

AN OPEN APPEALConcerning the granting of political asylum and refugee status to South African Conscientious Objectors

Every year a number of South African conscripts leave the country of their birth because they are not prepared to participate in the South African Defence Force (SADF) and its apartheid wars. Obviously we would like these people to stay inside South Africa and contribute towards the struggle for a new society. However the reality of the situation is that for many - who are not universal religious pacifists, and are not prepared to serve a term in jail and who can no longer continue avoiding the SADF - the choice is between exile and service in the SADF. This letter, being an attempt to address the needs of those individuals opting for exile, is an open appeal re the status of South African war resisters.

This appeal is addressed to the government of the following countries:

Australia	The Netherlands
Austria	New Zealand
Belgium	Norway
Botswana	Portugal
Canada	Spain
Denmark	Swaziland
Federal Republic of Germany	Sweden
France	Switzerland
Greece	The United Kingdom
Italy	The United States of America
Lesotho	Zimbabwe

1. We address this appeal to you in light of:
 - 1.1 Your commitment to such fundamental rights as freedom of conscience, speech, association of movement and religion.
 - 1.2 Your opposition to apartheid and racism of any kind.
 - 1.3 Your endorsement of the Geneva Convention and the Declaration of Human Rights.
 - 1.4 The U.N. security council resolution 33/165 of 1978 re the status of SA conscientious objectors (see Appendix 2).

2. We draw your attention to the following facts:
 - 2.1 The South African Defence Force (SADF) and those serving in it are engaged in regular contraventions of international law;
 - a) by illegal occupying Namibia
 - b) by raids into neighbouring countries
 - 2.2 The SADF is used as a political weapon against community leaders, and against communities and organisations by entering and occupying Black residential areas within South Africa and by assisting the South African Police in detaining large numbers of people as part of the South African Government strategy to maintain its domination of the majority of South African citizens.
 - 2.3 All male citizens classified "white" by the South African Government are subject to compulsory military service. After an initial period of 2 years each conscript is required to serve two years divided over a 12 year period. Although the total period of conscription is thus 4 years, military demands extend over a 14 year period at least, after which the conscript is still liable for service until he is 55 years old.
 - 2.4 During this period of compulsory military service white males within the ages of 18 and 55 can be called upon to invade neighbouring sovereign states, to suppress the fundamental human freedoms of their black fellow citizens and in many instances to kill them.
 - 2.5 A disturbing number of men commit suicide each year while in the SADF. In 1986 the Minister of Defence reported the figure of 429 attempted suicides with 24 resulting in deaths. Suicide must be recognised as a possible desperate method of refusing to fulfil the duties imposed on conscripts.
3. Within this situation we have to report the existence of extensive opposition to conscription supported by most of

the major Churches and the progressive organisations in South Africa and promoted by the End Conscription Campaign and the Conscientious Objectors Support Group who bravely sustain their effort despite the fact that their leaders and members are often among those most frequently and seriously harrassed by security forces.

4. We highlight the choices facing objectors

- 4.1 Universal religious pacifists can apply for alternative service. This category applies to only a small group of individuals.
- 4.2 Six years in jail.
- 4.3 Leave South Africa and illegally evade the call-up.
- 4.4 Leave South Africa and go into exile.

All the alternatives are difficult ones involving extreme sacrifice on the part of the objector. Further details concerning these options are given in appendix 1. In the following section we deal particularly with the option of exile. Our call in South Africa is for people to stay and contribute to the struggle for a new society. Despite this call the reality of the situation is that very often an objector, for one reason or another, is ultimately faced with a choice between exile and service in the SADF. When this situation does arise the particular objector should receive every assistance to follow their conscience.

5. With regard to exile

- 5.1 A limited number of South African conscripts hold dual nationality being also citizens of another country. This enables them to leave South Africa and take up residence and employment elsewhere.
- 5.2 The large majority have South African citizenship only and face the prospect of living as aliens in a foreign country with all the hardships and inconveniences that implies.

- 5.3 Even for those with citizenship of another country exile means forsaking the land of their birth, family, friends and upbringing, indeed almost the entire range of psychological, emotional, social and economic relationship built up in the course of their lives. Exile is certainly not the easiest alternative to compulsory military service in the SADF. Yet, there is little doubt that for many exile is preferable to accepting the consequences of remaining in South Africa to face prosecution.
6. We therefore place before you our request that South African conscientious objectors be granted political asylum and refugee status and be provided with every opportunity to live according to the dictates of their conscience.
7. It must be stressed that the efforts of certain countries addressed above towards the ends outlined here have not in any way been overlooked. It may be that their preparedness to assist these refugees from the South African war will serve as an example to other countries to assist in the same manner.

SIGNATURE

NAME

POSITION

SIGNATURE	NAME	POSITION

The alternatives to military service are:

1. Conscientious Objection on Religious grounds.

An applicant for this alternative must satisfy the authorities that he is an universal pacifist for religious reasons. No other reason be it moral, political, philosophical or humanitarian, counts. Applications for this alternative are made to the Board for Religious Objection.

The succesful applicant is obliged to perform alternative service for one and a half times the length of any outstanding military service. Where no military service has been completed this means 6 years of alternative service. The Minister of Manpower employs the religious objector according to the needs for the states bureaucracy. The objector thus very often finds himself still serving the apartheid government though not directly in the military arm.

Between 1983, when the Board for Religious Objection was established, and June 1987 1248 people applied to the Board for Objector status. 1228 were accepted and 20 turned down.

2. Refusal to serve in the SADF.

Refusal to serve in the SADF for reasons other than being a universal religious pacifist entails imprisonment for up to one and a half times the length of any outstanding military service. Refusal by a new conscript may entail 6 years imprisonment.

It is widely recognised that the accomodation of objection on religious pacifist grounds in not to facilitate conscientious objection but in fact to deter conscripts from applying and to limit the extent of objection on these grounds. There is no accomodation of conscientious objectors in a broad sense, in any form of alternative community service, despite repeated requests and recommendations.

It is clear that the period for which an objector is committed to bureaucratic "community service" (in the case of a religious objector) or to prison (in the case of other objectors) is an indication that such persons are being punished for appealing to a conscience different from that of the government and the SADF.

RESOLUTION 33/165

Status of persons refusing service in military
or police forces used to enforce apartheid

The General Assembly,

Mindful that the Charter of the United Nations sets forth, as one of the purposes of the Organization, the achievement of international co-operation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling article 18 of the Universal Declaration of Human Rights, 1/ which states that everyone has the right to freedom of thought, conscience and religion,

Conscious that the Proclamation of Teheran, 2/ the Lagos Declaration for Action against Apartheid 3/ and other United Nations declarations, conventions and resolutions have condemned apartheid as a crime against the conscience and dignity of mankind,

Having regard to section II, paragraph 11, of the Lagos Declaration, which proclaims that the United Nations and the international community have a special responsibility towards those imprisoned, restricted or exiled for their struggle against apartheid,

Taking note of the report of the Special Committee against Apartheid, 4/

1. Recognizes the right of all persons to refuse service in military or police forces which are used to enforce apartheid;
2. Calls upon Member States to grant asylum or safe transit to another State, in the spirit of the Declaration on Territorial Asylum, 5/ to persons compelled to leave their country of nationality solely because of a conscientious objection to assisting in the enforcement of apartheid through service in military or police forces;
3. Urges Member States to consider favourably the granting to such persons of all the rights and benefits accorded to refugees under existing legal instruments;
4. Calls upon appropriate United Nations bodies, including the United Nations High Commissioner for Refugees, the specialized agencies and non-governmental organizations, to provide all necessary assistance to such persons.

1/ General Assembly resolution 217 A (III).

2/ Final Act of the International Conference on Human Rights (United Nations publication, Sales No. E/68.XIV.2), p. 3,

3/ A/CONF.91/9 (United Nations publication, Sales No. E.77.XIV.2 and corrigendum), sect. X.

4/ Official Records of the General Assembly, Thirty-third Session, Supplement No. 22 (A/33/22 and Corr.1).

5/ General Assembly resolution 2312 (XXII), annex.

(Passed unanimously by acclaim)

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