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POLICIES OF APARTHEID OF THE GOVERNMENT
OF SOUTH AFRICA

SECURITY COUNCIL
Thirty-fourth year

Letter dated 23 November 1979 from the Permanent Representative of
the Libyan Arab Jamahiriya to the United Nations addressed to the
Secretary-General

I have the honour, on behalf of the African Group of States at the United Nations, to request you to circulate as a document of the General Assembly, under agenda item 28, and of the Security Council, the attached document submitted by the African National Congress of South Africa, condemning the recent death sentence imposed on James Daniel Mangu and the long-term imprisonment of his colleagues (the Pietermaritzburg 12).

(Signed) Mansur R. KIKHIA
Permanent Representative
Chairman of the African Group

ANNEX

Document submitted by the African National Congress
of South Africa

1. On 15 November 1979, the Supreme Court Judge, Johan Hefer, sentenced to death the ANC freedom-fighter, James Daniel Mange, and 11 of his colleagues to long-term imprisonment ranging from 14 to 19 years.

2. The condemned men, all members of the African National Congress are:

1. James Daniel Mange	24 years
2. John Mofokeng Sekete	24 years
3. Tladitsagae Noses Molefe	23 years
4. Jeffrey Ramasaka Legoabe	30 years
5. Jimmy Ngobeni	27 years
6. Andrew Mapheto	20 years
7. Bennet Pantese Komane	46 years
8. Sydney Sekvate Choma	23 years
9. Titus Mogaletsoe Maleka	25 years
10. Mandlenkosi Christopher Mabebe	27 years
11. Mandla Jack Mthethwa	22 years
12. Vusumuzi Nicholas Zulu	28 years

3. The charges against the accused were high treason and 43 alternate counts of alleged participation in the:

- (a) Contravention of the provisions of Act No. 83 of 1967;
- (b) Contravention of section 18 (s) (a) of the Riotous Assemblies Act No. 17 of 1956;
- (c) Contravention of section 18 (2) (b) of the Riotous Assemblies Act No. 17 of 1956.

4. The State indictment alleged that the accused, all members of the African National Congress, had left the country in the wake of the Soweto uprising and massacre to receive military training abroad and had returned to form a conspiracy to overthrow the Government by violence. It was further alleged that, toward this end, they had recruited persons to join the conspiracy and trained and equipped people to wage war.

5. The trial opened on 4 September 1979 after the instructing attorney, Mr. Shun Chetty, who has since escaped from South Africa and recently appeared before the Special Committee against Apartheid, instructed advocates Messrs. E. M. Wentzel S.C., A. S. K. Pitman and E. Dane.

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6. On 12 September 1979, the presiding Judge ruled that evidence would be heard in camera. The accused then instructed Mr. Wentzel to read the following statement to announce their decision to dismiss their defence and to let the trial proceed in their absence and without them challenging the evidence of the State witnesses.

7. Following this unprecedented position taken by the defendants to dramatize their protestation of the illegitimate status of the South African Courts whose role is to enforce the inhuman policies of apartheid, they were forcibly taken to the courtroom tied to each other by iron shackles and confined in a glass cage.

8. It is the considered opinion of the African National Congress that this Draconian verdict marks a dangerous landmark on the path pursued by the régime that is already responsible for well over 50 per cent of the world executions; 700 of which were carried out during the last decade and 132 last year. And the fact that it is the first time since 1945 that a death sentence has been passed on someone who has not committed any acts of violence is undoubtedly intended to prepare the ground for the envisaged trumped-up charges of high treason and the subsequent execution of hundreds of leaders and freedom-fighters committed to the elimination of apartheid and the establishment of a democratic state based on the will of all the South African people, regardless of race, colour or creed.