Prime Minister, Mr. B. J. Vorster, announced the Government's new sports policy on 22 April 1971. While making provisions for somewhat "integrated" teams to represent the country in certain

182/ Rand Daily Mail, Johannesburg, 26 February 1971.

183/ The Johannesburg Sunday Express of 21 February 1971 quoted Mr. Frank Waring, the Minister of Sport as saying: "From our point of view, even though he is a great player, the remarks he made about South Africa rendered him persona non grata".

international competitions overseas, the policy stuck to the traditional racial segregation within South Africa.

286. Developments relating to the "new" sports policy and the campaigns against racially selected South African teams in Australia and New Zealand are reviewed in greater detail in the following paragraphs.

A. The Government's "new" sports policy

287. The increasing isolation of South Africa from international sport provoked some rethinking among South African sportsmen and pressures for an end to the imposition of apartheid in sports. A conference of non-racial sports organizations, held in Durban in September 1970, decided to approach white-controlled national sports bodies with a view to achieving international recognition for South African sports organizations. 184/ It further decided that, if white-controlled bodies did not co-operate with their non-racial counterparts, the latter would apply for international recognition even if it meant the expulsion of white sports associations.

288. The South African Government, however, reiterated its unyielding commitment to rigid racialism in sports. It refused passports to four non-white table tennis players, representing the non-racial South African Table Tennis Board (SATTB), to participate in the world championships in Japan early in 1971.

289. Mr. Marais Viljoen, then Minister of the Interior, declared that the Government did not accept the Table Tennis Board "as representing South Africa" and advised it to apply for passports through the white body, the South African Table Tennis Union, which is recognized by the Government as the controlling body for table tennis in South Africa.

290. It may be recalled that for many years the International Table Tennis Federation has recognized and granted affiliated status to the non-racial South African body and that the Government had consistently acted to prevent its team from competing in world events.

291. Reacting to the Government's decision, Mr. C.M. Bossa (president of SATTB), said:

"The executive regrets that our country has once again been denied the opportunity to participating in the only international sporting event in which a South African team could be received, without any danger of hostility or protest.... The formula for participation offered by the

184/ The president of the South African Amateur Bodybuilding and Weightlifting Federation, Mr. M.N. Pather, reminded the conference that 13 South African white sports bodies had been suspended, barred from membership or expelled from international sports organizations.

Minister of Interior has been rejected by international sporting organizations on several occasions and is not acceptable to the Board, which has been recognized by the International Table Tennis Federation as the sole controlling national body for the sport in South Africa." 185/

292. Meanwhile, more South African sportsmen continued their demand for the relaxation of apartheid in sport.

293. In another related development, Mr. Eddie Barrow, Western Province cricket captain, stated that non-white cricketers of good quality should be allowed to represent South Africa. 186/ On 27 November 1970, Eddie Barlow, the Springbok cricketer, declared that South African cricket had reached a crisis point. He was commenting on the statement by the Marylebone Cricket Club (MCC) that South African cricketers would not tour England again unless multi-racial cricket was played in South Africa. He stated:

"What we need from the Government is a firm directive - do they want South Africa to continue playing international sport or do they not? If they do, then plans and suggestions must be started soon from Government level to achieve this goal." 187/

294. The Springbok cricket captain, Mr. Ali Bacher, also made the same point. He felt that though South Africa should not bow to overseas pressures, "it is important and imperative for us to take stock of the sports facilities available to all population groups...". "Do you believe", he asked, "it is right that Basil D'Oliveira had to go abroad before he could play at Lord's Sydney and Melbourne?" 188/

295. An editorial comment in the Rand Daily Mail commended the prominent sportsmen and administrators for making their views known about the need for integrated sport. It said in part:

"They are beginning to wake up to the sober reality of the situation which is that the Government's dogged insistence on sports apartheid is effectively and speedily driving us out of world sport.... One of the more forthright statements came from the President of the Natal Cricket Association.... He called for multi-racial sport, not only to meet the requirement of other countries but because 'I feel all individuals should be permitted to take part in representative cricket in this country'...." 189/

296. After discussing the various plans suggested to end South Africa's growing isolation in international sport, the editorial concluded:

"But there is only one plan that is going to work, and that is to introduce a degree of integration into our sport, soon." 190/

185/ Rand Daily Mail, Johannesburg, 27 November 1970.

186/ The Star, weekly, Johannesburg, 13 February 1971.

187/ Cape Times, 28 November 1970. It will be recalled that, after South Africa's exclusion from many international sports associations in 1970, there were many demands for integrated sports in the country.

188/ Rand Daily Mail, Johannesburg, 2 December 1970.

189/ Ibid., 16 December 1970.

190/ Ibid. In its edition of 16 January 1971, The Star, weekly, published the result of a poll of more than 100 Cape Town sportsmen. It found that an overwhelming majority of them had no objection to playing in multi-racial matches in tennis, soccer, rugby and cricket.

297. As the debate continued, the Prime Minister stated that the solution to the sports impasse could be found in the non-white sports bodies establishing their own international links.

298. On 3 April, white South African cricketers, a majority of whom were in the South African national team - the Springboks - staged a public revolt against the Government's segregationist sports policy, by walking off the field for two minutes. They had been playing a game sponsored by the Government as one of the events to mark the tenth anniversary of South Africa's republican status. Their protest was marked by the refusal of the Government to allow two non-whites to be included in the teams to tour Australia in 1971.

299. The Minister of Sport deepened the controversy further by challenging white cricketers to approach him with proposals for racially integrated cricket at all levels.

300. On 5 April, he issued a statement which said in part:

".... the Government is not prepared to allow gestures such as the proposal by the association that two non-white players be nominated by the South African Cricket Board of Control for the tour team.... If the cricket authorities come to me and state that this is the position, then I am fully prepared to take the matter to the Cabinet.... The cricket authorities must state clearly where they stand on multi-racial play. When they come to me and talk for the clubs, and for the white cricketers at all levels, then I will listen carefully...." 191/

301. In a response to the challenge, the chairman of four provincial cricket unions - Natal, the Transvaal, the Border and Eastern Provinces - declared their support for any proposal by the all-white South African national body to seek the Government's permission for multi-racial cricket at club, provincial and national levels. 192/ The press also reported that many cricketers supported multi-racial games. 193/

302. In a related development, the South African Cricket Association requested the Minister of Sport to resubmit its appeal to the Government to allow multi-racial cricket trials in the future.

303. Mr. Arthur Coy, Vice-President of the South African Cricket Association, issued a statement in which he pointed out that the "only mandate the Board of Control had from its affiliated unions was to take every step to maintain South African cricket in the international field". It added that, to achieve this goal, it was essential that future South African national cricket teams should be selected on merit, irrespective of race, colour or creed. 194/

304. On 22 April 1971, the Prime Minister announced so-called new guidelines for South Africa's future sports policies. In a statement in Parliament, Mr. Vorster, inter alia, declared:

191/ Rand Daily Mail, Johannesburg, 6 April 1971.

192/ Ibid.

193/ Ibid., 7 April 1971.

194/ Ibid., 9 April 1971.

"I want to make it very clear that this side of the House firmly takes the stand that in South Africa no mixed sport shall be practised at club, provincial or national level." 195/

305. In other highlights of his statement, the following concessions were made. First, the British national rugby team, scheduled to tour South Africa in 1972, could be allowed to play against a team of Coloured players. With the exception of white officials of the South African Rugby Board, all the spectators would be exclusively Coloured people. The visiting team could also play against an all-African side in one of the so-called black homelands. For such an event, the spectators would again be all African.

306. The Prime Minister said:

"The principle stated here in respect of rugby will also apply in respect of a cricket team which comes to South Africa, and also in respect of other teams which visit our country." 196/

307. As far as tennis was concerned, it would be possible to arrange for an international tournament in South Africa in which "every seeded player irrespective of his race or colour" could participate. Such competitions would also be allowed in swimming, athletics and other Olympic sports in international competitions organized in South Africa.

308. He emphasized that his attitude towards a sports policy was based on his understanding that South Africa was a multinational, as opposed to a multiracial, State. He said:

"I, on my part, adopt the attitude of multi-nationality, and I want to make it clear that I do not stand alone in this regard, but that our forebears, our predecessors in the sphere of sport, adopted this same attitude although they did not formulate it in this way." 197/

309. Some sections of the press in South Africa and overseas welcomed the relaxation of the restrictions in international contests, but pointed out that the Government had hardly budged on the crucial question of segregation in sports in South Africa. Illustrative was the following comment by The Guardian, London, on 24 April:

"Mr. Vorster's latest pronouncement on sport in South Africa is no more than an attempt to have the best of two worlds under difficult circumstances.... It can hardly be regarded as a move towards 'liberalization'.... Mr. Vorster is offering a limited amount of hope to gifted non-whites. He is not granting them equality of opportunity on the sports field. The second-class citizens are being offered a taste of icing. They are not being given cake." 198/

195/ House of Assembly Debates (Hansard), 22 April 1971, col. 5005.

196/ Ibid., col. 4999.

197/ Ibid., col. 4998.

198/ The Guardian, London, 24 April 1971.

B. Campaigns in Australia and New Zealand against all-white South African teams

310. As indicated earlier, the most significant development in connexion with the international boycott of racially-selected South African teams was the widespread campaign in Australia and New Zealand to sever all sports links with South Africa.

311. In September 1970, the National Union of Students in the United Kingdom announced plans to co-ordinate with its Australian counterpart boycott campaigns against all contacts with all-white South African teams. 199/ In a joint communiqué, they called on all sporting organizations in both countries to cease any contact with their South African counterparts and urge a complete sports boycott.

312. The communiqué added:

"We deplore the increase in such sporting contacts evident in Australia and the continued high level of such contacts in Great Britain. As more and more world organizations, such as the Olympic movement, expel South Africa, these policies of continued sporting links with Australia and Great Britain are increasingly statements of support for South Africa and in defiance of world opinion." 200/

313. In October 1970, an anti-apartheid group called HART - Halt All Racial Tours - announced that it would lead the opposition to the South African Rugby Union's tour of Australia in June 1971. 201/ Sponsored by the 120,000-member National Union of Australian University Students, HART stated that it had most anti-apartheid organizations, including the South Africa Defence and Aid Fund and the Campaign Against Racialism in Sport, as well as sportsmen, academics and members of the Federal Parliamentary Labour Party, in its fold.

(i) The women's tennis championships

314. The extent to which the anti-apartheid groups were determined to stop all sports contacts with all-white South African teams was indicated early in 1971.

315. Two South African women tennis players, Miss Laura Rossouw and Miss Brenda Kirk, were targets of anti-apartheid demonstrations all through their tour of Australia early in 1971. They had been invited to compete in open tennis championships there.

316. During several matches, the demonstrators displayed posters denouncing racism in sports, chanted anti-apartheid slogans and distracted the visiting South Africans. Sometimes they interrupted and disrupted the games by rushing onto the tennis courts. Some pickets reportedly tore up the South African flag.

199/ The Star, weekly, Johannesburg, 12 September 1970. The boycotts would be directed at any all-white South African teams which toured the United Kingdom or Australia and any British or Australian teams which visited South Africa.

200/ Ibid.

201/ The Guardian, London, 15 October 1970.

(ii) The surf lifesaving carnival

317. A 15-member all-white South African surf lifesaving team began a seven-week tour of Australia in February 1971. It was exposed to virtually the same experience.

318. In October 1970, Mr. Denis Osborne, President of the South African Surf Lifesaving Association, had stated that any non-white of proved ability would be selected to represent South Africa during the tour of Australia and New Zealand. 202/ He made the comment in Durban when Mohamed Kathrada, a 21-year-old engineering student of Indian descent was named South Africa's first non-white "surfer of the year". Though nominated by his club to compete in the trials for the national team, he was not selected.

319. About 30 demonstrators were reported to have greeted the South African team when it arrived in Adelaide on 12 February. Shouting anti-apartheid slogans and carrying placards, they set the pattern for the type of unfriendly reception the South Africans got during most of the tour.

320. A local government council in Sydney, the Sutherlandshire Council, whose area includes a number of southern Sydney beach suburbs, refused permission to the North Cronulla Surf Lifesaving Club to hold a contest between an Australian side and the visiting South Africans on a beach in its area.

321. The President of the Council, Mr. A. T. Gietzet, noted that South Africa had been excluded from the Olympic Games because it discriminated on racial grounds. Councillor M. Keane said that the South African team had been selected from only 18 per cent of that country's population. South Africa was introducing politics into sport, he charged. "They are purposely using sporting teams to present the best possible picture of South Africa.... If we are not prepared to protest, we are condoning fascism and everything we fought against in the last war." 203/

322. At Melbourne, the South African flag was reported to have been torn to shreds and the team attacked by chanting demonstrators who distributed anti-apartheid pamphlets. They blew whistles and chanted "racists go home" and "smash apartheid" as the Australian and South African national anthems were played. Some of the demonstrators were arrested. 204/

323. In related developments, two-foot-high slogans reading "smash apartheid" were painted thrice on the front gate and the walls of the South African Chancery in Canberra. 205/ In Sydney, members of the Australian Nazi Party attacked about 250 anti-apartheid demonstrators on 26 March. Two members of the Nazi Party reportedly threw a smoke bomb and injured two girls. The demonstrators, nevertheless, held a 30-minute vigil outside the locked doors of the surf house after members of the Association refused to come out and talk with them. Some fighting was reported when anti-apartheid demonstrators confronted lifesavers at the Surf Carnival at the Scarborough beach in Perth, Western Australia, on 4 April 1971. 206/

202/ The Star, weekly, Johannesburg, 10 October 1970.

203/ Rand Daily Mail, Johannesburg, 15 February 1971.

204/ Sydney Morning Herald, 5 March 1971.

205/ The Australian, Canberra, 27 March 1971.

206/ Rand Daily Mail, Johannesburg, 5 April 1971.

(iii) The rugby tour

324. Despite the above-mentioned protest activities, the Australian Rugby Union decided to support the tour. This, in turn, led to increased opposition to the tour and demands for its cancellation.

325. By the middle of March 1971, two prominent clergymen had voiced their support for the boycott of racially-selected teams from South Africa. 207/

326. The boycott movement got further support from a leading politician. On 21 March, Mr. Whitlam, the Leader of the Federal Opposition, charged that Australian sporting bodies were hypocritical in justifying contests with South Africa on the grounds that politics should not enter into sports.

327. He stated:

"Australians should never let an afternoon's entertainment blind them to a lifetime's repression for another nation." 208/

Contending that South Africa made no distinction between politics and sport, he added that for South Africa sport was an extension of the politics of apartheid and that South Africa would not play the international sports in which Asian or West African nations excelled.

328. He further said:

"Totalitarian racist régimes, from Sparta to Hitler's Germany and Vorster's South Africa have made sport central to, and symbolic of, their supremacist fantasies." 209/

329. By the end of March, it was reported that more Australians were joining the boycott.

330. The Opposition Labour Party branches all over Australia were supporting the anti-apartheid movement. A powerful press group, which published the country's only two national newspapers, had assumed an equivocal stand against apartheid. 210/

207/ On 28 February 1971, the Reverend Alan Walker, President of the New South Wales Methodist Conference, appealed "to all Christians and people of conscience" to boycott sports matches played against South Africans.

He warned: "Australia is squandering some of its great international resources of goodwill by a tacit acceptance of apartheid." (Sydney Morning Herald, 1 March 1971).

On 7 March, Bishop C. Edward Crowther, the former Anglican Bishop of Kimberley-Kruman in South Africa, told an inter-church rally in Sydney that Australia was in danger of being excluded from major world sport if it continued to accept all-white teams from South Africa.

208/ Sydney Morning Herald, 22 March 1971.

209/ Ibid.

210/ Sunday Times, Johannesburg, 28 March 1971.

331. It may be recalled that, early in March, the South African Cricket Association's application for permission to include two non-whites in the Springbok team scheduled to tour Australia was turned down by the Government. Thereafter, there were many protests against the decision by politicians and sportsmen in South Africa.

332. That decision provoked further controversy in Australia. It was reported that the Australian Prime Minister had told the South African Government that many Australians had heard the decision to send an all-white team to their country with "disappointment and regret". According to the press, the Prime Minister had also told the Australian cricket authorities that the Government did not think that any official objection should be made to the visit. 211/

333. On the other hand, it was reported that the State Governments of Western and South Australia, both controlled by the Labour Party, had announced plans to boycott the tour by denying facilities to the visiting team.

334. While the controversy deepened, labour unions in many parts of Australia instructed their members to boycott the tour.

335. Another group, the Anti-Racist Movement (ARM) was formed in Melbourne to begin a new campaign aimed at stopping both the rugby and the cricket tours.

336. It was further reported from Wellington that a group of New Zealand students had called on the Australian High Commissioner and the South African Consul-General in Wellington to protest against the proposed tour by the South African cricket team. 212/

337. On 14 April 1971, Mr. Charles Blunt, President of the Australian Rugby Union, declared that the Springbok tour would take place as scheduled despite the action threatened by the trade unions and anti-apartheid organizations.

338. Early in May, the Australian Rugby Union held discussions with the Council of Australian Trade Unions in an attempt to blunt their opposition to the tour. On 9 May, the Rugby Union announced that it had invited a non-white team from South Africa to tour Australia in 1972. The Rugby Union also stated that it had rejected the suggestions by Mr. R. J. Hawke, President of the Australian Council of Trade Unions, that non-whites be included in the Springbok side to tour Australia in 1971.

339. It was further disclosed that the South African Government and the Rugby Union had agreed to contribute \$25,000 (half of the estimated cost) towards the projected non-white rugby tour of 1972. 213/ The trade unions rejected the tour by any racially-selected South African team. South Africa's largest Coloured Rugby Union also rejected proposals for the tour.

211/ Rand Daily Mail, Johannesburg, 7 April 1971.

212/ Ibid., 9 April 1971.

213/ Daily Mirror, Sydney, 10 May 1971.

340. In related developments, Mr. R. J. Hawke, President of the Australian Council of Trade Unions, in a letter to Prime Minister Vorster, warned that the choice of sports teams on a racially-discriminatory basis was repugnant to the policies of the trade union movement. On behalf of the Australian trade union movement, he expressed the sincere hope that the South African Government "will quickly see its way clear to decide that teams purporting to represent your country may in fact be chosen on a basis which involves no racial discrimination". 214/ Unless South African rugby and cricket teams were selected on a non-discriminatory basis, the letter said, the Australian trade unionists would withhold services from South African tour teams "as an act of conscience". The Australian Council of Trade Unions, he pointed out, embraced 121 unions representing 1.6 million members, who found apartheid repugnant.

341. Mr. Hawke, in another letter to the Australian Prime Minister, Mr. McMahon, said: "We believe we are seeking the only morally justifiable position that can be adopted by the Australian Government."

342. On 27 May, the Australian Prime Minister told a press conference in Canberra that his Government had made it clear to the South African Government that the Australian Government and people did not like apartheid. But the Government believed that the South African sports tours should take place.

343. That same day, the 48,000-member Australian Railway Union announced that its members would refuse to operate trains carrying South African teams or their equipment or special trains to grounds where they were playing. Several other unions threatened a boycott of services to planes transporting the team and of transport to grounds where it played.

344. By the middle of June, further support for the boycott of sports fixtures with all-white South African teams had been expressed by the Anglican Bishop of Newcastle, the Right Rev. J. A. C. Housden, and the Catholic Archbishop of Adelaide, Dr. James Gleeson.

345. As the tension mounted, Prime Minister McMahon told the press on 24 June that the Government had consistently maintained an attitude of abhorrence to apartheid. He added that what was at stake was "the right of the Australian people to choose for themselves whether they should go to watch the Springboks play". He offered a Royal Australian Air Force transport plane to fly the Springboks from Perth to Adelaide, if necessary.

346. It was against this background of an unprecedented trade-union boycott, deep and bitter political divisions, protests by anti-apartheid organizations and criticism by public figures that the Springboks began their rugby tour of Australia on 26 June 1971.

347. Hundreds of anti-apartheid protesters mounted demonstrations against them wherever they went in Australia. They picketed the hotels and private homes where the Springboks were billeted, chanting anti-apartheid slogans, blowing whistles and clapping their hands.

214/ The Australian, Canberra, 19 May 1971.

348. Demonstrations were also staged both inside and outside the grounds where the matches were played. Hundreds of policemen were deployed to guard the playing grounds where barbed-wire fences, sometimes rising ten feet high, were installed to separate spectators from the rugby players.

349. The tour was also marked by, among other things, extensive security arrangements, many incidents of violence, occasional charges of "police brutality" and numerous arrests. For example, police arrested 15 demonstrators who were maintaining a vigil outside the hotel where the Springboks were staying in Perth, the first stop of their tour. Eighty-eight persons were arrested during protest activities in Adelaide. The Australian said they were "the wildest scenes in the city's sporting history". 215/

350. Perhaps the most violent confrontation of the tour occurred at Melbourne's Olympic Park on 3 July. The Age said that the "violence was among the worst seen in Melbourne". 216/ Press reports indicated that the police brutally manhandled and injured many anti-apartheid demonstrators in clashes during the rugby match. The police arrested 217 persons. 217/

351. On 14 July, the Government of Queensland State proclaimed a state of emergency during the 10-day visit of the Springboks to the State from 22 July. The South Africans played four games in the State, three of them at Brisbane.

352. The Premier of Queensland, Mr. Johannes Bjelke-Petersen, said that the Cabinet had decided on the action because of the real threat of violence and defiance of law and order with the subsequent danger to life and property. 218/

353. A spokesman for the Opposition Labour Party saw in the Government action "a gross misuse of executive power". He accused the Government of establishing a totalitarian State.

354. The Premier of South Australia said:

"My reaction was one of complete disbelief. It is extraordinary that any Government should declare a state of emergency to abrogate the civil liberties of the citizens in order to defend Springbok players from ordinary demonstrators." 219/

215/ Ibid., 1 July 1971.

216/ The Age, Melbourne, 6 July 1971.

217/ The Sunday Australian of 4 July wrote: "Mounted police made continued forays into the crowd of demonstrators... and there were violent scenes as spectators were plucked from the crowd and thrown into waiting police vans. About 650 uniformed and special squad police, some on horseback, guarded the playing area at Olympic Park and imposed the strictest security precautions ever taken at an Australian sporting event... Journalists travelling with the Springboks said the police used tougher measures than those used in Adelaide, although they were under less pressure. Police grabbed protesters and threw them to the ground. Many demonstrators were dragged to police vans by the hair..."

218/ Sydney Morning Herald, 14 July 1971.

219/ Ibid., 16 July 1971.

355. He added that the Queensland action seemed to support "the ambassadors of apartheid" and show the rest of the world that Australia "is a racist nation in support of South Africa's policies".

356. On 21 July, more than 130,000 employees, members of 39 trade unions, went on strike in Queensland in protest against the declaration of the state of emergency and the tour of the Springboks. Many trade unionists took part in a student protest march from Queensland University into Brisbane.

357. The South Africans played the final test match of the tour series at Sydney. It was reported in the press that demonstrators hurled a number of tear-gas bombs at the players, temporarily blinding some of them, as they were boarding a bus for the playing field. The players later left for the field in police vehicles. It was reported that, when the 50 policemen at the scene tried to restrain some 350 demonstrators from surging across the road to confront the Springboks, the tear-gas bombs were hurled. 220/ Stones and other objects were thrown at them even as they boarded police vehicles. A South African flag was set alight. Two demonstrators were arrested.

358. The protest continued at the Sydney Cricket Ground where the final match was played. Uniformed policemen standing three-deep ringed the playing field and more than 150 plain-clothes detectives and police bomb-disposal experts were also on duty around the stadium.

359. It was estimated that it cost the various Australian State Governments more than \$2 million to protect the Springboks and guard their 13 matches in Australia. 221/

The Star commented:

"The price of protecting five five-day cricket tests would be far more, and observers believe the Australian Government would see the tour cancelled... 222/

"Australians are today much more aware of the South African policy of apartheid, after the rugby tour which polarized public opinion in the country such as no sporting event has done previously...

"But by the time the South Africans left Australia one Australian State Government (Queensland) had declared a state of emergency, about 700 people had been arrested, Australians had seen their sporting arenas resembling military fortifications - guarded by miles of barbed wire and hundreds of police - and there had been hints of a snap federal election on the issue of 'law and order'." 223/

220/ The Star, weekly, Johannesburg, 7 August 1971.

221/ Ibid., 14 August 1971, gave an estimate of more than 1.6 million South African rand.

222/ On 8 September 1971, the Australian Cricket Board of Control cancelled the tour of Australia scheduled for October by the South African team. (Rand Daily Mail, Johannesburg, 9 September 1971.)

223/ The Star, weekly, Johannesburg, 14 August 1971.

VII. MILITARY AND POLICE BUILD-UP^{224/}

360. It will be recalled that in 1960 the Government of South Africa initiated a systematic build-up of South Africa's military and police forces. By 1969, over R660 million (\$924 million) had been spent on armaments, of which R254 million (\$355.6 million) constituted expenditure on aircraft alone, as disclosed by the Government. The total assets of the Defence Force were reported to amount to R2,000 million (\$2,800 million).

361. According to the French newspaper, Le Figaro, ^{225/} the development of the arms industry of South Africa is progressing on two levels: on one side South Africa is aiming at producing light arms and ammunition completely on its own. This has been demonstrated by the recent opening of a new factory for military and civilian guns. The second level consists in using foreign licences and foreign technical assistance to manufacture more complex equipment. An example of this kind of assistance is the 1969 agreement with France on the setting up of the ground-to-air Cactus arms system which is manufactured by Thomson-CSF and Matra under the name of Crotale. In the past, South Africa had also built, under licence, French light machine guns, the AML-60 and 90.

A. Expansion of military and police forces

362. The expansion of the Defence Forces has continued unabated during the period under review. On 31 March 1971, the Government announced a record defence budget for the year 1971-1972 of R316.5 million (\$443.1 million), an increase of 18 per cent over the previous year. ^{226/} In tabling the estimates of the expenditure before Parliament, the Minister of Finance, Dr. Diederichs, stated: "Effective protection against the threat from beyond our borders remains expansive but essential service." ^{227/} The main items of the defence budget in millions of rand were as follows: ^{228/}

^{224/} For a detailed review of military and police build-up, see also A/AC.115/L.285 and Add.1-3.

^{225/} Le Figaro, Paris, 29 June 1971.

^{226/} Rand Daily Mail, Johannesburg, 1 April 1971.

^{227/} House of Assembly Debates (Hansard), 31 March 1971, col. 3961.

^{228/} A rand (R) is equivalent to \$1.40.

Defence Budget^{229/}
(In millions of rand)

	<u>1971-1972</u>	<u>1970-1971</u>
Procurement of arms	108	82
Special equipment account (including acquisition of major equipment, missiles and bombs)	50.7	35.7
Army	27	23
Air force	41	39.9
Navy	18.5	14.5

363. All divisions of the Defence Force are to be expanded, according to the budgetary estimates, with the exception of two categories, "cadets" and "miscellaneous". In addition, for the first time in South Africa, a military training centre for women was opened at George, in the Cape Province, in April 1971. The College, which operates under the Department of Civil Defence, offers a training programme in unarmed combat to be given by members of the Defence Force and the Police. Speaking at the official opening of the college on 10 April 1971, the Minister of Defence, Mr. P. W. Botha, stated that the establishment of the college was "a manifestation of faith that the civilian population was willing to prepare in an organized way a national 'wall' against military threats". 230/

B. Local manufacture of weapons

364. The Minister of Defence, Mr. P. W. Botha, told a Nationalist Party meeting on 24 October 1970 that South Africa manufactured enough arms and ammunition to defeat any "terrorist" attacks. South Africa, he said, manufactured all the guns and light tanks for its army and most of the ammunition needed by the Navy. The country was able to manufacture its own napalm bomb and possessed sufficient helicopters. Plans were under way to extend the capabilities of the Atlas Aircraft Corporation, where Impala jet trainers are produced. 231/

365. The State President, Mr. J. J. Fouché, indicated in his statement opening Parliament on 29 January 1971 that this trend towards increased local manufacture of weapons would continue. He said:

"Production of military equipment will cover an ever-widening field to the benefit of the country's general economy and the expansion of our industries and to making us less dependent on the outside world." 232/

229/ Rand Daily Mail, Johannesburg, 1 April 1971.

230/ Ibid., 12 April 1971.

231/ Sunday Times, London, 25 October 1970; The Star, weekly, Johannesburg, 31 October 1970.

232/ House of Assembly Debates (Hansard), 29 January 1971, col. 5.

366. The Government has been laying an ever-increasing emphasis on acquiring technical know-how and on developing large-scale manufacture of more sophisticated arms, ammunition and military equipment under licences obtained from friendly countries.

367. The Minister of Defence said that in regard to the manufacture of explosives and propelling agents for military purposes, South Africa had reached such a degree of self-sufficiency that it would contemplate exporting such items. 233/ He disclosed to Parliament that the Republic was either already producing locally, or was developing the production of, many kinds of ammunition, including automatic service rifles and a sub-machine gun, mortars, armoured cars, equipment and bombs and rockets. He went on to state:

"Equipment in respect of which the latest technology is being applied, is already being developed in South Africa.... The industry has already developed an independent capacity and types of equipment such as aircraft radios, manpack radios, mine-detectors and other classified equipment are already being designed and manufactured locally...

"Furthermore, a very important break-through has undoubtedly been made with the establishment of the Atlas Aircraft Corporation.... 234/ The production programme is progressing according to plan and is improving. Atlas has built up such a capacity now that serious thought is being given to the manufacture of more advanced aircraft. In addition, Atlas has already built up the capacity to service the more sophisticated aircraft." 235/

C. Acquisition of arms, ammunition and military equipment

368. On 5 May 1971, the Minister of Defence reiterated in Parliament his statement that South Africa had attained a measure of self-sufficiency and that it needed no arms from abroad for ensuring its internal security. It could to a very large extent manufacture the armaments required to ensure its external security. 236/

369. The South African Government has continued to obtain military equipment and technical assistance abroad. 237/

370. On 22 February 1971, the United Kingdom Government announced its intention to issue export licences for the sale of Wasp helicopters, manufactured by Westland Helicopters, to South Africa and to continue licensing the export of certain spare parts. The helicopters were to be used to equip the anti-submarine frigates

233/ Ibid., 5 May 1971, cols. 6010-6011.

234/ Ibid. The Atlas Corporation has been building light transport and passenger aircraft only.

235/ Ibid., cols. 6010-6011.

236/ Ibid., cols. 6008-6009.

237/ The report on the Armaments Board of the Auditor-General disclosed that South Africa had spent R53,161,578 (\$74,426,209) on the purchase of armaments in the financial year 1969-1970.

already supplied under the 1955 Simonstown Agreements. The South African Government was reported to have placed an order for seven of these helicopters an hour after the official announcement. The announcement of the United Kingdom Government stressed that the South African Government had given assurances that it would not use these items of maritime equipment for any purposes other than those for which they were supplied.

371. South Africa was reported to have concluded arrangements with France in June 1971 for technical and industrial co-operation which would enable her to build supersonic Mirage III and F-1 aircraft. In terms of an agreement entered into between the Société des Avions Marcel Dassault (AMD) and the Armaments Development and Production Corporation of South Africa Ltd. (ARMACOR), South Africa will be granted a licence to build locally the multi-mission aircraft fighters, the features of which include easy conversion for use as interceptors, fighter bombers and reconnaissance aircraft. The Mirage F-1 is a Mach 2 all-purpose, all-weather fighter aircraft. This extremely manoeuvrable machine carries two 30 mm. machine guns and can easily be fitted to carry bombs, rockets or air-to-air missiles. 238/

372. In a statement issued on 27 June 1971 through the South African Press Association, Professor H.J. Samuels, Chairman of the Board of Directors of ARMACOR, announced that production would start as soon as possible. Part of the agreement was that the French company would render all necessary technical assistance for the initial setting up of production, as well as training. It was envisaged that South African materials would be used in the future. South Africa would send a large number of her own technicians to France for training.

373. The second of three Daphne-class submarines ordered from the Dubigeon-Normandie yards in France was turned over to the South African Navy at Lorient on 27 February 1971 in the presence of the French Defence Minister, Mr. Michel Debré. 239/ The submarines, ordered in 1969 at a cost of R8 million (\$11.2 million) each, carry 12 torpedoes and have a radius of 3,000 miles at seven knots. Crews for the submarines have been receiving training in France.

D. Military co-operation with other States

374. A number of States have continued to co-operate with South Africa in the military field.

375. The Minister of Defence, Mr. Botha, visited Paris, Lisbon and London in June 1971. He was accompanied by a delegation of five senior generals, headed by R. Hiemstra, Supreme Commander of the South African armed forces. In Lisbon, Mr. Botha conferred with the Defence Minister of Portugal, General Sa Viana Rebelo on what was described as an "informal occasion to exchange views of mutual interest". 240/

238/ Rand Daily Mail, Johannesburg, 28 June 1971. See also chap. I, section K, of the report of the Special Committee on Apartheid above.

239/ Rand Daily Mail, Johannesburg, 28 February 1971.

240/ The Star, daily, Johannesburg, 10 June 1971.

376. The Times of London reported on 23 December 1970, quoting well-informed sources in Mozambique, that the South African Government had at least on two occasions offered ground and air units for Portuguese military campaigns in Angola and Mozambique.

377. United Kingdom and South African warships were reported to have taken part in joint anti-submarine exercises west of the Cape in August 1970. Two United Kingdom frigates, two South African frigates and South African maritime group aircraft took part in the exercises. 241/

378. According to the press reports, the South African frigate, President Kruger, went on a flag-showing visit to selected European ports. It visited Lisbon en route to Toulon from where it escorted a French-built submarine back to South Africa.

379. One of Italy's most modern warships, the 2,700-ton anti-submarine frigate, Carabiniere, arrived at Cape Town in March 1971 for a six-day visit. It was reported that the frigate fired two 21-gun salutes - in honour of the Republic and the State President - before docking. 242/

241/ Southern Africa, London, 1 August 1970.

242/ South African Digest, Pretoria, 9 April 1971.

ANNEX III

LIST OF DOCUMENTS OF THE SPECIAL COMMITTEE
(SEPTEMBER 1970 - OCTOBER 1971)

- A/8022 and Add.1,
S/9939 and Add.1 Report of the Special Committee on Apartheid
submitted to the General Assembly and to the
Security Council
- A/AC.115/L.281 Statement submitted by the Polaroid Revolutionary Workers
Movement on 3 February 1971
- A/AC.115/L.282 Text of statement by Mr. George Houser, Executive
Director of the American Committee on Africa, at the
149th meeting of the Special Committee on Apartheid
on 3 February 1971
- A/AC.115/L.283 Thirty-ninth report of the Sub-Committee on Petitions
- A/AC.115/L.284 and Corr.1 Letter dated 16 October 1970 from Mr. Alfred Nzo,
Secretary-General of the African National Congress
(South Africa), transmitting a statement by the
African National Congress
- A/AC.115/L.285
and Add.1, 2 and 3 Note on developments concerning the implementation of
the arms embargo against South Africa
- A/AC.115/L.286 Bantustan policy: A fraud and a fantasy,
a paper prepared by Mr. Leslie Rubin
- A/AC.115/L.287 Working paper on "Dialogue with South Africa"
- A/AC.115/L.288 Poverty, apartheid and economic growth,
a paper prepared by Mr. Sean Gervasi
- A/AC.115/L.289 Working paper on the "outward-looking" policy of the
Government of South Africa
- A/AC.115/L.290 Working paper on collaboration with the South African
régime by other Governments and economic and financial
interests
- A/AC.115/291 Working paper on means to promote an international
campaign against apartheid
- A/AC.115/L.292 Main trading partners of South Africa: report of the
Sub-Committee on Information
- A/AC.115/L.293 Suggestions made by participants and members at the
special session, 22-24 March 1971: report of the
working group

A/AC.115/L.294 Fortieth report of the Sub-Committee on Petitions

A/AC.115/L.295 Communication dated 14 February 1971 from Miss Caroline Hunter, correspondent of the Polaroid Revolutionary Workers' Movement

A/AC.115/L.296 Letter dated 8 March 1971 from Mr. David M. Sibeko, Head of Mission to Europe and the Americas of the Pan Africanist Congress of Azania (South Africa), London

A/AC.115/L.297 Forty-first report of the Sub-Committee on Petitions

A/AC.115/L.298 Letter dated 28 April 1971 from Mr. Joë Nordmann, Secretary-General of the International Association of Democratic Lawyers, Brussels

A/AC.115/L.299 Forty-second report of the Sub-Committee on Petitions

A/AC.115/L.300 Communication dated 3 May 1971, from Mrs. Ethel de Keyser, Executive Secretary of the Anti-Apartheid Movement, London

A/AC.115/L.301 Forty-third report of the Sub-Committee on Petitions

A/AC.115/L.302 Letter dated 14 July 1971 from Mrs. Devi Venkatrathnam, Mrs. Toni Wilcox and Mrs. Christina Vusani in Durban, Natal, South Africa

A/AC.115/L.303 Letter dated 9 June 1971, from Mr. J.J. de Félice, President of the French Committee against Apartheid, Paris

A/AC.115/L.304 Cable dated 15 July 1971 from the African National Congress (ANC) Dar es Salaam

A/AC.115/L.305 Communication dated 5 July 1971 from the International Association of Democratic Lawyers, Brussels

A/AC.115/L.306 Cable dated 16 July 1971, from Mr. P. McGregor of the Anti-Apartheid Movement in Sydney

A/AC.115/L.307 Forty-fifth report of the Sub-Committee on Petitions

A/AC.115/L.308 and Corr.1 Report of the Mission to Europe and Africa, 1971

A/AC.115/L.309 Forty-fourth report of the Sub-Committee on Petitions

A/AC.115/L.310 Forty-sixth report of the Sub-Committee on Petitions

A/AC.115/L.311 Communication dated 29 July 1971 from Mr. Imerglik, Chairman of the Movement against Racism, Antisemitism and for Peace, Paris

- A/AC.115/L.312 Statement dated 4 June 1971 by the Pan Africanist Congress of Azania (South Africa)
- A/AC.115/L.313 Note on recent developments concerning military co-operation by France with South Africa
- A/AC.115/L.314 Forty-seventh report of the Sub-Committee on Petitions
- A/AC.115/L.315 Communication dated 21 September 1971, from Mr. B. R. Lourigan, Acting Secretary of the Queensland Branch of the Australian Labour Party, Brisbane
- A/AC.115/L.316 Communication dated 2 September 1971, from Mr. R. J. Gregory, Acting State Secretary of the South Australia Council for the Amalgamated Engineering Union, Adelaide
- A/AC.115/L.317 Communication dated 12 September 1971, from Mr. P. McGregor, Convenor of the Anti-Apartheid Movement, Roseville, Australia

Summary records of the Special Committee

A/AC.115/SR.147-189

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