

TOTALITARIANISM — DETENTION

1989

NOV — DEC.

let him. The party shot the first rapids successfully, but right at the bottom the raft flipped and threw the guys out and into the fast-flowing water.
"Most of them managed to climb back on to the raft but Mr Frew drifted away.

by rocks and debris.

The river was reportedly still in flood after last week's heavy rains.

Frew's body was found about 12km downstream on Sunday morning.

Mogoba welcomes lifting of restrictions

(328)

THE lifting of restrictions on former Methodist leader the Rev T S N Gqubule has been welcomed by Methodist Church of Southern Africa presiding bishop the Rev Stanley Mogoba.

The restrictions, in terms of the state of emergency, were lifted on Friday after direct representations had been made earlier by Mogoba to Law and Order Minister Adriaan Vlok at a meeting in Pretoria.

Mogoba said in a statement he was pleased at the speed with which the matter had been handled.

"It is a sad reflection on the state of our country when outstanding church leaders

of the calibre of Dr Gqubule, and other lesser-known Christians, are restricted.

"However, one appreciates that the government has seen the need to lift the restrictions on Dr Gqubule, and I trust that this will contribute to the establishment of peace in SA," Mogoba said.

SA could move towards a climate of real dialogue only all were free to express themselves.

He called on government and people and organisations opposed to it to adopt "mature attitudes" towards the process of negotiation. — Sapa.

Tax benefits

line with the prime rate in the longer term. UBS's Mike Deblanche agreed withdrawing tax benefits would gradually increase the cost of money to building societies, but given fierce competition, home loan rates might not rise significantly.

With regard to tax-free Treasury Bonds, Du Plessis said bonus conversion bonds were due to expire on February 28 1990, and no interest would accrue thereafter. Investors should therefore apply for redemption.

The present series of indefinite-period

Treasury Bonds would close next week and the bonds would be redeemed next February. No interest would accrue on unredeemed bonds after this.

To replace the closed series, a second series would be offered with partial tax concessions.

The new series would continue to attract tax concessions, but at a lower rate. As with investments in the Post Office Savings Bank, tax-free interest would be reduced to 80% as from March next year and thereafter by 20 percentage points a year.

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S/Times 10/12/89

Fugitive Suttner 328 vows to return

By NIC van OUDTSHOORN
Sydney

ESCAPED detainee Raymond Suttner pledged this week to return to South Africa "soon" to show his commitment to the liberation struggle.

"I don't mean going back holds no fear," Mr Suttner said. "But some whites must show they are prepared to go all the way."

Mr Suttner, 44, a former Wits University law lecturer who fled South Africa in August to attend a meeting in Harare of the Organisation of African Unity, arrived in Australia this week for a short visit.

He has travelled abroad since his escape from house arrest after becoming the longest-serving white political detainee held under the state of emergency.

Asked how he escaped South Africa, Mr Suttner said the authorities had forgotten to cancel his passport after releasing him from prison and placing him under house arrest.

"The level of resistance in South Africa was so high that the Government could not give full attention to my comings and goings," he said.

Santa brings a passport!

By GEORGE MAHABEER (328)

AFTER being denied a passport for 10 years, a journalist has received a surprise Christmas gift — a two-year passport to take up a scholarship in West Germany.

Mr Marimuthu Subramoney, who has just turned 43, will leave Durban in January to study as a news broadcaster with West Germany's international radio service, Deutsche Welle. *Signed 17/12/61*

Banned and placed under house arrest in

1980 for three years, Mr Subramoney was unable to accept a scholarship offered him by Scotland's Edinburgh University.

But after several unsuccessful bids for a passport, Mr Subramoney appealed to Minister of Home Affairs Eli Louw.

Mr Subramoney, who owns a news agency in Durban, is the official South African correspondent for Radio Deutsche Welle, the Press Trust of India, Radio Netherlands and several other radio stations and papers.

Cachalia ban lifted

UNITED Democratic Front national treasurer and civil rights lawyer Azhar Cachalia has had the restriction order severely limiting his activities lifted, he told Sapa yesterday.

Mr Cachalia has been under restrictions of vari-

ous types since February 1988.

The Minister of Law and Order, Adriaan Vlok, in a letter dated December 18, said the "amended restriction order" served on him on June 16, 1989,

Mr Cachalia was first

restricted in Feb 1988 when 14 organisations were placed under such severe restrictions they were said to have effectively been banned.

The organisations, including the UDF, were virtually limited to having an office and administering it.

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2/12/89
Jongkhu

Govt lifts restrictions on UDF's Cachalia

328 21/12/89
The Government has lifted the severe restriction order on United Democratic Front national treasurer and civil rights lawyer Mr Azhar Cachalia.

Mr Cachalia has been under restrictions of various types since February 1988.

The Minister of Law and Order, Adriaan Vlok, in a letter dated December 18, said the "amended restriction order" served on him on June 16, 1989, "has been lifted".

Mr Cachalia was first restricted in February 1988 when 14 organisations, including the UDF, were placed under such severe restrictions they were

said to have effectively been banned. The organisations were virtually limited to administering their offices.

The restrictions on Mr Cachalia at the time prevented him from being involved in UDF activities, giving interviews to the press or in any way contributing to the preparation or publication of any article.

His restriction order was renewed in June 1988 and, in June this year, he was served another order putting him under house arrest. The house arrest was revoked after a public outcry and representations from the legal firm for which he works. — Sapa.

Restrictions on Cachalia are lifted

RESTRICTIONS on UDF national treasurer and civil rights lawyer Azhar Cachalia, in effect since February 1988, were lifted yesterday, he confirmed. (328) (48)

In a letter dated December 18, Law and Order Minister Adriaan Vlok said the "amended restriction order" served on him on June 16 1989 "has been lifted".

Cachalia was first restricted in February 1988 when restrictions on 14 organisations were said to have left them effectively banned. The UDF among them was virtually limited to having an office and administering it. 11/04 21/12/89

Commenting on the lifting of the order, Cachalia said he felt he and the UDF should never have been restricted.

"Apartheid is a threat to safety of public and not the UDF. Now that the order has been lifted, I will continue to function as an activist of the UDF in the struggle to end white domination in SA."

Apart from the restriction orders, Cachalia had for years had difficulty obtaining a passport.

In June this year he was granted a temporary travel permit to allow him, as part of a UDF delegation, to travel to Washington and London for meetings with US President George Bush and British Prime Minister Margaret Thatcher.

He was refused a passport to attend a meeting of Commonwealth foreign ministers in Canberra in September, but given a temporary travel permit to allow him to attend the anti-apartheid conference in Paris last month, organised by French President Francois Mitterrand's wife Danielle. — Sapa.

Cachalia dedicated to struggle

STAR 22/12/79 (428)

By Kaizer Nyatumba

Civil rights lawyer and United Democratic Front (UDF) national treasurer Mr Azhar Cachalia, who has had his restrictions lifted this week, plans to take part fully in the Mass Democratic Movement (MDM) which emerged during his restriction period.

In an interview with The Star yesterday, Mr Cachalia said he was as dedicated to the struggle against apartheid now as he was before he was restricted in February last year. (328)

He said since the UDF still remained restricted, it would not be possible for him to participate fully in its activities. But he would "participate to the maximum" in the MDM. (100)

Mr Cachalia was first restricted in February last year when 14 organisations — including the UDF, the Congress of South African Trade Unions and the Azanian People's Organisation — were virtually banned and allowed only to keep and administer an office.

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Star 29/12/84

Denard: I served SA (328) for 12 years

The Star's Foreign News Service

PARIS — French mercenary Colonel Bob Denard, reportedly under house arrest in South Africa, plans to return shortly to France, he said in an interview published in Paris yesterday.

He complained: "I was abandoned by South Africa, whom I served faithfully in Comoros for 12 years, because Pretoria now wants to wear the cloak of respectability."

"The departure of Cubans from Angola, and recent events in the Soviet Union, leave them a free hand in southern Africa, and all of a sudden they want to be respectable."

That explains elections in Namibia and concessions to anti-apartheid movements, less dangerous since they have lost Moscow's support.

"We mercenaries harmed Pretoria's world image, so they stopped paying us."

Colonel Denard's telephone interview was published in *Paris-Match* magazine.

He continued to deny allegations that he assassinated President Ahmed Abdallah. He maintained that the president's military aide, a Sergeant Jaffe, shot him by accident.

Man seen after Asvat killing

THE movements of an alleged killer were yesterday traced to the day when he was seen holding a gun at the window of a surgery moments after Dr Abu-Baker Asvat had been shot.

Mr Thulani Dlamini, accused of the murder of Asvat on January 27 this year, denied that he was anywhere near the doctor's surgery in Rockville, Soweto on that day. He was being cross-examined by the prosecutor, Mr J A van der Merwe, at the Rand Supreme Court.

But he agreed that he saw and spoke to state witness, Mrs Veronica Hlatshwayo in Rockville. He said he met her on his way to White City Jabavu from where he had moved to Dube. He did not remember the day, he said. Hlatshwayo told the court in her evidence that it was the day when Asvat was gunned down.

Hlatshwayo said she had seen Dlamini sitting with a man wearing a red shirt not far from Dr Asvat's surgery moments before the doctor was gunned down. She said Dlamini had given her sunglasses to keep for him. Dlamini denied this.

Dlamini said he did not know Mrs Thandi Tshabalala who told the court earlier that she saw him at the window of Asvat's consulting room shortly after she had heard gunshots from the surgery.

Tshabalala had said she saw Dlamini holding a gun and the burglar proof of the window of the consulting room in an attempt to get out. She ran to the surgery and found Asvat lying in a pool of blood on the floor. He could not talk but was still alive.

Van der Merwe put it to him that he was seen running away from the surgery after the shooting. The man who saw him was Mr Floyd Tshabalala, who also gave evidence for the State. Dlamini denied this and also denied that he and his co-accused, Mr Zakhele Mbatha, had planned the alleged shooting before the actual date.

Several members of the Azanian People's Organisation and Dr Allan Boesak, were among the spectators in the court's public gallery.

Sowetan 2/1/89

Repeal ^{CML} ^{Trial} ^{2/11/89} detention laws, say lawyers 329

Staff Reporter

THE Cape Law Society has called on the government to repeal all legislation that provides for the detention of people for longer than 48 hours without their being brought to court.

At its recent annual general meeting held in Fish River, the Law Society of the Cape of Good Hope also called for the repeal of legislation:

- Preventing access to detained persons by their legal representatives;

- Authorising detention without trial in a court of law; and

- Limiting the accountability of the state or any person for their action in any civil or criminal proceedings.

Inside the mind of the young Damian de Lange

WHILE working as an unskilled labourer at the state-owned Fosker phosphate mine in Phalaborwa in 1977, Damian de Lange got into a fight with another white employee. It was an important moment in his political development.

De Lange punched a man called "Dik Piet" because he had beaten up a black worker. He came close to losing his job but didn't, and has often thought about the incident since.

"I don't think I was rabidly anti-racist on the mines," he said. "I had no ideas or dreams of crusading for the blacks — it was merely that I tried to treat everyone the same, something I got from my father, mother, and the Catholic religion."

This was one of many recollections De Lange recorded while in prison awaiting the end of his trial for terrorism as one of the "Broedersroom Three".

In a lengthy statement, De Lange traces, in his own words, his life story from the time of his birth in Kitwe, Zambia (then Northern Rhodesia), on August 21 1958.

The *Weekly Mail* is able to reproduce extracts, which provide a fascinating, deeply personal insight into the mind of the young white man before he became an Umkhonto weSizwe cell commander.

De Lange started his schooling at a convent in Kitwe and, when the family moved to Durban, was enrolled at another convent on the Bluff. He attended Catechism classes and served as an altar boy. His mother's staunch Catholicism played a big part in his early life.

He then attended Marist Brothers College in Durban, where "I spent two not-such-happy years, being made aware of my income group by others who were mostly from high income groups".

By 1972 the family moved to East London, where De Lange completed his schooling at De La Salle College. At this time he began to question his Catholic beliefs: "I began reading about other religions, beliefs, witchcraft, astrology etcetera — this was to be a very long process, covering a number of years."

De Lange recalls an awareness of contact with black people from an early age. The family servants, in particular, exerted "a very strong influence in our family, and on me ...

"We (children) were told they were employed by my parents, not by us. This had an influence — we had to treat them as equals, or rather adults who could tell us what to do or not to do.

"Knowing or getting to know these servants helped me to like or not like people as they were. This sparked off arguments at school or among friends

A personal biography by convicted Umkhonto We Sizwe cell commander Damian de Lange explains the influences which turned him from a politically unaware, working class youth into a guerrilla
By SHAUN JOHNSON

on the question of 'kaffirs'. I felt that people could not be lumped together under one derogatory name — some people were good and some were bad."

Describing his home life, De Lange recalls: "As a teenager I didn't think we were a liberal family, especially when it came to sex and drugs and rock and roll. But teenagers always see parents as exactly that and parents and restrictions are always restrictive — *C'est la vie!*"

In July 1976, a month after the Soweto uprisings, he was conscripted into the South African navy. De Lange notes that he was "totally unaware" of the developments in Soweto and the Cape townships. "My world consisted of

ing to the blacks and was Roman Catholic. I had vaguely heard that communists lived behind the iron curtain, but never thought it was something to do with talking to blacks, or religion.

"I got to know the blacks; some were old, some young, but all with very little education. They only spoke Afrikaans besides their own languages. Gradually I got to know that they spent most of their time in the compound except for off-weekends, when they would travel to homes not close to Phalaborwa ...

"Visiting the compound was like a concentration camp to me. Unbelievable. At school I had (been interested in) the writings of people like Ayn Rand and Solzhenitsyn — they painted a picture of what I saw here in real life.

"High fences topped with barbed wire, massive gates with guards, men lining up with ration cards to get food ... Loudspeakers blaring out something unintelligible.

"To me, the blacks were just normal people — some pleasant, others sullen, some extra hardworking and others skiving off whenever possible ...

"Then I found out how much the blacks got paid ... I thought it was a big waste of money, paying us whites so much for basically doing very little."

Back in Phalaborwa, De Lange became increasingly friendly with his black colleagues. "On off-weekends I would drive one or two home (normally to the Gazankulu area), spend a few hours having tea or being introduced to their relatives before being on my way."

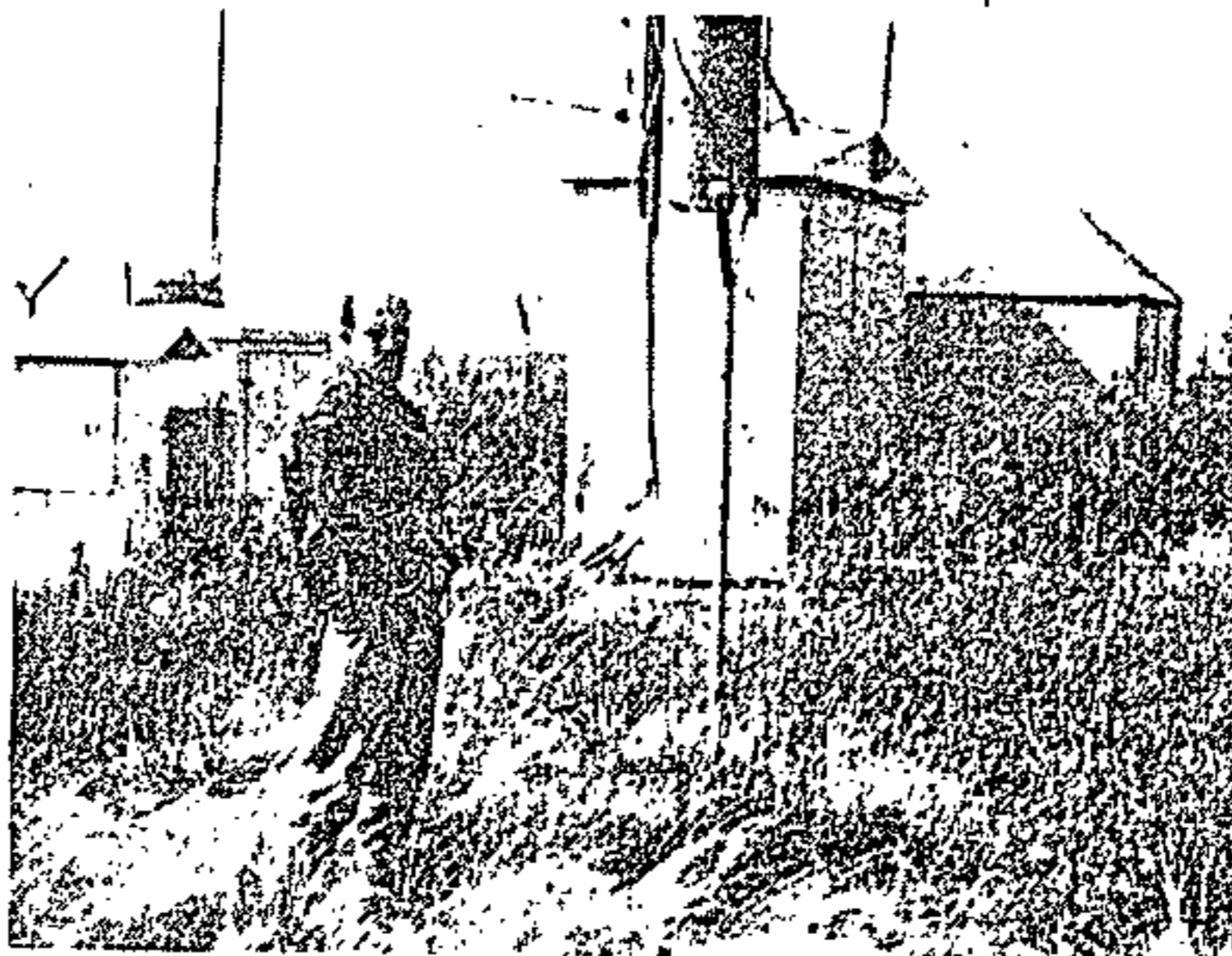
At the end of 1978, he was accepted for degree study at the Universities of Cape Town, Rhodes

and Wits, but eventually opted to join the then-South African Associated Newspapers group journalistic cadet course. While working on the *Cape Times* during the 1980 school boycotts, he began to attend community meetings.

"I built up contacts in the townships ... to some degree I was accepted in these non-white areas ... All in all it was very interesting and exciting." He met veteran trade unionist Oscar Mpeha at this time, and "formed a strong relationship with a young black journalist.

"With him I spent time in the shebeens and invariably the talk would be about current events, politics, the Boers, police and the ANC. I suppose I was also affected by the sense of a close community, of things shared and of being accepted — despite my initial apprehension of being a white in a township."

De Lange recalls being "surprised at the amount of discussion of politics at casual gatherings, compared to my white counterparts who generally only discussed the latest fashion, music, best beach of late and maybe some scandal."



A police picture of Damlan de Lange, taken at an alleged Umkhonto weSizwe target

those I had direct contact with, and life seemed to promise one big party."

De Lange's first job afterwards was as a trainee manager at an East London hotel, but he soon left for Phalaborwa and the phosphate mine. It was there that the incident with "Dik Piet" occurred and, more importantly, he developed friendships with black fellow-workers.

"Dick and Josias were the 'bossboys' on our shift, and I would never have got by without them. Though I found out later that what you were supposed to do was to tell the blacks what to do, and then sit in the air-conditioned office and be served tea ...

"I had come to enjoy working on the pump floor, changing pumps, valves, opening blocked pipelines, working with massive wrenches and joking with the blacks ...

"Once I was accused by the shiftboss, in a written report, of being a 'communist' because I spent time talk-

Man is still missing after alleged arrest

By ISMAIL LAGARDIEN

A POTCHEFSTROOM activist, Mr Ramatuwa Nicholas Thlapi (29) who was allegedly arrested at a roadblock, detained then tortured before he disappeared on the night of March 20, 1986, has still not been found.

It was reported that Thlapi and other activists of the Ikageng Youth Congress were stopped at a roadblock between



Mr Nicholas Thlapi

Potchefstroom and Klerksdorp while enroute to a night vigil for a slain activist.

The group was ar-

• To page 2

Man still missing

• From page 1

rested and taken to Stillfontein police station where one of them, Mr George Mangoejane, said they were sprayed with water from a hose then tortured.

"While we were given electric shocks to our bodies, I saw Nicholas lying on the floor of an adjacent room. He was bleeding from his nose," Mangoejane told the missing detainee's father, Mr Barileg Thlapi, the day after the alleged arrests.

Mangoejane and his colleagues were released separately while Nicholas Thlapi was seen at a prison in Kroonstad seven months later by another detainee who refused to be named.

Captain Dirk van Zyl of the Stillfontein police had no information about the case but said he would look into it, liaise with the family and do the best he can to "find their son."

Meanwhile the Standing for the Truth organisation in Potchefstroom will march on the Klerksdorp police station tomorrow to deliver a petition demanding to see Nicholas Thlapi.

Unionist gets R22,000 for unlawful arrest

3-9/11/89.
wma
By GAYE DAVIS

sult."

AN East London trade unionist arrested by South African police acting on a request from Ciskei President Lennox Sebe and subsequently detained in the "homeland" for 68 days has been awarded R22 000 damages.

David Mthusimbele Thandani, 37, sued Minister of Law and Order Adrian Vlok for unlawful arrest and detention.

In his judgement, Mr Justice JFJ van Rensburg of the East London division of the supreme court said the case displayed "a reckless disregard" on the part of the South African Police for the rights of Thandani.

Thandani, an organiser for the Transport and General Workers' Union, was arrested on August 17 1983 by a Lieutenant Schooling, of the South African security police, who has since been promoted to the rank of colonel.

Three hours later he was handed over to Ciskei security police and,

with four others, was taken across the border to the Mdantsane police station where he was held until his release on October 14.

In his evidence, Schooling said he acted on orders from his commanding officer, a Colonel Van der Merwe, who had received a message — conveyed by the Ciskei police — to the effect that a request for Thandani's arrest had come from Sebe.

Mr Justice Van Rensburg said there was also an element of *male fides* present in the case: Schooling was "fully aware" that the arrest was unlawful and that its purpose was to enable Thandani's unlawful handing over to the Ciskei police.

"Where members of the police force abuse their powers in this manner the victim of the abuse is entitled to be compensated in full measure for any humiliation and indignity which re-

Schooling had conceded his arrest of Thandani was unlawful; that he knew there were no valid grounds for it and that the purpose was not to bring Thandani before a court but solely to hand him over to the Ciskei security police.

There was no suggestion by the defence that Thandani had committed an extraditable offence or that his handing over was in terms of the extradition agreement existing between the governments of South Africa and Ciskei.

In the light of these facts, defence counsel had no alternative but to concede that Thandani's arrest and detention was unlawful and that he was entitled to an award for damages, the judge said.

He rejected defence counsel's argument that liability for damages extended only to the three hours while he was in Schooling's custody.

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WEEKLY MAIL, November 3 to November 9 1989

3

AT 11am on Monday police gave an undertaking in a Pietermaritzburg court that four of their members allegedly operating a red minibus "torture-mobile" would cease harassing 19-year-old Imbali youth activist Non-ginkosi Zondi.

At 3pm the same day, he was picked up by the four policemen named in the affidavits presented to the court. They were driving the same red Husky "torture-mobile". Despite the fact that a formal restraining order, overriding the police undertaking, was granted the following afternoon, Zondi was detained until Thursday morning. For the fourth time in recent months, Zondi was released without charges being brought.

The policemen against whom the application is being brought — along with the minister of law and order and the commissioner of police — are all stationed at Pietermaritzburg.

The head of the unit, the affidavit alleges, was Willem de Wet (known

Youth describes detentions, assaults in 'torture-mobile'

as "Vellum" or "Boss"). Under him were three black policemen, Mafiki Mshali (known as "Chips"), "McGyver" Mchunu (his first names are not known) and Dumisani Mshali. Also implicated are a white policeman, known only as Rambo, a black policeman with a false eye and another black policeman whose name is not known.

Various combinations of these — but always with "Vellum" at the helm — allegedly randomly detained and tortured township activists during the past year.

Zondi is the applicant in a case involving charges of torture and vigilante action being brought against four Pietermaritzburg policemen

Four Pietermaritzburg policemen, who allegedly toured the township in a red minibus and detained and assaulted residents, face charges of torturing a Natal activist.
By IVOR POWELL

which is being heard in the Pietermaritzburg Supreme Court this morning.

Among other allegations in his affidavit Zondi claims that:

● He was detained on three separate occasions by the occupants of the Husky and tortured, threatened with

death and various forms of physical violence, including being pushed off the edge of a cliff. On only one occasion was any charge laid, and that was quickly dropped due to lack of evidence.

● Among other forms of torture, physical and psychological, he was subjected to electric shocks; suffocated to unconsciousness by means of a plastic tube being drawn over his head; beaten with sjamboks and fists; and threatened with firearms. He also reported coughing blood as a result of assaults.

● On the one occasion he was charged, separate and unrelated charges were mooted. Having decided against charging Zondi with mur-

der — that of one of the policemen's brother — another charge was suggested by a police lieutenant. After an initial court appearance, charges were dropped.

● He was forced to live in hiding out of fear of the occupants of the red Husky.

His allegations are supported by a medical report made after examination subsequent to one of Zondi's detentions, as well as a number of other sworn affidavits submitted by community activists who were allegedly also subjected to tortures by the occupants of the red Husky. These other affidavits also allege beatings, tube tortures and electric shocks; the details are in close agreement with those supplied by Zondi.

None of the seven detentions referred to in the affidavit led to a substantial charge being laid.

The four policemen are expected to present responding affidavits at the Pietermaritzburg Supreme Court hearing this morning.

2 hanged as 3 get stay of execution

TWO Death Row prisoners were hanged yesterday while three others, also scheduled to be hanged yesterday, had their executions halted following an application to the Pretoria Supreme Court late yesterday.

The two who were executed were Million Majosi Halahla (44) and Timothy Matekana Lubisi (28).

They were charged with murder and robbery with aggravating circumstances and were convicted by a judge in White River on June 4, 1987.

They were found guilty of murdering Mr Wil-

liam Cato (43) on May 22, 1986.

Halahla had the death penalty imposed twice for the murder and robbery, while Lubisi got the death penalty for the murder and 15 years imprisonment for the robbery charge.

The court heard that

after Cato had stopped along the White River/Hazyview Road and was lured into a bush by two women to have sex, the condemned men robbed him and stabbed him to death.

The three who received a stay of execution are Vusumuzi Elliot Mnune

and his brother, Michael Zakhele Mnune, and William Dodovi.

A spokesman for the Department of Justice said yesterday's executions brought the total of hangings in South Africa so far this year to 49 while 60 people had been granted reprieves.

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Sowetan
3/11/89

Organisations call for inquiry into political killings

Anger at lack of progress by police

By SOPHIE TEMA

LAWYERS for Human Rights and other organisations have called for an open judicial inquiry into allegations by former security policeman Butane Nofemela, who is on Death Row for killing a farmer.

The organisations also called for an independent commission of inquiry into the assassination of academic and political

activist David Webster.

They want an inquiry to test the credibility of Nofemela's allegations that he was responsible for the killing of Durban civic rights attorney and former ANC member Griffiths Mxenge.

Mxenge was found murdered next to the Umlazi Stadium in 1981 with more than 50 stab wounds.

The inquest magistrate found he had been killed by "unknown persons".

Nofemela also claimed he was partially responsible for eight other political killings while serving in the security police.

At a Press conference in Johannesburg this week Judith Hardin of the Black Sash said Nofemela's claim required urgent investigation at the highest level and called for an independent judicial inquiry to examine his affidavit.

The call was backed by the United Democratic Front, Five Freedoms Forum, Congress of South African Trade Unions, Human Rights Commission, Southern African Bishops' Conference, South African Council of Churches and the David Webster Trust.

The move was prompted by what the organisations termed "the apparent lack of progress by police" in bringing those responsible to account.

They said there was suspicion in the minds of South Africans that death squads with alleged police links were assassinating political activists.

"The perpetrators have close links to police or other State agencies, and are hence protected."

"Because these attacks are planned so carefully, involve such a level of organisation and expertise and reflect such deep conspiracy, they cannot be investigated as individual crimes."

"The onus is on the police to dispel these suspicions," they said.

The David Webster Trust said the total reward for information leading to Webster's arrest stood at R150 000 - the largest offered in this country.

The organisations said it was clear there was a growing lawlessness in South Africa in which rightwing elements felt free to launch attacks against those promoting an apartheid-free society.

Continued failure on the part of the government to facilitate an independent, public and broadly constituted inquiry would make it even more culpable for the deaths, they said.

Among those assassinated and whose killers have never been brought to trial, were:

■ Dr Rick Turner - political science lecturer shot dead at his Durban home when he answered a knock at his front door.
■ Brian Mbulelo Mazibuko - ex-Robben Island prisoner, stabbed to death on the East Rand in 1985.

■ Alex Pilane - East Rand member of Cosas, abducted and beaten to death in 1985.

■ Matthew Goniwe - founder of the Cradock



David Webster

P.T.O.

MDM's Cheryl Carolus held

By PATRICK COLLINGS

PROMINENT Mass Democratic Movement activist Ms Cheryl Carolus, 31, was detained under the emergency regulations yesterday morning after security police searched her car for ANC pamphlets, which they failed to find.

Ms Carolus's fiancé, Mr Graham Bloch, said her mother had been informed that her daughter had been detained shortly after 10am.

A Pretoria police liaison officer yesterday said he knew nothing about Ms Carolus's detention and could therefore not comment.

Mr Essa Moosa, Ms Carolus's lawyer, said she was returning from an MDM briefing session in Rylands with her brother when she noticed they were being followed by two men in a car.

Pamphlets

"She stopped and asked them what they wanted. They said they were from security and wanted to search the car for suspected pamphlets on the ANC," Mr Moosa said.

The policemen then followed her to Mr Moosa's house where they searched the car in his presence. The policemen found nothing, but were joined by another six security policemen who said they were detaining Ms Carolus under the emergency regulations.

Ms Carolus was previously detained in 1976 for three months and again in 1986 for a couple of weeks.

Yesterday academics, politicians and community leaders expressed their dismay and disgust at her detention.

State urges 325 years jail for ANC three

THE State yesterday asked the Pretoria Regional Court to sentence the three Broederstroom ANC terror trialists to a total of 325 years in jail.

State advocate Mr Frans Roets said the trio could have caused devastation and havoc in South Africa had they not been arrested.

Addressing magistrate Mr WJ van den Bergh on the subject of appropriate sentences Mr Roets said it was clear they wanted to intimidate the population with cowardly attacks.

Broederstroom ANC cell commander Damian de Lange, political commissar Iain Robertson, and communications officer Susan Westcott, also known as Donnelly, were convicted in June this

year of 11, 11 and 10 counts of terrorism respectively and are expected to be sentenced this week.

De Lange was also convicted of two charges of arson and one of attempted arson arising from the petrol-bombing of PFP offices in 1981.

Roets asked that they respectively be sentenced to 125, 110 and 90 years.

De Lange wanted to carry the torch of liberation but used it to set fire to the PFP offices, said Roets.

He said as ANC cell commander De Lange had had the power to make decisions of life and death over thousands, even millions of his former countrymen when he re-entered South Africa on a mission of death and destruction.

Listing the arsenal of explosives that had been pointed out by De Lange, Mr Roets said the accused could have caused devastation and havoc in the Republic, and it is only, with respect, an act of God the accused were arrested, otherwise one shudders to think what could have happened.

De Lange's bomb attack on a SADF bus in Benoni last year had been a most dastardly deed.

Roets said the only logical inference that could be drawn from defence counsel Mr David Soggott's argument for mitigation was that his clients had merely wanted to frighten the passengers.

It had only been an act of God that the passengers - 16 members of Air Force - had not been killed, said Mr Roets. - Sapa.

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Sowetan
7/11/89

51 executions in SA this year

CHARLENE SMITH

THIS year so far 42 death sentences have been handed down for political offences alone, of which 26 were in terms of common purpose law in two trials — 14 at the Upington trial in May and 12 at Mdantsane, Ciskei, in June.

A total of 51 prisoners have already been executed, while another 54 have had their sentences commuted, says Shucks Sefanyetso of Lawyers for Human Rights. Last year 117 people were executed while 49 had their sentences commuted.

The National Association of Democratic Lawyers (Nadel) intends meeting government in March next year to call for a judicial commission of inquiry into the death sentence with the aim of abolishing or liberalising laws that lead to the death sentence.

Notices

Nadel will present government with petitions being compiled to prevent a repeat of the 1968 government refusal to appoint such a commission on the basis that there was no abolitionist sentiment among the public.

Nadel says abolitionist pressure is mounting in legal ranks and even among the judiciary, although the rate of sentencing does not appear to have fallen.

Prisoners Welcome and Boy Boiboi and an unnamed third received notices of execution this week after a stay of execution was rejected.

Lawyers for Human Rights and Nadel do not believe the year's overall decline in executions is necessarily a hopeful sign. They say while the rate of executions slowed down early this year, and ceased for two months before the election, it had since risen.

Human rights groups have expressed concern that death row is presently overcrowded — 280 prisoners await execution — and that there may be a repeat of 1987's "pre-Christmas rush" when 21 people were hanged within a 72-hour period.

Justice Minister Kobie Coetsee had not responded to Business Day queries at the time of going to press.

"HERBS"

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Hunger South 9-15/11/89 strike 229 student freed

GRAHAMSTOWN. — A Rhodes University student, who last month became the first detainee to give oral evidence in a court application for his release, has been set free after embarking on a hunger strike.

Mr Chule Edgar "KK" Papiyane, 24, a former president of the restricted Black Students Movement (BSM), embarked on a hunger strike after a Durban Supreme Court judge ruled that his detention had not been unlawful and dismissed the application with costs.

He was released from a Durban prison on Friday, four days after refusing food.

Papiyane still faces disciplinary action from university authorities for allegedly disrupting a meeting organised by a right-wing students organisation.

Found guilty

The trial, which involved two other former BSM presidents, started before his detention.

After Papiyane's detention, Lincoln Mali and Mvuso Mbebe were found guilty and had to pay a R50 fine.

The university authorities said at the time judgment in Papiyane's case would be handed down once he was released.

It is not known whether the authorities will proceed with the matter as it has invited criticism from both students and community organisations.

—ANA

Man (20) freed after 2 years on Death Row

A 20-year-old Eastern Cape man who spent two years on Death Row for a "necklace" murder, walked out of his cell after his conviction and sentence were set aside last Friday.

Mr Menzi Tafeni who spent 770 days waiting to be hanged was released after a successful appeal made to Mr Chief Justice M Corbett in the Appellate Division of the Supreme Court in Bloemfontein.

The court also set aside the con-

viction and sentence of Mr Tafeni's co-accused, Nico Ludube Mnyamane, also due to be hanged.

Three other young men who were each jailed are to be released soon.

The young men, all of Burgersdorp, were convicted By Mr Justice Solomon for the murder of Mr Everton Cakaza.

Reasons for the appellate court's decision will be given at a later stage, according to Mr Tafeni's advocate, Mr Morris Bass-

lian.

Mr Tafeni was 17 years old when he was jailed in 1986. He spent nine months in prison awaiting trial.

He said yesterday: "I still cannot believe my life has been spared."

He said he prayed for mass murderer, Barend Strydom, whom he frequently met and greeted in prison.

His sister, Irene, said God had answered her prayers.



Menzi Tafeni and his sister Irene yesterday.

Pic: JOE MOLEFE

Savetam 9/11/89 329

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The court also set aside the conviction and sentence of Tafeni's co-accused, Nico Ludube Mnyamane, who was also due to be hanged.

Three other young men who were each jailed for 18 years in the same trial on October 15, 1986,

Freed after 2 years on Death Row

By THEMBA
MOLEFE

are to be released soon.

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Reasons for the appellate court's decision will be given at a later stage, according to Tafeni's advocate Mr Morris Basslian.

Tafeni was 17 years

old when he was jailed in 1986. He spent nine months in prison awaiting trial.

He said yesterday: "I still cannot believe my life has been spared. I knew all along that I was innocent and that a miracle would happen."

Tafeni said he was sorry that when he left the prison he was not given the opportunity to say goodbye to his cellmate,

• To page 2

Freed

• From page 1

Robert McBride, who is on Death Row for the Magoo's Bar bombing.

He said he also prayed for mass murderer Barend Strydom who he frequently met and greeted in prison.

Tafeni's sister Irene could not hide her joy and said God had answered her prayers.

Detention of Carolus mockery

MDM

THE MDM yesterday described the detention of one of its members, Ms Cheryl Carolus, as making a mockery of President F.W. de Klerk's reformist statements and announced that a march to Victor Verster prison "to release Mandela" would take place before Christmas.

Ms Carolus was detained on October 5 and since then her family and lawyer had been prevented from visiting her at the Ravensmead police station, her lawyer, Mr Essa Moosa, told a press conference yesterday.

Ms Carolus' mother, Mrs Margaret Carolus, said she would like the security police "to tell me what she has done".

She said it was the third time her daughter had been detained.

A letter written to the Minister of Law and Order, Mr Adriaan Vlok, on behalf of Archbishop Desmond Tutu called for the immediate release of Ms Carolus.

Three hang as prisons block lawyers



Frustrated by the recent successes of Shucks Sefanyetso, the man who saves lives from the noose, authorities have moved to deny him vital information
Picture: AFRAPIX

By CARMEL RICKARD
and IVOR POWELL

THE state is now hanging death row prisoners while denying them the legal access which might save their lives.

Yesterday condemned prisoner David Shongwe, 40, was executed in Pretoria — before he had petitioned either the chief justice for leave to appeal or the state president for clemency.

In a policy about-face, Department of Justice officials have in the last fortnight denied Lawyers for Human Rights death penalty worker Shucks Sefanyetso access to condemned prisoners. Officials are refusing to supply Sefanyetso the information which in the last year has enabled him to save the lives of more than a dozen death row prisoners.

Justice officials have suddenly start-

●To PAGE 2

Three hang as officials block Shucks

●From PAGE 1
ed insisting that unless Sefanyetso can show himself to be the official representative of the particular prisoner, he will get no co-operation — and LHR did not act for any of the death row prisoners during their trials.

Two men hanged yesterday — Tembinkosi Booi, 31, and Boy-Boy Booi, 22 — had exhausted legal channels before their execution. But Shongwe had not — and next week, unless Sefanyetso can find a way around the problem, another death row prisoner will be executed before all legal channels have been pursued.

Sefanyetso says he wrote this week to the department, asking for information about the latest group of condemned prisoners who had received their final death notices: whether they had been given leave to appeal; whether the chief justice had been petitioned for leave to appeal or the state president asked for clemency.

The department gave Sefanyetso's letter a two-sentence reply, saying it was "the policy of the department not to furnish the particulars requested". This is the first time the department has taken such an attitude since the inception of the LHR death row project in October last year. Previously, officials had been willing to help.

The change of attitude came shortly after death row prisoner and former security policeman Butana Almond Nofomela escaped the gallows by telling Sefanyetso that he was part of a police hit squad which had killed a number of political activists, including human rights lawyer Griffiths Mxenge.

The Department of Justice had not replied to a request for comment on its new policy at the time of going to press.

A National Association of Democratic Lawyers representative last night expressed shock at the change in departmental policy, saying it was a callous way of dealing with the lives of prisoners.

The authorities, said Tom O'Neill of the Detainees Coordinating Committee, "have opened the door and we have seen what is behind it: people who have not been able to try every means of having the death sentence commuted. Now they want to close the door again."

Dave Dalling, Democratic Party spokesman on justice, said last night he was "very unhappy" with the situation if reports he had been given were correct. He offered to take up the matter with the minister of justice if asked to do so and Sefanyetso said he would be in touch with him today.

Regarding next week's executions, LHR said in a press statement yesterday: "We believe that every person in this country has a right to legal representation. It will be a violation of such right for death row prisoners to be denied access to legal service organisations such as Lawyers for Human Rights; by having the department refusing to disclose the particulars relating to their case."

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W. Mail

3 years for man who wouldn't betray comrades

By GAYE DAVIS

AFRICAN National Congress member Bongani Abednego Jonas was this week sentenced in the Cape Supreme Court to three years' for refusing to testify against 14 colleagues

Jonas was first brought to court in April as the prosecution's chief witness against Tony Yengeni and 13 others, who are charged with terrorism and other counts under the Internal Security Act.

On his second day in the witness box, Jonas interrupted his testimony to ask for the court's protection and announced he was not willing to testify against his comrades.

He had waited until he was in court to say this because he feared "falling on a piece of soap or down a flight of stairs". He had persuaded police to believe he was a willing witness.

Later, defending his decision, he described how, if he testified, he would be "like Judas", bringing shame on himself, his family and damaging the cause he believed in.

He described the trial as unique — a "microcosm of the nation" in which black and white stood side-by-side in the dock, men and women as equals. To betray them would be to betray the nation, he said.

He told how he was arrested in September 1987, unlawfully shot after he had surrendered, and then subjected to brutal treatment at the hands of his interrogators.

Mr Justice S Selikowitz noted that the police denied all allegations of assault, insisting that Jonas was "a willing, if not enthusiastic witness".

Jonas had no "easy way out". If he refused to testify he faced punishment. If he went answered questions, he also faced a "heavy price".

The judge said he would be failing in his duty if he did not attribute "some considerable weight" to the dilemma Jonas faced.

Jonas believed that testifying would do violence to himself, his ideals, his family and society.

But the duty to testify transcended politics and the court could not abrogate its duty to the truth.

Significantly, Jonas himself had sought the protection of the court.

The trial continues.

10/6/89

Three executed

THREE men were hanged at Pretoria Central Prison yesterday, bringing the total number of people executed in South Africa this year to 52 thus far.

Sixty condemned people have been reprieved. *Sowetan* 10/11/89

Those hanged were David Mbuzawa Shongwe (40), Tembinkosi Welcome Booi (31) and Boy-Boy Booi (22).

Shongwe was found guilty by a judge and assessors at Witbank on April 7 this year of the murder of a 25-year-old man, and on April 10 the court found there were no extenuating circumstances and sentenced him to death.

Girl

329

According to the post mortem, the deceased died of multiple injuries, which included four stab wounds.

The Booi brothers were sentenced to death for murder with no extenuating circumstances in the Port Elizabeth Supreme Court on September 28 last year, following the death of a four-year-old girl in June 1987 at Bluewater Bay in Port Elizabeth.

According to the evidence, they were surprised by the girl and her mother while they were burgling the home where their elder brother had been employed as a gardener.

The girl was taken to the main bedroom and stabbed with a knife the younger brother had picked up in the garden.

The mother was also assaulted and stabbed. - Sapa.

Appeal refused

THE Appellate Division of the Supreme Court has turned down an application by Joseph Chidi for leave to appeal against his conviction and death sentence for the murder of a Tembisa town councillor.

Chidi, who was a resident of Tembisa, was found guilty by Judge le Grange sitting with two assessors in the Rand Supreme Court on September 16, 1987, of the murder of Gideon Sello Moeng. Moeng died in hospital in May 1986, two days after being set alight.

Political comment and newsbills by K. Sibiya, headlines and sub-editing by J. Beffon, both of 204 Eloff Street, Johannesburg.

Flowers for the ANC three

Press
12/11/89

By DESMOND BLOW

YELLOW flowers rained down on the heads of the Broederstroom Trio minutes after they were sentenced to long jail terms by a Pretoria Regional Court on Friday.

With the flowers in their hair they turned to the public gallery with fists raised and shouted "Amandla!"

The chorus came back from dozens of threats: "Awethu!"

"Viva ANC" shouted

the trio and spectators surged towards them.

The large police contingent forced their way to the dock and tried to hurry the trio out. They resisted, and policemen manhandled them out.

"Aren't they being

punished enough," shouted Damian de Lange's mother Carol, who a few minutes before had choked back tears as her

eldest son was sentenced to 25 years' imprisonment as commander of the ANC unit.

Iain Robertson, the political commissar, was given 20 years and Susan Westcott, the communications officer, 18 years.

The scuffle ended only when defence attorney Peter Harris appealed: "Take it easy!"

Scores of people, most of them black, were prevented from entering the crowded court by police.

Harris complained to a police captain that the large number of policemen in court deprived too many members of the

public of seats.

The three were whisked away in a police van with their fists still defiantly raised.

Magistrate Van den Bergh gave De Lange a total sentence of 91 years, Robertson 78 years and Westcott 68 years, but some of the sentences will run concurrently.

The magistrate likened their actions and motives to those of Wit Wolwe killer Barend Strydom, who he said also had an "historical legacy"

(against blacks).

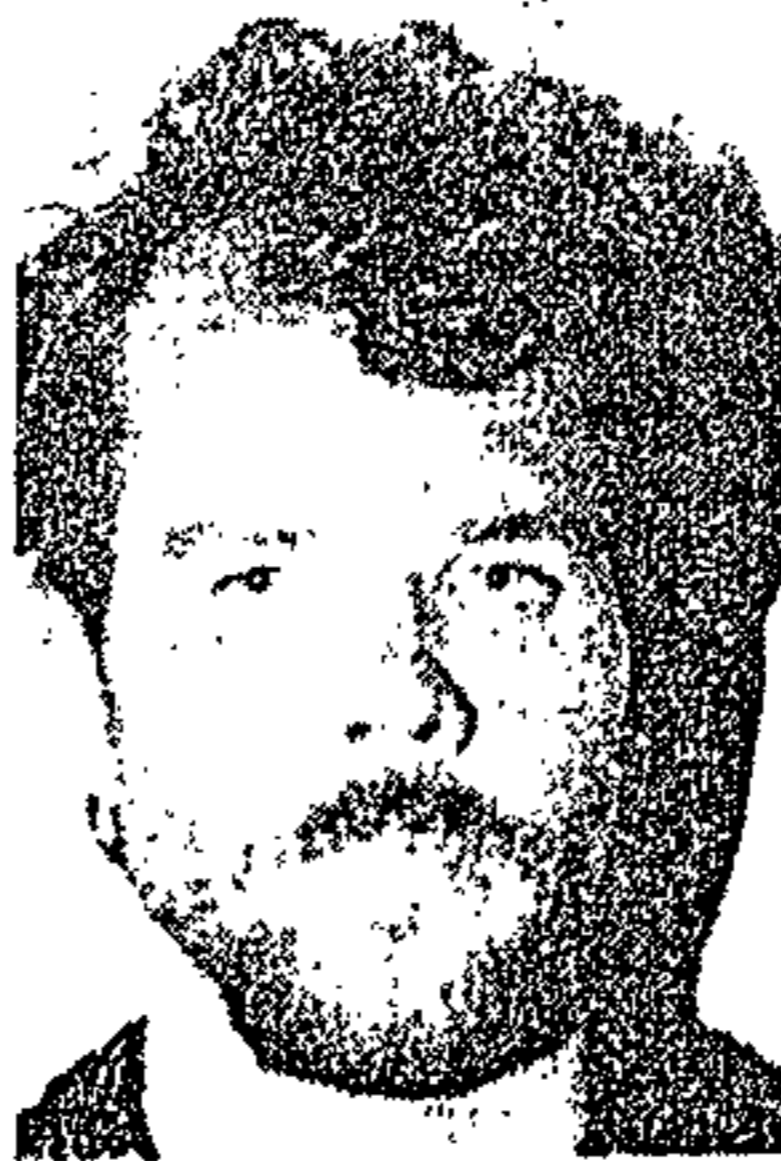
He said the Supreme Court had rejected this as a mitigating factor and given Strydom the extreme penalty.

The magistrate said he was not convinced the trio's "historical legacy" (against apartheid) had forced them to join the ANC.

He said as whites they had legitimate means to oppose the government and they were being jailed for their actions and not for their beliefs.

Margaret Westcott is greeted by wellwishers outside the Pretoria Regional Court after her daughter Susan was sentenced to 18 years in jail under the Terrorism Act. ■ Pic: BONGANI MNGUNI





Hugh Lugg

Lugg tells of stark decision

THE fourth member of the Broederstroom ANC cell, Hugh Lugg, said yesterday he fled from his comrades after being faced with a choice of either a suicide mission or execution.

He told a media conference he fled from Damian de Lange, Susan Westcott and Iain Robertson after being charged with insubordination and sabotaging the ANC unit.

He alleged he was disarmed by Westcott and De Lange and threatened with death, so decided to hand himself over to the police.

He said he had clashed with his fellow members over planned attacks on soft targets.

Lugg, 31, has been held by the police since his arrest with the other three.

He said he was a free man and was ready to pursue his career in art. He had made no deals with the police, although he had co-operated during interrogation.

He said he thought the sentences handed down to De Lange (25 years), Robertson (20 years) and Westcott (18 years) were harsh. — Sapa

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Press 12/11/89

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A tale of the battle of a dedicated unionist

ARLV
15/11/89

From GARNER THOMSON,
Weekend Argus
Correspondent
IN LONDON

ONE of the side-effects of solitary confinement for Emma "Tiny" Mashinini was that she forgot the name of her youngest daughter, Dudu.

The experience — which came closest to breaking her spirit in her life-long battle for workers' rights and against apartheid — remains burned into her memory as one of the two darkest moments of her life. The other was the death, at 17, of another daughter, Penny, in circumstances she can still not bring herself to talk about.

Self-effacing by nature, Tiny Mashinini would be the first to say her struggles have been no greater than those black women face daily throughout South Africa.

Death Row mothers

"I beg you to remember the mothers with children on Death Row," she says, "the mothers who wait for a coffin to be opened, not knowing whether they will see the face of their child inside. These are the women who need our support every day." But, for all her personal diffidence, she stands out as one of the handful of truly formidable and accomplished women politicians forged in the furnace of Soweto.

Tiny Mashinini came to write her autobiography — *Strikes Have Followed Me All My Life*, just published here by The Women's Press — almost inadvertently. Just as, she says, she became a workers' representative "almost in spite of myself".

It was South African-born film-maker Betty Wolpert who persuaded Tiny to tell her story. With characteristic energy and determination, Ms Wolpert dogged Tiny with a tape-recorder, sending the cassettes back to London for transcription, then returning the rough drafts to Tiny for editing.

As work progressed and Tiny's confidence increased, the book's importance became



Emma Mashinini

evident. "Originally, I thought it would be therapeutic for Tiny to tell her story," says Ms Wolpert. "She'd had a hard life, but a rich one, but I also realised that it would be a great shame to lose the history of this great South African trade unionist."

Tiny Mashinini doesn't remember precisely when she became politicised, but she knows that when she finally escaped an unhappy marriage and threw away the skin-lighteners and European-style wigs popular among young black women then, her life began to change.

A garment worker for nearly 20 years, she does recall her foremen yelling "Roer jou gat — Roer, roer" at her and her fellow workers... but, no matter how hard they worked, never: "That's enough."

Wryly, she adds: "Luckily, I wasn't a very good machinist so I was elected a shop steward, so my interest in workers began very early in my working life."

Routine arrests

Worried about exploitation of the growing numbers of black shop-workers, Tiny set out to organise them, distributing leaflets at major shopping centres in and around Johannesburg. Routinely, the police would arrest her, hold her for a day or so, destroy her leaflets, and let her go.

"The leaflets were very pre-

cious to us because we had no money," she says, "but I wonder if the South African government realised that the police were helping to advertise me to the workers. Somehow, they made my work a little easier."

Mrs Mashinini's book recounts how, as CCAWUSA began to grow towards becoming one of South Africa's biggest and most powerful black trade unions, the government started to feel increasingly threatened. In 1981 she was caught up in a security police swoop along with more than a dozen other leading trade unionists and labour experts and detained at Pretoria Central.

She was cold, fearful and able to tell the time only by the meals she received. But, she adds proudly, at the end of 14 days, "I was still Emma. I was still sane. I was myself."

But her elation was short-lived. Her hopes of being released at the end of her Section 22 were abruptly dashed when a policewoman told her that she'd heard she was being transferred to Section 6.

"Had my chips"

"When I went to bed that day — well, from that day onwards — I never even thought it was necessary to eat and keep strong to go home, because I knew that now I'd had my chips."

The account of her period in prison is almost dispassionate. She records how her health deteriorated and she was transferred to Johannesburg. Time passed, until finally she came to be interrogated at John Vorster Square. After that, it was prison again, and more interrogations — her fears aggravated by whispers of the death of a detainee later known to be Neil Aggett.

Tiny kept herself sane and resistant to the bouts of interrogation and solitary confinement by reciting the names of her children and grandchildren like a litany. But, then it happened. "I could see my youngest daughter's face and I wanted to call her by her name," she says. "I struggled to call out the name, the name I always called her, and I just could not recall what the name was. I struggled and struggled. I would fall down and actually weep with the effort of remembering the name of my daughter... This pain was the greatest I'd ever had."

"And, then, on the day I actually did come across the name this simple name Dudu, or 'Love' — I immediately fell asleep because it was such a great relief. But it was after days of killing myself to remember my own child's name."

Release finally came, and, today, Tiny Mashinini is a distinctive figure. Energetic and determined, she is known as much for her obsession for beautiful things — evidenced by her beloved BMW and her collection of fine crystal — as she is for her continued political outspokenness. She is quick to point out that, because she's no longer a trade unionist, it doesn't mean she is no longer involved in the day-to-day battle against apartheid.

She works for the human rights section of Archbishop Desmond Tutu's office, and travels widely to meet trade unionists outside her own country, to exchange views and experiences and to keep the plight of South Africa's black people — and their women in particular — in the forefront of Western consciousness.

Detainee's 'not guilty' plea to ^{accus} cell graffiti ^{15/11/89}

False Bay Bureau 329

A FORMER security detainee has pleaded not guilty to a charge of malicious damage to property, for allegedly writing Biblical verses and extracts from the Freedom Charter on the newly-painted walls and door of his cell.

Mr Desmond Stevens, 22, of Ring Avenue, Macassar, was detained at the Strand police station from August 22 to September 15 this year.

Yesterday in the Strand Magistrate's Court, his attorney, Ms I Olckers, said her client admitted writing on the walls of cell six, at the police station, with a ball-point pen he had obtained from a policeman.

FREEDOM CHARTER

The graffiti included eight quotations from the Freedom Charter, eight poems, and Luke 4, verse 18, on the prison door.

On the lock of the iron-grille door the first verse of Psalm 58 had been inscribed, the court heard.

The words "Jesus is our Liberator", in 2cm high letters and the name "Rene", on two walls in 5cm high letters, as well as the marking off of the number of days, had all been written by her client, Ms Olckers said.

Constable Juanita van Rensburg said in evidence that the Strand police station's cells, which had had black walls, were painted either beige or grey early in September.

She said Mr Stevens was moved to the freshly-painted cell six so that the cell where he was in solitary confinement — cell eight — could be painted.

Someone had reported on September 11 that cell six's walls had been written on.

Constable Van Rensburg said she had seen the graffiti, and that the cell had been repainted since then, at the State's cost.

Under cross-examination, Constable Van Rensburg said she could not say definitely if there was graffiti in other cells, but that cell three — a communal cell used for most prisoners — always had names and obscenities scribbled on its walls.

The matter was postponed to January 10 next year. Bail of R200 was extended.

Limpet mines found buried in Hout Bay

CAM Times 16/11/89
Staff Reporter

FOUR mini-limpet mines were late yesterday afternoon found buried at Hout Bay.

According to police, a building contractor found the mines at 4.30pm behind White Sands, a block of flats in Gilquin Road.

Captain Gys Boonzaaier said that four detonators were also found buried nearby. The bomb squad defused the detonators.

He said a "terrorist" could have buried the mines and either forgotten about them or fled the country.

Police could not determine how long they had been buried. The find was being investigated, he said.

Last-rites priest fined

JOHANNESBURG. — A Muslim moulana (priest) was fined R100 for parking his car on a highway while he administered the last rites and comforted a dying Lenasia widow who was involved in a motor accident on the M1 North in Randburg, Johannesburg, at the weekend.

The family of the dead widow said on Tuesday they would demand the Randburg authorities apologise to Maulana Yahya Bham for a traffic inspector's "insensitivity and callousness towards a man of God who was carrying out a duty of compassion".
— Sapa

Cheryl Carolus is freed

Staff Reporter

PROMINENT United Democratic Front activist Ms Cheryl Carolus was released from detention yesterday after being held at the Ravensmead police station for 10 days.

"I am completely unrepentant and unapologetic and will resist the apartheid system with renewed vigour," Ms Carolus said last night.

She was surrounded by family and friends, including her fiancé, Mr Graeme Bloch.

She has not been restricted.

Ms Carolus, 31, was on her way to canvass for the UDF in Elsie's River when she was detained.

● Picture — Page 3

Back to work at UWC for 'surprised' Carolus

Staff Reporter

MDM leader Ms Cheryl Carolus plans to celebrate her first day of freedom by returning to her job at the University of the Western Cape.

Ms Carolus was released without any restrictions yesterday afternoon after being held for 10 days under the emergency regulations.

Her freedom came as a surprise, she said today.

"I was preparing myself to spend 30 days in detention when a policeman came to my

cell at Ravensmead police station yesterday and said: 'You are going home now'."

PRESSURE

She believed that pressure put on the authorities by the community, the MDM and others had led to her release.

She was grateful for this support. "My view that it's important to support detainees have been vindicated."

Ms Carolus said she still did not know why she had been detained.

"I don't think they even knew why I was being held."

EXCLUSIVE REPORT by GOVAN MBEKI

THE life we spent on Robben Island falls into several phases.

When we first came there, the conditions were very, very bad. We were placed in cells in a section that was then known as the "Old Jail", which, I suppose went back to the colonial period.

After some time we were transferred to the new section of the jail, called "B-section".

It was there that we met what was called the "Neville Group" (led by Neville Alexander). There were also some common-law prisoners.

But we were kept more or less separate from them and the treatment we received differed from theirs.

We were given sandals, which we wore with shorts, whereas the rest of the prisoners in the other sections at the time — I think there were about 2 000 political prisoners — walked barefoot.

It was an exceptionally cold winter. I remember it being reported that there was more than a foot of snow in Johannesburg.

We were not allowed to talk to one another. We found time to talk in the evenings, though, when we spoke through the windows which opened into the passage.

There was a warder in charge, but we would put mirrors out to see whether he was coming along the passage.

We soon established contact with the Neville Group. I still refer to them that way because I have forgotten the name of their organisation. That is how our lives on Robben Island began.

There were problems with the food and clothing. All these were very bad indeed.

Africans only got bread around 1975. It was one slice, I think, three times a week. Then it gradually increased to a slice a day and ultimately into a "katkop".

There were those on a D-diet and those on an F-diet. The F-diet, which was the lowest, was for Africans.

It consisted of pap in the morning, boiled mielies for lunch and pap in the evening.

For the morning pap they used one end of a spoon to dish out the sugar for those on an F-diet and the other end to dish out the sugar for those on a D-diet.

The D-diet was for coloureds and Indians. They were given pap in the morning and sugar on a bigger spoon. They were also given coffee. We did not get any.

At lunch they got mielie rice with some fat in it, and for supper they got bread with drippings.

We exercised twice a day — half an hour in the morning and half an hour in the afternoon. During exercises we had to walk single-file so that we could not talk to one another.

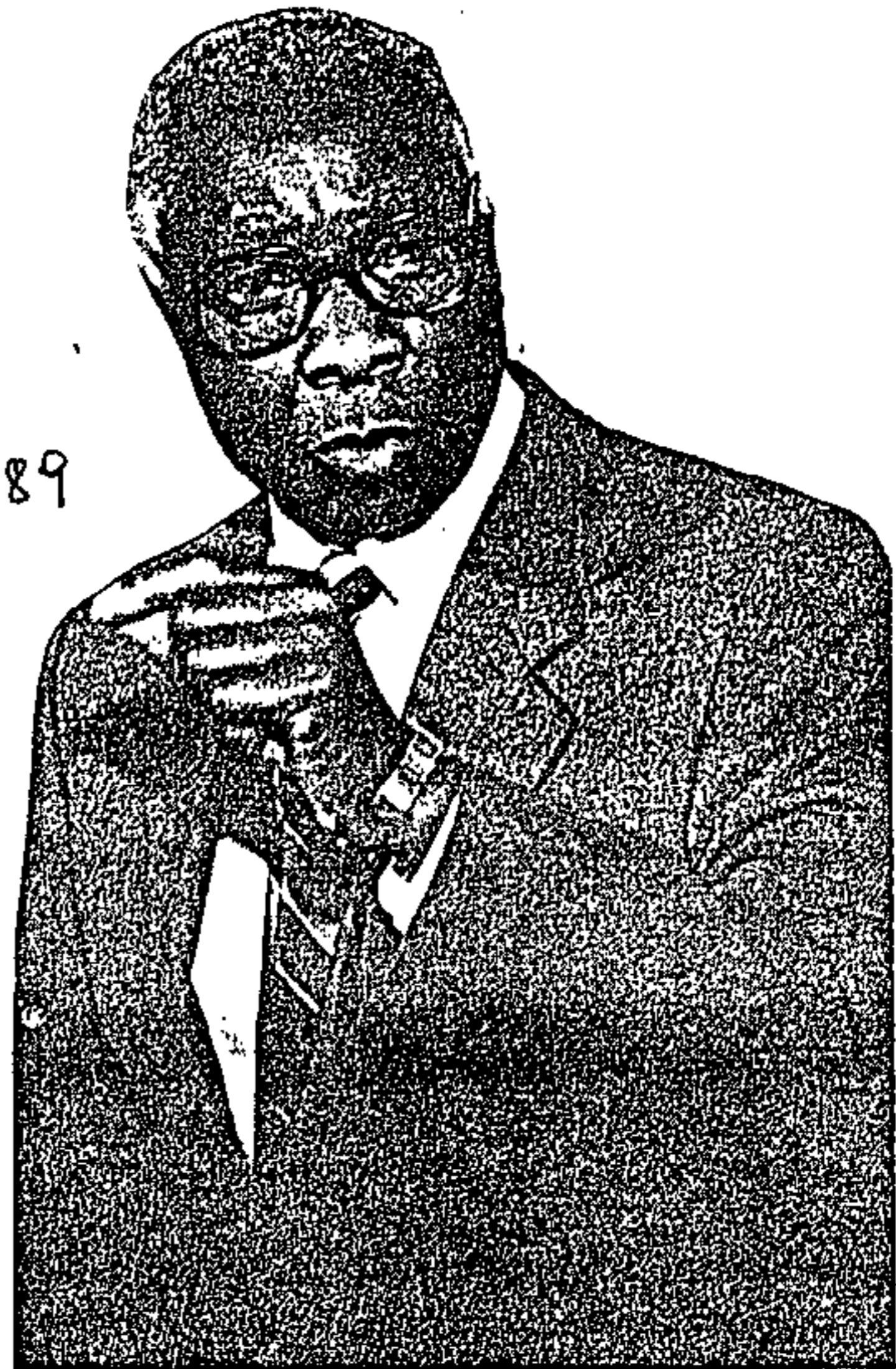
When we came out into the yard for exercise the Neville Group, who wore shoes, were told to take off their shoes when they came into the passage.

The passages were polished by the common-law prisoners. The warders felt the Neville Group would dirty the floor if they came back inside with their shoes on. But they did not do this to the Rivonia group.

There was no segregation in terms of the colour of prisoners' skins, only in terms of food and clothing. Naturally comrades like Kathy (Ahmed

MBEKI BY MBEKI

South 16/22/11/89



In an exclusive for SOUTH, senior ANC leader Govan Mbeki for the first time speaks about his 24-year imprisonment on Robben Island, his views on the present political situation and hopes for the future.

His unconditional release in November 1987 was shortlived: soon afterwards the government restricted him from speaking to the press.

Last week the government lifted the restrictions, and Mbeki, 79, can now speak out:

Govan Mbeki: Eager to visit Lusaka to consult with the ANC and see his sons Thabo and Moeletsi

Kathrada) were very unhappy about it.

The prisoners on the F-diet, the Africans, were given khaki shorts, old, stinking and badly-washed. Each had a shirt, invariably tattered, and a canvas jacket during summer.

During winter we were issued with torn jerseys.

Others on the D-diet wore long trousers and were given shorts in summer.

In the course of time, especially when we worked in the quarry, we exchanged mielie rice with those who were getting boiled mielies. We took turns to get some.

After some time, the bread they were given also went round so that we got it probably once a month as a result of the exchange.

Africans only got bread around 1975. It was one slice, I think, three times a week. Then it gradually increased to a slice a day and ultimately into a "katkop".

A change of clothing occurred in

1967 when we were issued with a pair of shoes, a pair of socks and new shorts, shirts, a jacket and a jersey. In winter, we were also issued with long trousers and a jersey.

It was a wonderful change. After my release I was listed and

I will welcome the chance now to go to Lusaka for consultation with the ANC, which will give me an opportunity to meet my sons.

the press could not report what I was saying. My restrictions also prevented me from travelling freely.

I spent my time engaged in some activities so that I did not go to pieces through boredom.

We first challenged my restrictions in Grahamstown. Ismail Mohamed SC, appeared, instructed by Priscilla Jana and Associates. We lost that case.

Thereafter we did not make any attempts to ask the state to lift the restrictions until my comrades were released.

I was overjoyed when my comrades were released.

We then felt there was a need to indicate to the state that there was differential treatment. They were released without restrictions and I was released with restrictions.

As a result of that, they have now lifted the restrictions.

My role since my release, and specially now, is to take part in extra-parliamentary politics to the best of my ability.

I belong to two organisations, both of which are banned in the country. I have to find my way — it is sort of like steering the ship between Scylla and Charybdis.

I will welcome the chance now to go to Lusaka for consultation with the ANC, which will give me an opportunity to meet my sons.

I am sure that Thabo and his

younger brother Moeletsi, who is in Harare, and their wives would feel very happy indeed. It will be a happy reunion.

I still believe that the ANC is the spearhead of the struggle for national liberation in South Africa.

It has an important role to play in ending apartheid and rallying the people of this country, not only to its own banner but to stand up and oppose apartheid and see that it is eliminated.

The ANC is involved in that struggle guided by certain guidelines, and the basic policy document is the Freedom Charter.

The role of the ANC after the elimination of apartheid, therefore, would be to seek to have the people of this country adopt the Freedom Charter and to build the future of this country on the Charter.

The role of the ANC after the elimination of apartheid would be to seek to have the people of this country adopt the Freedom Charter and to build the future of this country on the Charter.

Because as I see it, the Charter is the only basis on which South Africa can be turned into a democracy.

Because as I see it, the Charter is the only basis on which South Africa can be turned into a democracy.

The SACP (South African Communist Party) is also involved to the same extent as the ANC in the struggle to rid this country of racism.

I would like to make clear what I mean by socialism. It will be something different from what is bandied about by certain organisations fighting for socialism at this stage.

What I have in mind is scientific socialism, not utopian socialism, which is what the people who talk loudest about it have in mind.



WELCOME HOME: Govan Mbeki embraces Oscar Mpetha shortly after the recent release of Mpetha and Mbeki's Rivonia comrades

Police turn
up but no
march held

Staff Reporter

POLICE arrived at St George's Cathedral yesterday afternoon to monitor a march demanding the release of activist Ms Cheryl Carolus, apparently unaware that the march had been cancelled following her release on Wednesday.

The march was to have been from the cathedral to security police headquarters in Loop Street.

Apparently unaware of the change in plans, policemen from the security police, CID and riot squad stationed themselves around the cathedral about 1pm ready to "monitor" the march.

Ms Carolus was detained on November 5 while on her way to canvass for the Mass Democratic Movement in Elsie's River.

15 detainees freed

JOHANNESBURG. — The 15 Alexandra Action Committee (AAC) members detained by the police in Alexandra this week have just been released, AAC publicity chairman Mr Obed Bapela said yesterday.

Court turns down appeal

ENOCH Nompondwana of Paballelo has been refused leave by the Appeal Court in Bloemfontein to appeal against his conviction and sentence of eight years for the attempted murder of Constable Lucas Sethwala, at Paballelo, Upington, on November 13, 1985.

He is the only one of the "Upington 26" whose application for leave to appeal has been rejected.

Nompondwana was one of 26 people convicted by Judge JJ Basson in the Circuit Court at Upington in May this year as a result of the death of Sethwala.

Fourteen people were sentenced to death on May 26 this year for their part in the policeman's death.

The remaining 12 received sentences that ranged from imprisonment suspended on condition they do community service.

In September the 14 received leave to appeal against their death sentences, while 13 also received leave to appeal against their convictions.

A further 10 have leave to appeal against their convictions, while one man may only appeal against his imprisonment.

The trial court found that Nompondwana had the intention to commit murder. — Sapa

C. Press 19/11/89

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Arrests under Section 50 for 'practical' reasons

Supreme Court Reporter

A SECURITY policeman yesterday denied in the Supreme Court that security police arrested suspected guerillas under the Criminal Procedures Act rather than the Internal Security Act to prevent a delay in obtaining information.

Warrant Officer Jeffrey Theodore Benzien, of the Terrorist Detection Unit (TDU), was giving evidence under cross-examination in the trial of Mr Tony Yengeni and 13 others on charges of terrorism. They have refused to plead to the charges.

Asked by Mr D P de Villiers QC, for the defence, why the TDU arrested suspects in terms

of Section 50 of the Criminal Procedures Act — which provides that a person must be brought before court within 48 hours — and not Section 29 of the Internal Security Act, WO Benzien said it was for practical purposes.

In terms of Section 29 only a policeman with the rank of Lieutenant-Colonel may order the detention of a person but they were not always available.

He agreed that after an arrest in terms of Section 50 security police would get a colonel to sign a detention order in terms of Section 29 so a person need not appear in court.

The trial continues today.

Benzien: I get aggressive with guerilla suspects

CAT 774
22/11/87 324

Supreme Court Reporter

A SECURITY policeman yesterday agreed in the Supreme Court that he became "aggressive" with suspected guerillas when he was on the verge of arresting them and admitted he had held a firearm "under the nose" of suspects.

Warrant Officer Jeff Benzien of the Terrorist Detection Unit (TDU) was giving evidence under cross-examination in the trial of Mr Tony Yengeni and 13 others who have refused to plead to charges of terrorism.

He was being asked about the techniques used by the TDU during interrogation of suspected guerillas in obtaining information about planned acts and the whereabouts of arms and collaborators.

He denied seeing security police assault, handcuff a suspect to burglar bars and punch him, pull a suspect's beard, suffocate a suspect, wrap a wet towel around a suspect's face during interrogation, pull a plastic bag over a person's head or beat a suspect who was bound hand and foot.

Asked if leg irons were justified in a situation where a suspect was handcuffed, where there were burglar bars on the windows and where there were about five security policemen in the office, WO Benzien said it depended on whether a person was riotous and if he had to be controlled.

Mr D P de Villiers, QC, for the defence, said it was his duty to put to WO Benzien evidence the defence had of his role in the techniques of interrogation used by the TDU.

In reply to a submission by Mr De Villiers that he had in many instances played the role of the "bad guy" during interrogation, WO Benzien said he strongly denied that.

Told that at the beginning of interrogation he was "very aggressive" so as to intimidate a suspect, WO Benzien agreed he did act aggressively at the point of arrest. He said on occasions he had held a firearm under the nose of a suspect he had woken up to prevent him from reaching under the cushion or bed for a handgrenade. He wanted to immobilise the person and show he would not hesitate to shoot, he said.

Asked if that was not intimidatory, WO Benzien said when he arrested a guerilla he did not regard it as intimidatory but rather as a necessity.

Mr De Villiers then referred him to the arrest in 1987 of ANC guerilla Ashley Forbes — imprisoned last year for terrorism — who had alleged that he (Benzien) had told him from the start he was responsible for him and that whatever happened to him depended on him.

WO Benzien said he could not remember that nor could he remember saying to Forbes it depended on his co-operation whether he was treated as an animal or a human being.

Accused to have security cop charged

CMT T1475 22/11/84

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Supreme Court Reporter

IN a dramatic announcement in the Yengeni trial yesterday, counsel for the defence said two of the accused had taken steps to have security policeman Warrant Officer Jeff Benzien prosecuted under international law on charges of crimes against humanity and torture.

The announcement by Mr D P de Villiers, QC, came shortly before the tea adjournment while he was cross-examining WO Benzien on the techniques he used as a member of the Terrorist Detection Unit (TDU) during interrogation of suspected guerillas to gain information from them.

Mr D Villiers said he wanted to proceed with questions which, depending on the answers, could incriminate WO Benzien.

It was normally left to the court to warn a witness about incriminating himself but in certain circumstances it was the duty of legal counsel to bring information to the attention of the court and for WO Benzien to know

"the extent of his jeopardy as a witness".

"It is not merely a question of complaints against WO Benzien laid with police in this country, but steps have been taken on behalf of two of the accused with the view of prosecuting this witness (Benzien) outside the borders of South Africa on internationally-recognised crimes against humanity and torture," Mr De Villiers said.

Mr Jannie van Vuuren, for the state, said the prosecutor had consulted with WO Benzien and was of the opinion that the self-incrimination warning would not have been necessary.

Asked by Mr Justice S Selikowitz when he proposed to bring the questions, Mr De Villiers said the questions which would follow would gradually lead one into the other.

After the judge had told WO Benzien that the court may be asked to decide if a question should be answered or not and that he had an opportunity to gain legal advice, WO Benzien asked if the court could adjourn so that he could consult with the state advocates.

Benzien denies handcuffing terrorism accused

CME Texts 23/11/89 329

Supreme Court Reporter

WARRANT OFFICER Jeff Benzien yesterday denied in the Supreme Court that he had handcuffed terrorism accused Mr Gary Kruser to burglar bars at security police offices, forcing him to stand on his toes.

WO Benzien, of the Terrorist Detection Unit, was giving evidence under cross-examination in the trial of Mr Tony Yengeni and 13 others who have been charged with terrorism. The accused have refused to plead.

He was being asked about the techniques and "shock tactics" used by the TDU to obtain information from suspected guerillas about the whereabouts of arms, accomplices and planned acts after their arrest.

Before Mr D P de Villiers, for the defence, could continue his cross-examination, Mr Jannie van Vuuren, for the state, said the state took "strong exception" to the dramatic announcement by Mr De Villiers on Tuesday that WO Benzien would be charged under international law with crimes against humanity and torture.

The matter had been widely reported in the press and whether it had been intended or not had clearly been intimidatory to WO Benzien, he said.

Asked about the arrest in 1987 of Ashraf Karriem, an accused in the trial of Ashley Forbes and 14 others, WO Benzien admitted he had held a firearm to Karriem's head.

He however denied that he had threatened to arrest Karriem's elderly parents.

Campaign to save granny on death row

329 South 23-29/11/89

MESSAGE OF SUPPORT FOR EVELENA DE BRUIN

From WPCC, WOMEN'S DIVISION

1988-1989 marks the Churches' Ecumenical Decade in Solidarity with women. To celebrate this decade, women throughout South Africa are developing skills to empower us for the role which we will play in the transformation of both church and society.

But today, as women, we have gathered together for a specific purpose — to raise our voice in anger and condemnation at the death sentence imposed on Evelena de Bruin.

The Bible warns that the state has only the power to rule in so far as it does not work against justice. The death sentence is not only unjust but an evil which contaminates our society. It stands in direct contradiction to the christian message of love.

We are soon to celebrate Christmas — a time which symbolises peace, hope and freedom. In the spirit of this season, we demand the lifting of the death sentence imposed on Evelena de Bruin and her fellow accused.

Evelena de Bruin is a woman whose only crime has been to work for peace and freedom. We call for her immediate and unconditional release.

A NATIONAL campaign has been launched to draw attention to the plight of a 63-year-old Upington woman going through "hell" on death row.

Mother of 10, Mrs Evelena de Bruin has already had an application for bail turned down by the Northern Cape judge who six months ago sentenced her to death.

But organisations and loved ones, concerned about De Bruin's deteriorating health, are continuing in their fight to get her out of Pretoria Central prison.

De Bruin has been on death row since May, when she and 13 other residents from the small town of Paballelo outside Upington, including her 63-year-old husband Gideon Mandlongolo, were sentenced to death for the murder in 1985 of the municipal policeman Lucas "Jetta" Sethwala.

Since then psychologists and people close to her have watched death row take its devastating toll.

De Bruin is suffering from severe depression, habitual crying, insomnia and poor appetite. Her biggest fear is for her children.

"I feel scared and sad when I think of my children," said De Bruin in the bail application in which she pleaded with



Motuzeco and Johnny de Bruin who are unable to visit their mother on death row

Mr Justice Jani Basson to be allowed to see her family.

He turned her down, saying that there was insufficient evidence to make her request for bail exceptional.

De Bruin, held in custody since she was convicted for murder 25 months ago, is said to be heartbroken about not being able to see her two youngest children Tutu, 12, and Mbulelo, 14. They are not allowed to visit her at Pretoria Central because they are under 16.

Said Northern Cape Council of Churches spokesperson Reverend Aubrey Beukes: "We are deeply concerned about Evelena's deteriorating condition."

"Her prolonged incarceration is an act of inhumanity, and we condemn the legal process that is punishing her in

this way.

"We call on all Christians not to sit by idly while she is dying," Beukes said.

The campaign to get De Bruin off death row has the support of church and civil rights organisations, including the Black Sash, National Association of Democratic Lawyers (NADEL), and the South African Council of Churches.

Said the Western Province Council of Churches in a statement this week: "We are soon to celebrate Christmas — a time which symbolises peace, hope and freedom. In the spirit of this season, we demand the lifting of the death sentence imposed on Evelena de Bruin and her fellow accused."

De Bruin turns 64 on Christmas Day — her third birthday behind bars.

CNY 6/12/89
Bonteheuvel
trio detained

Staff Reporter

THREE members of the Bonteheuvel Youth Movement were detained about 1.45am yesterday and are expected to appear in the Bishop Lavis Magistrate's Court today.

Mr Huxley Joshua, a senior partner of the law firm representing the men, who are aged 19, 20 and 25, said he expected that they would be charged with furthering the aims of a banned organisation. He said police told him yesterday that charges against the men were still being formulated.

Policeman denies 'animal' threats

17/6/89 23/4/89 (329)

By LINDA GALLOWAY
Supreme Court Reporter

A SECURITY policeman who questioned several terrorism suspects has denied in the Cape Supreme Court that he grabbed the genitals of a man who was handcuffed or that he threatened to treat another "like an animal."

Warrant Officer Jeffrey Theodore Benzien is under cross-examination in the terrorism trial of Mr Tony Yengeni and 13 others who have refused to plead to the charges against them.

At the start of yesterday's hearing Mr J van Vuuren, for the state, objected to the defence's cross-examination and said the questions (about detainees and accused in other trials involving Warrant Officer Benzien) ranged far wider than the issues at hand and were irrelevant.

Mr Justice S Selikowitz replied that Mr D P de Villiers, QC, was "a very senior practitioner" who had given the court the assurance that the line of questioning was

relevant, and he was prepared to accept this.

Mr Van Vuuren also raised "a very strong objection" to the way in which Mr De Villiers had announced the intention of two of the accused to have Warrant Officer Benzien charged under international law with crimes against humanity, and torture.

Mr Van Vuuren said extensive coverage in the Press had created an impression that Warrant Officer Benzien had already been charged and was to appear in court, which was not the case.

Continuing cross-examination, Mr De Villiers questioned Warrant Officer Benzien about the arrest and interrogation of Mr Ashraf Karriem, an accused in the Ashley Forbes terrorism trial last year.

Warrant Officer Benzien denied that he had "screamed repeatedly" at Mr Karriem to tell the whereabouts of a hand grenade allegedly in his possession.

He confirmed that after his arrest Mr Karriem was handcuffed with his hands behind his back

and taken to a police vehicle.

Warrant Officer Benzien denied that he had put one arm behind Mr Karriem and grabbed his genitals with the other hand.

Asked about the arrest of accused Mr Gary Kruser in Athlone in September 1987, Warrant Officer Benzien denied that he had been present.

He said Captain William Liebenberg had been in charge of Mr Kruser's interrogation and he had merely "taken part on occasions".

Warrant Officer Benzien denied he told Mr Kruser that the two of them could talk and behave like gentlemen but that Mr Kruser should know that the alternative was to be treated like an animal.

The hearing continues.

The trialists are: Mr Tony Yengeni, Miss Jennifer Schreiner, Mrs Lumka Yengeni, Mr Michael Lumbambo, Mr Mbutu Nduku, Mr Wellington Nkwandla, Mr Mtheteleli Titana, Mr Gary Kruser, Mr Christopher Giffard, Mr Sitlabocha Mahlale, Mr Alpheus Ndude, Ms Gertrude Fester, Ms Zurayah Abass and Mrs Colleen Lombard.

Orders lifted on ten others

RESTRICTION orders on a further 10 Port Elizabeth activists were lifted on Tuesday bringing to 18 the number of East Cape people who have had restriction orders scrapped by the Minister of Law and Order this week.

The scrapping of the restrictions follow recent independent submissions to Law and Order Minister Mr Adriaan Vlok by the regional vice-president of the United Democratic Front, Mr Henry Fazzie, and the National Party MPs for Newton Park and Algoa, Mr Sakkie Louw and Mr Frans Smit.

Included in the 10 was Port Elizabeth journalist and former detainee Mr Brian Sokutu.

Sokutu was notified by Security Police yesterday. He said no reasons were given.

Sokutu was released from three years in detention in April and has been confined to his home after dark ever since.

Also among the 10 were Mrs Buyiswa Fazzie, executive member of Port Elizabeth Black Civic Organisation (Pebco) and Mrs Ivy Gcina, president of the Port Elizabeth Women's Organisation (Pewo), both of whom were detained for three years and subsequently restricted.

Mrs Fazzie was subjected to particularly harsh restriction orders that confined her to her home between 4pm and 10am, her lawyer said.

The remaining seven were: United Democratic Front members Mr Thembile Bete and Mr Sicelo Apleni; trade unionists Mr Mncedisi Skepu and Mr Chris Jamda; student leader in the Port Elizabeth Student Council (Pesco) Mr Shakes Mkalipi; Port Elizabeth Youth Congress (Peyco) member Mr Mvelisi Ngwema; student Mr Mr Lulamili Matoto.

On Monday restriction orders on eight Port Elizabeth activists were lifted. Included in this group were two prominent activists, Mr Edgar Ngoyi and Mr Ernest Malgas.

Last week restriction orders that confined Mr Govan Mbeki, former chairman of the ANC and Robben Island prisoner, to his Port Elizabeth home were lifted.

Twenty-eight people remain restricted in the area.

There are no detainees, a spokesman for the Legal Resources Centre in Port Elizabeth said. Among those still restricted are Mr Henry Fazzie, Mr Mkuseli Jack of Peyco and activist Mr Stone Sizani.

23/11/89
Joveran

Judgment praised

A SOUTH African court, in a ruling widely praised as enlightened, has sentenced five black men to less than two years in jail for a murder for which they were once sentenced to death.

The judgment was hailed by civil rights lawyers, about 140 of whom staged a demonstration outside the Johannesburg Supreme Court yesterday to protest against executions.

The contrast between the death sentence and several months in prison for the same offence emphasised the fallibility of South African law, said lawyer Essa Moosa.

"The discrepancy, apparently dependent only

on the judge you draw, is frightening," he said after East London Judge C Jansen sentenced the five men to 20 months each in prison on Tuesday for their part in the 1985 killing of Nosipho Zanela.

Mzwandile Gqweba, Lundi Wana, Them-binkosi Pressfeet, Mzwandile Mninzi and Monde Tingwe spent two years on death row for taking part in the killing of Zanela, who was burned to death with a petrol-filled car tyre known as a "necklace".

They were not found directly responsible for her death at the height of a nationwide black uprising against white rule, but were convicted of murder because they shared a "common purpose" with the unidentified killer.

Their convictions were overturned earlier this year because one of the judge's assessors did not attend the sentencing as required.

At their second trial Jansen accepted evidence by British social anthropologist Andrew Colman about the effects of crowd hysteria on personal behaviour, known as deindividuation.

Sowetan 23/11/89

229

Court told of police brutality

CR1-
Tent 18
24/11/89
329

Court Reporter

RIOT police hit a former student leader with the butt of a rifle, threatened him with his life and tried to force him to say: "I am a kaffir", the Cape Town Regional Court heard yesterday.

Phumzile Simelela, 20, of Langa, who won a damages claim against the Minister of Law and Order after the event, which occurred in 1985, said this during evidence in mitigation of sentence after pleading guilty and being convicted of terrorism.

Simelela said that at the age of 18 he had gone with a man named Solly to Lesotho, where Solly had obtained three limpet mines and had stored one at Simelela's home on their return.

Simelela, who was arrested on July 29 last year, said: "I would not have used it. I do not like the use of violence for political goals, but I understand those who do."

He was detained under Section 29 for nine months.

The hearing continues today.

Mr M J Langehove was the magistrate. Mr N Stowe, instructed by state attorneys, prosecuted. Mr J Whitehead, instructed by K Amin, appeared for Simelela.

Decision welcomed

THE Black Lawyers Association has welcomed the reduction of sentences on five black men - once sentenced to death - to less than two years in jail.

Mzandile Gqweba and four other accused, Lundi Wana, Thembinkosi Pressfeet, Mzwandile Mninzi and Monde Tingwe spent two years on Death Row for taking part in the killing of Nosipho Zanela in 1985.

In a statement from the association, the chairman, Mr Dumisa Ntsebeza said his organisation welcomed the ruling and reiterated a call by the Umtata and District branch

By MATSHUBE
MFOLOE

which he said had mounted a campaign in favour of the abolition of the death penalty.

Contributions by these regions, he said, were central to the moratorium placed by the Transkei administration on all hangings in the territory.

According to Ntsebeza, who had followed the case closely since 1986, "the judgment again emphasises the importance of adequate preparation."

He said when the case started in a special court in Dordrecht, Eastern Cape in 1986, the defence attorneys were refused requests for postponement to prepare adequately for the trial.

He said the attorneys were literally "forced to engage" junior counsel "who hardly had any adequate time for consultations."

"I call upon all lawyers to study the judgment very carefully as I have no doubt that it is going to be one of the most talked about judgments for a long time," Ntsebeza said.

(329) Sowetan 24/11/89

Court rejects confession

A DETAINEE made legal history this week when his confession was thrown out of court on the grounds that he had developed a form of psychosis first discovered among Vietnam war veterans.

A confession by trade unionist Mandla Cele, detained since 1986 under the Emergency, was thrown out in the marathon Newcastle trial, because he has developed Post Traumatic Stress Disorder (PTSD).

Cele, 28, fellow trade unionist Professor Sibankulu, 25, and 19-year-old student Tatal Kgati, are accused in a trial showcasing the total onslaught theory.

Advocate BR Morrison closed the case for the state this week, claiming "a direct link between ANC policies and the National Education Crisis Committee (NECC) and the Newcastle Youth Organisation (Neyo)".

Defence lawyers Guido Penzhorn and Bheka Sheza start their argument on Wednesday December 6, having achieved one victory when Cele's confession was disallowed in a lengthy trial within a trial.

The 80-page confession, dictated to magistrate JAV Breedt over five days, was thrown out after evidence by Professor Michael Andrew Simpson, a member of the Royal College of Psychiatry. He said Cele's mental balance had been thrown off by possible police assault and the "cumulative effect of lengthy detention together with continuous interrogation". — Durbanews

WMA 24-30/11/87

Yengeni cop denies wet bag, torture

32 (888)

Supreme Court Reporter

WARRANT OFFICER Jeff Benzien yesterday denied in the Supreme Court that during interrogation he had suffocated jailed ANC guerillas Ashley Forbes and Peter Jacobs, or terrorism-accused Mr Tony Yengeni and Mr Gary Kruser, by smothering them with a wet bag pulled over their heads.

WO Benzien was being cross-examined on "shock tactics" used by the Terrorists Detection Unit (TDU) in obtaining information from suspected guerillas shortly after their arrest.

During cross-examination, WO Benzien was told the defence would call Forbes, Jacobs, Nicklo Pedro, Anwa Dramat, David Fortuin and Ashraf Karriem to testify about the interrogation techniques used by WO Benzien. A terrorism-accused in another trial, Mr Lucien Abrahams, would also be called to testify, the court heard.

Yesterday the male accused wore yellow tops with the letters YDSG (Yengeni Defendants' Support Group) on the front, and UK (United Kingdom) on the back, while the women wore khaki clothing. They were greeted with clenched-fist salutes by a packed public gallery when they entered the dock.

Mr D P de Villiers, QC, for the defence, put it to WO Benzien that he was held back during the interrogation of suspects, but that he would

intervene in a "dramatic manner" when it appeared no progress was being made.

WO Benzien denied this and said an allegation that he intimidated and threatened suspects was incorrect.

In reply to questions WO Benzien said he did not see Mr Yengeni being assaulted by his colleagues, neither had he seen his beard being pulled out, nor had he been present when Mr Yengeni — whose hands were cuffed behind his back and whose feet were manacled — was beaten to the ground.

He was also not present when TDU commander Captain William Liebenberg allegedly placed his hands on either side of Mr Yengeni's face, lifted him off the ground and said if he did not co-operate he would be killed.

WO Benzien further denied an allegation that he had played a central role in practices where he would smother suspects until the verge of unconsciousness.

He denied that during interrogation he would pull a plastic or cloth bag over a suspect's head while the person was lying on his stomach on the floor with his hands cuffed behind his back and that he would pour water over the bag and pull it tight.

He further denied he had used that technique on Mr Yengeni, Mr Kruser, Forbes or Jacobs, or that he had threatened to use it on Forbes' co-accused Nicklo Pedro.

The trial continues today.



50 held after city placard demo

POLICE yesterday arrested about 50 people in three separate demonstrations in support of political detainees and the Yengeni trialists.

The biggest demonstration was held at noon in Greenmarket Square, when protestors staged a brief placard demonstration.

The Rev Syd Luckett, director of the Anglican Churches Board for Social Responsibility, Mr Balfour Ngconde, the Western Cape chairman of the National Sports Congress, two nuns and several journalists were among those detained.

Some were released and did not have to appear in court.

Earlier, six people were arrested in Burg Street. They appeared in the Cape Town Magistrate's Court and were released afterwards.

Mr Luckett and Ms Vuyiswa Jack were arrested twice yesterday — once in Greenmarket Square and late in the afternoon near the Supreme Court.

They were released after the first arrest.

Yesterday afternoon 33 of the alleged demonstrators appeared in Cape Town Magistrate's Court. No charges were led. They were released on their own recognisance and told to appear again on January 9.

CITY PROTEST ... Two nuns, who were later arrested, walk in Burg Street yesterday to participate in a placard demonstration in support of the Yengeni trialists. Several people were arrested in three separate demonstrations, all in support of the trialists, near the Supreme Court and on Greenmarket Square yesterday.

Picture: ANNE LANG

Nactu stands by 14

329

A CAMPAIGN to rescind the death sentences imposed on the Upington 14 was boosted yesterday when the country's second largest black labour federation, NACTU, pledged to use all its channels to keep the plight of the accused in the public spotlight.

Among the 14 who are appealing against the death penalty imposed in May this year for the murder of Constable Lucas Sethwala in the Paballelo township in Upington - is Evelena de Bruyn (64) the only woman on Death Row.

At a Press conference at Nactu's headquarters in Johannesburg, the Upington Support Committee which represents the families of the accused, said they would redouble efforts to prevent "the horror of our parents and children going to the gallows" in the light of a recent precedent-setting judgment.

The USC was referring to a retrial last week in which the death sentences imposed on five men were changed to 20-month prison terms by an Eastern Cape judge.

In the retrial Mr Justice C Jansen accepted evidence by a social anthropologist that crowd hysteria could have a marked influence on an individual's behaviour.

"We have no alternative now but to increase our efforts to get a reprieve. The Eastern Cape judgment has given us a glimmer of hope and we are now going to continue to make sure that the plight of our people on death row receives attention both here and abroad," said Mr Alfred Gubulu whose son Zondi Mokgatle, is facing the noose. - Sapa

Sowetan 29/11/89

Benzien keeps his address a secret

CHL Trip 30/11/89
(328)

Supreme Court Reporter

SECURITY policeman Warrant Officer Jeff Benzien told the Supreme Court yesterday that he was not prepared to say where he lived except to say it was in the northern suburbs.

WO Benzien was being questioned by Mr D P de Villiers, QC, defence counsel for Mr Tony Yengeni and 13 others who have refused to plead to charges of terrorism.

Asked about allegations of torture made in evidence during the trial of Ms Christina Tyulu and reported in yesterday's Cape Times, WO Benzien said he still believed the allegations were fabricated in order to smear his name and intimidate him.

Mr De Villiers then showed WO Benzien a document received from the regional commissioner of police confirming that jailed ANC guerrilla Ashley Forbes had laid a complaint against police. Copies of three statements by Forbes were annexed.

In the third statement, made on February 1 last year, Forbes said he had not told the truth in an earlier statement because he feared the security police.

He alleged that WO Benzien undressed him at Culemborg, that he was handcuffed, suffocated and subjected to electric shocks.

The trial continues.

'Patriots' on Jeat 'ow

The age of discreet hangings was over when political prisoners were hailed as heroes

PATRICK LAURENCE

HE cries for a moratorium on the death penalty have grown louder, having been amplified by three anti-apartheid church leaders

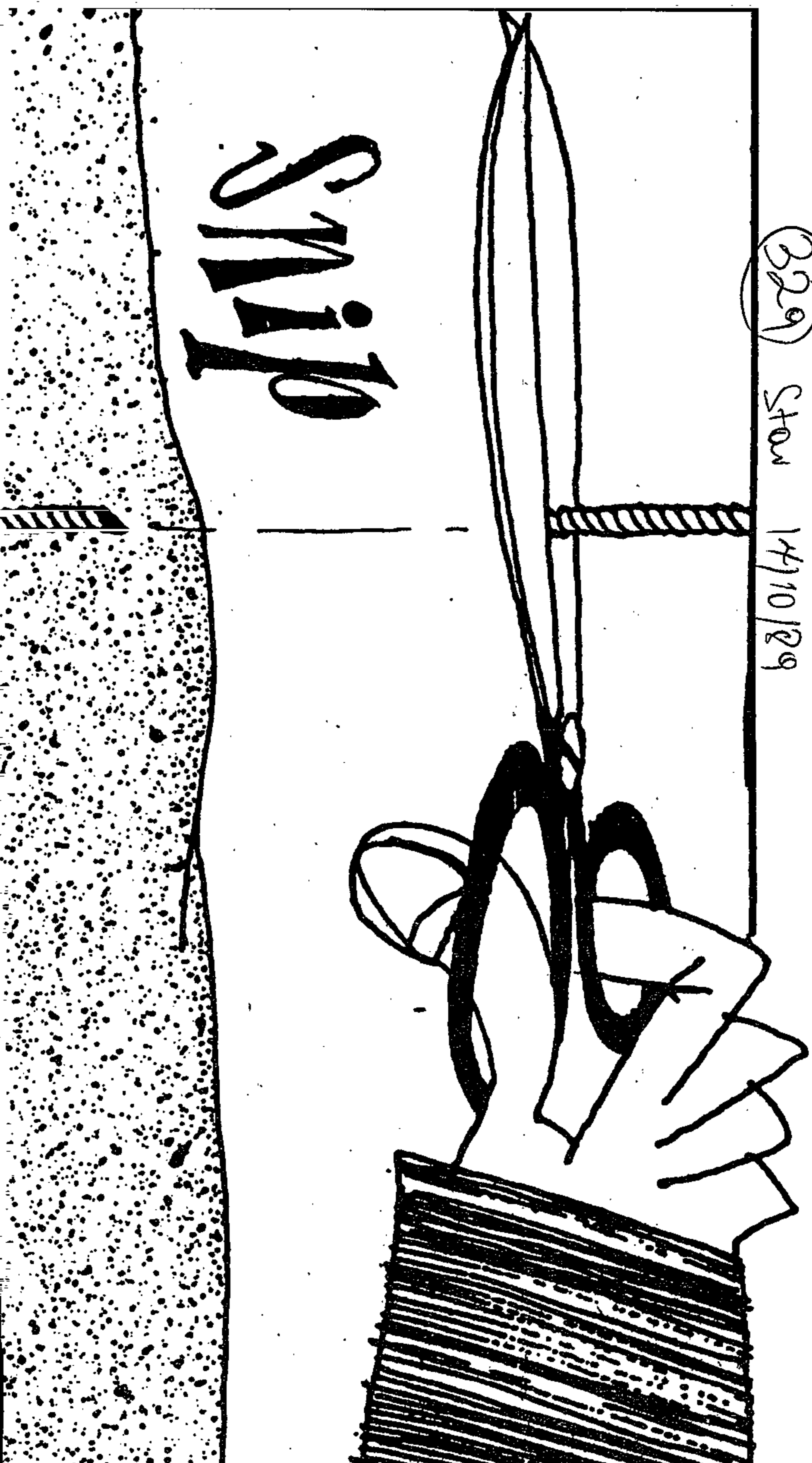
— Archbishop Desmond Tutu, Dr Allan Boesak and the Rev Frank Chikane — at their meeting with President De Klerk on Wednesday

A standstill on executions was one of six steps which the clergymen urged Mr de Klerk to take in order to create a climate "conducive to genuine and productive negotiations to resolve the crisis facing our country"

By giving the call for a moratorium on hanging the same priority as, say, demands for lifting of the state of emergency and freeing all restricted and detained activists, the trio of church leaders were voicing a widely held belief that executions are a political issue in South Africa.

There was no immediate public response from Mr de Klerk. Tranket's military rulers, however, led the way by declaring a de facto moratorium on the death penalty.

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sentence and conviction. Masina, Masango and Potane also regarded themselves ANC soldiers; so much so that they refused to plead, arguing that they should not be tried in a civilian court. They were charged and convicted of murder; their victims were an allegedly "collaborating" black politician, his sister-in-law and a black policeman.

But in a landmark decision, the judge, Mr Justice De Klerk, found that they trio subjectively considered themselves soldiers "fighting in a war for justice and liberation" and that their moral culpability was thus sufficiently reduced for him not to sentence them to death.

To the utter astonishment of spectators in court, however, his finding was overruled by two assessors and the death sentence imposed.

Most of the 88 political — or, as the authorities prefer to call them, security — prisoners in death row were convicted of murder for killings during the township turmoil of 1984-86. Their victims were often minor functionaries in "apartheid structures" and were perceived as "collaborators".

Major General Janu 00,0-
misa, chairman of Transkei's
Military Council, told the Satur-
day Star yesterday that a com-
mittee had been appointed
under the Minister of Justice to
investigate the death penalty
after the presentation of a peti-
tion calling for its abolition to
President Tutu Ndumase.

"No hanging will take place
until the committee has report-
ed back," he said.

Two of the people under sen-
tence of death in Transkei, Afri-
can National Congress members
Ndbulela Ndumela and Phu-
zile Mayaphi, were convicted of
murder for a politically-moti-
vated bomb attack. They plant-
ed a bomb at the Mzamba Wild
Coast casino in 1986 which re-
sulted in the death of two peo-
ple.

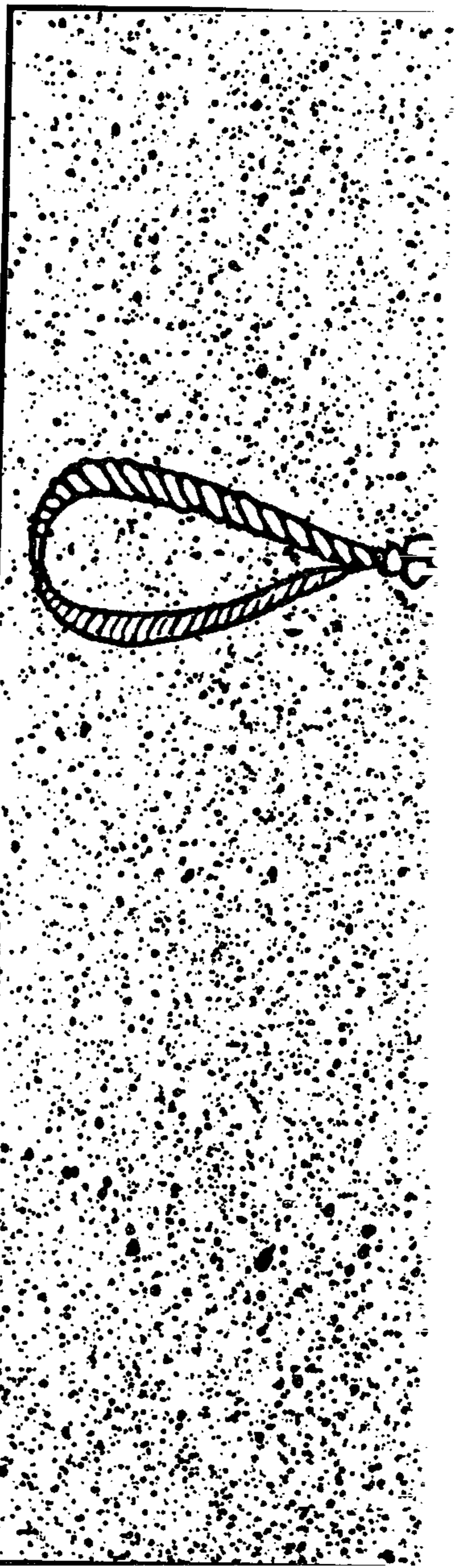
The last time South Africa's
political controversy echoed in
the bleak corridors of death row
in Pretoria Central Prison was
when Mangena Boesman went
to the gallows.

Few people in South Africa
had heard of Boesman as he
took his lonely, last walk on Sep-
tember 29. Yet his execution
was preceded by an 11th-hour
call for clemency from the UN
General Assembly.

He was one of three men con-
victed for murdering a school
teacher in the small town of
Sterkstroom. His co-killers were
reprimed at the last moment.

The South African authorities
regarded the killing as a com-
mon law murder, a position
shared by the United States
judging from the comments of
its Ambassador to the United
Nations.

But three factors combined to



HIGHLY POLITICISED: The success of the strident campaign against executions of political prisoners in South Africa is reflected in the official figures for 1989 in which, for the first time in years, the number of reprieves was greater than the number of executions: 60 against 42.

Graphic courtesy of The Weekly Mail.

convince some people that Boes-
man's crime was politically mo-
tivated and, consequently, that
he was deserving of compassion:
the victim was an alleged in-
former, he was "necklaced", the
"execution" took place at the
height of the rebellion 1984-86 in
the black townships.

But, if there was some debate
about whether Boesman should
be treated differently from
common law murderers, there
was less argument about many
of his co-prisoners on death row.
For many South Africans and
foreign observers, they fell
clearly into the category of po-
litical prisoners on death row.

South Africa's Human Rights
Commission put the number of
political prisoners on death row

at 88 in the latest edition of its
quarterly journal "Human Rights
Update". They accounted for
nearly a third of the 274 people
waiting for the hangman.

A sprinkling of the 88 were
captured while on "missions"
for the African National Con-
gress. In the trials which led to
their conviction, the govern-
ment pursued, wherever possi-
ble, a policy of de-politicisation
or criminalisation; thus it
charged them with common law
murder rather than, say, stat-
utory terrorism under the Inter-
nal Security Act.

Men who attracted national
and even international attention
during their trials and subse-
quent fight for against death on
the gallows include Robert

McBride, Mthetheli Mncube,
Mzoneleli Nondula, Jabu Ma-
sina, Ting-Ting Masango and
Neo Potsane.

McBride was sentenced
to death three times for a car-
bomb explosion outside a res-
taurant in Durban in 1986; three
people, all women, died in the
blast. His appeal was turned
down. A petition for clemency
has been sent to the President.

In a report prepared for de-
fence counsel during McBride's
trial, Dr Fatima Meer, a Uni-
versity of Natal sociologist,
said: "Robert McBride saw him-
self as an ANC combatant and

his guilt is no more and no less
than that of any person volun-
teering to serve in the army of
his people."

She added: "The acts of young
SA Defence Force troops, who
carry out invasions across the
borders into countries with
which we are not a war, are no
less horrifying. The actions of
our police instructed to shoot at
people gathered to protest
against high rents and poor edu-
cation are far more so."

Mncube and Nondula were
sentenced to death for planting
of landmines along and near
South Africa's border with Zim-
babwe. Ten civilians were
killed. At the beginning of 1986
the ANC declared that border
farms were legitimate targets

of war; it argued that farmers
formed part of the SA Defence
Force's commando network in
the rural areas.

Professor John Dugard, of the
Centre for Applied Legal Stu-
dies, gave evidence for the de-
fence; he argued that Mncube
and Nondula saw themselves as
ANC soldiers entitled to POW
status under the 1977 Geneva
Protocols.

He concluded: "The fact that
the accused saw themselves as
being engaged in an interna-
tional conflict and fighting in a just
cause does reduce their moral,
albeit not their legal, guilt." The
trial judge did not agree. He
sentenced them to death. The
two men have appealed against

The best known case involv-
ing the "Uppington 14"
All were sentenced to death for
the murder of a black police-
man under the controversial
doctrine of "common purpose".
The case inspired a long series
of articles in The Star entitled:
"Who threw the first stone?"

The 14 were granted leave to
appeal last month. If their ap-
peal fails, they will shift into the
international spotlight occupied
by the Sharpeville Six.

The six — five men and a
woman — were sentenced to
death for the murder in 1984 of
a black town councillor, but re-
rieved at the last minute amid
an unprecedented clamour for
mercy.

The death sentence, however,
has been so politicised in South
Africa that virtually any hang-
ing will arouse opposition at
home and abroad. South Africa's
extra-parliamentary opposition
has canonised political prison-
ers in death row as "patriots". It
has given notice that it will fight
for their lives.

The age of quiet, discreet
hangings has passed.

The success of the strident
campaign against executions is
reflected in official figures for
executions for 1989 so far: 42
people have been hanged since
January 1, a much lower figure
proportionally than the 164 in
1987 and 117 last year. For the
first time for years, the number
of reprieves was greater than
the number of executions: 60
against 42.

Star 17/10/89

The Star Tuesday October 17 1989

5

A state of emergency detainee who is a Cosatu executive has begun a hunger strike to protest against his conditions of being held.

Mr Zwelinzima Vavi, regional secretary of Cosatu's Western Transvaal region, was arrested on September 1 and is in solitary confinement in Witbank Prison, according to

a trade union statement.

He has pledged to remain on hunger strike until he is transferred back to Vereeniging where he was first held, and until the quality of

the food he is given improves.

He also demands to be kept in a cell with other detainees, and to be charged or released.

He began his hunger

Cosatu detainee goes on hunger strike

strike on Saturday at 6.15 am, the union said.

In its statement, Cosatu demanded the immediate release of Mr Viva, Cosatu education officer Mr Amos Masondo, and all other detainees and political prisoners.

Prisons Services and police comment was not available at the time of going to press.

2 on hunger strike - police

By Esmaré van der Merwe
Political Reporter

Claims that at least six detainees have been on a hunger strike for days were yesterday denied by police, who said only two people had stopped eating.

A police spokesman confirmed that Mr Amos Masondo and Mr Mandla Dlamini started a hunger strike on Friday but a spokesman for the Detainees' Aid Centre (DAC) said the two men started their strike on Tuesday, October 10.

Asked about their condition, the DAC spokesman said: "They're getting very weak."

He said the hunger strikers were demanding transfer to prisons closest to their homes as well as their immediate release.

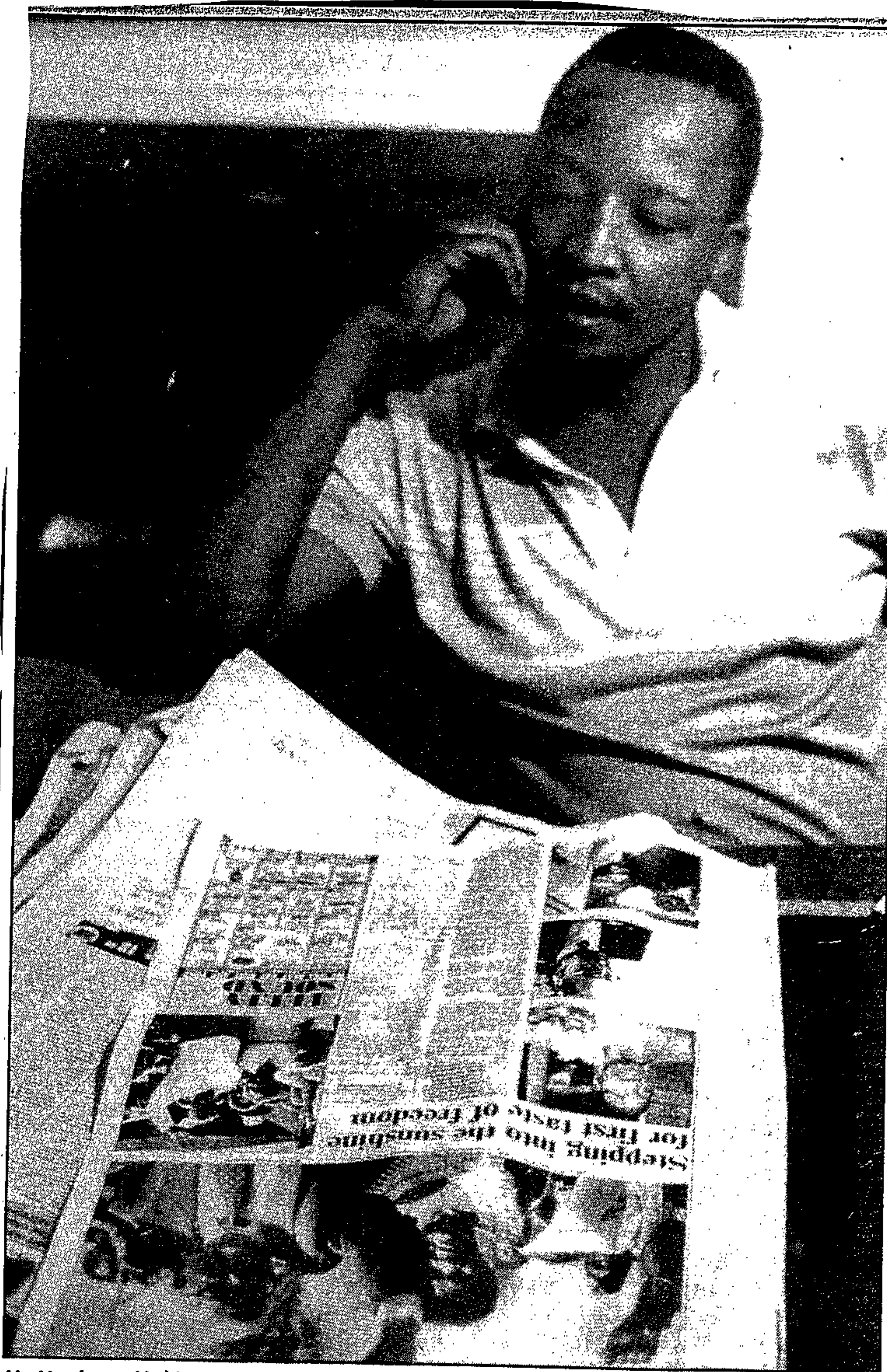
Mr Masondo, described by Transvaal Indian Congress (TIC) secretary Mr Ismail Momoniat as "the most detained person in South Africa since 1984", is a prominent activist in the trade union and civic association movement.

He is Cosatu's education officer for the Witwatersrand region and secretary of the Soweto Civic Association.

Mr Dlamini is a member of the Soweto Youth Congress.

The police spokesman denied that activist, Mr Zwelinzima Vavi, was on a hunger strike.

Star 18/10/89



Mr Matthews Ntshiwa (29) was given a three-year jail sentence for engraving a tea mug with ANC slogans. The conviction and sentence were set aside on appeal. ● Picture By Herbert Mabuza.

Engraving led to jail, unemployment

By Jovial Rantao

The man who was given a three-year jail sentence for engraving a tea mug with African National Congress slogans had his conviction and sentence set aside on appeal — but lost his job and was out of work for a year as a result.

For Mr Matthews Ntshiwa, engraving a tea mug at work became a watershed event of his life.

He spent four months in jail as an awaiting trial prisoner, he suffered unemployment and later became politically active.

On December 9 1983, Mr Ntshiwa, then 23-years-old, was found guilty of engraving ANC slogans on a tea mug and sentenced to three years in jail after being charged under the Internal Security Act.

The magistrate, Mr A Aucamp, suspended 18 months of Mr Ntshiwa's sentence for five

years. He granted him R3 000 bail, which was paid by the SA Council of Churches, pending the outcome of his appeal.

The words which got Mr Ntshiwa in trouble were: "PW we want our land ... Release N Mandela ... Amandla Ngawethu ... Remember our leaders."

The verdict was dismissed and his sentence set aside by the Appeal Court in Bloemfontein.

FIRED

In an interview with The Star, he noted how the case contrasted sharply with the present situation, in which organisations declare themselves unbanned and thousands take to the streets in protest marches.

Speaking at his home in Dobsonville, Soweto, he said that after his arrest he was fired from his job of six years as a diesel mechanic.

It took him a year to find an-

other job as employers were scared off by his involvement in a "political" trial.

"Every potential employer turned me down after he had contacted my former employers," he said. "My present employer, where I now work as a machine operator, is a very nice man who understood my circumstances when he employed me."

Another change in Mr Ntshiwa's life was that he became politically active.

"While on trial and after I was sentenced, I felt bad about being charged with taking part in and promoting the activities of a banned organisation because I was not actively involved in any political organisation," he said.

He is now a member of the Dobsonville Civic Association and the National Union of Metal Workers of South Africa.

Two hunger strikers 'near critical stage'

Two of six detainees on hunger strike in South African prisons were in danger of reaching the "critical stage" earlier than expected, the National Medical and Dental Association (Namda) warned yesterday.

Mr Amos Masando and Mr Mandla Dlamini had been on hunger strike for three weeks earlier this year, which may have weakened them, a Namda spokesman said. The hunger strikers are apparently being held in prisons in Bloemfontein, Kroonstad, Witbank and possibly Nelspruit.

Namda called on Health Minister Dr Rina Venter to join the increasing numbers of doctors and health workers who had publicly rejected detention without trial as being medically and ethically indefensible.

● A detained National Council of Trade Unions (Nactu) organiser has been transferred to Grootvlei Prison, Bloemfontein, after staging a hunger strike.

Nactu said Mr David Marumu, one of its Vereeniging organisers, was detained under emergency regulations on September 1.

Originally held in Nelspruit, he had been transferred to Bloemfontein after going on a hunger strike with other detainees.

Prisons Service comment could not be obtained last night. — Labour Reporter.

Death penalty simply repays evil with evil

No, their lot is not a happy one

I REFER to the letter by the Rev Martin Holdt (Saturday Star, October 7), in which he claims Biblical evidence (Genesis 9:6 and Exodus 21:12-17) that God instituted the death penalty.

I do not seek to change Mr Holdt's thinking. He is clearly a fundamentalist who believes that the Bible may be interpreted literally from Genesis to Revelation, without considering the march of history, the development of mankind or the context of the writer/reader. Difficulties and contradictions in the text are dealt with by pretending they do not exist.

However, I would appreciate the opportunity of addressing those who may have found his arguments convincing.

In contrast to the quotes he offers, consider: "Love your enemies," Luke 6:27; "Be merciful, just as your Father is merciful," Luke 6:36; "Forgive us our sins, for we also forgive everyone who sins against us," Luke 11:4; "Do not repay anyone with evil for evil," Romans 12:17 (all quotes taken from the NIV Bible).

Clearly the Bible cannot be interpreted as a literal and somewhat lengthy guide to life.

It can, however, be in-

terpreted as a series of books that detail mankind's growing awareness of the nature of God. Initially, one finds the primitive understanding of a primitive people; in the prophets, a deeper and often unpopular appreciation of the nature of God developed; in Christ, one may find a complete knowledge of God and His purpose.

Interpreted in this way, apparent difficulties and contradictions fall away. The four quotes that I offer supersede those of Mr Holdt because they come from our Lord or St Paul and, therefore, offer us a true insight into the nature of God.

That Mr Holdt visits three men on death row is to his credit, but by

supporting the death penalty he is saying to God: "If you want to save these men then you must do it in the time we, your servants, give you or else their souls will be forfeit." Rather let God set the timetable.

I challenge Mr Holdt to produce the statistics that he claims "prove that as executions decrease the number of murders increases".

I said that I did not think Mr Holdt's attitude could be changed. Nevertheless, I would like, in love, to exhort him and like-minded Christians to open their hearts and minds and to start interpreting the Bible on the basis of the love of Christ and the mercy of God.

Dr Paul Buddery,
Leraatsfontein.

THERE was a flicker in my heart when I read the headline to Joe Latakomo's "Write On!" (Saturday Star, October 7). I thought that maybe a touch of realism had at long last entered his column. "Are police just good guys stuck with a bad job?" it said.

It is sad that Joe did not carry his story through and left out what has happened in the past.

Surely we all know that the police have to carry out the law — no matter how one-sided and bad it might be. But we all know that most of the necklacing of black policemen took place after the law had been withdrawn.

We surely need a police force (and even the army when the police are short in numbers), not to stifle black aspirations, but to counter murder, rape, faction fights and robberies.

Had Joe written his column five years ago I would have agreed with him, but if we are going to penalise the police for what they did in the past as part of their duty, when can we expect them to be accepted as law enforcers who deserve everyone's respect? Joe could help bring this about, for it is obvious that he also needs the police.

Some policemen do fall short and are caught out, but the same could be said about people who arrange "peaceful protests" in which people die.

Alan C Brown, Bloemfontein.

Harris trial's SA

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Star

21/10/89

Local campaign to win clemency

PERCY BANESHIK

A JOHANNESBURG woman is part of a campaign to secure the release from jail in the United States of a woman found guilty of murdering her lover.

The sensational case of Jean Harris, the American school-mistress sentenced in 1982 to 14 years in jail for the murder of her doctor lover, was recalled to South African viewers recently by the telecast of an SABC-TV feature film, "The People versus Jean Harris", dramatising the trial and featuring Hollywood actors and actors.

A Johannesburg housewife, Mrs Jean van Zyl, alerted to the film by a note on October 7 in the Saturday Star's "Coming Attractions" TV column, has been stirred by South African interest in the story to disclose her own long-distance efforts to secure clemency for the imprisoned woman.

A widely supported movement in the United States holds that Mrs Harris's conviction was a miscarriage of justice. It campaigns, with petitions and other representations to the governor of New York State, for parole after her completion of 7½ years of her sentence. The appeals have been consistently refused.

Tragic accident

As the TV dramatisation showed, Mrs Harris's defence was that the killing was a tragic accident.

Mrs van Zyl's involvement in the Harris case, pursued from her home 10 000 km distant from the scene of the crime, was initially sparked by a book, "Stranger in Two Worlds", an account of her life in prison published from jail by Mrs Harris.

Stirred by the book's representation of the case, Mrs van Zyl wrote to Mrs Harris in prison expressing her womanly sympathy. She received a lengthy personal reply, and has since been in regular contact with the Jean S Harris Defense Fund, headquartered in New Hampshire, which continues to press for clemency for the imprisoned woman.

The US movement, which has as one of its committee members Ellen Burstyn, the actress who portrayed Mrs Harris in the SABC-TV film, sustains its subscribers with a regular newsletter reporting the conditions of her incarceration.

The committee also furthers a campaign run by Mrs Harris from her cell to raise funds for educating children of mothers who are fellow inmates.

Mrs van Zyl believes many women around the world are moved to compassion by Mrs Harris's plight. She has collected a number of signatures locally supporting the clemency appeal and sent to the prison at intervals stipulated by the authorities.

link

Suspect in Webster, Lubowski cases

Police hold ex-sergeant after killings

POLICE are believed to be holding former West Rand narcotics bureau detective Ferdinand Barnard under Section 29 of the Internal Security Act in connection with the killing of Wits academic David Webster and Swapo official Anton Lubowski.

Police spokesman Brig Leon Mellet declined to confirm the identity of the suspect, saying it would hamper investigations. Police hoped to make further arrests in connection with the murders.

Webster, 44, was gunned down outside his Troyeville home on May 1. A witness said at the time that a white car, with three occupants, drove past Webster before a "loud bang" went off.

Lubowski, 37, was killed with an AK-47 outside his Windhoek home on September 12. Witnesses said his assailant fled in a red Toyota Conquest with several other occupants.

Days later, Namibian police arrested Irishman Donald Acheson in connection with the shooting. Acheson is still in police custody.

Barnard is being held by the Brixton murder and robbery squad and has been questioned in connection with both murders.

In a police statement it was confirmed that a 31-year-old man was being held under Section 29 of the Internal Security Act in connection with the murders.

The statement said the man had been a sergeant in the SAP's West Rand narcotics bureau but took his discharge in 1984 when he was sentenced on two counts of murder, attempted murder and three charges of theft.

Mellet said the secrecy surrounding the

EDYTH BULBRING
and DANIEL SIMON

detention of the suspect was owing to the fear that publicity would jeopardise an investigation still to be launched.

The information was leaked when Barnard's father, retired police major Piet Barnard, made an application on Friday in the Pretoria Supreme Court to have his son released.

Mellet would not disclose when the suspect was detained.

The Brixton murder and robbery unit contested the application in a sworn affidavit, which was ruled privileged and not made public. Mellet said the application was withdrawn this week, but could not give further details.

Press clippings show Barnard was sentenced in the Rand Supreme Court on December 10 1984 to six years' imprisonment for murdering two people, attempting to murder another and for stealing three cars. The murders occurred in August 1982 and February 1983.

Mellet said the suspect joined the police force in 1976 and resigned in 1977. He rejoined in 1978, but his employment with the police ended when he was convicted of two murders, three charges of theft and one count of attempted murder.

A spokesman from the Prisons Service would not say when Barnard was released from prison. The department did not comment on individual cases.

KEVIN JACOBS reports from Windhoek that a senior Namibian policeman probing Lubowski's killing returned to Windhoek yesterday after questioning the former

□ To Page 2

Suspect held

policeman held as a second suspect.

Sources said Col Jumbo Smit had also asked for an interview with Michaela Clayton, the lawyer who had lived with Lubowski for a year.

Police investigators have insisted throughout the probe that more than one person had waited for the Swapo official to come home on the night of his killing.

Acheson was arrested in connection with the murder, and held under immigration law until November 6, when he was ordered released by a Supreme Court judge. Immediately afterwards, he was rearrest-

ed and taken before a magistrate to be told he faced a murder charge.

He is set to appear in court again on December 6.

□ Three men — two South Africans and a German national — are scheduled to appear before a magistrate in Outjo next Wednesday for probable referral to Windhoek's Supreme Court on charges including murder. The men are being detained in connection with a gun and grenade attack on an Untag district office in the town on August 10 that killed a privately employed security guard.

□ From Page 1

Benzien concedes error, denies falsifying record

CHIEF 7/12/87 11/12/87

By LINDA GALLOWAY
Supreme Court Reporter

A SECURITY policeman has admitted in the Supreme Court, Cape Town, that the times written in his pocket book may have been incorrect but the entries were not "fitted in" to suit his version of events.

Warrant Officer Jeffrey Theodore Benzien is under cross-examination in the Yengeni trial in which 14 accused refused to plead to charges of terrorism and African National Congress-related activities.

Continuing with the cross-examination of Warrant Officer Benzien, Mr D P de Villiers QC, for the defence, recalled the interrogation of accused Mr Gary Kruser on the morning of September 22 1987.

Conflict

There was conflict about the times the policeman had written in his pocket book recording the events of that morning.

Mr De Villiers put it to the policeman that he had interrogated Mr Kruser for two hours that morning and used the "wet bag treatment" by putting a bag of water over his head and nearly choking him.

The policeman denied this and said he had taken part in a raid on two adjoining houses in Belgravia, Athlone, at 6.25am in search of an ANC suspect, "Bollie".

He had returned to security police offices at Culemborg at 6.38am, had spoken to Mr Kruser but not interrogated him.

Warrant Officer Benzien denied that he had made entries and later filled in times to suit his version of events, and denied that he had made this particular entry to cover up having interrogated and assaulted Mr Kruser that morning.

Mr De Villiers said that Mr Tony Yengeni, arrested on 17 September, also alleged that the policeman had used the "wet bag treatment" on him.

Salute

● Recently released political prisoner and former Umkhonto we Sizwe commander Mr Raymond Mhlaba attended the trial yesterday. He was in Cape Town to meet fellow-Rivonia trialist Nelson Mandela at Victor Verster Prison and attend the University of the Western Cape graduation ceremony where Mr Govan Mbeki received an honorary doctorate.

The accused stood to attention and saluted Mr Mhlaba, who spoke briefly to them before the hearing began.

The trial continues today.

The trialists are: Mr Tony Yengeni, Miss Jennifer Schreiner, Mrs Lumka Yengeni, Mr Michael Lumbambo, Mr Mbutu Nduku, Mr Wellington Nkwandla, Mr Mtheteleli Titana, Mr Gary Kruser, Mr Christopher Giffard, Mr Sitlabocha Mahlale, Mr Alpheus Ndude, Ms Gertrude Fester, Ms Zurayah Abass and Mrs Colleen Lombard.

Policeman acts against newspaper

MBABANE — The former Swazi Commissioner of Police, Mr Titus Msibi, has instructed his lawyers to claim R600 000 from the Johannesburg-based *New Nation* newspaper for defamation damages.

He said yesterday the claim arose from an article published last week which implied he had collaborated with so-called SA Police hit squads in Swaziland.

Mr Msibi said he viewed the article as "extremely defamatory and damaging to my reputation and integrity".

The allegations had also caused his personal safety and that of his family and their property to be endangered.

Mr Mbisi said he held the *New Nation* editor, along with the newspaper's publishers — Catholic Bishops Publishing Co and Sekulo Press — jointly responsible for settling his claim.

Failing this, he would instruct his lawyer to institute action.

The other Swazi figure mentioned in the article, Mr Stanley Bhembe, who is a serving officer in the Swaziland Police, is believed to be consulting lawyers with a view to a claim for defamation over the same allegations. — Sapa.

**Speak
Out!**

ON
SATURDAY



What do you think about the so-called police "death squads"? Do you believe they exist within the SAP framework? And with President de Klerk's promise to "cut to the bone" to get to the truth, what kind of punishment do you think should be meted out if the allegations of murder prove to be true? Give your views to **Speak Out!** (011 834-7747 or 633-2560) this evening between 5.30 and 7 pm. Readers' opinions will appear tomorrow in the *Saturday Star*.

Ex-detective's arrest widely welcomed

By Sue Valentine

Friends and relatives of assassinated University of the Witwatersrand anthropologist David Webster have welcomed the announcement that police are holding a former narcotics bureau detective in connection with the murder.

Dr Webster's ex-wife, Mrs Glenda Webster, said it was a relief that there had been a breakthrough. "It would be such a relief for us all if all the truth finally boiled out."

She said she had telephoned Dr Webster's brother, Gavin, who lives in England, and he had expressed similar sentiments.

Dr Webster's lover, Ms Maggie Friedman, who was with him when he was killed, said: "It's difficult to come to terms with it all, not knowing who it was or why they did it."

"I feel a sort of disquiet that they might stop investigating now that they have got somebody. It sounds like a huge apparatus behind it all and I wonder if they will be allowed to investigate without someone higher up intervening."

The university has welcomed the news of progress in the investigation.

POSSIBILITY OF PROGRESS

Deputy vice-chancellor Professor Peter Tyson said the university had always viewed Dr Webster's assassination in a very serious light and had been urging the police continually to investigate the matter.

"I'm delighted to hear of the possibility of progress in the investigation and hope there will be further progress," the professor said.

"We believe it is essential that the perpetrators of this action be brought to court."

An executive member of the Wits branch of the Union of Democratic University Staff Associations, Mr Derek Young, said Uduasa welcomed the development.

"I think we would wish to remind people that the reward we are offering for the arrest and conviction of Dave Webster's assassin is more than R150 000. We would encourage people to come forward with any information they have."

The Five Freedoms Forum said it and other anti-apartheid organisations had long held the view that assassinations and physical attacks had been the work of police hit squads.

"The FFF believes that police hit squads have been active right up to the present day. President de Klerk has no alternative but to ask for a full, independent judicial inquiry."

Terror and trauma for unionist detainee

(329)

6 Dec 11/12/89

ALAN FINE

In 1939 it is easy to forget that as recently as the first few years of this decade the now-established black labour movement was still struggling to overcome its first hurdle of gaining recognition by SA employers. All too often that struggle included and sometimes still includes) encounters by trade union leaders with the forces of law and order. The first autobiography by a modern generation trade unionist, for-mer Commercial, Catering and Allied Workers' Union general secretary Emma Mashinini, vividly describing these times, reaches SA bookstores this week.

For the first two months of her detention, which began in November 1981, Mashinini was held in Pretoria with no contact with, or explanation by, those who had arrested her. A pre-Christmas visit by her husband made her feel it was "the greatest day I've ever had". In January she was transferred to Jeppe police station and the interrogation began. Her account is not one of physical torture: "I was never physically abused. Just, pushed around, but not battered or assaulted. It was an emotional battery". The "emotional battery" of non-communication created for Mashinini a situation where any change in routine was a relief — even a trip to an interrogation session. But it created guilt at being away from her family, and anxiety "In

prison you are anxious and concerned about everything. You are killing yourself about being there and what is going to happen tomorrow. They don't have to torture you, you torture yourself." One of the most difficult periods of mental anguish for her was one day, when being driven to John Vorster Square, she saw a newsbill saying "Detainee dies in cell." She felt unable to ask the police the identity of the person, and when she put the question to an inspector of detainees, he smiled and replied: "Can you guess who it is?" It was only a few weeks later when

she was permitted a transistor radio that she heard it was Nell Aggett, a close colleague of hers. Another traumatic event was when she was unable for several days to recall the name of her youngest daughter Dudu. "I didn't know anything about the psychological effects (of detention). I thought I was going mad," Mashinini recalls. Then followed several bouts of hospital treatment and psychotherapy over a period of years to help her recover from the trauma of those six months — memory loss, physical ill-effects and a fear that each car that passed her home was the police arriving to arrest her again. Mashinini's management counsellors in the retail sector will no doubt read her account of Cawusa's formative years with interest. Most

will not feel flattered ("STRIKES HAVE FOLLOWED ME" ALL MY LIFE, by Emma Mashinini. Published by The Women's Press, distributed in SA by David Phillip.)

Correction to article

DUE to the inadvertent omission of key words in the article by Prof W. Duncan Reekie published on this page on Monday, the meaning of a sentence was reversed. The sentence should have read: "This is the fundamental principle of classical liberalism, namely that the only just laws a legislature can pass are those which affect each individual equally, not those which are passed with the approval of a majority based on the ephemeral arithmetic of the day". The words omitted are in italics. We apologise for the error.

REVIEWS

Pretoria Correspondent

Police claim they learnt that a former police sergeant, Mr Ferdie Barnard, who is being held in terms of the Internal Security Act, was monitoring a well-known activist closely linked to murdered Dr David Webster.

This was revealed in an police officer's affidavit handed to the Pretoria Supreme Court last week when his father, Mr P J Barnard of Nylstroom, brought an urgent application for his son's release.

Mr Barnard brought the application against the Minister of Law and Order, the Commissioner of Police and the Divisional Commander of the Witwatersrand police, who opposed the application.

The Commanding Officer of the Brixton Murder and Robbery Unit, Brigadier Floris Mostert, said in his affidavit that the police had reason to believe Mr Barnard was withholding information, including some with regard to Dr Webster's murder.

Brigadier Mostert said the arrest of Mr Donald Acheson in connection with Mr Lubowski's killing led the police to Mr Barnard.

The application was withdrawn on Tuesday by agreement between the parties after it was postponed last Friday.

In his affidavit, Mr Barnard said his son, who was an assurance representative before his arrest, was being held at Johannesburg's Brixton Murder and Robbery Unit.

He said that in the middle of October he had heard from his son that the police were looking for him.

He said that after discussing the matter

Ex-policeman is 'withholding information'

Suspect was watching leading activist SAP

with his son, Mr Barnard recommended that he report to the Brixton Murder and Robbery Unit.

"I learnt from him that he was questioned regarding his possible involvement with the murders of Mr Lubowski and Dr Webster.

"On October 31 1989 at approximately 5.30 pm I was telephoned by my above-mentioned son's girlfriend and told that three men in private clothes arrested my son."

Mr Barnard said he made several inquiries about his son's whereabouts at the Brixton Murder and Robbery Unit and with the security police at John Vorster Square.

"Both the Brixton Murder and Robbery Unit and the security police at John Vorster Square denied any knowledge of my son."

After he left his telephone number with the Brixton Murder and Robbery Unit, the commanding officer, Brigadier Floris Mostert, returned his telephone call.

Brigadier Mostert did not want to discuss

the matter on the telephone and would not deny nor confirm his son's detention, but, Mr Barnard said, they made an appointment to meet at the Warmbaths charge office the next morning, November 1.

"During the meeting I was told by Brigadier Mostert that my son was being detained in terms of section 29 of the Internal Security Act. He also told me that the detention was related to the above-mentioned murders."

Since October 31, Mr Barnard said, he had made regular inquiries about when his son would be released.

"I was told many times that although it was not certain, it (his release) was expected to happen 'soon' or 'shortly'."

Mr Barnard said he had been advised that it was possible that the original arrest and the ensuing detention did not comply with the pre-conditions as set out in section 29.

"For example, I have until today not been told who took the decision to arrest my son

and on what grounds the arrest was made."

Asking for his son's release, Mr Barnard said he knew of no good reason why his son was detained in terms of section 29.

In his affidavit, Brigadier Mostert said he, was one of the investigating officers in the case of Dr Webster's murder and he had obtained a considerable amount of information.

"I have to respectfully emphasise that the nature of my investigation is extremely sensitive and the secret keeping of the information I possess is of great importance. Under the circumstances I am unfortunately not in the position to place all the facts before this honourable court. I am, however, satisfied that the information I possess is reliable."

"In the event of me divulging particulars of my information, the possible danger exists that my sources would be revealed, and as important, that those responsible for the murders and other malpractices would be warned."

"After the assassination of Anton Lubowski a Mr Donald Acheson was arrested as a suspect by the police in Namibia. As a matter of fact, close co-operation existed then between the SAP and the police of Namibia, and this still exists. After the arrest of Mr Acheson the police investigation also led to the detainee (Mr Barnard) and I am fully informed by the Namibian police in this regard.

"As a result of answers the detainee gave during questioning and as a result of further information obtained thereafter, it became clear to me that the detainee was withholding valuable information.

"In particular I ascertained from police files that the detainee and another person were arrested on June 9 1989 as suspects in an attempted robbery. During a subsequent investigation it became clear that the detainee was not busy with an attempt to rob, but that he monitored the movements of a well-known activist."

He said Mr Barnard was arrested in terms of the Criminal Procedure Act of 1977 but while he was in detention he, Brigadier Mostert, issued a warrant for his detention in terms of section 29 of the Internal Security Act based on the "facts-circumstances" and the considerations mentioned in the affidavit.

"In my opinion his continued detention is necessary," he said.

Although Mr Barnard said in his affidavit that his son was an assurance representative at the time of his arrest, Brigadier Mostert said his information was that Mr Barnard was unemployed at the time of his arrest.

Handcuffed accused 'not ingenious'

CAN 7-11-89 2/12/89

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Supreme Court Reporter

WARRANT OFFICER Jeff Benzien yesterday told the Supreme Court that terrorism accused Mr Gary Kruser could have used his ingenuity to use a toilet or open a tap to drink water while he was held in a cell with his hands cuffed behind his back.

WO Benzien, of the Terrorism Detection Unit, was being cross-examined in the trial of Mr Tony Yengeni and 13 others who have refused to plead to charges of terrorism.

He told the court he had taken Mr Kruser to Manenberg police station and placed him in a cell.

He denied that Mr Kruser did not have access to water or a toilet and said those facilities were in the cell. The tap had been of the "modern, economical" sort which, after being depressed, would run for a few seconds and automatically shut off.

Asked by Mr D P de Villiers, QC, for the defence, if he could think of a method how Mr Kruser could have opened the tap, WO Benzien replied:

"If I had been in his shoes, I would have used an elbow to open the tap."

Asked if he would be surprised that Mr Kruser was unable to open the tap, WO Benzien said he would and added: "I think he was not ingenious enough."

Asked by Mr Justice S Selikowitz why he had left Mr Kruser handcuffed in the cell, WO Benzien said there was no way of knowing if other people would pass the cell. It had happened that dangerous criminals pretended they had been arrested for lesser crimes like drunkenness in order that they could be released.

He had not left instructions that Mr Kruser could get water or use the toilet because he believed Mr Kruser could help himself, WO Benzien said.

Asked how a fully clothed person with his hands cuffed behind his back could use the toilet, WO Benzien said he could use his thumbs to pull his trousers down.

The trial continues on Monday.

Mr W S le Roux and Mr J V Knoll were the assessors. Mr De Villiers appeared for the accused. He was assisted by Mr Mike Donen, Mr Plus Lange and Mr Johnny de Lange and instructed by Mallinck, Rees, Richman and Cloenberg Inc; Essa Moses and Associates; R Vassen and Co; and Erwer Daniels and Co. Mr Hendrik Klem, SC, and Mr Jannie van Vuuren appeared for the state.

New hope for Upington 14

By CONNIE MOLUSI

299 (press 3/12/89)

THERE is hope for the Upington community after a series of meetings with several foreign missions to highlight their problems and the fate of the 14 Upington people on Death Row.

The meetings were organised by the National Council of Trade Unions (Nactu) to highlight the plight of the Upington community internationally.

Members of the Save Upington Committee and families of the 14 said most embassies had promised assistance ranging from human rights support for those facing the gallows to development projects for others who are imprisoned.

Most exciting for the people of Upington is an undertaking to fund some self-help projects to assist a community that has an unemployment rate of 80 percent.

Twenty-five Upington people were convicted for the murder of municipal policeman Lucas Sethwala on the basis of common purpose.

A family member Lydia Nompondwana, painted a grim picture of the condition of Eviline De Bruin, the only woman on South Africa's death row.

De Bruin said in recent affidavit in an abortive bail application: "I am so worried about the welfare of my children that I have not been able to eat for the past week."

Four on hunger strike

3/12/89
C. Press
FOUR detained members of the Alexandra Action Committee - Mzwaele Mayekiso, Richard Mdaane, Paul Tshabalala and Sipho Khubeka - are on a hunger strike, publicity secretary Obed Bapela said yesterday.

The four were detained on November 30 when an AAC march was stopped

by police. Bapela said they were being held at Sandton Police station under emergency regulations.

Bapela said that despite the detentions, the launch of the Alexandra Civic Organisation - the AAC is disbanding - at the Alex Arts Centre, would go ahead as planned today. - Sapa

Sports chiefs arrested

By RENÉ DU PREEZ
POLICE arrested 18 people, including top sports officials, during a demonstration against next month's English rebel cricket tour.

Among those detained at the Avendale cricket ground in Cape Town were Mr Joe Ebrahim, president of the SA Council on Sport, Mr Abe Adams, chairman of the Western Province Cricket Board, and Mr Alex Aber-

crombie, vice-president of the SA Soccer Federation.

Mr C R Clarke, general secretary of the SA Council on Sport, said a police cordon was thrown around the field after players were surrounded while a match was in progress. (329) (329)

Police moved in when the protesters held aloft placards proclaiming their opposition to "racist sport". (329) (329)

Transvaal player held in Webster killing probe

COFFS QUITZ STARR



DAVID WEBSTER
Shot outside his home

Stivers 3/12/89

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By DE WET POTGIETER, DAVID JACKSON and HERMAN JANSEN

A SECOND man — former Transvaal rugby player Calla Botha — has been detained for questioning about the killing of Wits lecturer Dr David Webster and Swapo lawyer Anton Lubowski.

And police say more arrests may be imminent as the net tightens on the shadowy, unnamed organisation they believe is responsible for a spate of attacks on leftwing activists.

The head of the SAP public relations division, Major-General Herman Stadler, confirmed yesterday that a second suspect had been detained in terms of the Internal Security Act. He declined to disclose the man's name.

But lawyers acting for the detained man confirmed that he was Calla Botha, a former member of the Brixton Murder and Robbery Squad.

Botha, aged about 30, is a member of the Roodepoort Rugby Club, winners of the Toyota club tournament this year, and has played for Transvaal B.

Police have also detained former drug squad sergeant Ferdinand Barnard in connection with the murder inquiry. He has been in custody for several weeks.

A supreme Court court application for Barnard's release — brought by his father, Mr P J Barnard of Nylstroom, a retired police colonel — was withdrawn this week. According to a legal source, the applica-



Why blonde Nicky thinks Basil is such a silly huggler



Second Webster suspect

□ From Page 1

Floris Mostert, head of the Brixton Murder and Robbery Squad, the hit squad's major aim was to ruin the Government's reform plans.

It also aimed to promote a climate of fear in the country and to demoralise the population.

Brigadier Mostert said he received his information on the alleged hit squad from several reliable sources.

"The nature of my investigation is extremely sensitive

and the secrecy of my information extremely important," he said.

According to police dossiers, Barnard and another man were arrested on June 9 last year as robbery suspects.

Further investigation revealed that Barnard had been keeping a well-known activist, who was closely connected to Dr Webster, under surveillance.

Meanwhile, Lawyers for Human Rights this weekend launched an investigation

into Barnard's murder sentence and his release.

"We would like to know how a person with the sort of record he has gets parole so quickly," said LHR national chairman Brian Currin.

A spokesman for the Independent Board of Inquiry into Informal Repression, which last week named 11 policemen and called for their arrest and immediate suspension, said it was awaiting an announcement from President F W de Klerk before deciding its next move.

Captain Dirk Coetzee, the runaway security cop whose claims brought the existence of alleged police death squads into the open, is still in hiding "somewhere in Africa".

Further allegations by Captain Coetzee were published in Vrye Weekblad on Friday.

The newspaper has been threatened by a high-ranking police officer with a damages action of R500 000.

President F. W. de Klerk to "put a little schparkie into your cabinet."

CHT Trap 4/12/89 329
Strikes being considered

JOHANNESBURG. — Members of the 32 000-strong Paper, Printing, Wood and Allied Workers' Union are considering a series of work stoppages in protest against the detention of their general secretary, Mr Siphó Kubheka, who they say is being held in terms of the emergency regulations. Mr Kubheka was arrested during a march on Thursday with other Alexandra community leaders, four of whom are allegedly on a hunger strike in protest against their detention.

Hunger striker in hospital

By Jacqueline Myburgh

6/12/89
Alexandra Civic Organisation member and detainee Mr Paul Tshabalala was admitted to the Johannesburg Hospital on Monday after being on hunger strike since his arrest on November 30.

His lawyer, Mr Norman Manoim, said his client was being treated for a stomach ulcer but would continue his hunger strike.

A hospital spokesman said Mr Tshabalala was in a satisfactory condition.

Mr Tshabalala was arrested with three others under the emergency regulations after Alexandra residents staged a protest march.

Mr Manoim said Mr Mzwanele Mayekiso, Mr Richard Mdakane and Mr Sipho Knubeko had been taken to Grootvlei Prison in Bloemfontein.

Benzien read complaint by Schreiner against policeman, court hears

Supreme Court Reporter

AFTER terrorism suspect Ms Jenny Schreiner was allowed to lay a charge against a security policeman alleging harassment and intimidation, her statement was shown to one of his colleagues, the Cape Supreme Court has heard.

Cross-examining Warrant Officer Jeffrey Benzien during the Yengeni trial, Mr DP de Villiers QC said that Ms Schreiner was taken to Rondebosch police station to lay a charge with the uniformed branch against Lieutenant Frans Mostert for harassment and intimidation.

Warrant Officer Benzien confirmed that he had gone to Rondebosch police station later that day and that he had spoken to the captain who had taken Ms Schreiner's statement.

He denied that Ms Schreiner had walked into the office to find him reading the statement she had made or that the uniform branch policeman had said they should all leave because he was embarrassed that it had happened.

"ENEMY RANKS"

Warrant Officer Benzien told the court it had not surprised him to hear that Ms Schreiner had made a complaint against Lieutenant Mostert as he had heard of other instances where complaints had been made against him.

He said it was "no secret" that he and Lieutenant Mostert did not "see eye to eye."

However he could not remember having asked Ms Schreiner whether she was "surprised that there were problems in the enemy (police) ranks as well".

He could not explain why, after noting in his pocket book that Ms Schreiner had complained about Lieutenant Mostert, he had taken her straight back to Lieutenant Mostert for further questioning.

Asked about an early morn-

ing incident in January last year, when Ms Schreiner was admitted to Tygerberg Hospital after complaining of being ill, Warrant Officer Benzien said he had seen Ms Schreiner in her cell and she had complained of nausea.

She had her blanket drawn up to her chin and he had not looked around her cell to see if there was any noticeable cause for her illness.

Agreeing that attempted suicides were a risk taken into consideration by policemen interrogating Section 29 detainees, Warrant Officer Benzien said he was not aware of a sportsbag with a shoulder strap Ms Schreiner had.

He confirmed that it would be possible to hang oneself from the bars of a police cell "if one wanted to."

HOSPITAL

Although several attempts were made to call a district surgeon to examine Ms Schreiner, one had only arrived later that afternoon, and he had advised that Ms Schreiner be admitted to Tygerberg Hospital.

Cross-examined on the interrogation of Mr Tony Yengeni, Warrant Officer Benzien agreed there would be "pressing" questions to ask someone detained under Section 29 about the whereabouts of weapons and other terrorism suspects, but denied emphatically that Mr Yengeni had been assaulted in trying to obtain this information.

(Proceeding)

The accused are: Mr Tony Yengeni, Ms Jennifer Schreiner, Mrs Lumka Yengeni, Mr Michael Lumbambo, Mr Mbutu Nduku, Mr Wellington Nkwandla, Mr Mtheteleli Titana, Mr Gary Kruser, Mr Christopher Giffard, Mr Sitlabocha Mahlale, Mr Alpheus Ndude, Ms Gertrude Fester, Ms Zurayah Abass and Mrs Colleen Lombard.

Benzien: Assault charges 'fabricated'

Chit Times 6/12/89

WARRANT OFFICER Jeff Benzien yesterday denied in the Supreme Court he had seen injuries on Mr Tony Yengeni's face and said he persisted with his view that allegations of assaults by him were fabricated at Pollsmoor Prison to smear his name.

WO Benzien was responding to questions by Mr D P de Villiers, QC, for the defence, in the trial of Mr Yengeni and 13 others on charges of terrorism.

Mr De Villiers said there were several people and parties to whom Mr Yengeni had shown his injuries and with whom he had lodged complaints.

Soon after his arrest on September 17, 1987, a district surgeon had noted bruises to Mr Yengeni's face, his inner left arm and the wall of his stomach.

On September 19 Steenberg police noted in the occurrences book that his eyes were swollen and he had complained of being assaulted by security police.

Asked by Mr De Villiers if he had seen Mr Yengeni's swollen eyes, WO Benzien said he had not seen him that day and could not comment.

The next day Mr Yengeni had been seen by the station commander, who had also entered his assault allegation in the occurrences book.

On November 11, 1987, Mr Yengeni saw the inspector of detainees while held at Paarl and under a heading "general treatment" the inspector had written that Mr Yengeni had complained of an assault by security police after his arrest but did not wish to provide details.

The trial continues.

Paper faces more legal action

AFRIKAANS weekly Vrye Weekblad has received notification of legal action from former police spy Craig Williamson. *Monday 7/12/89*

In a letter to the newspaper, Williamson's attorney, Hofmeyer van der Merwe, quoted three passages that appeared in Vrye Weekblad which allegedly "contained the innuendo that Williamson was involved in murders committed by the death squad".

Van der Merwe also alleged an article in the newspaper had implied Williamson "condoned" death squad action. Williamson denied having any connection with a death squad.

FIONA FOURIE

Vrye Weekblad editor Max Du Preez yesterday confirmed receiving the notification and expressed his newspaper's confidence that it could stand up to Williamson in court.

He denied speculation R1m Vrye Weekblad recently received from the French Government and the EC would be used to fight legal cases. He said the money would lie in trust for the security of the printers.

SAP forensics laboratories head Deputy Commissioner Lt-Gen Lothar Neethling is suing Vrye Weekblad for R500 000.

Fines for polluting sea set to soar

CAPE TOWN — Heavier fines as an increased deterrent against oil pollution of the sea are contained in a Bill to be debated in Parliament next year.

Fines for varying degrees of pollution have been increased 10-fold, with the highest penalty being pushed up to R200 000 or five years in jail — or both.

The proposed amendments to the Prevention and Combating of Pollu-

Political Staff

tion of the Sea by Oil Act increases fines from R1 000 to R10 000, plus the possibility of six months in prison, R2 000 to R20 000 with the possibility of one year in jail, and R5 000 to R40 000 plus the possibility of two years in jail. The previous highest fine of R20 000 may be pushed up to R200 000 and five years in jail.

Luyt warns NSL in aftermath of row

ANY further attempt by the National Soccer League and its PRO Abdul Bhamjee to discredit him would be "ruthlessly dealt with", Transvaal Rugby Football Union boss, Dr Louis Luyt, said yesterday.

Luyt was reacting to the recent row in which Jomo Cosmos club owner Jomo Sono was alleged to be part

Monday 7/12/89
of a plot to form a rebel soccer body.

Luyt was also linked to the alleged plans to form a breakaway league.

Luyt said he objected to a report in which Bhamjee said that he (Luyt) would be called before the NSL disciplinary committee. He said the NSL had no jurisdiction over him.

Hunger strikers are hospitalised

Monday 7/12/89 TANIA LEVY (329)

TWO of the four Alexandra Civic Organisation (ACO) leaders who went on hunger strike after their arrest last week have been hospitalised.

Paul Tshabalala and Mzwanele Mayekiso were arrested with Richard Mdakane and Sipho Kubheka last Thursday after a protest march against poor housing conditions in Alexandra.

ACO spokesman Obed Bapela said yesterday Tshabalala had been admitted to the Johannesburg Hospital on Monday.

His doctor had refused permission for him to be moved with the other three to Grootvlei Prison near Bloemfontein.

Deteriorating

Mayekiso was taken to Pelenomi Hospital on arrival in Bloemfontein on Tuesday.

Both detainees were refusing to take water or food or to be put on drips despite their deteriorating conditions, Bapela said.

The four men embarked on their hunger strike immediately after they were arrested, to press for their release or that they be charged.

The Alexandra Action Committee has organised a service in the township at 4.30pm on Sunday to highlight the detainees' plight and to demand their release.

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The Alexandra Action Committee has organised a service in the township at 4.30pm on Sunday to highlight the detainees' plight and to demand their release.

Shotguns seized after five arrests ^{B/ Day 7/12/89} ³²⁹ claim

AMONG the weapons seized shortly after the arrest on Tuesday of five men, allegedly linked to a right-wing group, were 12-bore shotguns, the same type of weapon used to assassinate Wits academic David Webster, a well-informed source said yesterday.

Police have declined to give details of the arms seized except to say they included firearms, ammunition and explosives. They also declined to identify the men.

Three of the men, aged 29, 38 and 24, were from Vereeniging and two, aged 40 and 28, were from Randburg, SAP

Public Relations Directorate chief Maj-Gen Herman Stadler said yesterday.

He said the names of the men, detained in terms of Section 29 of the Internal Security Act, would not be released because of further police investigation.

There could, possibly, be further arrests, he said.

The men were detained for questioning in connection with a number of unsolved bombings and other violent incidents.

Two other men, Ferdinand Barnard and Calla Botha, were detained on Oc-

MANDY JEAN WOODS

tober 31 and November 30 respectively in terms of Section 29 of the Internal Security Act for questioning in connection with the SAP investigation into the murders of Webster (on May 1 this year) and Windhoek lawyer Anton Lubowski (on September 12 this year).

Another man, Irish national Donald Acheson, 52, was detained the day after Lubowski was killed and was arrested on November 6 and charged with Lubowski's murder.

Sapa reports that Acheson appeared briefly in the Windhoek Magistrate's

Court yesterday and his case was postponed to January 10.

From Windhoek, KEVIN JACOBS reports that a police search for three escaped right-wingers accused of a terrorist attack was boosted yesterday by a reported sighting of the fugitives.

South Africans Darryl Stophorth and Leonard Veenendaal, and German citizen Horst Klenz, were still on the run last night, evading a widespread police net and checkpoints on main roads.

Investigators believed they had parted from their two accomplices who aided their violent escape from police guards on Monday.

"We caught them initially, so there's no reason why we shouldn't catch them again. It is just a question of time," said Inspector Nico Smit in Ojjiwarongo.

A sighting of three men fitting the descriptions of the terrorism suspects triggered concern that they could be heading for the desolate Botswana border region in the east.

Smit said a witness reported seeing the three men late on Tuesday, about 30 hours after their escape, in a four-wheel-drive bakkie north-east of Windhoek and south-east of Okavango. It was not known where they acquired the vehicle.

Three armed robbers to be hanged

Hunger strikers are hospitalised

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Hunger striker refuses treatment

By Janet Heard

329
An emergency detainee hunger striker who was admitted to Johannesburg General Hospital in a serious condition this week was refusing to take liquids or intravenous fluids in protest against his continued incarceration, an attorney representing him said yesterday.

An urgent representation was sent to the Minister of Law and Order, Mr Adriaan Vlok, yesterday in a bid to secure the release of Mr Paul Tshabalala.

According to attorney Mr Norman Manoim, the representation included supporting documents from hospital doctors.

ELECTED

Mr Tshabalala accepted fluids when he was admitted but the next day he resumed his hunger strike, Mr Manoim said.

Mr Tshabalala was elected in absentia to the executive committee of the newly-formed Alexandra Civic Organisation last week.

He and three other Alexandra activists were detained in Alexandra last Thursday and immediately embarked on a hunger strike.

A spokesman for Mr Vlok said yesterday the Ministry treated all correspondence with lawyers as confidential.

Hunger strike

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Sowetan
7/12/89

By Mathatha Tsedu
and Sapa

A POLITICAL activist detained without trial following a protest march in Alexandra has been admitted to the Johannesburg Hospital after days on hunger strike.

Mr Obed Bapela, a spokesman for the Alexandra Civic Organisation, said yesterday that the condition of Mr Paul Tshabalala had deteriorated.

On Monday the authorities reportedly moved the three strikers to the Grootevlei prison near Bloemfontein. Bapela told Sapa Tshabalala's doctor refused to give permission for the transfer of the patient to the Free State town. Even in hospital Tshabalala had been refusing food, water and refused to be put on drip, Bapela added.

Service

Meanwhile, the Alexandra Action Committee has organised a service on Sunday for the hunger strikers to "highlight the plight and demand their release."

Mzwanele Mayekiso, Tshabalala and Mdakane were acquitted of treason charges last year together with union leader Moses Mayekiso.

The Police Directorate of Public Relations in Pretoria declined to comment on the issue saying that only the office of the Minister of Law and Order, Mr Adrian Vlok, was authorised to speak to the Press about security detainees.

A spokesman in Vlok's office said information relating to hunger strikers was only released to lawyers of the detainees concerned. Sapa

APC 71475
sday, December 7, 1999

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Schreiner suicide bid

She was feigning illness to escape, says Benzien

Supreme Court Reporter

DETAILS of a suicide bid by terrorism accused Ms Jenny Schreiner were revealed in court yesterday.

Warrant Officer Jeff Benzien told the Supreme Court he had not noticed a strap tied to a cell window and used by Ms Schreiner in a suicide attempt, and neither had he found pieces of a broken mirror she had used in an attempt to cut her wrists.

When Ms Schreiner was admitted to hospital he had thought she was feigning illness in an "organised attempt" to get admitted to a hospital from where she could escape, WO Benzien said on his final day in the witness stand.

He was giving evidence under cross-examination in the trial of Mr Tony Yegeni and 13 others who have re-

fused to plead to charges of terrorism. Mr D P de Villiers QC, for the defence, said Ms Schreiner would testify that she had attempted suicide by cutting her wrists, drinking 30 Voltaren tablets, drinking contact lense cleans-ing fluid and by trying to hang herself with the strap.

She had not wanted to tell representatives of the state or doctors at all costs.

Asked by Mr De Villiers if, during a search of her cell at Parow police station, he had seen a bag strap hanging from bars in the window of her cell, WO Benzien said he had not.

Mr De Villiers said Ms Schreiner would testify she had attempted to hang herself from the bars with the strap but had been unsuccessful because a ring attached to the strap broke.

WO Benzien said he had not seen

the ring on the floor during the search and neither had he searched the vicinity of a broken toilet where Ms Schreiner said pieces of a broken mirror had been wrapped in folded trou-sers.

He had also not seen marks on Ms Schreiner's wrists or on her neck and neither had he seen blood specks on her bedding. If there had been he would have seen them.

Asked if he had seen a pail of water in the cell, WO Benzien said he had not and did not know that when she had attempted to cut her wrists, Ms Schreiner rinsed the blood off in the pail.

Asked if he had not found anything in the cell which indicated a suicide attempt by Ms Schreiner, WO Benzien said he had not.

In addition to doctors being unable to find anything wrong with her, he had gained the impression that Ms

Schreiner had feigned illness so that she could escape from hospital.

Asked if he had found anything in her cell that she could have drunk, WO Benzien said he had not. Ms Schreiner had not complained to doctors about having drunk anything.

In reply to a submission by Mr De Villiers that he had not thoroughly investigated a suicide attempt by Ms Schreiner, WO Benzien said he had not found anything suspect in her cell.

Asked if he had found three containers with contact lense cleansing fluid in the cell, WO Benzien said he did not know if she had the fluids in her cell.

WO Benzien said he would not say the suicide attempt was not true but he found it strange because he had not found anything suspect in Ms Schreiner's cell.

The trial continues today.

7/12/89

2 Cape Times, Thu

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**Hunger striker
in hospital**

JOHANNESBURG. — Another activist spearheading the campaign to uplift Alexandra township has been admitted to hospital after some days on a reported hunger strike.

Mr Obed Bapela, a spokesman for the Alexandra Civic Organisation, said Mr Mzwanele Mayekiso had been admitted to the Pelemon Hospital in Bloemfontein.

Earlier, Mr Bapela said, Mr Paul Tshabalala, 34, had been admitted to the Johannesburg Hospital in connection with a hunger strike. — Sapa

Dipale death not suicide, says death row cop

Own Correspondent

JOHANNESBURG. — Butana Almond Nofomela, the death row hit squad member, has claimed that the death by hanging in 1982 of security police detainee Mr Ernest Moabe Dipale, 20, was not suicide.

Lawyers and human rights groups investigating Nofomela's allegations are probing this in the latest of a long list of shock allegations by the ex-security policeman.

A police spokesman said in Pretoria last night that this was the first he had heard of new allegations, and no comment was forthcoming as the State President had still to comment on previous allegations investigated by the McNally inquiry.

It is believed that Nofomela has instructed his attorneys that full investigations must be made of all his allegations before they are made public.

Mr Dipale died in detention at John Vorster Square three days after being detained on August 8, 1982, six months after Mr Neil Aggett, the first white to die in detention, was also found hanging from the bars of his cell at John Vorster Square.

The inquest verdict for both deaths was that they were suicides.

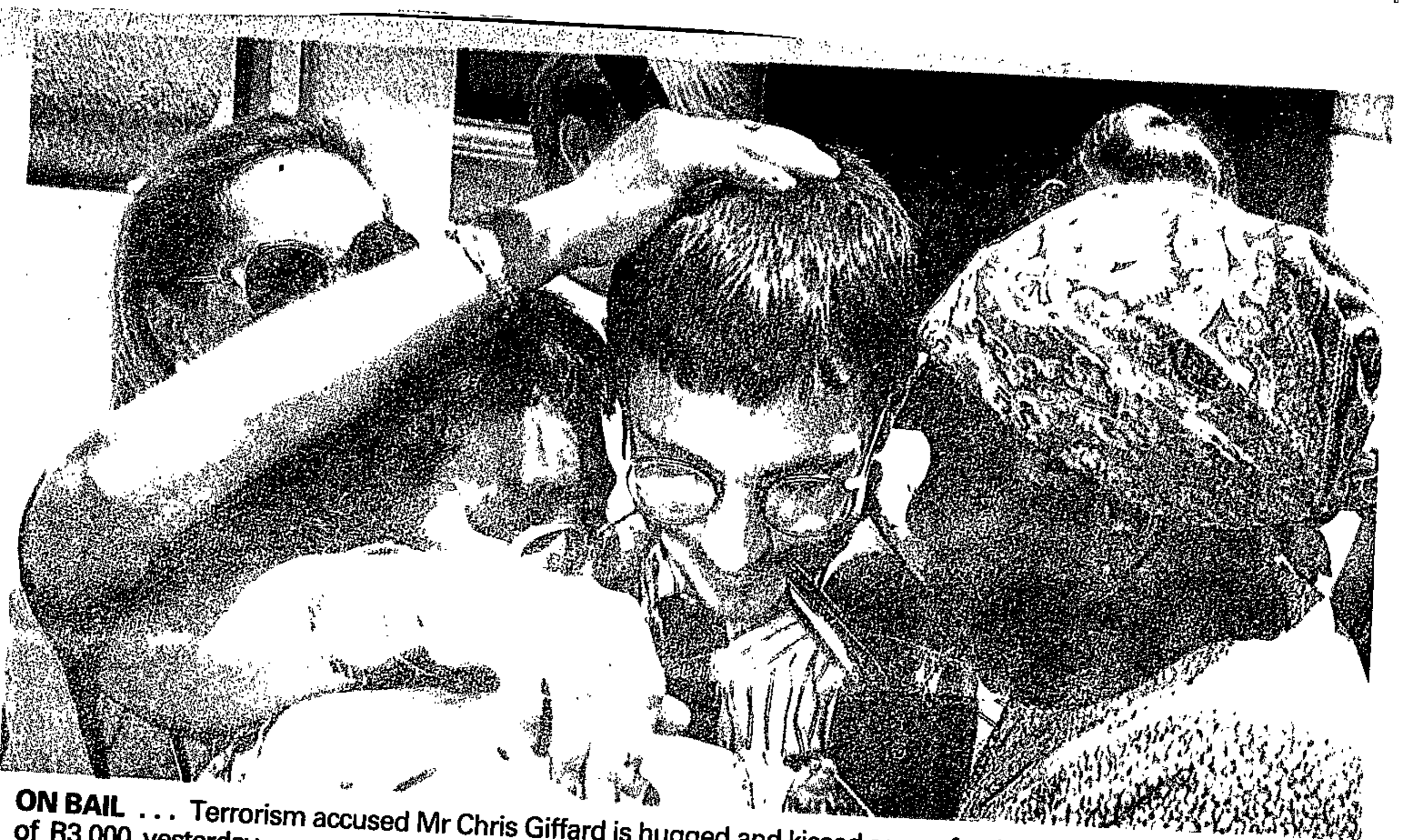
Three days after his detention, his father Mr Gideon Dipale was told of his son's death. He went to John Vorster Square with Ernest's aunt, "but we did not believe it. Even the strip of blanket we were shown, with which they told us he had hanged himself, was not strong enough to have held his body."

ment, conditionally suspended
or using dagga.

Hunger strike continues ^{CH 7-18 8/12/89 329}

JOHANNESBURG. — Hunger strikers Mr Paul Tshabalala and Mr Mzwanele Mayekiso yesterday remained in hospital on the eighth day of their strike.

... rocket



ON BAIL ... Terrorism accused Mr Chris Giffard is hugged and kissed soon after he had been released on bail of R3 000 yesterday.

Picture: GLENN SHERRATT

Yengeni pair get bail

By RONNIE MORRIS

TWO of the accused in the Yengeni terrorism trial were freed on bail yesterday after two years in detention.

They are Mr Alpheus Ndude and Mr Chris Giffard, who were mobbed by friends outside the Supreme Court yesterday afternoon. The men are co-accused of Mr Tony Yengeni and 11 others.

On his way to a vehicle provided to take him home, Mr Ndude led an impromptu dance for a few metres.

Mr Ndude, a father of five, said he felt good after being released on bail. He had had no contact visits during the two years and

the first thing he wanted to do was to be re-united with his family. Reading had kept him going in trying times, he said.

Mr Giffard said he felt great but could not feel free while his comrades and other political prisoners were not free.

Shortly before the court adjourned for the day, Mr Hendrik Klem, SC, for the state, said with effect from yesterday the attorney-general had, in respect of Mr Giffard and Mr Ndude, withdrawn objection to them being granted bail.

Mr Justice S Selikowitz, in granting the orders for their release on bail of R3 000 each, said

it "is one of the more pleasant things I have done in this trial".

At the time of his detention on October 28, 1987, Mr Ndude was employed as a co-ordinator at the Adult Learning Project. He is married to former UDF publicity secretary Mrs Hilda Ndude.

Mr Giffard lived in East London until he finished school in 1978. At the time of his arrest he was a lecturer and post-graduate student at the University of Cape Town.

The granting of bail yesterday brought to five the number of accused who are not in custody. The others are Ms Gertrude Fester, Ms Colleen Lombard and Ms Soraya Abass.

Cape Times 9/12/89 329

St Times 10/12/89

Fugitive Suttner

vows to return

By NIC van OUDTSHOORN
Sydney

ESCAPED detainee Raymond Suttner pledged this week to return to South Africa "soon" to show his commitment to the liberation struggle.

"I don't mean going back holds no fear," Mr Suttner said. "But some whites must show they are prepared to go all the way."

Mr Suttner, 44, a former Wits University law lecturer who fled South Africa in August to attend a meeting in Harare of the Organisation of African Unity, arrived in Australia this week for a short visit.

He has travelled abroad since his escape from house arrest after becoming the longest-serving white political detainee held under the state of emergency.

Asked how he escaped South Africa, Mr Suttner said the authorities had forgotten to cancel his passport after releasing him from prison and placing him under house arrest.

"The level of resistance in South Africa was so high that the Government could not give full attention to my comings and goings," he said.

Fifth Alex leader held

Sowetan 11/12/89 329

ALEXANDRA Civic Organisation vice-president Mrs Rosemary Thobejane was last week detained under the emergency regulations.

Four other Alexandra leaders arrested two weeks ago are on a hunger strike.

The detentions came after an attempt by the residents to stage a march in the township in protest against poor housing.

According to Mr Obed Bapela, an executive member of the ACO, Thobejane and her son, Sidney, were taken from their home on Thursday morning.

"Detention and harassment will not deter us in our fight for affordable houses and better living

By **RUSSEL MOLEFE**

conditions. We view this as an attempt to intimidate our people," Bapela said.

No response had been received on an urgent representation to Law and Order Minister Mr Adriaan Vlok on behalf of Mr Paul Tshabalala, Mr

Mzwanele Mayekiso, Mr Siphon Kubheka and Mr Richard Mdakane.

The four went on a hunger strike after demanding that they be charged or released.

Acquitted

Tshabalala and Mayekiso who were acquitted of treason charges together with union leader Moses Mayekiso, have

been admitted to hospitals in Johannesburg and Bloemfontein respectively.

The Police Directorate of Public Relations in Pretoria declined to confirm or deny the detention of Thobejane.

A spokesman said all information on detainees was released to the lawyers of the people concerned.

Hofmeyr³²⁹ detention review ^{11/2/89} upheld ^{14/12/89}

By JACQUELYN SWARTZ
Staff Reporter

AN application by former detainee and hunger striker Mr Willie Hofmeyr for a review of conditions relating to his detention earlier this year has been upheld by the Supreme Court, Cape Town.

The application, initially brought while he was in detention, was for a review of the security police decision to send him to Kroonstad Prison and for an interdict preventing police from chaining him to his hospital bed.

Mr Hofmeyr, who began a hunger strike immediately after being arrested on August 26, brought the application against the Minister of Law and Order, the district commissioner of police, the commander of the security police in Cape Town and the station commander at Sea Point.

He was released after 27 days on September 22.

"OBVIOUS"

Mr Justice J H Conradie said yesterday that it was obvious the police had not applied their minds to the decision to send Mr Hofmeyr to Kroonstad.

They had not considered the individual merits of the case, including the psychological effects such a move would have on the detainee.

Mr Justice Conradie said the police had also given no indication of having considered whether chaining Mr Hofmeyr to his bed was necessary in terms of what a reasonable person would expect.

For example, Mr Hofmeyr, an articled clerk with a firm of lawyers, would have jeopardised his career had he made an attempt to escape. He was also not physically able to embark on such an endeavour.



Janet Cherry's restrictions lifted

15-20/12/89.

By PETER AUF DER HEYDE

THE restrictions on a leading Eastern Cape activist and ex-detainee, Janet Cherry, have been lifted.

The former Eastern Cape chairperson of the End Conscription Campaign said she was relieved that her restrictions had been lifted after a year.

Earlier this year Cherry applied for her restrictions to be lifted as she wanted to travel to the United States to receive the Reebok Human Rights Award. Her application was turned

down and her mother collected the award on her behalf.

Cherry, who had been prohibited from speaking to the press, called for the lifting of the State of Emergency, the safe return of political exiles, the unbanning of the African National Congress, the release of Nelson Mandela and other political prisoners, an end to the death penalty and the repeal of all apartheid laws.

Cape Flats police lieutenant Gregory Rockman (left) and his publisher, Mark Strydom, launch the book — *Rockman: One Man's Crusade Against Apartheid* — at a ceremony in Mitchell's Plain. Rockman, who has charged his colleagues with acting like 'wild dogs' when dealing with demonstrators, was arrested and suspended from duty last month after taking part in a march.

Picture: ERIC MILLER, Afrapix

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Wmail

Alex four resolute men

SIXTEEN days ago four prominent Alexandra Township leaders were detained in terms of the state of emergency regulations.

The men are on a hunger strike demanding they be charged or released. Who are these men who have spent several terms in detention?

Paul Tshabalala (34)

By MASHUBE
MFOLOE

joined the Alexandra Action Committee in 1986 and was elected vice chairman. He was detained in February 1987 and charged with treason. He was one of the accused in the marathon 'Mayekiso Trial' but was acquitted. He and Mr

Obed Bapela went on hunger strike while in detention in September this year. They were released after 14 days.

Tshabalala was elected treasurer of the newly formed Alexandra Civic Organisation in absentia. His health is said to be declining as he is not taking solids or liquids.

AAC secretary

Richard Mdakane (31) was detained in April 1986 under Section 50 of the Internal Security Act for 14 days. He was one of the accused in the 'Mayekiso Trial' but was acquitted. He was restricted to the Johannesburg Magisterial Area and had to report to the

Hillbrow police station daily.

He is on a hunger strike in Bloemfontein Prison, according to ACO's spokesmen.

Mzwanele Mayekiso (26), joined the AAC and the Alexandra Youth Congress in February 1986. He was also an accused in the Mayekiso trial.

He was detained for 14 days in April under section 50 of the Internal Security Act. He has been admitted to Pelonomi Hospital in Bloemfontein. He has lost weight and complains of weak eyes and dizziness.

He is neither taking liquids nor solids, accord-

ing to ACO's spokesmen.

Sipho Khubeka (36) was a member of the Metal Allied Union of South Africa (Mawu) and was actively involved in the Heinneman Strike of 1975. He was detained and banned for five years. In 1988 he was elected general secretary of Paper Printing and Allied Workers Union.

He was detained under emergency regulations in June 1986. He was released after eight months.

He was elected education officer of the newly formed ACO in absentia.

He is on hunger strike in Bloemfontein Prison.

Joy and cheers as UDF men go free

Star 16/12/89

Lawyers welcome
release as victory
for human rights

STAFF REPORTERS and S.A.P.A.

SOUTH Africa's newly released political prisoners stepped into a joyous, nearly hysterical welcome at Jan Smuts Airport last night.

Chanting crowds greeted the men with cries of "Long live UDF, long live". There were special chants for each of the five men who were freed after the Appeal Court quashed their convictions and set aside their sentences earlier yesterday.

"There is no man like Tefor," the crowd shouted in praise of Mr "Terror" Lekota, publicity secretary of the UDF.

Similar slogans of praise were attached to the names of the remaining four men: Mr Popo Molefe, general secretary of the UDF, Mr Moss Chikane, a former executive member of the UDF, Mr Tom Mankhata, a senior field worker with the S.A. Council of churches, and Mr Gennumuzi Malindi, of the Vaal Civic Association.

Patience snapped

Police initially adopted a low profile and were patient.

Afterwards, however, their patience snapped when the swirling, singing crowds failed to leave the airport quickly enough.

Dogs were used to drive the crowds out and to disperse them. A woman was bitten on the upper thigh. Cameras were confiscated and at least one journalist arrested for allegedly photographing a "political party".



Delmas

● FROM PAGE 1.

we had."

A spokesman for the Mass Democratic Movement, Mr Murphy Morobe, said: "The United Democratic Front has always maintained this trial should never have taken place."

"It confirms our view that the State was acting in a vindictive manner and trying to find an excuse to stop the events of 1984."

"The ball is now squarely in the State's court and the UDF has always acted responsibly."

"Our movement can only benefit greatly from this decision."

Mr Morobe, who has filled the position of acting-publicity secretary of the UDF since Mr Patrick Lekoto was arrested, said he was looking forward to the men rejoining him in the struggle against apartheid.

The director of the Lawyers for Human Rights, Mr Brian Currin, said the Appeal Court's decision was an exciting victory for human rights in South Africa.

"This judgment will undoubtedly begin to restore the credibility of the South African judiciary and it destroys the perception which many have that judges are agents of the system."

"On the other hand, we call upon the State to inform the citizens of this country how much of our hard-earned money was spent on this abortive prosecution and many years of blundering incompetence."

Professor John Dugard of the Wits Centre for Applied Legal Studies said he was delighted but not surprised at the news.

"It seemed obvious to me that the judge in this case had acted irregularly in dismissing assessor Dr W A Joubert."

"Many years have been wasted as a result of this and the taxpayer has to bear the burden for a long trial."

He said the blame did not lie squarely at the door of the judge, who made the error, but also on the prosecution for not helping the judge to correct the error.

Professor Dugard said the Delmas ac-

cused would be able to play an important role in political events of the future.

"Now that they are out, the last obstacle has been removed in the way of the release of Mr Nelson Mandela."

A fellow Delmas treason accused, Mr Thabiso Ratsomo, who was acquitted in November last year, said he was speechless and delighted at the decision.

A spokesman for the Federation of Transvaal Women (Fedtraw), said it was the end of a "long nightmare", and the organisation welcomed the men back.

The setting aside of the conviction of the Delmas treason accused has been one of the "best Christmas presents imaginable", the Canadian Ambassador, Mr Ronald MacLean, said in a statement yesterday.

The Appellate Division's decision to uphold the appeal in the Delmas treason accused was an "excellent victory" for human rights in South Africa, Lawyers for Human Rights said yesterday.

LHR encouraged the appeal bench to continue to make their contribution towards creating an atmosphere for political negotiation in South Africa.

LHR also appealed to the State to inform South Africans how much of the taxpayers' money was spent "on this abortive prosecution which took years of blundering incompetence to achieve nothing but red faces".

Welcomed

The South African Catholic Bishops Conference has welcomed the release of the men.

The SACBC reiterated its call to the authorities to stop all political detentions and release those detained.

The general secretary of the South African Council of Churches, the Reverend Frank Chikane, welcomed the release of the five, in particular SACC staff member, Mr Manthata.

"We have always believed in their innocence, and events have proved that their conviction and sentencing were examples of the grave miscarriage of justice which the apartheid courts of South Africa hand down," he said.

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Delmas ruling boosts UDF

PATRICK LAURENCE

SOUTH Africa's longest treason trial came to a dramatic climax yesterday when five men shed their prison uniforms on Robben Island and boarded a ferry for Cape Town as free men.

Only hours before, the Chief Justice, Mr Justice M M Corbett, delivered a 50-page judgment upholding their appeal and setting aside their convictions. Four Appeal Court judges concurred.

The judgment freed the South African press to disclose details of heated exchanges between the original trial judge, Mr Justice K van Dijkhorst, and one of his assessors. Their fierce quarrel included mutual accusations of political bias and involved a wager for a bottle of whisky.

The judgment — which came just over a year after the men were sent to jail — was a major boost for the United Democratic Front (UDF), one of South Africa's premier extra-parliamentary opposition forces.

It negated the controversial finding of Mr Justice van Dijkhorst that the UDF was established as a front by the outlawed African National Congress to make South Africa ungovernable.

As important, however, it released two of the UDF's ablest and highest-ranking men — Mr Patrick Lekota, its publicity

secretary, and Mr Popo Molefe, its general secretary.

The three men freed with them yesterday were Mr Moss Chikane, a former executive member of the UDF in the Transvaal; Mr Tom Manthata, a senior field worker with the South African Council of Churches; and Mr Geinumuzi Malindi, a member of a UDF affiliate organisation, the Vaal Civic Association.

As they were freed on a procedural issue, the men — all strong foes of apartheid — could theoretically be re-arrested and re-charged.

Legal observers were, however, confident that the State would shy away from that option, given the length of the original trial — three years — and the new climate of reconciliation encouraged by President de Klerk.

Assessor dismissed

Their appeal focused on the dismissal by the trial judge of Dr W A Joubert, one of the two assessors appointed to preside over the trial. He was dismissed after the trial had been in process for 15 months.

The appointment of assessors is obligatory under South Africa law where the death sentence may be imposed. Treason is a capital offence.

Counsel for the five men — and for six of their co-accused who were found guilty by Mr Justice van Dijkhorst of terrorism but given suspended sentences — contended that the dismissal of Dr Joubert was in contravention of the law and unfair.

Fight between trial judge and assessor open to scrutiny

The trial judge dismissed Dr Joubert after he learnt that Dr Joubert has signed the UDF's million-signature campaign against South Africa's tri-racial parliament (which excludes black people) and associated laws inspired by apartheid.

He did so without giving either Dr Joubert or the accused an opportunity to state their case.

In his judgment yesterday, Mr Justice Corbett found that the trial judge did not have the power to dismiss Dr Joubert or to order the trial to proceed without him.

The relevant law, the Criminal Procedure Act, states that a judge may order a trial to proceed without an assessor if the assessor either dies or "becomes unable to act as assessor at any time during the trial".

The Chief Justice found that "unable to act" meant physically unable to act, either through illness or through, say, "indefinite detention here or in a foreign

country". It did not include, he ruled, Dr Joubert's alleged lack of impartiality.

If the trial judge was convinced that Dr Joubert's signing of the UDF million-signature campaign compromised his impartiality as an assessor in a political trial, he ought to have sought his recusal, the Chief Justice found.

Neither Dr Joubert nor the accused considered his signing of the UDF petition grounds for recusal. At one stage during the trial, counsel for defence argued that if Dr Joubert was dismissed for alleged bias, then the second assessor, Dr W F Krugel, a member of the Afrikaner Broederbond, should also recuse himself.

The Chief Justice found that the trial judge had erred in not allowing either Dr Joubert or the accused to put their case on his decision to dismiss Dr Joubert.

Chance to be heard

"In general... the judge presiding in a criminal court should not make rulings or give direction in regard to the trial affecting the interests of the parties without affording the parties an opportunity to be heard.

"The rule of fairness expressed in the maxim *audi alteram partem*... is virtually axiomatic in the proceedings of a court of law."

Mr Justice Corbett referred to the heated exchanges between Mr Justice van Dijkhorst and Dr Joubert, ascribing them to the "tensions which had built up in the course of a long, wearying and politically charged trial".

He added: "I have no doubt that in the sober light of retrospect the protagonists in that confrontation sincerely regret some of the things that were said."

During the course of the trial Dr Joubert made three sworn statements. The trial judge, however, ruled that one paragraph of the second statement were inadmissible. The whole of the third statement were inadmissible. They can now be published, however, as they form part of the record of appeal.

In the third report Dr Joubert responded to a statement by the judge that he, Dr Joubert, appeared to "doze off". He labelled the remark "spiteful and cruel", explaining that he was blind in one eye and, consequently, had to rest his eyes by leaning back.

Dr Joubert alleged that the judge and Dr Krugel were "sympathetic in their personal approach to key aspects of government policy and adverse to any criticism of it".

One sign of their purported bias was an assertion by the judge during the trial that the "defence could not and would not take the risk of placing the accused on oath to give evidence on their own behalf".

The judge, Dr Joubert said, was so sure of his contention that he "informally bet me a bottle of whisky that none of the accused would give evidence". When the accused did in fact go into the witness box Dr Joubert was "given a bottle of whisky through the kind offices of the judge's registrar".



CRIPPLED by arthritis, unable to read and alone except for the company of a warder, Evelina de Bruin waits on South Africa's death row to hear finally whether she will hang for murder by association.

Lawyers in Cape Town said last week it would be at least a year before the 56-year-old black grandmother hears from the Appeal Court in Bloemfontein whether she must die on the gallows.

Two psychologists have testified in court that De Bruin is falling apart under the strain of her isolation in Pretoria Central Prison, where at least 1 120 people have died on the gallows since 1980.

"Our mother believes she is going to die. She feels they can come to kill her at any time and that is no way for a human being to live," said her stepson, Welcome Madlongolwane.

"She is going through tremendous pain. She feels guilty about her young children, she feels sad and she has no one to talk to because she is the only woman on death row," he said.

Domestic servant

De Bruin is a former domestic worker and the mother of 10 children.

Madlongolwane said she was illiterate and partially crippled by arthritis in the hands and legs and by heart disease.

She and her husband, 63-year-old Gideon Madlongolwane, were among 25 people condemned in May for their part in the Uppington mob murder of black policeman Lucas Sethwala, who was branded during anti-government riots in November 1985 as a collaborator.

More than 5 000 people have died in black political violence and clashes with police since a nationwide uprising against white rule erupted in September 1984.

De Bruin and the others were convicted according to the "common purpose" doctrine, which holds that someone who identifies with the murderous intent of a group shares full responsibility for its actions.

Judge

"(The judge) specifically found that Evelina de Bruin did not actually take part in the physical attack," defence lawyer Andy Durbach said in a memorandum given to Reuters.

But he accepted evidence that she threw stones at Sethwala's house and shouted encouragement to a crowd that killed him and burned his body.

"The court found that Evelina actively associated herself with the common purpose of the crowd to kill Sethwala

SAPA-REUTER

and found her guilty of murder...as an accomplice," Durbach said.

The judge ruled there were no extenuating circumstances in her case and was therefore obliged by South African law to sentence her to death.

Sandra Liebenberg, another of de Bruin's lawyers, said she appeared to be most deeply distressed by the court's verdict rather than by the prospect of execution.

Religious

"She is very religious and she has great difficulty with the fact that she has been branded a murderess while the court has acknowledged that she did not actively participate in the killing," she said.

A lonely mom who waits for hangman

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Sowetan
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Madlongolwane agreed, saying both his parents wrote in letters that they never knew the victim.

"I would not feel so bad if I had ever seen the man, but I am being condemned for killing someone I never knew," she told him in one letter dictated to a prison warder.

De Bruin has not seen her youngest children, Mbulelo (14) and Adelaide (11) since May because they are below the age limit of 16 for death row visitors.

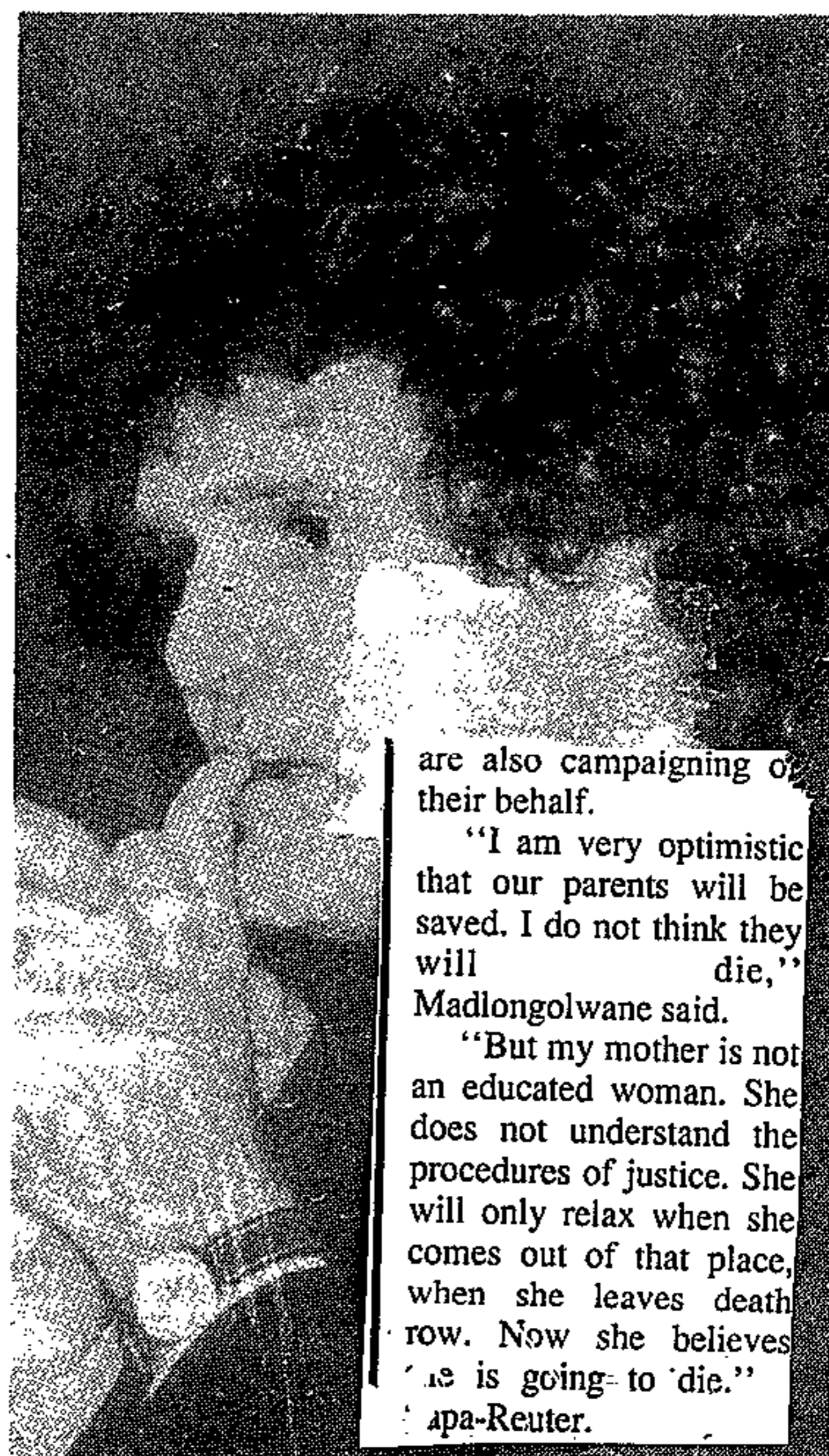
The older children visit whenever they can find the fare for the 1 000km trip to Pretoria, but Madlongolwane said he did not think anyone would visit her at Christmas.

Worried

"I am so worried about the welfare of my children that I have not been able to eat for the past week. I cannot sleep properly, I feel afraid and sad when I think of my children," De Bruin said in an unsuccessful bail application in October.

Madlongolwane said she was collapsing under the strain of separation from her children and of being branded a murderess.

De Bruin can get comfort from her Bible only when a prison warder takes time to read her or to play her a



are also campaigning on their behalf.

"I am very optimistic that our parents will be saved. I do not think they will die," Madlongolwane said.

"But my mother is not an educated woman. She does not understand the procedures of justice. She will only relax when she comes out of that place, when she leaves death row. Now she believes she is going to die." -SAPA-REUTER.

Slain Anton Lubowski, one of the lawyers who defended the Uppington murder accused.

interviewing her in October that she was suffering deep depression "indicated by a feeling of sadness and habitual crying, poor appetite... feelings of worthlessness, agitation and restlessness".

Madlongolwane, a school teacher in Namibia, said he was most concerned about Mbulelo, who had become distrustful and aggressive since his

"He hates the sight of a policeman and if he sees anything that looks like a gun he wants to take it and go and rescue our mother," he said.

South African opponents of the death penalty have launched an international campaign to save De Bruin and the other 13 condemned for Sethwala's murder.

Campaign

Anti-government groupings including the

travellers at the start of their Christmas holidays.

Ciskei detainees freed

EAST LONDON. — Seven Nkqonkweni detainees, including the chairman and six members of the community's residents' committee, were released on Friday, seven weeks after being arrested in the troubled East Peulton village by Ciskei police.

Four hunger-strikers freed

JOHANNESBURG. — The authorities yesterday freed four political activists who staged a three-week hunger strike to press for their release from detention, a spokesman for the Alexandra Civic Organisation said.

Mr Mzwanele Mayekiso, Mr Paul Tshabalala, Mr Richard Mdakane and Mr Sipho Khubeka were freed unconditionally yesterday afternoon, ACO publicity secretary Mr Obed Bapela said.

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The four, senior members of the ACO, were arrested when they led a march to the local town council to protest against poor housing in Alexandra.

They embarked on a hunger strike soon after their detention and all ended up in hospital as their health deteriorated.

The four activists suspended their protest on Friday after police promised to free them.

Mr Bapela welcomed their re-

lease but urged the government to "listen to the grievances of the people in Alexandra".

Mr Bapela said Mr Mayekiso, Mr Mdakane and Mr Khubeka — who had been admitted to Pelenomi Hospital in Bloemfontein — had not yet arrived in Johannesburg.

Mr Bapela said later Mr Tshabalala remained in Johannesburg Hospital for further treatment. — Sapa

Activists end hunger strike

4 Alexandra detainees are released

SW 19/12/89 329

By Esmaré van der Merwe,
Political Reporter

Four prominent Alexandra activists, on hunger strike since their detention more than two weeks ago, were released yesterday, police said.

Their lawyer, Mr Norman Manoim, said although the four Alexandra Civic Organisation (ACO) members had been released yesterday, they would probably not be released from hospital immediately due to their physical condition which he described as "not so good".

Poor housing

The activists were detained on November 30 while leading a protest march against poor housing in the township.

They are ACO leader Mr Mzwanele Mayekiso, Mr Paul Tshabalala, Mr Richard Mdakane and Mr Sipho Kubheka, also general secretary of the Print and Paper Allied Workers' Union.

Mr Mayekiso, Mr Kubheka and Mr Mdakane were treated at the Pelenomi Hospital in Bloemfontein and Mr Tshabalala at the Johannesburg Hospital.

Asked to comment on their

release, Mr Manoim said: "Their release is just as surprising as their detention."

ACO spokesman Mr Obed Bapela said the four men had been released unconditionally. They had suspended their hunger strike on Friday after police had promised to free them.

Mr Bapela welcomed their release but urged the Government to listen to the grievances of the people in Alexandra.

Indifference

● The Democratic Party has accused the Government of being indifferent to poor living standards in the township.

In a statement, Sandton MP Mr Dave Dalling and the DP chairman in the constituency, Mr Peter Jardine, said the detention of the activists demonstrated the Government's "indifference and blatant disregard for human rights" at a time when Mr F W de Klerk was supposed to be reforming conditions in South Africa.

The organisers of the march had tried to use numerous channels to organise a legal march to highlight the acute housing shortage in the township. Approval had not been given.

Alex hunger strikers freed

THE authorities yesterday freed four political activists who staged a three-week hunger strike to press for their release from detention, a spokesman for the Alexandra Civic Organisation said.

Mr Mzwanele Mayekiso, Mr Paul Tshabalala, Mr Richard Mdakane and Mr Sipho Khubeka were freed unconditionally yesterday

afternoon, ACO publicity secretary Obed Bapela said.

The four, senior members of the ACO, were arrested when they led a march to the local town council to protest against poor housing in Alexandra.

They started a hunger strike soon after their detention and all ended up in hospital for treatment as their health failed.

The four activists suspended their protest on

Friday after police promised to free them.

Bapela said Mayekiso, Mdakane and Khubeka - who had been admitted to the Pelenomi Hospital in Bloemfontein - had not yet arrived in Johannesburg. *Sowetan*

Tshabalala had been in the Johannesburg Hospital for the past few weeks.

Bapela said his doctor had refused for him to be taken to Bloemfontein. - Sapa.



PAUL TSHABALALA

Alexandra 4 plan new housing protest

A SECOND march protesting against poor housing in Alexandra is planned for the New Year. *6/Jan 20/12/87*

Four Alexandra Civic Organisation (ACO) activists were detained after the first protest march on November 30.

Addressing a Press conference after their release on Monday, Paul Tshabalala, Richard Mdakane, Mzwanele Mayekiso and Sipho Khubeka — who went on hunger strike while in prison — vowed to continue their struggle for better housing.

EDYTH BULBRING

Tshabalala said the New Year march would include the white community and other Johannesburg organisations.

ACO publicity secretary Obed Bapela said the detentions, intended to scare those demanding decent housing, had mobilised people instead. *(27)(329)*

Bapela added that 1 000 residents had received summonses for rent owed since the rent boycott began in 1986. On Friday 133 residents would appear in court.

Lawyers welcome release of hit squad accused

CHIEF TITLES 20/12/89 (329)

Own Correspondent

JOHANNESBURG. — Lawyers for Human Rights (LHR) yesterday welcomed the decision by Mr Justice J C Kriegler to order the release from detention of hit squad suspect Mr Calla Botha as a new advance for individual liberty.

Until his father's application in the Rand Supreme Court, Mr Botha had been in detention in terms of the Internal Security Act since November 30. He was detained in connection with investigations into the assassinations earlier this year of Wits University academic Mr David Webster and Swapo leader Mr Anton Lubowski.

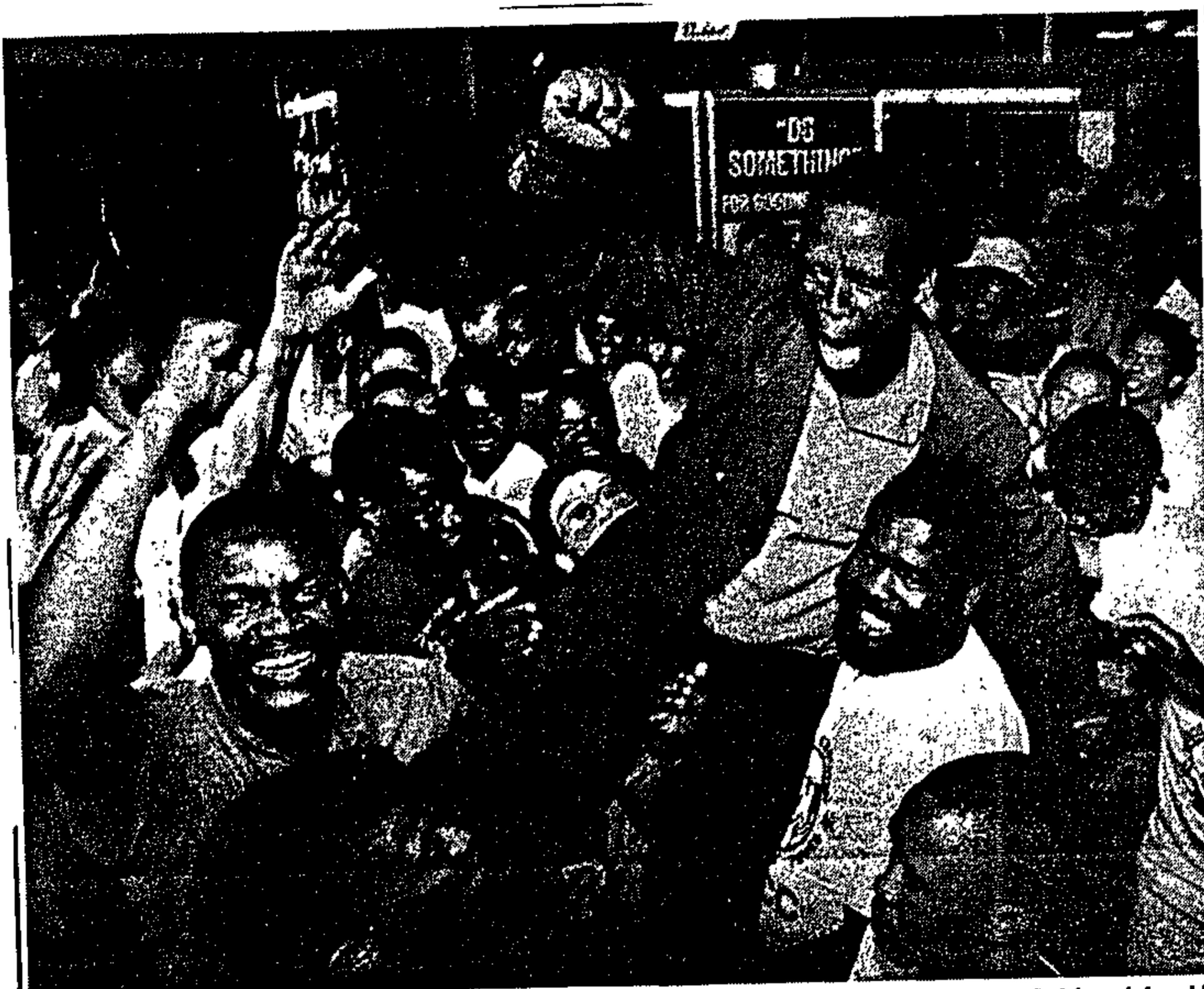
LHR director Mr Brian Currin said newspaper reports of the judgment suggested it represented a good prece-

dent for other detainees. His impression was the judge had used an objective test to determine the validity of Mr Botha's detention in terms of the act by requiring specific evidence that the detention was justified.

In many previous such cases, the judiciary had required only that the arresting officer was acting in good faith on his own subjective terms.

"We have been arguing for such an objective test for years. Justice Kriegler, in our view correctly, was inclined to prioritise the liberty of the individual rather than the security of the state," he said.

An LHR national directorate statement said the judgment "ought to be a lesson to all South Africans — and in this instance more particularly to the conservatives".



Jubilant supporters welcome home Delmas trialist Moss Chikane on his release from Robben Island in Cape Town last Friday. Picture: BENNY GOOL

NEARLY five years behind bars before being acquitted have not left the United Democratic Front's Popo Molefe bitter — "only angry at my conviction", he said this week in his first public address after his release on Friday.

Molefe, the UDF national general secretary, national publicity secretary Patrick "Terror" Lekota and former Transvaal secretary Moss Chikane were released with South African Council of Churches fieldworker Thomas Manthata and Vaal activists Gcinimuzi Malindi.

They were all convicted in South Africa's longest treason trial — the Delmas Treason Trial — on December 8 last year.

"The mission that we had undertaken then, of the struggle of our people for a non-racial democratic future, is not yet over."

"We have gained the moral highground and this is indicative of the support we received throughout the trial, and during this period of the Mass Democratic Movement," he said.

In an interview with the *Weekly Mail* this week, Molefe said his desire to continue to work where he had left off has not diminished.

He and his colleagues had no political positions in mind, and would be placed by the MDM "wherever they see fit".

"Our task in this critical period of much-talked of negotiations is to contribute towards the building of a broad unity of our people so that, in the next gathering of our people, there will be greater unity."

"In that respect we see our task as complementing the efforts of our people to bring nearer a non-racial democratic South Africa as enshrined in the Freedom Charter."

Commenting on the formation of the MDM and the Conference for a Democratic Future, Molefe said it brought "great joy and inspiration".

"We begin to realise those objectives that we sought for at the formation of the UDF are starting to crystallise."

"Before our incarceration, and even at our last annual meeting, we insisted on

Free Delmas man Molefe speaks on whither now

UDF general secretary Popo Molefe, free after five years behind bars talks of the future for opposition politics, the Harare Declaration and his meeting with Nelson Mandela.
By VUSI GUNENE

the unity of the broad section of people, including all those organisations which were not part of the UDF at its formation."

He said the released men had returned in a period "when the fires of our struggle are burning in every corner of our country".

Asked his opinion on the negotiations issue, Molefe said he fully supported the Harare Declaration.

"From the very beginning even the African National Congress never rejected the idea of negotiations. It was forced into armed struggle because avenues of negotiations were no longer possible."

"The demands contained in the Harare Declaration are reasonable demands and I think if negotiations were to come we would have no option but to participate, as long as those conditions are met. If the opportunity presents itself for us to minimise casualties we would seize such an opportunity."

Molefe said he rejected any attempts by the government to hold an ethnic referendum because that "was not in line with the process of a non-racial and democratic South Africa which we advocate".

"If the very same government had seen fit to allow the people of Namibia to go

through a path of non-racialism, there is no reason why it should not apply it in South Africa."

"In the same way, the international community should be made aware of their suggestions that we are a multi-racial and multi-cultural society and therefore we cannot unite."

Molefe said such manoeuvres by the international community would "undercut the social condition".

"We must warn them that, much as it was possible for this very government to have Greeks, Japanese, Chinese and so forth in one culture and one race, there is no reason why we cannot come together in a non-racial South Africa."

Commenting on the trial he said: "We did not go to jail because we committed any offence. The regime sought to punish us and the UDF as a whole. It found a sympathetic bench to do so and upheld apartheid racial discriminatory laws."

Molefe added that "to a great extent the trial has confirmed the argument that the judicial system in our country is not independent, but serves the interest of the executive".

"The judgement that has vindicated us would probably be a better decision in the future," he said.

Commenting on his meeting with Nelson Mandela, Molefe said their discussions were "fruitful" and that Mandela had demonstrated that "although he is regarded as the greatest leader of our people, he is not a man who would like to have the last say".

"He is a loyal member of the ANC and is guided by it. He has regular consultations with the ANC."

Molefe said that Mandela was concerned about political prisoners, particularly those serving life sentences. Mandela was talking with government officials about their plight.

Asked how they received the news of their release, Molefe said the inmates on Robben Island carried him high and did the *toyi-toyi* and sang freedom songs. much to the amusement of the prison officials.

Health of Alex four 'improving steadily' 329

By Janet Heard

The four former hunger strikers from Alexandra who were released from detention a few days before Christmas were still a little weak but their health was improving steadily, attorney Mr Norman Manoim said yesterday.

Mr Richard Mdakane, Mr Mzwanele Mayekiso, Mr Paul Tshabalala and Mr Siphon Khubeka were released from emergency detention last week.

CHECK-UPS

Mr Manoim said they had all had full medical check-ups after their release and were "OK".

They were detained under the emergency regulations on November 30 while attempting to march to present a list of grievances about the housing crisis to the Alexandra Town Council offices. They immediately embarked on a hunger strike.

Mr Tshabalala (34), who is married with three children, was released from the Johannesburg Hospital where he was admitted in a serious condition

a few weeks earlier. He lost 17 kg during his hunger strike and the only liquid he took was a glass of water to swallow his tablets. 27/12/79

He was treated for an ulcer which he developed during an earlier detention in September, when he also embarked on a hunger strike and was released 14 days after his arrest.

The four are all active in the newly formed Alexandra Civic Organisation (ACO), which plans to hold a peaceful march early next year in protest against the "failure" of the town council to address the community's grievances.

Mr Mayekiso (26), Mr Tshabalala and Mr Mdakane (31) are former "Mayekiso" treason accused and were acquitted on all charges earlier this year.

Mr Khubeka is the general secretary of the Printing, Paper, Wood and Allied Workers' Union.

Mr Mayekiso and Mr Mdakane are away until the New Year. Mr Tshabalala and Mr Khubeka could not be contacted at their homes yesterday.

Only 9 detainees left — HRC

CM Tuis 28/12/89

329

Own Correspondent

JOHANNESBURG. — The number of detainees held under the emergency regulations has dropped over the past 12 months from 1 000 to nine, according to the latest report on repression by the Human Rights Commission (HRC).

HRC commissioner Dr Max Coleman said that more than 75 000 people had been detained without trial since 1960, 52 000 of them over the past five years.

The Indicator Project SA (Ipsa), using emergency detention figures compiled by the now-banned Detainees' Parents' Support Committee and the Centre for Applied Legal Studies, said at the height of detentions when the second state of emergency was declared on June 12 1986, about 20 631 people were

being held.

Dr Coleman said that by the end of 1988 35 000 people had been detained at various times since the first state of emergency in July 1985.

Official statistics for those detained under the emergency have been consistently lower. A Pretoria police spokesman said the number of people held under section 29 of the Internal Security Act had decreased from 108 in January to 24 in December. The HRC's figure for August was 62. December's figures were not immediately available.

The nine emergency detainees, all being held in Natal, are Messrs Sibenise Ntombela, Famiso Ngcobo, Mashamsi Joseph Nkwanyana, Joseph Nhlana, Nkosinathi Nzi- pho Mbonambi and Reginald Nzama. The HRC attributed the drastic reduction

in the numbers of emergency detainees since January this year to the nationwide hunger strike.

However, about 65% of those released before April 15 were heavily restricted.

The HRC said in the months following April 15 people continued to be detained. From May to July 159 people were detained in the Durban and Pinetown area, all of whom were released as a result of a hunger strike in Westville Prison in early August.

The HRC's national figure for detentions between April and July was 257.

Apart from Natal, detention figures were low in contrast to the trends of the previous 2½ years of the emergency.

The HRC said until August "no key leaders of the mass democratic movement were being held and the state appeared to have shifted

its repression strategy to a large-scale use of restriction orders on released detainees".

The sharp increase in detentions since August 1 was in response to the Western Cape schools crisis (95 % of the 74 people detained in the region were students and teachers) and the detention of key Cosatu and UDF activists in an attempt to halt the Defiance Campaign, the HRC said.

It said of the 658 restriction orders served on individuals between June 12 and December 20 1989, 86 had been revoked.

The figure includes those orders which were automatically renewed when the state of emergency was re-implemented on June 9 this year.

At present 572 people were restricted, an HRC statement said. Five had had their restrictions orders revoked since December 13.

329
2/12/87
CM-11615
**Mkwayi
detained?**

Own Correspondent

EAST LONDON. — Recently-released ANC leader Mr Wilton Mkwayi was allegedly detained by Ciskei police yesterday.

The president of the United Democratic Front in the Border, Mr Mluleki George, said Mr Mkwayi, who was visiting the region, had addressed a meeting of youths in Dimbaza.

The meeting was broken up by police who later went to a house in Debe Nek where Mr Mkwayi was detained, Mr George said.

Ciskei police refused to comment on the alleged arrest.

TOTALITARIANISM - DETENTION

1990

APRIL — ~~DATE~~ July

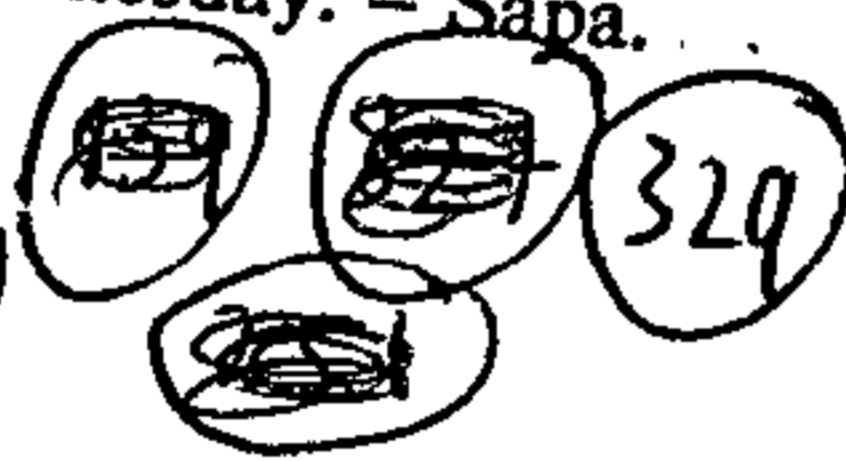
Rockman released

POPCRU leader, former police lieutenant Gregory Rockman, was released on bail in time to join a march by uniformed members of Popcru in Cape Town yesterday.

Rockman was arrested yesterday on charges of assault and attending a demonstration on Wednesday. - Sapa.

c/mss

1/4/90



Sports editor held under Security Act

The Sowetan's sports editor, Horatio Motjuwadi, has been detained in terms of Section 29 of the Internal Security Act.

Mr Motjuwadi is a former official of the Media Workers' Association of South Africa (Mwasa) and the third member of the organisation to be detained recently.

Mwasa's general secretary, Mr Sithembele Khala, was detained 10 days ago and another member, known as Bafana, was also held.

Mr Motjuwadi (35) was taken from his Mohlakeng home with his wife Martha last Thursday morning.

His wife was released after being held for nine hours.

Section 29 makes provision for the indefinite detention of suspects for interrogation. Detainees have no access to lawyers or family.

47 freed after clampdown, says HRC

SINCE the clampdown by government early last month, 47 detainees had been released, the Human Rights Commission (HRC) said at the weekend.

In a statement the HRC said 22 detainees had been released in the Free State; five in Natal; 16 in the eastern Transvaal and four in the northern Transvaal since March 8. *By day 2/4/90*

According to the HRC, the eastern Transvaal area of Mkhuhlu topped the list with 16 releases while Welkom had 12 releases.

Giving a summary of detentions, the HRC said 138 people were in detention.

Under the State of Emergency, 107 people were being held and of those 75 were being held in the Free State.

Countrywide, 31 political activists were being held under Section 29 of the Internal Security Act. *(329)*

WILSON ZWANE

The HRC said it could not be ascertained how many people were held under Section 31. It said no-one was being held held under Section 50.

The HRC said although the trend of detentions was not different from the previous year, there was a notable decrease in detentions towards the end of last year and at the beginning of this year.

"However, detentions escalated again from the end of February," the HRC said.

There were no figures for TBVC states. Gazankulu Chief Minister Hudson Ntsanwisi said on Friday his government was "busy negotiating" the release of detainees arrested during unrest.

Twenty-one people were being held under emergency regulations.

Escaped prisoners now in Lusaka

Star 3/4/90 By Craig Kotze

329
Nine "extremely dangerous" ANC prisoners who escaped from an East Rand prison in February have arrived at the ANC's Lusaka headquarters in Zambia, security sources have confirmed.

The nine, who were to have stood trial in Delmas on terrorism and other charges, escaped from Modderbee Prison on February 18 after attacking guards and taking a car.

A massive police hunt was launched. They told journalists in Lusaka yesterday they had been smuggled out of South Africa by ANC colleagues.

A pistol had been smuggled into the prison to help with their escape.

The escapers are: Mr Alfred Kgasi, Mr Joseph Nkosi, Mr Reginald Legodi, Mr Reuben Khotza, Mr Mokoatsi Toka, Mr George Mathe, Mr Pieter Maluleka, Mr Ernest Ramadite and Mr Francis Pitsi.

Was it meningitis or torture? IM 75 7581

4/4/90 By Shehnaaz Bulbulia

329

Police have disputed the details of an earlier report in The Star about the death of a western Transvaal civic leader, Mr Lucas Tlhotlhomisang, who died during detention under the emergency regulations. However, his widow, Mrs Selmina Tlhotlhomisang, disagrees with the police version of events.

Police say:

Mr Lucas K Tlhotlhomisang of Schweizer-Reneke was detained on March 19 by the police.

The district surgeon examined him soon after detention and found him to be physically healthy.

On March 21 he was transferred from the Klerksdorp Prison to the Tshepong Hospital in Klerksdorp suffering from suspected meningitis.

On March 26 he was transferred to the intensive care unit of the Tshepong Hospital, and died on the same date at about 9.20 am.

Mr Tlhotlhomisang's family were informed of his death and that he died of meningitis and not of a brain haemorrhage.

We also reject allegations that the police tortured Mr Tlhotlhomisang.

Mrs Tlhotlhomisang says:

My husband was the publicity secretary of the Ipelegeng Civic Association.

He was detained on March 19 at about 2 am and held for a couple of hours at the Schweizer-Reneke Police Station after which he was transported to the Klerksdorp Prison.

On March 20 my husband was taken from Klerksdorp Prison and admitted to the Tshepong Hospital in Klerksdorp.

He died on March 27.

At about 4 pm on March 27 the police came to my house to inform me that my husband had died. I was not at home so the police told my sister that my husband died at 9 am on the same day.

Police told my sister he died of a brain haemorrhage.

Lucas was healthy before his detention. I can only believe that he died as a result of police torture.

I am waiting for the postmortem results.

For the record

The Star reported on Tuesday that a group of political prisoners at Pretoria Security Prison, including Magoo's Bar bomber "Robert Derrick" McBride, had issued a statement calling for the immediate release of all political prisoners.

Mrs Paula McBride, wife of Robert John McBride, has pointed out that the group included her husband's father, Derrick McBride, and not her husband, who is on Death Row and has no contact with the other prisoners. *Servulgo 329*

Derrick McBride was sentenced to 12 years in 1987 for murder and attempted murder after he and co-accused Arturo de Preez (jailed for an effective 15½ years) freed alleged ANC commander Mr Gordon Webster from Edendale Hospital in Maritzburg.

McBride's son, Robert, was sentenced to death three times in 1987 for his part in the 1986 bombing of Durban's Magoo's Bar.

● In a report on the release from prison of Mr Eric Pelsier, convicted of treason, it was incorrectly reported that he had also been convicted of the possession of LSD. In fact the LSD charges were dropped.

APARTHEID BAROMETER

DETENTIONS

(329) W/Mail 5/4-11/4/90.

A total of more than 650 people are being held in detention without trial in South Africa, according to figures released yesterday by the Human Rights Commission. The HRC said its figures showed that 236 people were being held in detention under the Emergency Regulations, 390 were being held in terms of the security legislation of the "independent homelands", while on March 23 36 people were being held under the Internal Security Act, bringing the estimated total to 662.

HRC figures show the following regional breakdown for Emergency detentions: Free State (76); Northern Transvaal (58); Western Transvaal (43); Natal (seven); PWV (seven); Eastern Cape (two) and Eastern Transvaal (one).

Their figures show that 11 people are being held in Venda; eight in the Ciskei and an estimated 300 in Bophuthatswana.

Government figures show that on March 23 27 people were being held under section 29 of the Internal Security Act and five under section 31.

Detentions soar in crackdown

By GAVIN EVANS

A NEW wave of detentions took place this week in the wake of the nation-wide security crackdown.

Human Rights Commission figures show that nearly 600 people are being held in detention without trial in the country — the highest figure in the last year. *W/Ment 5) 4 - 11/4/90*

Most of the detentions have taken place in the Northern and Western Transvaal, the Free State and Bophuthatswana.

According to the HRC around 300 people are currently being held under Bophuthatswana's security legislation, while 11 are being held in Venda and eight in the Ciskei. *(329)*

Government statistics show that on March 23 a total of 32 people were

being held under the Internal Security Act — 27 under Section 29 and five under Section 31. Detention watchers believe it possible that this figure could have risen since then.

HRC figures show that at least 236 people were being held in terms of Emergency Regulations yesterday — including 76 in the Free State, 58 in the Northern Transvaal and 43 in the Western Transvaal.

In addition seven people were being held in Natal, seven in the PWV area, two in the Eastern Cape and one in the Eastern Transvaal.

This amounts to a total of at least 587 people in detention:

State of emergency concerns lawyers

01 Dec 5/4/90 THEO RAWANA

THE state of emergency granted police an environment to perpetrate violence against individuals, Lawyers for Human Rights (LHR) said yesterday.

The organisation said in a statement it was concerned about police violence against people detained not only for political offences, but also for ordinary crimes.

Detainees continued to die in custody and the blame had to fall on the police's shoulders.

"When a person dies of a ruptured bowel or a broken neck, with visible signs of having been assaulted, one questions whether that could have been suicide. These are some of the cases of which we have first-hand knowledge," it said.

Deaths in detention "continued unabated", so it was not sufficient to have a judicial commission of inquiry into only one death while dozens of others were investigated through informal inquest procedures.

"We call on the government to appoint a judicial commission of inquiry to investigate allegations of assault and torture by police officers, on the Witwatersrand at least," the organisation said.

Law and Order spokesman Peet Bothma said the state of emergency was not a cause of crime but worked against crime.

Any policeman found to have overstepped his power and against whom evidence of violence and torture had been found, had been dealt with.

He asked if Lawyers for Human Rights had brought evidence before senior officers and the Law and Order Minister.

Without the state of emergency, it would not have been possible to bring troops to the trouble-torn region of Maritzburg. The state of emergency was not against law-abiding people, and did not give police powers to act any way they felt, Bothma said.

NATAL UNREST DEATHS

September 1987 — January 1989.....	668
February 1989 — April 3 1990.....	830
Past 24 hours' official toll.....	5
TOTAL.....	1 503

C/Press 8/4/90 (329) (221/228)

Paupers' funerals for missing youths?

By DAN DHLAMINI

PARENTS OF missing youths in Carletonville fear their children may have been killed in recent unrest and are being quietly buried as paupers.

This week residents of the trouble-torn Khutsong township halted paupers' funerals for three alleged unrest victims.

The discovery of the bodies caused anger among residents who went on the rampage, setting alight at least five vehicles.

Last month nine unrest victims allegedly shot by police were buried in a peaceful mass funeral.

Scores of youths are reported to have been either detained or killed after police launched a house-to-house search last month.

Others fled their homes making it difficult for

Angry residents riot after fears of death cover-up

members of local structures to establish their whereabouts.

Residents claim parents of missing youths were denied the opportunity to enter the government mortuary to identify the bodies.

A Khutsong Youth Congress spokesman said residents fear at least 31 youths were killed during the riots.

The spokesman said Saffas Undertakers brought three corpses in coffins to the local graveyard on Wednesday where they were to be given paupers' funerals.

Residents became sus-

picious because no mourners came to bury the unknown trio.

He said residents went to the graveyard and found that one of the deceased was Esther Botlhoakoane, 24, of Potchefstroom.

However, her next of kin confirmed they could not afford to bury her.

Residents took the bodies to the local mortuary and are trying to establish the identity of the two youths among the trio.

He said arrangements were being made to get a second post mortem examination performed to establish the cause of

their deaths.

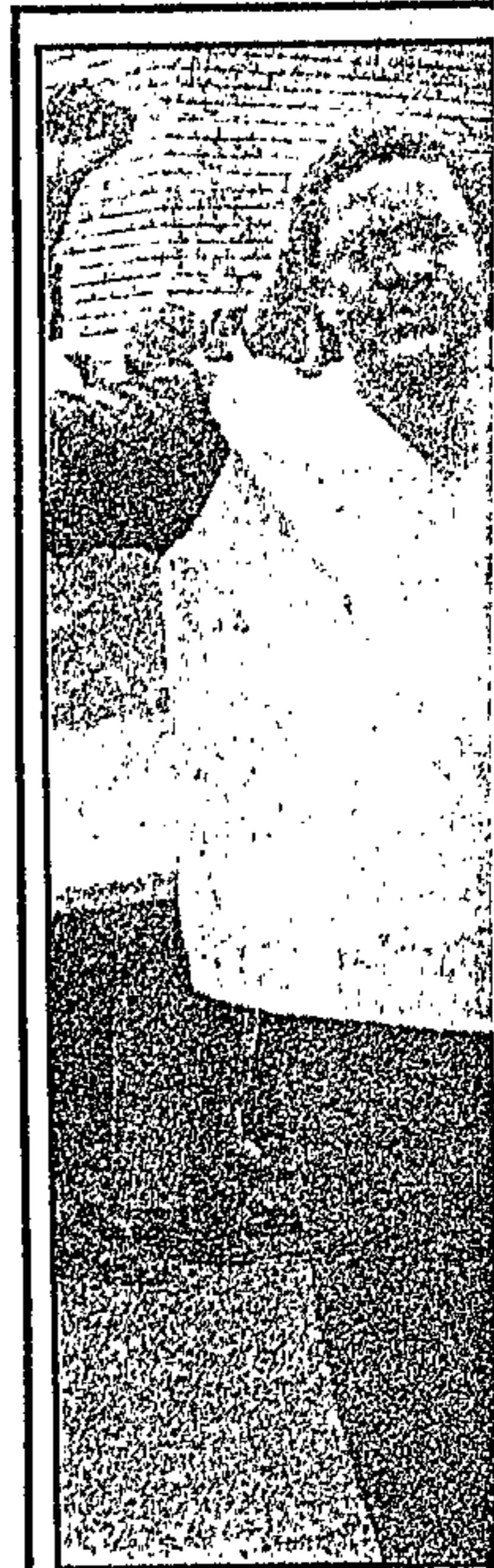
Attempts to contact Saffas drew a blank. The post office said the Saffas telephone was out of order and their premises were deserted when City Press arrived.

Police spokesman Maj RA Crewe confirmed seven vehicles were burnt out during rioting in Khutsong this week.

He could not say whether the riots were sparked off by the discovery of the three dead people who were to be given paupers' burials.

However, he said people were given an opportunity to identify the dead at the government mortuary in Carletonville.

He reaffirmed the earlier police statement that 17 and not 31 people died during unrest in the area two months ago.



With solemnity and anger

8

Class 8/4/90 329

Paupers' funerals for missing youths?

281

By DAN DILAMINI

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Parents find their homes

Angry residents riot after fears of death cover-up

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With solemnity and anger, colleagues of teacher Teboho Morobe take him to his last resting place.

Police tried to undress me

C/Press 8/4/90 329

CORRIENNE Norman claims she was arrested after an altercation with a white hobo and was beaten up, robbed and indecently assaulted by police.

In her affidavit, she said her night of horror began after she was detained in Hillbrow on March 24 and thrown into the back of a police van by two white policemen.

Norman said the van was driven out of the city and she was ordered to get out. Two other police vans were parked behind the one she had been in.

She was assaulted when she tried to write down the registration number of the police van and was kicked all over her body.

She tried to escape and was again assaulted.

She was carried into the van where a policeman

"jumped on me and tried to take off my dress. He grabbed my breasts and tried to kiss me. I pushed him away".

Teargas was sprayed into the van and the policeman shouted to be let out.

Norman said she believed if it had not been for the teargas she would have been raped.

She picked up the policeman's appointment certificate which had the name David Barber, his identity number and his force number, W442654B.

Norman says she was then taken to Hillbrow police station, where Barber kicked her in the stomach.

She was then dragged to a cell, was released next day and was treated at the Hillbrow Hospital that evening.

I was tortured for mistaken identity

C/Press 8/4/90 (329)

BERENG Mtselu of Pimville, Soweto, alleges he was tortured by police after being wrongly identified by a car thief as having received a stolen vehicle.

Mtselu says in an affidavit to Lawyers for Human Rights that on October 25 four policemen came to his home with a man he knew as Eric.

Eric, a taxi-driver, had admitted stealing a minibus at gunpoint and had told the police he had given it to Mtselu.

Mtselu says he denied

this, but was taken to a police station where his trousers and underpants were removed.

A piece of tyre tubing was stretched across his nose and mouth and he was ordered to lie on his stomach on the floor and to bend his knees.

His wrists were tied behind his back to his ankles.

The tube was tightened until he nearly lost consciousness, then was loosened and tightened again three times.

"I realised I would be killed if I did not tell them something." He said he would show them where the stolen vehicle was.

When the police found Mtselu had been lying they hit him and kicked him and put nooses around his and Eric's necks.

Eric then took police to where the stolen vehicle was and Mtselu was cleared of involvement.

DOSSIER OF TERROR

Reports by CONNIE MOLISI
and DESMOND BLOW

Cops killed my husband

NONHLANHLA Lucky Cindi alleges police raided her house in Zola 1, Soweto, five days before Christmas, killed her husband, deliberately injured her, smashed furniture and stole money and goods.

When her two children - aged 12 and 14 - awoke, police covered their heads with blankets and told them to go back to sleep.

Late on the night of December 20, police raided her home and pulled her husband, Fanie Amos Cindi, out of the house by his shorts, shutting the door behind them when she tried to follow.

Soon afterwards she heard five shots and police re-entered her house and demanded to know where her husband was.

She said she did not understand their question as they had just taken him out of the house.

The police said her husband had stolen a large amount of money - one policeman said R40 000, another R20 000 and a third R12 000 - and they demanded to know where it was.

They kept assaulting her and demanded to know the whereabouts of her husband. Unknown to her he was lying dead in the yard.

They searched her home, deliberately wrecking furniture, destroyed her groceries and threw the meat out of the fridge.

LAWYERS for Human Rights have collected shocking affidavits of numerous cases alleging police brutality - and most victims allegedly faced police wrath only because they are black. Today City Press publishes a few horrifying accounts based on the affidavits. Human rights lawyers have called for a judicial commission of inquiry to probe allegations made by complainants throughout the Reef - and for police officers behind this reign of terror to be charged. Police have denied the claims made in these affidavits.

She was then driven to open veil, she alleges, and her hands handcuffed behind her back.

A piece of tyre inner-tubing was stretched over her face so she could hardly breathe and she was placed on her stomach and kicked on her back and face.

"One of the policemen pulled at my private parts. I was not wearing underwear as I was not allowed to dress properly. I felt severe pain.

A policeman later took her to her husband's body in the backyard and allegedly said: "This is the Christmas present you are going to have," before loading him into a police van and driving away.

When she saw her husband's body she started screaming and burst into tears and the policeman told her to "shut up".

After the police left Cindi found more than R1 000 had been stolen from the house. Her husband's watch and her wedding ring were also missing.

She saw Dr Ntala Motlana for medical treatment.

The police took away a metal trunk containing her children's clothing, their hi-fi music system, her telephone and her husband's car.

Cindi says she also saw police putting cassettes in their pockets.

The following day she made several attempts to lay a charge against the police without success.

On January 4 police took her to Protea police station where she was again assaulted and told she would be killed like her husband if she did not tell them where the money was.

She said she did not know.

She was slapped across the face, a piece of tyre tubing was stretched across her face and she was forced to lie on her stomach.

A policeman stretched her legs apart until she was in terrible pain. "I thought I was going to die. I couldn't breathe," Cindi said in her affidavit. When the tube was removed her nose was bleeding.

The police demanded the name of her husband's friend. She told them his name was Mbusa and they took her to fetch him.

The police took him into a room and she saw electric wires attached to Mbusa's hands. One of the policemen was turning the handle on a white box. Mbusa screamed.

She was again assaulted and told to wash her underclothing as she was "stinking".

She again went to see Dr Motlana for treatment.

In a separate affidavit Isaac Motloung, also known as Mbusa, supports certain of Cindi's allegations and says police demanded to know the whereabouts of certain money. A piece of tubing was put over his face, he was kicked and punched and given electric shocks.

He was unable to tell the police the whereabouts of the money.

Detention of Mwasa member is confirmed

329 239 18/4/90

Police have confirmed the detention of Mr Sithembele Khala, general secretary of the Media Workers Association of SA (Mwasa).

Mr Khala is being held under Section 29 of the Internal Security Act.

But police said Pretoria shop steward Mr Fani Hlongwane, who was also believed to have been picked up, was not being held under the Act.

A former Mwasa official and the Sowetan newspaper's sports editor, Mr Horatio Motjuwadi, was also reportedly detained under section 29 of the Internal Security Act on April 12.

It is believed Mr Motjuwadi was detained with his wife, Martha, after security police had "stormed" their home in Mohlakeng, Randfontein, last Thursday. Mrs Motjuwadi was released after being held for nine hours.

A Mwasa spokesman said police had confirmed Mr Khala's detention under section 29. He was not sure of the de-

tails of Mr Hlongwane's detention. However, it is believed he was detained from Bābelegi, Hammanskraal, in Bophuthatswana.

Mr Hlongwane may be held by Bophuthatswana police in terms of the emergency regulations of the homeland. This is the fourth time he has been picked up by police and questioned on Mwasa activities.

Mr Khala was involved in the Pan Africanist Congress Bethal treason trial with PAC leader, Mr Zeph Mothopeng, and served seven years on Robben Island. He was released in 1986.

Mr Hlongwane is a shop steward working at Craft Press, Pretoria.

The president of Mwasa, Mrs Sandra Nagfaal, yesterday condemned the detention of the union members.

Mrs Nagfaal said: "I don't believe Mwasa is an illegal organisation and I know there is nothing undercover in its activities." — Sapa, Staff Reporter.

Rohan tells why he took up arms

5-10-10/4/90 (324) (252)
DURBAN — Journalist Mohammed Rafiq Rohan, who was recently convicted of terrorist activities, told a Durban Supreme Court judge yesterday that he took up the armed struggle against the Government because he had been a victim of apartheid from the time he was a little boy.

Rohan, giving evidence in mitigation of sentence, said when he had caused the explosions at the C.R. Swart police HQ, the police radio workshop and Natal Command, he knew lives would be endangered.

But, he said, he had thought about the plan carefully to minimise the loss of life. His only targets were the police and the army, he claimed, and he had timed the explosions to go off at night. The hearing continues. — Sapa.

Surprise witness fails to identify terrorism accused

own Correspondent 329

CAPE TOWN — The State failed to get a positive identification of the 1987 D F Malan Airport bomber from a surprise witness at the reopening of the Yengeni terrorism trial in the Cape Town Supreme Court yesterday.

The trial reopened after eight co-accused were acquitted following President de Klerk's unbanning of the ANC.

The six remaining terrorism accused include Miss Jenny Schreiner, indicted for, among other charges, placing bombs in the women's cloakroom at the airport on July 12 1987.

Yesterday, D F Malan Airport cleaner, Mrs Eva Jacobs — a surprise State witness, not previously announced because the State was "responsible for her safety" — described events leading up to two loud explosions in the women's toilets in the Johannesburg departure hall at around midnight.

Mrs Jacobs said she was smoking a cigarette in the cloakroom with a colleague when she saw a woman carrying two bags leave one toilet, wash

her hands and enter another toilet.

When the woman left the cloakroom she was carrying both bags.

A short while later, when back at work in the departure hall, everyone was told to leave the building.

A few minutes later there was an explosion in the ladies' cloakroom. Police and dogs arrived and a short while later there was another loud explosion.

After describing the woman with the bags, Mrs Jacobs was asked whether the woman was in court. She paused for a long while, shook her head and then said she was not certain.

Mr H Klem, SC, for the State, asked the court's permission for Miss Schreiner to leave the dock and walk to the press bench to give Mrs Jacobs the opportunity of seeing her full-length.

Mrs Jacobs gazed at her intently and asked Miss Schreiner to turn sideways.

Mrs Jacobs shook her head and said Miss Schreiner looked similar to the woman she had seen but she could not be certain this was the same person.

The trial continues.

Police swoop on student, 25

Staff Reporter

329

FAMILY members and lawyers reported yesterday that a UWC student had been detained under Section 29 of the Internal Security Act, and a Mossel Bay advice office worker under the now-seldom-used emergency regulations.

About 30 policemen were said to have swooped on the home of Mr Raphael Martin in Tafelsig, Mitchells Plain, yesterday morning. Police do not comment on detentions.

Mr Terence Ndanda, a 33-year-old Mossel Bay advice office worker, was detained from his workplace about 10am yesterday, according to a colleague.

UWC law student's detention criticised

Staff Reporter

NR645 12/4/90 (329)

PRESIDENT F.W. de Klerk has been accused of "double standards" following the detention of a University of the Western Cape law student, Mr. Raphael Martin.

Mr. Martin's detention under Section 29 was confirmed by his lawyer, Mr. Cannon Gusha, yesterday.

The Mitchell's Plain branch of the United Democratic Front said: "We agree with talks between the liberation movement and the government but we deplore the double standards practised by De Klerk."

Mr. Martin is a member of the Tafelsig branch of the South African Youth Congress.

Three special-care patients detained

W/ Mail 12/4 - 19/4/90

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By VUSI GUNENE in Garankuwa

THREE patients in an intensive care unit were among those detained after a clash between striking workers and police at Garankuwa Hospital, near Pretoria, this week.

It is alleged by eyewitnesses that patients were among those teargassed and beaten and some were even detained when police, after a three-minute warning, opened fire on a crowd of workers on Monday.

Patients among those teargassed after a clash between hospital strikers and police

The South African Police Public Relations Division in Pretoria yesterday denied using teargas at the hospital. "Only rubber bullets, batons and police dogs were used to disperse the crowd."

The SAP spokesman also denied that ICU patients were among those bitten by police dogs or baton-charged. However the spokesman did not respond to questions about the detentions.

Three ICU patients were still in detention yesterday, as were eight nurses and more than 20 other hospital workers. The hospital itself was deserted; many patients had been transferred to Kalafong and HF Verwoerd hospitals.

Only a handful of patients were still at Garankuwa Hospital, waiting for relatives to collect them. Some said they had been hastily discharged even though that they had not completely recovered.

The corridors leading to the wards were badly littered. Linen and patients' clothing lay outside the doors of the wards in black refuse bags. No doctors, nurses or other medical staff were on duty.

The hospital came to a standstill yesterday when personnel gathered at "Freedom Square" at the Medical University of Southern Africa (Medunsa).

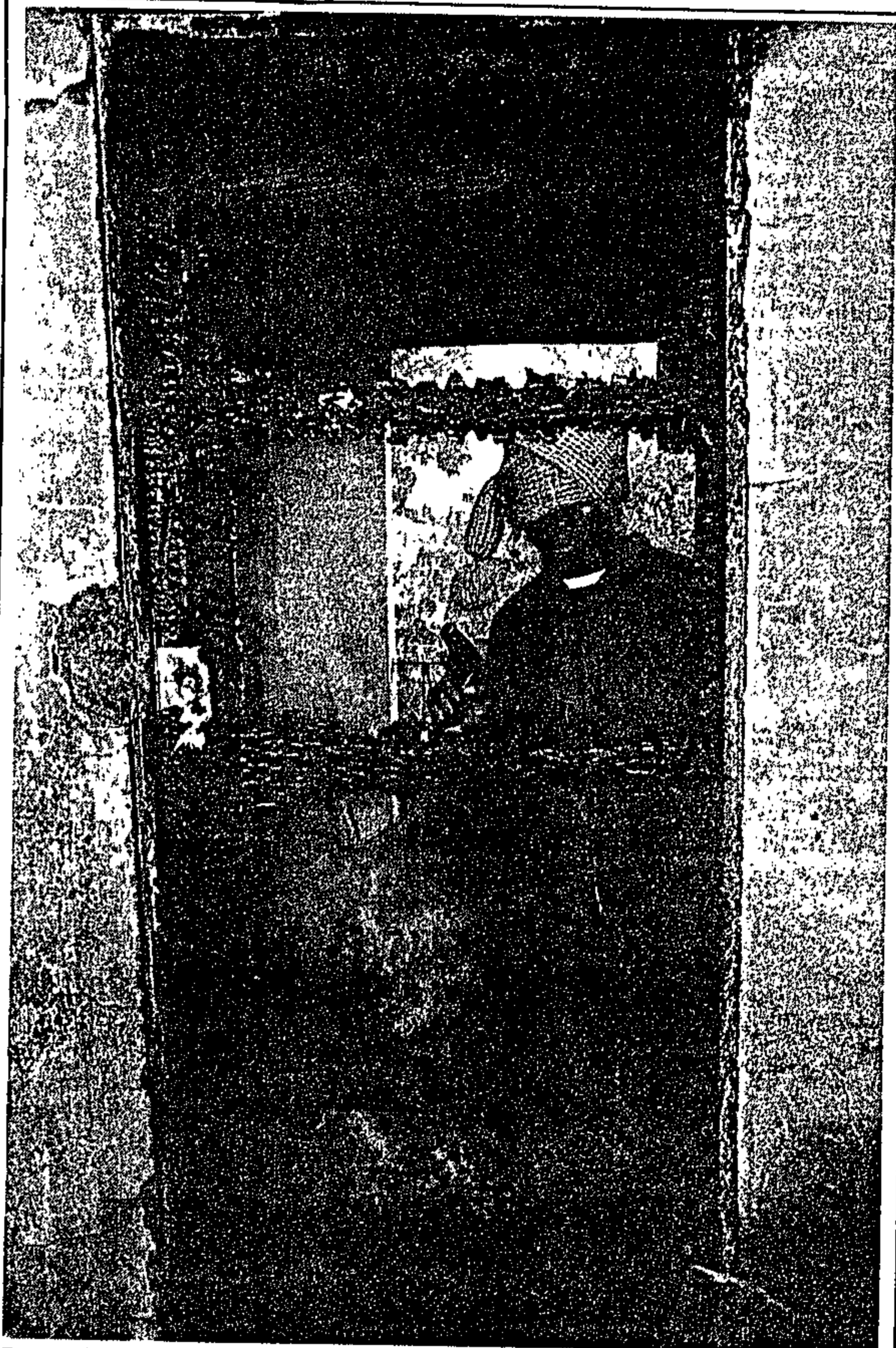
Medical students doing their practicals in the hospital joined striking hospital personnel when the Workers' Committee, representing the National Education and Health Workers Union (Nehawu), met with management to discuss the dispute that had led to the strike.

The strike began last Wednesday when workers demanded the dismissal of two administrators alleged to have made racist remarks.

Peter Dladla, a Workers' Committee member who was shot on the left arm with a rubber bullet, described Monday's incident. "At about 9am on Monday, the superintendent, Dr L van Heerden, brought a court interdict against the Workers' Committee, stating workers should vacate the premises of the hospital by 11am.

"At about 12.30 a senior police arrived at 'Helicopter Square', where workers had been meeting since their strike began, and told us to disperse or resume duties.

● To PAGE 2



Prepared for violence ... an armed and wary young man peers from the charred wreck of a house in Mpumalanga township in Natal. For more on the ongoing Natal civil war, see pages 4 and 5 W/ Mail 12/4 - 19/4/90

Picture: JUSTIN SHOLK, Afrapix

Sowetan sports editor 'taken by police'

JOHANNESBURG. — Sowetan sports editor Mr Horatio Motjuwadi and his wife were apparently taken from their home at Mohlakeng near Randfontein by police early yesterday morning.

The newspaper's assistant editor, Mr Joe Thloloe, said yesterday that Mr Motjuwadi's children had contacted the Sowetan to tell them of their par-

ents' apparent arrest.

SA Police spokesman Major Reg Crewe was unable to confirm the apparent arrests. He would try to get details as soon as possible, he said.

Mr Thloloe said the Sowetan was doing everything it could to determine Mr Motjuwadi's whereabouts. — Sapa

Hofmeyr 'had more privileges than many'

THE head warder of Pollsmoor Prison allowed city lawyer Mr Willie Hofmeyr to exercise with other prisoners even though this was against prison regulations, the Supreme Court was told yesterday.

Mr Hofmeyr is suing the Minister of Justice for R100 000 in damages for effective solitary confinement while he was held alone in a section at Pollsmoor Prison as an emergency detainee.

Brigadier F Munro said he became concerned about Mr Hofmeyr's well-being after Mr Hofmeyr's father discussed the issue with him.

Major Adam Voigt, an officer at Pollsmoor, said he told the prison librarian to let Mr Hofmeyr have unlimited access to the library. He was also allowed to borrow as many books as he needed.

Compared to the prison definition of solitary confinement, Mr Hofmeyr had many privileges which other prisoners who were held on their own did not have, said Major Voigt.

The hearing continues on Tuesday. An inspection in loco will be held at Pollsmoor Prison.

Mr Justice E King presided. Mr J A Le Roux appeared for the minister.

C/1188 15/3/90

Rohan sentenced

(329) (S)
CONVICTED saboteur and ANC member Muhammed Rafiq Rohan was this week sentenced in the Durban Supreme Court to an effective 15 years' imprisonment.

Passing sentence on the 36-year-old Durban journalist, Judge Brian Law said if Rohan had not been caught after the explosion at Durban's CR Swart Police headquarters he would have continued his mayhem.

Rohan was also convicted for causing the explosion at an electricity sub-station and of possessing machine guns and ammunition. - Sapa.

Press 15/4/90

Journalist detained

By SELLO SERIPE

329

SPORTS editor of the *Sowetan*, Horatio Motjuwadi, has been detained under Section 29 of the Internal Security Act.

Motjuwadi was detained from his Mohlakeng home on Thursday morning with his wife Christine, who was released after nine hours at John Vorster Square.

Christine alleged she was questioned about her husband's political activities and as to what she knew about the PAC.

Confirming the detention yesterday, police liaison officer Col S van Rooyen said Motjuwadi was detained under Section 29 and Christine was detained but later released.

Christine said police removed literature after a three-hour search of their four-roomed house and garage.

Sowetan assistant editor Joe Tlholoe said company lawyers had been informed about Motjuwadi's detention.

Motjuwadi, 35, was supposed to fly out of the country today to Mississippi to cover the boxing bout between Mauricio Aceves and Dinga Thobela.

Christine said police arrived at their home in four cars at about 7.10am.

"The police ordered me into the yard and would not allow me into my house. My husband was not allowed to go outside while they searched. Our three

children were also ordered outside.

"Three hours later both of us were driven to Protea police station, then to Sandton police station. Later we were driven to John Vorster."

Motjuwadi is the third Media Workers' Association of South Africa (Mwasa) member to be detained this year.

The two other Mwasa members in detention are Mwasa secretary Sthembele Khala, also believed to be held under the same Act and a Pretoria union worker, known only as Bafana.

Mwasa official Themba Hlatshwayo condemned the detentions.

Detainee kept in empty cell block

CAPE TOWN — Civil rights lawyer Mr Willie Hofmeyr was not kept in solitary confinement in Pollsmoor Prison while he was detained under emergency regulations, the prison's commanding officer has told the Cape Supreme Court.

Brigadier F. Munroe said last week that Mr Hofmeyr had been kept in a single cell in an empty block because he was a political detainee.

Mr Hofmeyr, detained for 168 days from May to October 1989, is suing the Minister of Law and Order for R100 000 damages for the manner and circumstances in which he was held.

The hearing continues in the Supreme Court today. — Own Correspondent.

Police shot and tortured me, claims youth

By DAN DHLAMINI

A 14 year-old Schweizer-Reneke boy claims he was shot by police who later tortured him - and then refused to allow him medical treatment.

Patrick Metshe showed *City Press* a wound on his waist, sjambok weals on his back and some burns on his ears.

He said he was shot on his parents' premises at the height of unrest three weeks ago.

Metshe said he and a group of youths were taken into a hippo and were severely beaten. His pleas that he be taken to a doctor fell on deaf ears, and instead was tortured by a policeman who pressed a burning cigarette on his ears, he said.

His mother, Maria Metshe said the police had refused to let her see him while he was in custody. She said she only managed to take him to a doctor after he was released on bail.

The boys were subsequently charged with public violence and would appear in court next month, she said.

Police liaison officer Capt R Bloomberg denied the allegations and said Metshe was free to lay a charges against the policeman.

He said a group of youths had stoned police vehicles and teargas and rubber bullets were used to disperse the rioting mob.

Meanwhile, a Schweizer-Reneke grieving mother of three, whose activist husband died in detention last week, intends taking legal action against the police.

Salaminah Tlhotlhomisang told *City Press* her husband Lucas, a member of the Ipelegeng Crisis Committee, was in good health when the police picked him up at 4am on March 19.

She said the police did not inform her about her husband's illness and she only learned from a relative that he was in hospital.

She added that she did not see him again, because when she went to the hospital, she was told that he died on March 27, after barely seven days in police custody.

Police confirmed Tlhotlhomisang's death,



Patrick Metshe shows injuries to his lower back, which, he says, were inflicted by the police.

saying he died of meningitis.

Tshepong Hospital superintendent Dr B Vos told *City Press* there were no signs of trauma on Tlhotlhomisang when he was brought to hospital.

Vos said he died as a result of bacterial meningitis - inflammation of the brain tissues.

Family lawyer Hanif Vally said they had instructed a private pathologist to be present when a post-mortem was performed on Tlhotlhomisang last Friday. He said they were waiting for the results and would only then know the precise cause of death.

In another development, a Schweizer-Ren-

eke man who was briefly detained together with Tlhotlhomisang and other members of the Ipelegeng Civic Association has died of a heart attack.

William Morebudi, 57, a father of eight, collapsed and died this week at his home.

The dusty township of Ipelegeng was tense this week. Most activists are in hiding while others have fled their homes following a spate of detentions.

The ICA members who have been detained under emergency regulations since March 14 are: Dr YD Cajee, Jeremiah Maine, Michael Mongate, Market Modise, Bruin Kgogo and M Vilakazi.

Business interrupted in accordance with Rule 180C (3) of the Standing Rules of Parliament.

*10. Mr P G SOAL — Law and Order. [Question standing over.]

Transkei: criminal prosecutions

*11. Mr F J LE ROUX asked the Minister of Foreign Affairs:† *Hans van der Merwe* 17/4/90

Whether he has at any stage made any requests or representations to Gen Bantu Holomisa of Transkei regarding criminal prosecutions in Transkei against certain companies, organisations or persons; if so, (a) when, (b) against what companies, organisations or persons and (c) with what result?

B701E

The MINISTER OF FOREIGN AFFAIRS:

I wish to refer the honorable member to my reply dated 4 April 1990 to parliamentary question no 255.

Constitution: drafting by certain persons

*12. Mr L F STOFBERG asked the Minister of Constitutional Development:†

Whether he has commissioned certain persons, whose names have been furnished to the Minister's Department for the purpose of his reply, to draft a constitution for the new South Africa; if so, (a) when, (b) what are the names of the two persons concerned, (c) how much time have they been given to submit a draft and (d) what was the purport of this commission?

B702E

The MINISTER OF CONSTITUTIONAL DEVELOPMENT:

No.

- (a) falls away
- (b) falls away
- (c) falls away
- (d) falls away.

Government-controlled assets: privatising

*13. Mr H J COETZEE asked the Minister of Mineral and Energy Affairs and Public Enterprises:† *Hans van der Merwe* 17/4/90

- (1) Whether it was announced on or about 16 March 1990 that the Government would

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raise approximately R1 billion by privatising Government-controlled assets; if so, which assets are to be privatised in order to realise this sum;

- (2) whether the Government is considering the sale of South Africa's strategic oil reserves; if so, what are the relevant details;

- (3) whether he will make a statement on the matter? *Hans van der Merwe* 17/4/90 B706E

The MINISTER OF MINERAL AND ENERGY AFFAIRS AND PUBLIC ENTERPRISES:

- (1) Yes, by the State President through a media statement. Various investigations are being carried out and it is envisaged that the amount will be realised out of different privatisation proceeds.

- (2) No, the Government is not considering the sale of South Africa's strategic oil reserves in order to obtain the R1 milliard. However, I wish to point out that in terms of regulation 2 of Government Notice No R1614 of 19 July 1985, no person shall, except with the written permission of the Minister, publish, release, announce, disclose or convey any information regarding a wide range of actions in respect of petroleum products. The Government, naturally, does not comment on the strategic oil reserves of the RSA.

- (3) Not at this stage. Statements in respect of question 1 will be issued when deemed necessary.

Protest marches: liability for damages

*14. Mr L F STOFBERG asked the Minister of Justice:† *Hans van der Merwe* 17/4/90

- (1) Whether the organisers of protest marches are held liable for the damage caused by participants in such marches; if not, why not; if so, under what (a) legal rules and/or (b) statutory provisions;
- (2) whether any claims in this regard have been put in by the relevant authorities; if so, against what organisations?

B708E

The MINISTER OF JUSTICE:

- (1) (a) and (b) At present the civil liability of organisers of protest marches for damage caused to another is governed mainly by the common-law rules regarding delicts.

Claims against organisers of protest marches for damage caused by participants in such marches will consequently have to be founded on such common-law rules. It is further known that some local authorities require under their municipal by-laws from the organisers of processions an indemnity in the form of a cash deposit or an insurance policy with a view to compensating for damage caused by participants in the processions.

In a press statement on 30 March 1990 as well as earlier in this House I have announced that legislation regarding the regulation of orderly meetings in accordance with notifications as a prerequisite is at present receiving attention. The various problems regarding damages that accompany these meetings is one of the aspects that has been identified and which specifically has been noted to be addressed in this Bill. The Bill is at present in an advanced stage and I contemplate to introduce it in Parliament in the near future.

- (2) Particulars of such claims, if any, are not readily available.

*15. Adv T LANGLEY — Defence.† [Withdrawn.]

Fanie Botha Dam at Tzaneen

*16. Adv T LANGLEY asked the Minister of Public Works and Land Affairs:†

Whether the odd pieces of land of the Fanie Botha Dam at Tzaneen have been allocated to any person or persons for utilisation; if so, (a) on what conditions, (b) at what compensation and (c) for what term?

Hans van der Merwe 17/4/90

B710E

The MINISTER OF PUBLIC WORKS AND LAND AFFAIRS:

Yes.

- (a) The pieces of the land which remained in the possession of the State were allocated for nature conservation and recreational

purposes as well as a recreation resort for Coloureds and Indians and placed under the control of the Transvaal Provincial Administration.

- (b) No compensation. *Hans van der Merwe* 17/4/90
- (c) For as long as it is used or required for the relevant purposes.

Police action: Khutsong

*17. Adv J S PRINSLOO asked the Minister of Law and Order:† *Hans van der Merwe* 17/4/90

- (a) How many persons were arrested in terms of the emergency regulations in the Police action in Khutsong on Wednesday, 14 March 1990, and (b) (i) how many of these persons are illegal immigrants and (ii) what are their countries of origin?

Hans van der Merwe 17/4/90

B714E

The MINISTER OF LAW AND ORDER:

- (a) 25
- (b) (i) None
- (ii) Falls away.

Contingency reserves

*18. Mr D G H NOLTE asked the Minister of Finance:† *Hans van der Merwe* 17/4/90

- (a) How were the contingency reserves spent in the 1989-90 financial year and (b) (i) what amounts were paid out and (ii) to whom?

Hans van der Merwe 17/4/90

B716E

The MINISTER OF FINANCE:

The information appears on pages III to V of the Estimate of Additional Expenditure, document R.P.1-1990, which was Tabled in Parliament on 19 February 1990 and which was further elucidated in my speech to Parliament on the same date.

Coastal dune area at St Lucia: mining activities

*19. Mr J CHOLE asked the Minister of Mineral and Energy Affairs and Public Enterprises:† *Hans van der Merwe* 17/4/90

- (1) Whether he intends taking any steps to stop proposed mining activities in the coastal dune area of St Lucia; if not, why not; if so, (a) what steps and (b) what are the motives for these steps;

- (2) whether he or his Department has investigated the (a) economic and (b) juridical implications of these steps; if not, why not; if so, what are these implications, in each case?

B718E

THE MINISTER OF MINERAL AND ENERGY AFFAIRS AND PUBLIC ENTERPRISES:

- (1) No. A final decision regarding the granting of mining rights will be taken after the completion and evaluation of the environmental impact assessment which is presently being undertaken.
- (a) and (b) Fall away.
- (2) Falls away.

*20. Mr R M BURROWS—Administration and Economic Co-ordination. [Question standing over.]

GST on prescribed medicines: revenue

*21. Mr M J ELLIS asked the Minister of Finance: *Heads 17/4/90*

What was the total amount of revenue received by the Government from general sales tax on prescribed medicines for the 1988-89 financial year?

B738E

THE MINISTER OF FINANCE:

Inland Revenue does not require registered vendors to furnish the particulars of sales tax collected on each type of commodity as this would place an unreasonable administrative burden on the business sector. For this reason separate statistics of collections on prescribed medicines are not available. The Pharmaceutical Society of South Africa has estimated that the sales of prescribed medicines for the 1989 calendar year amounted to R1 040 million. If one assumes that sales tax was payable on the whole of this amount the revenue collected would amount to R120 million. These figures exclude prescribed medicines supplied by medical practitioners and hospitals.

GST on prescribed medicines: abolition

*22. Mr M J ELLIS asked the Minister of Finance: *Heads 17/4/90*

Whether consideration is being given to abolishing general sales tax on prescribed medicines; if not, why not?

B739E

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THE MINISTER OF FINANCE:

No. Representations have on numerous occasions been made for prescribed medicines to be exempted from general sales tax and careful consideration has been given to the matter. It is, however, essential, particularly in the case of an indirect tax such as sales tax, for the base to be as wide as possible. If an exemption was granted in respect of prescribed medicines it would not only open the door for exemptions in respect of other equally meritorious cases, but would mean that the loss of tax would have to be recovered by an increase in the rate of tax.

Colonel Bob Denard: residence permit

*23. Mr L FUCHS asked the Minister of Home Affairs: *Heads 17/4/90*

- (1) Whether a temporary or permanent residence permit has been issued to Colonel Bob Denard; if so, (a) for how long and (b) why;
- (2) what is the total anticipated cost to the State of providing refuge to Colonel Denard;
- (3) whether he will furnish details on the present whereabouts of this person; if not, why not; if so, (a) where is he residing at present and (b) at whose expense is he residing there?

B740E

THE MINISTER OF HOME AFFAIRS:

- (1) A temporary residence permit has been issued to him. An extension will be required from 1 May 1990. Colonel Denard's residence in South Africa must be seen against the background of the turbulences which occurred in the Comores in December 1989. On occasion my colleague, the Minister of Foreign Affairs, has made public statements on the events. It boils down to the fact that both the former government of the Comores and the French Government have requested South Africa to accommodate Colonel Denard. The South African Government was initially not in favour thereof, but after repeated appeals by the two aforementioned governments, the government, for the promotion of peace and quiet in the Comores, agreed to be of assistance. In the meantime discussions

with the French Government regarding Colonel Denard's position and future are being conducted.

- (2) None. *Heads 17/4/90*
- (3) No. He is being housed privately and it is not deemed expedient to furnish details.

Mr Lennox Sebe in SA

*24. Mr L FUCHS asked the Minister of Foreign Affairs:

- (1) Whether Mr Lennox Sebe is currently residing in South Africa; if so, (a) under what conditions has he been granted permission to do so and (b) at what total anticipated cost to the State;
- (2) whether he is to be granted political asylum; if not, why not; if so, for what reasons?

Heads 17/4/90 B741E

THE MINISTER OF FOREIGN AFFAIRS:

- (1) Yes.
- (a) Under circumstances where he left his country as Head of State and where a coup d'état was carried out in his country during his absence. He was not unwilling to return to the Ciskei. After consultation with the South African Embassy in the Ciskei and the National Council of the Ciskei, he was advised not to return to the Ciskei for the time being in the interest of the promotion of peace and quiet in the Ciskei, which is at the same time in the interest of South Africa. Further, Mr Sebe is receiving medical treatment in South Africa.
- (b) He and his spouse are being accommodated in a house which was available. He pays for their upkeep himself.
- (2) No request for political asylum has been received.

Retirement annuity funds: extension of Retirement age

*25. Mr H H SCHWARZ asked the Minister of Finance:

Whether any consideration has been given to extending the age of retirement in respect of

retirement annuity funds beyond 70; if so, what conclusion has been arrived at; if not, why not? *Heads 17/4/90* —B743E

THE MINISTER OF FINANCE:

Yes. It was concluded that the age limit should not be extended as the purpose of allowing a deduction in respect of contributions to retirement annuity funds is to permit a person to defer tax on a portion of his income during his productive years until after his retirement. Very few people remain productive after attaining the age of 70 years, and it appears that any raising of the age limit would mainly benefit those senior citizens fortunate enough to have more than sufficient income to meet their needs, and who merely wish to further defer the payment of tax.

Durban prison at Westville: emergency detainees

*26. Mr R M BURROWS asked the Minister of Law and Order:

- (1) Whether any persons are being detained in terms of the state of emergency at the Durban Prison in Westville; if so, how many; *Heads 17/4/90*
- (2) whether he will make a statement on the matter? B744E

THE MINISTER OF LAW AND ORDER:

- (1) Yes, 18 persons on 17 April 1990.
- (2) The detention of these persons is as a result of the conflict situation in Natal and is in the interests of the maintenance of law and order, the public safety and the termination of the statement of emergency.

Minister/Mandela: meetings outside prison

*27. Adv S C JACOBS asked the Minister of Justice:

- (1) (a) On how many occasions did he meet Mr Nelson Mandela outside prison premises and (b) (i) where and (ii) when did each such meeting take place;
- (2) whether he was accompanied by any other Cabinet Ministers at these meetings; if so, by what Ministers;
- (3) whether the constitutional future of South Africa was under discussion at any of these meetings; if so, at which meetings? —B752E

HOUSE OF ASSEMBLY

Sowetan journalist is detained by police

329

By NKOPANE
MAKOBANE

SOWETAN sports editor Horatio Motjuwadi has been detained under Section 29 of the Internal

Security Act.

Motjuwadi, a former official of the Media Workers' Association of South Africa, is the third member of the organisa-

tion to be detained recently.

Mwasa's general secretary, Sithembele Khala, was detained 10 days ago and another member, known as Bafana was also held.

Motjuwadi, 35, was taken from his Mohlakeng home with his wife, Martha, last Thursday morning.

Martha was released after being held for nine hours.

Section 29 makes provision for the indefinite detention of suspects for interrogation. Family members or lawyers are not allowed to see such persons.

Sowetan 17/4/90

4 Tembisa youth leaders detained

18/4/90 By Janet Heard (329)

Four officials of the Tembisa Youth Congress (Teyco) have been held in police custody since Thursday when they were picked up for questioning after announcing a plan to reintroduce "people's courts" in the township.

The four — believed to be held under the emergency regulations — are Teyco president Mr Sam Simetsi, Teyco general secretary Mr Philemon Nzimande, Ms Debora Marakalala and Mr Godfrey Qwabe.

A fifth executive member, Mr Peter Ramarou, was held for a few hours on Thursday before being released.

All five were present at a press conference two days earlier where the Teyco executive announced its intention to reintroduce people's courts in the huge township near Kempton Park.

The combating of crime was the motive given for the planned reintro-

duction of the courts.

According to a friend of Mr Nzimande, the activists were picked up for questioning during the early hours of Thursday last week.

According to information The Star has received, the activists are being held at Modderbee prison and have threatened to go on hunger strike.

An attorney from the firm Naidoo, Nicholls and Cambanis who is acting for Mr Nzimande said she was certain the activists were being held under the emergency regulations but had not yet received confirmation from the police.

Police comment could not be obtained at the time of going to press.

Tembisa Residents' Association spokesman, Mr Amon Msane, said it was "worrying that police were detaining people on the ground" at a time when everyone was trying to create a climate conducive to negotiations.

it exploded, injuring her face, body and arms. She was admitted to hospital, but a report on her condition could not be obtained. — Sapa

'More Mwasa members held'

CPH Times 18/4/90 (329)
JOHANNESBURG

Two more members of the Media Workers' Association of South Africa (Mwasa) — general secretary Mr Sithembela Khala and shop steward Mr Fani Hlongwane — have reportedly been detained under the Internal Security Act.

A Mwasa official and the Sowetan newspaper's sports editor, Mr Horatio Motjuwadi, was also reportedly detained under Section 29 of the Act on April 12. Mwasa said police had confirmed Mr Khala's detention. — Sapa

Reporters barred from SC prison inspection

Capt Times 18/4/90 (33) 329
POLLSMOOR Prison authorities yesterday barred the press from going on a Supreme Court inspection of the prison's Medium B section for awaiting-trial prisoners where city lawyer Mr Willie Hofmeyr was kept in isolation.

Mr Hofmeyr is suing the Minister of Justice for R100 000 in damages for the manner in which he was imprisoned for 168 days as an emergency detainee.

The inspection of Mr Hofmeyr's cell and the areas he was allowed to visit lasted about an hour.

Reporters followed the court party as far as the foyer of the Medium B section of the prison, where high-ranking prison officers sifted through the group.

Concern for Motjuwadi

CONCERN is mounting over the detention of Sowetan sports editor Mr Horatio Motjuwadi, the Media Workers Association of SA's general secretary, Mr Sithembele Khala, and Mwasa official Mr Fani Hlongwane. Motjuwadi and his wife Martha were detained on April 12. She was released nine hours later. It is not known where Motjuwadi is being detained.

An attorney said Motjuwadi was being held under Section 29 of the Internal Security Act which gave police powers to detain him indefinitely.

They may also not give reasons for his detention.

Mrs Motjuwadi said when they questioned her, the police also said her husband had been detained for Pan Africanist Congress activities.

A Mwasa spokesman said police told the union Khala was being detained for "terrorist" activities.

According to his family Khala disappeared from his Jabulani, Soweto, home on March 23.

Police have confirmed Khala is being detained under Section 29 of the Internal Security Act.

In a statement they said Hlongwane, a Mwasa shop steward in Pretoria, was not detained under the Internal Security Act.

★ ★ ★

St 19/4/90

A total of 822 people had been convicted on charges of taking part in illegal strikes during 1989, the Minister of Justice, Mr Kobie Coetsee, said in the House of Assembly yesterday.

329
822

Journalists condemn detentions

PORT ELIZABETH — Journalists and trade union leaders were again being singled out for special attention by the security establishment, the Southern African Society of Journalists (SASJ) said yesterday.

It was commenting on the confirmed detention a Media Workers' Association of SA (Mwasa) official, Sithembele Khala, under section 29 of the Internal Security Act, and the reported detentions of two other Mwasa members: Pretoria shop steward Fani Hlongwane and Sowetan sports editor Horatio Motjuwadi.

SASJ president Bob Kernohan said in a statement:

"It is tragic that, at a time when the country is supposed to be moving in a fresh direction

and with new freedoms, unions and journalists remain a prime target of the security establishment.

"This is again highlighted by the detention of Mwasa officials and members.

"Any allegations against them should be brought out in open court.

"If there are no allegations, and they are being detained merely, as has occurred before in similar cases, because of their journalistic and trade union activities, they should be released at once.

"We call on the Minister of Law and Order, Mr Adriaan Vlok, to launch an immediate investigation into the circumstances surrounding these detentions." — Sapa.

Tembisa 329 youths held

JOHANNESBURG. — A Tembisa youth leader, who during her detention in 1986 nearly died on the operating table, has been detained again.

Ms Debora Marakalala, 27, is one of five officials of the Tembisa Youth Congress detained by the police after they announced plans to reintroduce "people's courts" in the township. *South 19/4 - 25/4/90*

Marakalala was held for 16 months between 1986 and 1987 during which time she became seriously ill because of a pregnancy. She had to be revived on the operating table at Baragwanath Hospital after a cardiac arrest.

She and the other executive members of the youth organisation were present at a press conference last week when the announcement was made about reintroducing people's courts.

Meanwhile, the general-secretary of the Media Workers' Association of South Africa (Mwasa), Sithembele Khala, has been detained under Section 29 of the Internal Security Act.

The police have denied that Mwasa's Pretoria shop steward, Fani Hlongwane, was being held under the Act.

● The family of Hout Bay detainee Dick Meter, held under Section 29, intend bringing an application to the Supreme Court for his release.

Mitchell's Plain detainee Raphael Martin, turned 23 in detention on Sunday. His family was denied permission to visit him on his birthday.

5
Ste/ 20/4/60 (329)
**Another Mwasa
member detained**

Another member of the Media Workers Association of SA has been detained, said the union.

Mwasa said its Southern Transvaal vice-chairman, Mr Vincent Mfundisi, was detained early yesterday. It was not clear under which legislation he is being held.

Mwasa said Sowetan sports editor Mr Horatio Motjuwadi and general secretary Mr Sithembele Khala are being held under the Internal Security Act and shop steward Mr Fani Hlongwane in terms of Bophuthatswana's state of emergency. Mwasa said they had been held since April 12.

Major tells why he gave silence order

By DON HOLLIDAY
Staff Reporter

1164 329
20/4/90

A SENIOR Prisons Service officer has admitted he gave an order forbidding civil-rights lawyer Mr Willie Hofmeyr to speak to prisoners during his detention in 1988.

Major Adam Voigt was giving evidence yesterday in the Supreme Court, Cape Town, where Mr Hofmeyr is suing the Minister of Justice for R100 000 for experiences during his 168 days at Pollsmoor.

Mr Hofmeyr claims he was held in effective solitary confinement.

Major Voigt said he gave the order because, although he did not know Mr Hofmeyr personally, he believed he could stir up feelings among prisoners, possibly getting them to go on a hunger strike.

VIDEO SHOWS

During recreational video screenings Mr Hofmeyr had to sit at the back of the hall and was not allowed to speak to prisoners except about the videos.

It was impossible in practice to maintain a complete ban on communication. Mr Hofmeyr had been allowed to greet prisoners in the library, in the foyer of the prison block where he was being held and at the hospital.

The hearing continues.

APARTHEID BAROMETER

DETENTIONS

W/Mail 20/4 - 26/4/90

A total of at least 308 people are currently being held in detention in South Africa, according to the latest report of the Human Rights Commission.

HRC figures record that 37 people are being held in terms of the Internal Security Act (32 under section 29 and five under section 31), 214 under the Emergency regulations and 57 in the "independent homelands" (24 in Bophuthatswana, 30 in Venda and three in the Ciskei). Those detained under the Emergency regulations are being held in the following areas: Free State (67); Northern Transvaal (64); Western Transvaal (43); Natal (27); Eastern Cape (eight); Eastern Transvaal (four) and Western Cape (one).

The HRC has recorded that nine children have been detained since January 1 1990, aged between 12 and 17 years old. Of these, four are still being held under the Emergency Regulations — one aged 15, one aged 16 and two aged 17.

"The given figure is very conservative because it comprises only reported cases. We also don't necessarily get to know of all the detentions that take place," the HRC said in a statement.

The HRC noted that of the 300 people in detention in Bophuthatswana last week (all of them from the Seabi village) three remained in detention. The rest of the 24 Bophuthatswana detainees are from other parts of the "homeland".

HUNGER STRIKES

The HRC reports that Michael Mekgwe, a detainee held in Potchefstroom Prison, embarked on a hunger strike on April 15 this year, demanding that he be charged or released. He was detained on April 10. Fourteen detainees held in Klerksdorp Prison embarked on hunger strikes 10 days ago and were moved to Grootvlei Prison in Bloemfontein, according to the HRC. They are all being held under the Emergency regulations and are demanding to be charged or released.

Cap. Tink 20/6/90 (329)

Hofmeyr 'barred from speaking'

A HEAD WARDER of the Medium B section at Pollsmoor Prison admitted in the Supreme Court yesterday that he gave an order barring city lawyer Mr Willie Hofmeyr from speaking to ordinary prisoners.

Major Adam Voigt was giving evidence in Mr Hofmeyr's R100 000 damages claim against the Minister of Justice for effective solitary confinement while he was held at Pollsmoor Prison as an emergency detainee.

"He was not allowed to speak to the

prisoners because I did not know if his speaking to them would lead to dissatisfaction and a hunger strike," Major Voigt said.

"When I ordered that Mr Hofmeyr should not have any contact with the other prisoners, I had no intention to harm him."

Major Voigt said he had not explained the curbs to Mr Hofmeyr "because it was not necessary".

Mr Justice E King presided. Mr J A Le Roux appeared for the minister.

Sowetan 23/4/90

Editor still in jail

By THEMBA MOLEFE

TODAY is the 12th day since Sowetan sports editor Horatio Motjuwadi was detained under the Internal Security Act.

His wife, Mrs Martha Motjuwadi, said yesterday said she had not seen him since April 12 when they were both detained in the police raid on their Mohlakeng, Randfontein, home on April 12. She was released nine hours later.

Mrs Motjuwadi said she did not know where her husband was being detained. Lawyers acting on their behalf said they were still awaiting a reply from the police after they asked for reasons and other particulars about Motjuwadi's detention.

Also in detention is Media Workers' Association of South Africa general secretary Mr Sithembelè Khala. He has been held since March 23.

Last week police said Mwasa Southern Transvaal regional vice chairman, Mr Vincent Mfundisi, was not detained in terms of the Internal Security Act. They could not confirm whether he was detained under the state of emergency regulations.

Police debriefing ANC dissidents, says Sisulu

ARGUS 25/4/90 329

The Argus Correspondent

JOHANNESBURG. — The 10 dissident African National Congress members detained on arrival at Jan Smuts Airport were probably to be "debriefed" by the security police, the ANC's internal leader, Mr Walter Sisulu, has said.

Mr Sisulu — who returned from Umtata yesterday where ANC deputy president Mr Nelson Mandela was on a visit — said the ANC was not worried about the return of the dissidents, who claim they had been tortured in ANC camps in Angola.

The dissidents, who returned to form a rival political group, were detained yesterday under Section 29 of the Internal Security Act.

Protection

Their detention was criticised by the Azanian People's Organisation as another government attempt to stifle political debate.

But Mr Sisulu said he believed the dissidents were arrested for their own protection from other hostile groups. He believed there was an agreement between the State and the dissidents and their arrest was a form of protection.

A range of political and human rights organisations — including the United Democratic Front, the Democratic Party, the Conservative Party, Lawyers for Human Rights and the Detainees Aid Centre — refused to comment.

Azapo publicity secretary Mr Strini Moodley said the detention of the dissidents under the Internal Security Act proved the government would continue to exert its powers to stifle political debate.

Asked whether it was possible the dissidents had been detained to protect them from ANC retaliation, or to obtain information on the ANC from them, Mr Moodley said: "The possibility exists. But then, the Internal Security Act is not designed as a protective measure, but as a method to extract information with a view to prosecution."

● Political Correspondent MICHAEL MORRIS reports from parliament that a spokesman for Law and Order Minister Mr Adriaan Vlok confirmed the group was still being held, merely for questioning.

It is understood police are keen to hear first hand the group's allegations of torture at the hands of the ANC.

Application to
release World
Vision detainee

By LINDA GALLOWAY
Supreme Court Reporter

AN application has been brought in the Cape Supreme Court for the release of World Vision community worker Mr Dick Meter, 31, who is being held under Section 29 of the Internal Security Act.

The application, by Mr Meter's wife Shantaal, is against the Minister of Law and Order, the commissioner and the regional commissioner of police.

Mrs Meter is asking that her husband's detention on March 20 be declared wrongful and unlawful and that her husband be brought to give evidence in court to refute the alleged reasons for his detention.

DISTRICT SURGEON

Alternatively she is asking that Mr Meter be examined by a district surgeon and the report be submitted to the court, or that a magistrate visit him in detention and submit a report to the court.

Mrs Meter, who works for the Adult Learning Project, said in an affidavit that she and Mr Meter had two children, aged five years and 21 months, and that she and her husband were very close.

She had no knowledge of any alleged crimes by her husband

or the concealment of any crimes.

In a supplementary affidavit handed to the court yesterday security policeman Warrant Officer Johannes Louw said it was "imperative" that Mr Meter be kept in continuous isolation "to persuade him to provide the police with information and to give his co-operation".

Warrant Officer Louw said he was interrogating Mr Meter and the investigation went beyond just Mr Meter's involvement.

He was not at liberty to divulge the nature of the investigation.

He opposed the appearance of Mr Meter in court as this would "seriously disadvantage" the interrogation and investigation.

Just seeing other people in the courtroom or giving evidence about the nature of his interrogation would prejudice the investigation, Warrant Officer Louw said.

The hearing continues.

Mr Justice D M Williamson is on the Bench. Mr D Potgieter, instructed by K Amien of E Moosa and Associates, appears for Mrs Meter. Mr Charles Louw, instructed by the State attorney, appears for the minister, the commissioner and the regional commissioner.

CAPT TINTS
25/X/90

From page 1

ANC dissidents held for police questioning

810am 25/4/78

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A GROUP of ANC dissidents who flew into SA were detained on arrival at Jan Smuts Airport from Malawi yesterday.

A police spokesman said the group of 10 — six men, two women and two children — were being held for questioning under Section 29 of the Internal Security Act.

Asked how the new Indemnity Bill — which was published soon after the dissidents' arrival — would affect their cases, he said there would be no automatic indemnity for the people.

President F W de Klerk would look at individual cases on their merits, he added.

The refugees arrived aboard an Air Malawi aircraft after fleeing from Tanzania amid claims that they were tortured by the ANC.

An ANC spokesman said the organisation had no comment to make on the arrival or detention of the 10.

A spokesman for Anglican Archbishop Desmond Tutu said as reports were sketchy, it was unclear whether the group included any of the people Tutu saw in Nairobi last month.

"The archbishop would condemn any detention without trial."

Tutu had asked the All Africa Conference of Churches (AACC) to help a group of five former members of ANC military wing Umkhonto we Sizwe to return from Nairobi to SA, the spokesman said.

Tutu said in Cape Town earlier this month he had been approached by the

THEO RAWANA

group while he was in Nairobi last month. The refugees were accusing the ANC of brutal treatment.

"While they said they had been ill-treated by the ANC, they did not go into details and I was unable to make any judgment on their account," Tutu said.

He had referred the matter to the refugee desk of the AACC, "which has considerable expertise in dealing with the problems of refugees throughout Africa".

Sapa reports police could not say how long the group would be detained.

Access

A police spokesman said that if they were not seen to be a threat, arrangements would probably be made for their permanent residence in SA.

"Being a member of the ANC is no longer illegal, but knowing nothing about them, it would be silly to allow them free access into the country," he said.

ANC deputy president Nelson Mandela admitted two weeks ago that Umkhonto we Sizwe members had been tortured. But he added that those responsible had been disciplined and expelled from the movement.

● See Page 4

Sowetan 25/4/90

Cops to blame, says DPSC

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By KENOSI
MODISANE

POLICE action and an increase in the number of arrests of pupils were to blame for disruptions at several schools in the Free State and Orange-Vaal, a spokesman for the Detainees' Parents Support Committee said yesterday.

Mr Biza Mkhate, an official of the DPSC's Maokeng branch, said the disruptions started two months ago when six pupils were arrested.

Civic leaders in the area were planning to send a delegation to the police and magistrate involved in the pupils' case, he said.

Pupils at Rammulotsi in Viljoenskroon have not attended classes since last Thursday, when five youths died after police opened fire on a crowd outside Mahlabatheng Primary School.

Mkhate said there had been a 100 percent absenteeism at two secondary schools in Kroonstad and Maokeng and indications were that little or no schooling was taking place at others.

However, the Department of Education and Training's director for the Orange-Vaal region, Mr F Vorster, said the situation at other schools in the area looked "very promising" with 32 primary schools reporting 96 percent attendances on Monday.

to June 13.

Seven detainees freed

JOHANNESBURG. — Seven emergency detainees, five of whom ended their hunger strike on Friday, were released on Tuesday night, according to their lawyer, Mr Mohamed Motala. Those released from the Grootvlei prison in Bloemfontein were Mr Henry Moleme, Mr Solomon Rasemeni, Mr Howard Yawa, Mr Thabo Sithole and Mr Lawrence Ndandwe.

CAP 71-25 26/4/79 329

Students detained by 'unserious' government

South 26/4 - 2/5/90 (329)

THE recent detention of two University of the Western Cape students confirmed that the South African government was still not serious about a political settlement.

This was said by South African National Students Congress (Sansco) speaker, Mr Rudolf Mabece, at a packed meeting on campus on Wednesday. It was called to protest against recent detentions.

The detained students are Mr Raphael Martin, held in terms of Section 29 of the Internal Security Act, and Mr Mabuyi Tshandu of the Zwelihle township in Hermanus, held under the emergency regulations.

Tshandu appeared in court with eight other Hermanus residents on charges of public violence and arson last Tuesday.

He was re-arrested with his co-accused, Mr Bulelwa Mqhu, 21, also of Zwelihle township, the next day and detained under the emergency regulations.

The UWC rally was also addressed by Mrs Berenice Martin and an SRC speaker, Mr Roland Manellie.

A tearful Mrs Martin told the meeting she had no idea where her son was being held.

"He has been behind bars for three weeks, but they still won't tell us where he is being held," she said.

Judgment reserved in Dick Meter plea

Cape Times 26/11/90 Supreme Court Reporter (329)

JUDGMENT has been reserved in an application by the wife of detained Hout Bay community leader Mr Dick Meter to have him brought to court to testify about the disputed lawfulness of his arrest and detention.

The application has been brought by Mrs Shantael Meter against the Minister of Law and Order, the Commissioner of Police and the Regional Commissioner of Police, Western Province Region.

Police have opposed the application on the grounds that Mr Meter had "rendered assistance to a trained terrorist", that his detention was for interrogation purposes and that it was essential that he be held in isolation.

Mr Justice D M Williamson presided.

since January. Four are still being held under the emergency regulations — a 15-year-old, a 16-year-old and two 17-year-olds.

The largest single swoop this year occurred in Bophuthatswana, where 300 people were detained in the village of Seabi. Of these, three are still in detention.

The 14 detainees held at Klerksdorp Prison embarked on a hunger strike on April 8, demanding to be either charged or released.

Waves of detentions

By REHANA ROSSOUW

AN escalating wave of detentions is sweeping through the country, the Human Rights Commission (HRC) reports.

More than 200 people are being held under the emergency regulations at present, and there have been at least 30 detentions under Section 29 of the Internal Security Act since January this year.

In Cape Town, Hout Bay community leader Dick Meter was detained under Section 29 at the Hout Bay community offices on March 20.

Sayco member

A student at the University of the Western Cape and member of the South African Youth Congress, Raphael Martin, was detained under Section 29 at his Mitchell's Plain home on April 9.

More than 50 people are being held in terms of security legislation in the homelands.

The HRC reports a growing trend in spontaneous detentions and releases which are seldom reported.

In certain cases, people were detained and later charged with various criminal charges or released without being charged.

In the homelands, people are detained for a few hours and interrogated before being released.

Last week, 214 people were being held under the state of emergency regulations.

RES/ION DO

The HRC recorded 35 Section 29 detentions from January 1 until April 18.

Children

Last week, Tembisa youth leader Debora Marakala and Mwasa officials Sihembele Khala and Fani Hlongwane were detained under Section 29.

The police have been unable to confirm the detention of Hlongwane. The HRC says nine children, aged between 12 and 17, have been detained

Sweeps country

Shortly after they started the hunger strike, the detainees — all held in terms of the emergency regulations — were moved to Grootevlei Prison in Bloemfontein.

Michael Mkgwe, a detainee held in Potchefstroom Prison, began a hunger strike on April 15, five days after he was detained. He is demanding that he be either charged or released.

Talks 'placed in jeopardy'

The University of the Western Cape has added its voice in protest against the recent spate of detentions.

"We find it extremely disturbing that now, when the political process is moving towards normalisation, the government — through its security forces — still subjects people to such repressive brutality," a statement issued by campus organisations read.

"By using tactics such as detentions and imprisonment, they are clearly placing the entire negotiation

AWAY

SECTION

With 29

Charges continue

MORE than 150 people were arrested in the Cape over the past month on charges related to political activities.

In Plettenberg Bay, 67 people were charged with taking part in an illegal gathering last month. Another resident, Mr P Nogqala, was charged with murder.

About 60 protesters were arrested in District Six on April 5 after gathering there to march in support of demands for land and housing.

The protesters were held briefly and released without being charged.

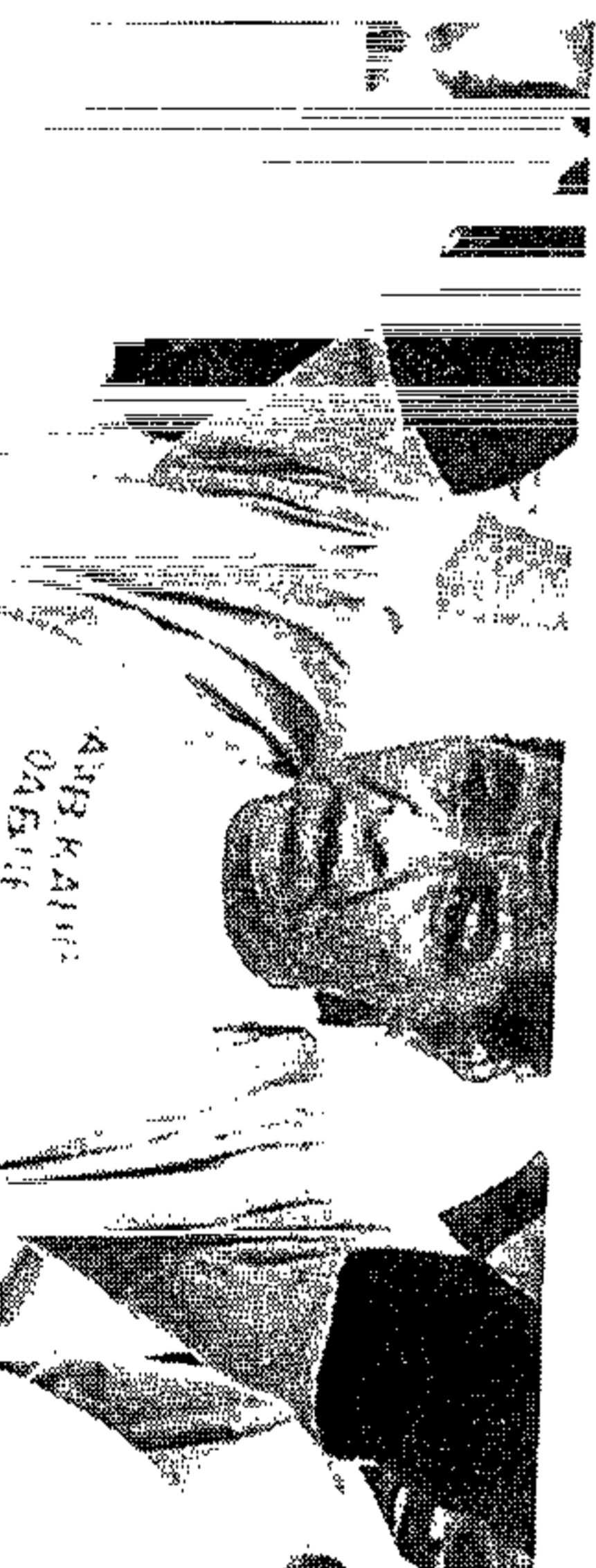
In the Southern Cape, Mr Alfred Shishuba was charged with murder and released on R1 000 bail and Mr Bathini Siyokwana was charged with public violence and released on R1 500 bail.

Nine people were charged with public violence, malicious damage to property and obstructing the police in Calitzdorp at the beginning of this month.

Ms Marleen Don and Mr Eddie Philo were arrested during a fisher-

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South
26/4-2/5/90



Four Mwasa ³²⁹ men detained

Weekly Mail Reporters

MEDIA Workers Association of SA Southern Transvaal vice chairman and SABC journalist Vincent Mfundisi was detained yesterday, the fourth member of the union to be held recently, Mwasa said.

Southern Transvaal member Horatio Motjuwadi, who is sports editor of the *Sowetan*, was detained last Thursday. Police have confirmed that he is held under section 29 of the Internal Security Act.

Sithembele Khala, general secretary, was detained two weeks ago and is also held under the act.

Fani Hlongwane is being held by Bophuthatswana police under the State of Emergency laws. He is a Mwasa shop steward in Pretoria.

Four officials of the Tembisa Youth Congress — Sam Simetsi, the general secretary of Teyco, Philemon Ndzimande, Debora Marakalala and Godfrey Qwabe, were detained on Thursday.

Meanwhile it has been reported that congress leader Brighton Shabalala, vice-president of the Malulele Youth Congress, was detained last week.

May 20/4 - 26/4/90
Louis Mnguni, president of the United Democratic Front in the Northern Transvaal and Dewet Mokonedl, also of the UDF, have also been detained.

In the Free State township of Kutlwanong, near Odendaalsrus, the vice president and general secretary of the Kutlwanong Civic Organisation, Monty Mayekiso and Vakele Mayekiso, and Mxolisi Dugwane and Sello Dithebe of the Kutlwanong Youth Congress have been detained.

Youths appear on public violence charges

Pupils held as coppers raid

Sowetan 26/4/90

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POLICE have arrested

a large number of pupils in a swoop on schools in Ikageng, Potchefstroom.

Activists put the figure at 42, but police have only confirmed the arrest of 27 pupils

from a local school.

The arrests follow demands by pupils for their school fees to be refunded.

Potchefstroom police spokesman Major Ben van Heerden, confirming the arrests, said the youths appeared in court yesterday on charges of public violence.

He refused to elaborate on the

charges.

Meanwhile, the township was yesterday reported to be quiet but tense, following the spate of arrests in the area since Tuesday.

Detainee Support Committee fieldworker Mr Doloos Luka said yesterday scores of pupils were engaged in running battles with

● To page 2

Pupils arrested

Sowetan 26/4/90
● From page 1

police in Ikageng.

Luka claimed police "stormed" the Basupi Primary School premises on Tuesday morning, arresting 30 pupils.

He alleged another 12 youths were arrested later in the day, while on their way to an office run by community organisations in the local industrial area.

The 12 youths were apparently held for a few hours before being released.

Klerksdorp lawyer Mr Saitsh Roopa said he was collating information on the arrests, and would take up the matter with

the police as soon as this was completed.

Luka said three activists detained early in March, were released last week.

They are the president of Ikageng Teachers' Coordinating Committee, Mr Simon Sebolai; committee secretary Mr Kaizer Mokoena; and Ikageng Youth Congress executive member Mr Michael Mekgwe.

* A two-month boycott of white businesses in protest against apartheid measures apparently practised by the Potchefstroom Town Council was launched on April 9. - Sapa.

TIME ONLY

EPEDIC

Special Price!

though, to a meeting where the rent crisis will be discussed.

Taylor better

CALIFORNIA

Pneumonia-stricken Elizabeth Taylor's spirits were good despite an uncomfortable ventilator that helped her breathe after a surgical biopsy to determine the cause of her illness, Dr Michael Roth said.

ANC defectors still detained

329

THE 10 ANC defectors were still in police custody, police public relations officer Lieutenant M Erasmus confirmed yesterday.

They were being debriefed and "no information" was available.

The children in the

group were also still in custody and were being taken care of, Erasmus said. *Sowetan 20/4/90*

The 10 were arrested at Jan Smuts when they arrived from Tanzania via Lilongwe, Malawi.

It is believed they are part of a group that was

allegedly tortured by the ANC for being South African Government agents.

The ANC's Mr Walter Sisulu was reported to have said that his movement was not overly concerned about the detention and that the dissidents were being protected for their own good.

Saturday burial for Masemola

PAN Africanist Congress leader Mr Japhta "Jeff" Masemola, who died in a car accident last week, will be buried in Atteridgeville, Pretoria, on Saturday. *Sowetan 26/4/90*

By THEMBA MOLEFE

His funeral will not be on Sunday as announced previously.

A short service begins at 8am in the Methodist Church at Atteridgeville and then mourners will proceed to the Atteridgeville stadium for the main ceremony from 9am to 2pm.

Meanwhile, Black Consciousness Movement supporters in British Columbia, Canada, have sent a message of solidarity to Masemola's family and the PAC.

In a letter sent via *Sowetan* the four signatories said Masemola would not be forgotten. They are Sam Ditshego, Phetole wa Mankgabe, Michael Moeti and Men-

ziwe Mbeo. *(HIS)*

"It is often said that the death of a great teacher or prophet is the beginning of the rise of his ideas. So let it be with Comrade Masemola," the four said.

The PAC and its affiliates have announced more memorial services in various parts of the Reef.

Services were held last night at the Atteridgeville Methodist Church, the Mamelodi Community Centre and at the Katlehong African Christian Church.

Today there will be services at the Tembisa Mkhathini Multipurpose Centre at 6.30pm, Bokamoso Secondary School, Tembisa (2.30pm) and at the



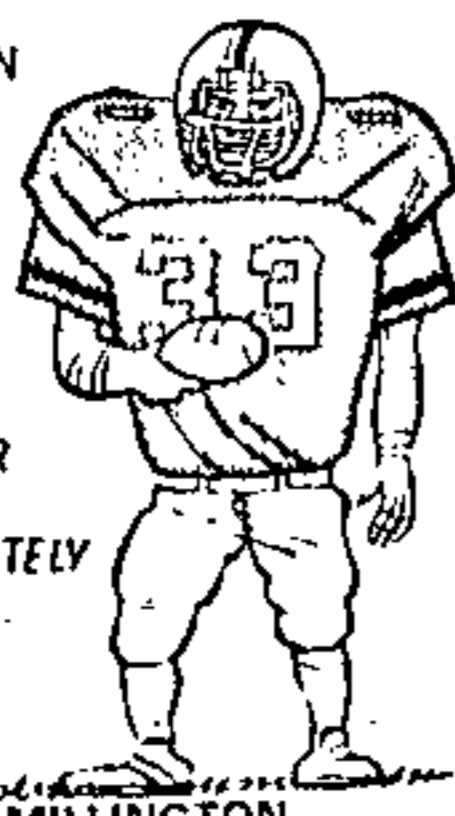
JAPHTA MASEMOLA

Mohlakeng Lutheran Church (5.30pm).

A bus has been arranged to take mourners from the corner of Van Onselen Street and Vincent Road, Meadowlands, Soweto, at 7am on Saturday.

For further information people could contact Pauline Magodiello at telephone (011) 23-5601 during office hours and Alfred Ndaba at (011) 936-5358 after hours.

ELAND COACH PAUL BROWN PRODUCED THE FIRST CAGES OR HELMETS IN 1950. AMERICAN FOOTBALL PLAYERS WEAR SOME 18 PIECES OF PROTECTIVE EQUIPMENT INCLUDING HUGE SHOULDER PADS WEIGHING APPROXIMATELY 6 lbs.



Drawn by DICK MILLINGTON

Seven detainees are freed

SEVEN emergency detainees, five of whom ended their hunger strike on Friday, were released on Tuesday night, according to their lawyer Mr Mohamed Motala.

Motala yesterday said the detainees were released after he took up the matter with the office of the Minister of Law and Order, Mr Adriaan Vlok.

Those released from the Grootvlei Prison in Bloemfontein are Mr Henry Moleme, Mr Solomon Rasemeni, Mr Howard Yawa, Mr Thabo Sithole and Mr Lawrence Ndandwe.

Moleme, Rasemeni, Yawa and Sithole were transferred from the Klerksdorp prison to Grootvlei the day after they started their hunger strike to protest that they should either be charged

or released, Motala said.

Grootvlei is the only known prison where hunger strikers are being held.

Ndandwe later joined the hunger strike.

Two women,

Ndandwe's sister Ms Angela Ndandwe and Ms Sylvia Benjamin, were released from the Klerksdorp prison along with the five men.

Motala, who said he had earlier been in-

structed to act for about 40 detainees held in the Western Transvaal, added many more people were still in detention, following a wave of police detentions in the region recently. - Sapa.

Detained youths shocked - doctor

Star 27/4/00
Two of 27 youths detained on Tuesday at Ikageng township, near Potchefstroom, were allegedly given electric shocks, a doctor who examined five of the youths claimed yesterday.

Police are investigating the allegations.

A Potchefstroom doctor, who refused to be named, said one youth also sustained lacerations. The remaining youths would be examined today in groups of five, said the doctor, adding he was unable to examine all the youths at the same time.

The youths, arrested in a police swoop on schools in Ikageng on Tuesday, were referred to the doctor for examination by the Detainees Support Committee.

Potchefstroom police spokesman, Major Ben van Heerden, said yesterday that the youths were free to lay charges. He said he would comment further once he had investigated the matter.

APARTHEID BAROMETER

DETENTIONS

(329) W/Mail 27/4 - 31/5/90

The Human Rights Commission has recorded a total of 396 people currently being held in detention in South Africa. These include 320 people being held under the Emergency regulations, 48 under the Internal Security Act and 28 in the "independent homelands".

The breakdown by region of those held under the Emergency regulations is as follows: Free State (142); Western Transvaal (77); Northern Transvaal (69); Natal (18); Eastern Cape (eight) and Western Cape (one).

The HRC has recorded 43 section 29 detention from January 1 to April 25 and the latest official figure for those held under section 31 is five. Twenty five people are being held in Bophuthatswana and three in the Ciskei.

RESIGNATIONS OF BLACK TOWN COUNCILLORS

A total of 60 out of 692 black town councillors resigned "because of unrest over the last few months" Transvaal MEC in charge of local government Oulaas van Zyl said this week. He added that "about 8,5 percent" of black councils had been affected and that seven of the 82 local authorities were not functioning. W/Mail 27/4 - 31/5/90

SUSPENSION OF PRISON WARDERS

W/Mail 27/4 - 31/5/90

A total of 44 prison warders were suspended from their jobs between March 27 and April 24 1990, Justice Minister Kobie Coetsee said in parliament.

FUNDING ACT REPORTING

W/Mail 27/4 - 31/5/90

The Wilgespruit Fellowship Centre was the only organisation that had been declared a "reporting organisation" in terms of the Disclosure of Foreign Funding Act, Justice Minister Kobie Coetsee said in parliament.

CHILDREN IN POLLSMOOR PRISON

W/Mail 27/4 - 31/5/90

Five children aged between the ages of eight and 12 were held as awaiting trial prisoners in Pollsmoor Prison in Cape Town, for between eight and 18 days earlier this month, Justice Minister Kobie Coetsee said in parliament. He said the children aged eight, nine, 10, 11 and 12 had been held pending a hearing on charges of theft and housebreaking. He said they had been held in the juvenile section of the awaiting trial wing.

VACANCIES AT WHITE SCHOOL HOSTELS

There was a total of 24 834 vacant places in hostels at schools falling under

the Department of Education and Culture on December 31, the white Education Minister Piet Claas said in parliament.

PRISONER OF CONSCIENCE

W. M. 27/4 - 31/5/90
HORATIO MOTJUWADI, 35, Sports Editor of the *Sowetan* and former official of the Media Workers of South Africa (Mwasa) was detained under section 29 of the Internal Security Act on April 12 and is still being held. Motjuwadi, a former official of Mwasa who is still active in the organisation, was detained together with his wife, Martha, in a raid on their home in Monlakeng, Randfontein. She was released nine hours later after being questioned. Police later confirmed he was being held under section 29. *(329)* His detention follows that of Mwasa general secretary Sthembele Khala, who has been held since March 23 under section 29. Since then three other Mwasa members have been detained - Vincent Umfundisi, SABC journalist and Mwasa vice-chairman, was detained under section 29 on April 19, Fani Hlongwane, a Mwasa Pretoria shop steward, was detained by Bophuthatswana police under their Emergency regulations and Mwasa member Philemon Nzimande is also believed to be in detention.

BANNED BOOKS, PUBLICATIONS AND OBJECTS

Banned books, publications and objects: *(Banned)*

T-Shirt with a colour cartoon drawing of Mickey and Minnie Mouse "in a sexual position"; High School Studs (Josh Benton); Hustling Stud (Jason Bonds); Golden Shower Swimmers (F W Lowe); Gek Versameling no 13 (Sonskyn Uitgewers, Roodepoort); Stag's Doe Collection no 9 Lancel Fantasy Posters (not stated); Gazelle Photo Album no 18 - Up THE Derrier - giant size posters (not stated).

Unbanned: *W. M. 27/4 - 31/5/90*

One Hundred and Seventeen Days (Ruth First); Azania News vol 26 no 4 (Pan Africanist Congress, Dar es Salaam); Letters from Afar (V I Lenin); Part of My Soul (Winnie Mandela); Essays on the political economy of Africa (Giovanni Arrighi and John Saul); The Africa Reader: Independent Africa (Wilfred Cartey and Martin Kilson); Kerk en Volk in Namibia (David de Beer); South Africa in the 1980s (CIIR, London); Namibia in the 1980s (CIIR, London); House of Bondage (Ernest Cole).

Turfloop detainees will be freed, says Vlok

329
By JOE MPHAHLELE and
CASSANDRA MOODLEY

FOUR University of the North (Turfloop) students were due to be released last night after almost two weeks in detention.

Law and Order Minister Adriaan Vlok also said the release of a lecturer at the university, Louis Mguni, who was arrested with the students, was also being considered.

Students at the university boycotted classes two weeks ago in protest at the detention of six Student Representative Council members: J Kekana; A Jadula; G Mabunda; S Rikhotso; M Tembe and M Molotsi, and lec-

turer Mguni, who is also United Democratic Front Northern Transvaal president.

It was not certain yesterday which four of the six students were due to be released.

Meanwhile, four executive members of the Giyani Civic Association and UDF activist Casel Mathale were detained earlier this week.

Botlokwa Youth Congress repre-

sentative Robert Zwane says police detained student leaders and used force to disperse the crowd at an African National Congress meeting over Easter weekend in Mogodi village.

Many Mogodi residents have fled their homes and have been forced to live in the bush because they fear police intimidation, says Zwane.

On Monday more than 10 000 Turfloop students, academics and Mankweng residents marched to Mankweng police station with a petition against detentions and police harassment.

'Buried containers': Wife's plea rejected

W/LE AR 641 28/4/90
By LINDA GALLOWAY
Weekend Argus
Supreme Court Reporter

329

A HOUT Bay community worker detained under Section 29 of the Internal Security Act will not be brought to court to give evidence, the Supreme Court, Cape Town, has ruled.

Mr Justice D M Williamson refused an application by Mrs Shantaal Meter to have her husband Dick brought to court to dispute police allegations involving reasons for his detention.

He said he did not have the power to make such a ruling.

The hearing was a preliminary application by Mrs Meter. An applica-

tion will be brought later to have Mr Meter's arrest and detention on March 20 declared unlawful.

The judge said the police alleged that on March 15 Mr Meter parked between Hout Bay and Chapman's Peak and dug up two metal containers about 100 metres from the road.

When challenged by two people to reveal the contents of the containers Mr Meter allegedly told them they were ANC pamphlets and gave them R100 each to keep quiet.

In an affidavit Mrs Meter said her husband had always opposed violence. She wanted him to be allowed to tell the court the true story.

Ragged suspect cries thief

By MARTIN NTSOELENGOE

2/Press 29/4/90 329

A SOWETO man who appeared in court this week dressed in rags, told the magistrate fellow awaiting-trial prisoners at the Johannesburg Prison had robbed him of his clothes.

Mandla Albert Zwane, 23, complained to magistrate H Verhoef that when he arrived at the prison, aggressive awaiting-trial prisoners had seized his clothes and given him the tattered ones he was wearing in court.

Zwane was reluctant to leave the

courtroom, saying he needed an assurance from the magistrate that his case would be taken up by the prison's commanding officer.

He was dressed in a paint-spattered blue overall, a tattered grey shirt and a pair of gumboots.

Zwane has been charged with the murder of Winnie Makgorogo in Naledi on October 16 last year.

He allegedly attempted to murder four others — Jaconita Gelane, Ouma Elizabeth Kgwale, Patricia Lebogang Kgwale and Boy Matlala Mtholo.

More pupils held in police swoops

A WAVE of detentions under the State of Emergency has hit Western Transvaal townships and while a number of cases are confirmed by police, scores of other people have gone missing.

Activists say the areas affected are Klerksdorp, Orkney, Stilfontein and Hartbeesfontein, where a consumer boycott is in progress.

Monitoring organisations and activists put the figure of detainees as high as 300, consisting mostly of young people aged between 14 and 20.

A Klerksdorp attorney, and member of Lawyers for Human Rights, Mr Mohammed Motala, could confirm only those cases in which he had received instructions from families of the detainees.

By SONTI
MASEKO

He confirmed about 60 cases in Klerksdorp, six in Schweizer-Reneke and 18 at Hartbeesfontein.

However, he said he could not confirm several cases where either full or proper names were not used.

Report

Motala said it was difficult to establish the right number of detained people because several families did not know where to report detentions.

He said about 50 schoolchildren travelling in three minibuses were arrested in Klerksdorp on their way from a funeral at Schweizer-Reneke on April 7. This was reported

to him last week.

"The Western Transvaal has been worst hit with detentions," he said.

The Rev Xoliso Duka of the Western Transvaal and Northern Cape Council of Churches said in most cases teenagers gave their nicknames to the police and the organisation could not confirm their detentions.

"It is a problem for us. Parents have brought us reports about missing children and we are unable to trace them because they give wrong names to the police."

One detainee, Mr Lucas Ntlotlomisang, is reported to have died at the Klerksdorp prison from "natural causes". He was from Schweizer-Reneke and was buried two weeks ago.

Police comment could not be obtained last night.

There will be no newspaper tomorrow as it is a public holiday, Workers Day. But your favourite newspaper will hit the streets on Wednesday with all the news, racing, sport and pictures. Don't miss it.

More detentions on Turf campus

Sowetan 30/4/90 329

FOUR University of the North students have been released from detention, Northern Transvaal SA Council of Churches fieldworker Mr Simon Nedohe said at the weekend.

Nedohe said those released are Sello Kekana, Popo Jadula, J Motlatsi, and Moses Thembe.

Meanwhile Turfloop lecturer and United Democratic Front northern Transvaal president Louis Mnguni and two other students, Bongani Mabunda and Steven Rikhotso, were still in detention, he said.

Students at the university have been on class

boycott since the reopening after Easter, protesting against the detentions. The detentions led to a march on Monday when 10 000 students, academics and workers joined hands in a historic procession which included the vice rector, Mr John Malatji. The marchers called for the release of all the detainees and students vowed to continue with the class boycott until all of them were released.

As many as 60 activists have been detained in a swoop following recent uprisings in the northern Transvaal.

SACC fieldworker Mr Robert Moringi said the

situation in Dendron in the far northern Transvaal was quiet but tense following a recent wave of detentions in the area.

Pupils had staged a boycott of classes and scores of youths were on the run from police raids, he said.

The unrest in the area was reportedly sparked off by fighting over levies between residents and their local chief, Lehaiwa Manthata



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MORNING FINAL

'Up to 300 detained in W Tvl'

By Montshiwa Moroke

Lawyers in the Western Transvaal believe between 200 and 300 people could be held under state of emergency regulations following a recent spate of detentions.

One Klerksdorp firm of lawyers has been instructed to act on behalf of 100 detainees.

Those recently detained include pupils, community leaders, activists and two businessmen from the townships of Jouberton, near Klerksdorp, Kanana, near Orkney, Khuma, near Stilfontein and Har-tebeesfontein.

According to lawyer Mr Mohamed Motala, about 50 school-

children were arrested three weeks ago while travelling back from a funeral in Schweizer-Reneke. The children are being held in Klerksdorp, he said.

At least one detainee, Mr William Mentora, of Kanana township near Orkney, has embarked on a hunger strike.

One of the detainees is Ms Mary Agnes Lohola, a nurse at Westvaal Hospital. Other people known to have been detained are Mr Elias Motladi, a pupil at Metebong High School, Mr Nicodemus Motsikare, Mrs Mankosana

Mqaqa and Mr Frans Masike.

Some of those who have recently been released are Mr Henry Moleme, chairman of the Jouberton Civic Association, Miss Sylvia Benjamin, a member of the Federation of Transvaal Women, Mr Solly Rasmeni, Mr Howard Yawa, also members of the civic body, Mr Thabo Sithole, chairman of the Jouberton Youth Congress, Mr Boy Lao and Mr Stanley Phakathi, who are members of the Jouberton Chamber of Commerce.

Police could not confirm the detentions at the time of going to press.

Str 1/5/90 Released (329)

Youth held on security charge

A member of the Azanian Youth Organisation (Ayo) who was detained by security police at Mahwelereng township, near Potgietersrus last Wednesday, is being held in terms of Section 29 of the Internal Security Act, police in Pretoria reported on Monday.

Mr Cornelius Kekana was, "according to present records, being held in terms of the Internal Security Act 74/1982", the SA Police Directorate for Public Relations said. 2/5/90

Kekana was allegedly picked up by the Security Police at his home. - Sapa

PROGRESSIVE SCHOLARS ASSOCIATION

Detainees released

JOHANNESBURG. — The Chief Minister of
Lebowa, Mr Nelson Ramodike, yesterday said
six University of the North students had been
released from police detention. Meanwhile, the
house of Turfloop vice-rector Mr John Malatjie
was firebombed yesterday.



Spectre of detentions still part of life...

329
Sowelem
3/5/90

THE spectre of detention without trial remains part of life in South Africa, even at the time when the country makes its way into a new era.

In a paper for the University of Witwatersrand's Centre for Policy Studies Professor A S Mathews, of the Law Department of the University of Natal, looks at detention without trial, its past, present and future - recalling the beast that State President FW de Klerk's February 2 speech could not kill.

There are currently seven detention laws of varying severity serving different purposes still intact in the statute books, only one of which has gone dormant but can be activated any time, Mathews says.

There are two types of detention: preventive detention and pre-trial detention.

Preventive detention, Mathews says, is to remove from society individuals the State believes would be dangerous if left at large.

"Such detention is usually justified on the grounds that the ordinary legal processes, especially criminal trial processes are inadequate or inappropriate.

Where the detention remedy is directed at future rather than past conduct, the inappropriateness of the trial system is obvious; where the remedy is directed at past conduct, the justification is that courtroom evidence is too difficult or time-consuming to acquire.

Threat

"These justifications illustrate the threat of such laws to freedom and open politics. Detentions by their very nature, rest upon conjecture rather than proof; they are provoked by smoke rather than by fire...

"The regular use of preventive detention undermines individual freedom and democratic politics," Mathews says.

There are four preventive detention laws available for use by the authorities. They range from indefinite detention to short-term detention.

They are:

1. Indefinite detention: Section 29 of the Internal



By ISMAIL LAGARDIEN

Security Act of 1982 empowers the Minister of Law and Order to command the detention of any person he believes likely to commit the crimes of terrorism, subversion or sabotage "which together criminalise a broad and very hazy class of activities including political activities...

"This detention may be indefinite, or renewed indefinitely..."

An Appeal Court decision in 1986 required the Minister to furnish the detainee with meaningful reasons for the detention, effectively putting an end to the previous act of informing the detainee only of the statutory ground on which he or she was detained.

Emergency

Since then this section has waned in favour emergency detention.

2. Emergency detention:

This is another potentially indefinite form of detention, Mathews believes. It authorises incarceration for an initial maximum period of six months but which may be extended for further periods of five months at a time. "With the regular renewal of emergency regulations, detainees can be held for many years," Mathews says.

3. Fourteen-day detention:

This appears to be the most heinous of the lot. Under this statute a police officer of, or above, the rank of warrant officer, may without a warrant arrest or detain any person for an initial period of 48 hours which may be extended to 14 days by a magisterial warrant.

The initial arrest and the magisterial extension of detention depend upon the belief that actions of the person in question are contributing to a state of public

disturbance, disorder, riot or public violence.

"There need be no proof that the detainee's actions have in fact contributed to disorder, etc", Mathews says.

Furthermore the magistrate is not obliged to give the detainee a hearing when extending the initial 48 hours of detention.

4. 180-day detention:

This statute has never before been used, but it is believed that should the state of emergency be lifted it would be activated by proclamation via the Government Gazette.

Purpose

"The purpose of pre-trial detention of 48 hours may be ordered by a police officer of or above the rank of warrant officer; and may be extended to 180 days by a commissioned officer of or above the rank of a lieutenant colonel.

Both decisions depend upon official opinion that the detention will help combat public disturbance, disorder, riot or public violence but this need not be proved," Mathews says.

There is also the pre-trial detention, the sole purpose of which is to obtain information or evidence, or to ensure that witnesses or accused persons appear in court.

It is sometimes called "interrogational detention" because of the practice of extracting information from such detainees.

Mathews believes this is the worst form of detention involving the biggest risk to the detainee in terms of human rights.

Solitary

"In its severest form this kind of detention is indefinite and involves solitary confinement for the victim. In the course of the Rabie Commission's investigation into internal security laws it was found that the security forces support this extreme form of interrogational detention because the claim it yields valuable information about subversion," the professor says.

There are three forms of pre-

trial detention in use.

1. Indefinite Detention:

This may be ordered under Section 29 of the Internal Security Act of 1982 if he or she has reason to believe that the detainee has committed, or is about to commit terrorism or subversion or possesses information about such a crime.

Despite an Appeal Court decision that such a detention was not simply a matter of official opinion and that the detention may be challenged on the basis that actual grounds for it did not exist.

Mathews believes that although this decision has been rendered less helpful by lower court readiness to accept police assertions of the existence of statutory grounds for detention, a few detainees have managed to secure their release by an approach to the courts.

2. Detention of witnesses:

The detention can be ordered of a person who is believed (by the attorney general) to have evidence to give in criminal trials regarding specific security crimes.

Maximum

The detainee may be held for a maximum period of six months if no trial is commenced within that period, but if trial does start, the detainee can be held until it is over - this period could stretch indefinitely.

The detainee is subject to no-access provision which mean that he or she can be held in solitary confinement.

3. Withdrawal of bail:

Persons charged with certain security offences may be deprived of their right to seek bail from the courts. The court's traditional function of granting or refusing bail is withdrawn and the accused becomes a detainee for the duration of the trial.

Nothing in the past few weeks seems to have ameliorated the feeling of uncertainty among the extra-parliamentary activists - some of whom were detained a mere few weeks ago.

There is no moratorium on detention...

Detention of 3 activists sparks uproar

329
Soweto 3/5/90

By ALINAH DUBE

THREE Mabopane activists have been detained by the Bophuthatswana police.

The Mabopane Interim Committee yesterday announced in a statement that the three were arrested on Saturday.

The three, Mr Frans Rammule, Mr James Mogapi and a youth, known only as Bambatha, were picked up from their homes at 2am.

Colonel David George, Press liaison officer for the Bophuthatswana police would not confirm or deny the detentions. He promised to investigate the matter.

"A youth, Thabo Rammule, son of one of the detainees, was assaulted when police took his father with them on that morning; the state-

ment alleged.

The detentions follow a clampdown on activists in Garankuwa and several parts of the homeland recently.

The committee said: "The senseless and atrocious acts of this Bophuthatswana government to our people, also denying them freedom of speech and association, cannot be tolerated in our noble and dignified struggle for a democratic and united South Africa."

The committee called on President Lucas Mangope to stop the brutalities and detentions and lift the state of emergency.

Ten ANC dissidents still detained

By Esmaré van der Merwe,
Political Reporter

Ten African National Congress dissidents who were arrested on arrival in South Africa 10 days ago are still being held, a police spokesman said yesterday.

He declined to give any further details because they had been arrested under Section 29 of the Internal Security Act.

The Democratic Party has slated their continued detention as "one of the more disgraceful human rights violations in South Africa in recent months".

The DP's law and order spokesman, Mr Tian van der Merwe, said there was no justification for the detention of the dissidents, who returned to South Africa apparently to form a rival organisation to the ANC after revealing earlier that they had been tortured in ANC camps in Tanzania and Angola.

Jeopardised

He said prospects of ultimate reconciliation would be seriously jeopardised if South African expatriates wishing to return to re-establish their roots were to be treated in this fashion.

Reacting to police comment that they were being held to establish whether they had committed any crimes, he said: "These unfortunate people, who appear to have been the victims of human rights violations in the past, are to be detained because and for as long as the authorities know nothing about them, it constitutes one of the more disgraceful human rights violations committed in South Africa for many months."

While the ANC believed the dissidents were being "debriefed" by security police, a spokesman for the Azanian People's Organisation said the detention proved that the Government would continue to exert its powers to stifle political debate.

Detained Horatio needs attention ³²⁹

TODAY is the 22nd day since *Sowetan* Sports Editor Horatio Motjuwadi was detained in terms of Section 29 of the Internal Security Act.

It is also the 10th day since he was admitted to the Johannesburg Hospital with a heart problem.

According to one of the doctors treating him, Motjuwadi will remain in hospital for a while longer as his condition was "bad".

Fears are that were he to return to jail in that condition he would only deteriorate as he has been a congenital sufferer for many years.

By THEMBA
MOLEFE

What he needs at the moment is constant medical attention, doctors said.

Lawyers acting for Motjuwadi said they would probably get an explanation for his detention from the Commissioner of Police next week.

Action

If this failed, they would consider taking urgent Supreme Court action.

Motjuwadi was detained with his wife Martha on April 12 at their Mohlakeng, Randfontein, home. She was released nine hours later.

The general secretary of the Media Workers Association of SA, Mr Sithembele Khala, has been detained under Section 29 since March 23.

This section provides for indefinite detention and police may not give reasons for such detention.

Youth congress to act over detainees

Sowetan 4/5/90 (329)

THE Tembisa Youth Congress is to present a petition to the police demanding the release of the organisation's leaders in the township.

The organisation will march from Jan Lubbe Stadium at 10am on Saturday after handing over of the petition at the Tembisa police station.

At a Press conference in Johannesburg Teyco acting general secretary Peter Ramarou said their leadership and many members were on the run.

This followed the detention under the State of Emergency of most of Teyco's leadership, including its president, Sam Simetse, and general secretary Philemon Nzi-
mande.

He said the detentions began on April 12, soon after Teyco had announced it would revive the "peoples courts" and street committees.

However, he said he was uncertain whether the decision to revive the "courts" was the main reason behind the detentions.

The Press was also

By THEMBA MOLEFE

told that youth regiments had been started in Tembisa to patrol streets at night as part of Teyco's anti-crime prevention campaign.

The "regiments" searched people for dangerous weapons which they confiscated.

"The aim is not to punish the culprits but to educate them that crime is

caused by apartheid. The drive is also to recruit youths into Teyco," Ramarou said.

He said the "regiments" were formed with the co-operation of the Tembisa Residents' Association and other groups.

ANC member Barbara Hogan will be among speakers at the meeting at the stadium before the march, which Ramarou said had been permitted by the chief magistrate of Kempton Park.

1 334 facing charges under Security Act

By SELLO SERIPE

329

A TOTAL of 1 334 people in South Africa are facing charges under the Internal Security Act in 183 trials, according to the Human Rights Commission (HRC).

These include the Klerksdorp terrorism trial, now in its third month.

Standing accused are seven alleged members of the Black Consciousness Movement of Azania and members of its military wing, the Azanian National Liberation Army, including a 17-year-

old Soweto girl.

The HRC spokesman said other cases included politically motivated murders, sedition, possession of banned literature and harbouring insurgents.

He accused the State of trying to criminalise some of the charges by disregarding circumstances under which they were committed.

The HRC said 250 people were still being held under the State of Emergency, while 49 others were held under the Internal Security Act.

The Western Cape heads the list with 92 held under emergency regulations.

In other regions, figures are: Northern Transvaal, 64; Orange Free State, 62; Natal, 18; Eastern Cape, eight; and five in the PWV region.

The spokesman said, however, that the figure fluctuated daily with either more detentions or releases.

But since the release of ANC deputy president Nelson Mandela in February more people were detained.

He said this was due to the lifting of restrictions on organisations resulting in protest marches.

Among those held are Sowetan sports editor Horatia Motjuwadi and Mwasa official Sithembile Khala.

Political comment and newsbills by K Sibilya, headlines and sub-editing by K Naidoo, both of 2 Herb Street, New Doornfontein, Johannesburg.

Two hurt in Death Row battle

By ELIAS MALULEKE

2/10/90 6/5/90
TWO political prisoners were injured in the Death Row cells at Pretoria Maximum Prison recently after a fierce knife battle with members of the "26" prison gang.

A group of common-law prisoners from the "26" gang, attacked political prisoners in the showers.

Later in the day they stormed the death cells in another attack which was repulsed.

In the same week, gang members attacked a third political prisoner.

The knife battles on Death Row occurred on Thursday last week but only became known this week when the Lawyers for Human Rights Monitoring Group visited the prison.

Prison gang jealousy over possible amnesty for political prisoners is believed to have led to the conflict.

Relatives of the assaulted men - Delmas treason trialist Tintin Masango and Death Row prisoner Nelson Bos - confirmed the two were stabbed by gang members.

A Prison Service statement said a high premium was placed on maintaining an orderly society in prisons.

"Every complaint of an alleged assault or harassment, no matter how petty, is regarded in a very serious light.

"It is confirmed that an incident took place on April 26 in which two prisoners were slightly injured. Besides the necessary medical treatment which was given, a depart-

political prisoners in the showers.

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"Every complaint of an alleged assault or harassment, no matter how petty, is regarded in a very serious light.

"It is confirmed that an incident took place on April 26 in which two prisoners were slightly injured. Besides the necessary medical treatment which was given, a departmental inquiry into the alleged assault was conducted and it was handed over to the South African Police for investigation."

According to sources the violence is the culmination of rising tension between political and common crime prisoners since President FW de Klerk suspended hangings in his February 2 speech.

Prison co-ordinator Tom Manthatha told *City Press* the fight was fierce and it was fortunate no one was killed.

In a statement, LHR said it had been aware for some time of tension between prison gangs and so-called political prisoners.

"We believe much of the tension is a result of the insecurity of the future of condemned prisoners. This is a natural result of the present moratorium combined with months and years already spent awaiting possible notices of execution."

ANC member's detention 'worrying'

By DENNIS CRUYWAGEN
Staff Reporter

17/5/90
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He was detained near King.
William's Town on May 11.

THE detention of ANC member and Grahamstown Rural Committee fieldworker Mr Glen Thomas has come under fire from the committee, the Surplus People Project and the National Land Committee.

Border ANC interim committee member Mr Thomas is being held under Section 29 of the Internal Security Act, police confirmed.

The rural committee said it found the detention "very worrying", not just because Mr Thomas was a member of the ANC but also because he was "dedicated to fighting for the rights of the rural downtrodden and oppressed who are the most voiceless people in South Africa".

The Surplus People Project said it was the third time Mr

Thomas had been detained, yet he had never been convicted of a crime.

The National Land Committee said it was outraged at the detention of its chairman.

If President De Klerk was serious about about his commitment to free the political process, he would recognise the right of organisers like Mr Thomas to work freely and without harassment.

- (ii) (aa) To achieve an operational level which is maximally cost-effective and audien-

(bb) The rationalisation of these specific services will result in a cost saving of approximately R4 million per year. This saving will be used for the upgrading of the Africa services of Radio RSA. Besides this amount the Department of Foreign Affairs will in the current financial year contribute an additional R4,4 million out of its own image-building (communication) budget to the continuation of the remaining external news services of the SABC. The Department will therefore have to curtail its own image-building (communication) programmes abroad accordingly.

- (2) The SABC made a statement in this regard on 9 April 1990 and I responded as follows to questions raised by the hon member on this subject during the debate on my vote in parliament on 26 April 1990:

"I believe the honourable member for Johannesburg North was a little unfair to my department today. He apparently relied heavily on an article he had read in some magazine or newspaper. If I heard him correctly, he stated that the overseas services of Radio RSA are on the point of being closed down. That is not correct. In the 1989/90 financial year 37% of the total image-building budget of my department was spent on these services. In 1990/91 their share will increase to 45%. Compare this with the 26% of the United States' total image-building budget that is spent on the Voice of America.

We have investigated this matter over a period of two years, and it has been found that very few people listen to short wave broadcasts in Northern Europe today. These are not my facts and the honour-

able member can check them. In Northern Europe today people listen to and view other media communications.

I want to refer the honourable member to an expert finding in the Journal of Broadcasting and Electronic Media, vol 33 No 2, and I quote: 'Audience research conducted by other international broadcasting organisations shows that while Radio RSA does not appear to have substantial audiences in Western Europe or Northern America, its programmes reach almost as many listeners as do those of the Voice of America and the BBC in parts of the Third World, and it outstrips both of these stations in Eastern Africa and much of Southern Africa.' I hope the honourable member is now satisfied and will help me to give the correct information to the lady who wrote the article."

National Manpower Commission: representation 340. Mr A J LEON asked the Minister of Manpower: *14-5-90 51579C*

- (1) Whether any employee organisations and/or trade unions affiliated to (a) Cosatu and/or (b) Nactu are represented on the National Manpower Commission; if so, (i) which specified organisations and/or trade unions are so represented and (ii) when did they join; if not,

- (2) whether any such organisations and/or trade unions were invited to serve on the Commission; if not, why not; if so, which organisations and/or trade unions;

- (3) whether any organisations and/or trade unions invited to serve on the Commission refused to do so; if so, for what reasons in each case? *B830E*

The MINISTER OF MANPOWER

- (1) (a) Employee organisations and/or trade unions are not as such represented on the National Manpower Commission. Representation on the National Manpower Commission is based on the fact that knowledgeable persons are appointed in an individual capacity, although an association with the most important employers' and em-

employees' organisations is pursued. No individual nominated by Cosatu affiliated trade unions serves on the National Manpower Commission.

- (i) and (ii) Fall away
- (b) Subject to the first section of (a) above, the National Secretary to the National Union of Furniture and Allied Workers of South Africa, which is affiliated to Nactu, is appointed in an individual capacity on the National Manpower Commission. *14-5-90 51579C*
- (i) The National Secretary of the aforementioned trade union serves in an individual capacity on the National Manpower Commission.
- (ii) The appointment was made with effect from 1 April 1988.

- (2) Subject to the first section of (1)(a) above, all registered trade union federations and registered trade unions with more than 15 000 members were invited during December 1987 to nominate individuals for appointment to the fourth National Manpower Commission. Thereafter Cosatu and Nactu were asked whether they were interested in nominating persons for appointment on the National Manpower Commission. They did not respond to this request. Written invitations to nominate individuals for appointment on the National Manpower Commission were sent to the Presidents of Cosatu and Nactu on 21 February 1990. Similar invitations were sent to trade unions affiliated to Cosatu and Nactu on 25 February 1990.

- (3) Up to 3 May 1990 no formal reaction was received from Cosatu or Nactu. One of the Cosatu-affiliated trade unions thus far acknowledged receipt of the invitation while two Nactu affiliated trade unions nominated three persons each for appointment to the National Manpower Commission. It is not known why the other organisations did not react.

Female educators: salary adjustments

346. Mr A GERBER asked the Minister of National Education:

- (1) How many (a) White, (b) Coloured, (c) Indian and (d) Black low-qualified female educators will benefit from the recent announcement that their salaries are to be structurally adjusted as from 1 April 1990;
- (2) what will this structural adjustment cost the State for the current financial year? *B846E*

The MINISTER OF NATIONAL EDUCATION:

- (1) (a) 1 321
(b) 15 829
(c) 303
(d) 62 403
- (2) R184 million

UIF office space in Pretoria

354. Mr P J PAULUS asked the Minister of Manpower: *14-5-90 51579C*

Whether there is a shortage of office space for the staff of the Unemployment Insurance Fund who are accommodated in the Laboria Building, Pretoria; if so, (a) what is the extent of the shortage and (b) what steps have been or are being taken in this regard? *B861E*

The MINISTER OF MANPOWER:

- Yes
- (a) Approximately 3 839 square meters in additional office space are needed at this stage. It is expected that the need for additional office space will soon increase.
- (b) It is endeavoured to acquire the necessary additional accommodation in consultation with all parties concerned.

Awaiting-trial prisoners

372. Mr D J DALLING asked the Minister of Justice: *14-5-90 51579C*

What was the average number of awaiting-trial prisoners in custody on the last day of each month in 1989? *329 B900E*

The MINISTER OF JUSTICE:

The figures concerning awaiting-trial prisoners incarcerated in South African prisons on the

last day of each month during 1989, are as follows: ³²⁴

31 January 1989	20 082
28 February 1989	19 887
31 March 1989	19 716
30 April 1989	19 521
31 May 1989	19 416
30 June 1989	18 971
31 July 1989	18 901
31 August 1989	18 791
30 September 1989	18 472
31 October 1989	18 498
30 November 1989	18 368
31 December 1989	18 514

Own Affairs:

White State schools: expenditure

109. Mr K M ANDREW asked the Minister of Education and Culture:

(1) How much was spent *per capita* on

Answer: \$1990

(a) teachers, (b) administrative staff, (c) grounds, cleaning and caretaker staff, (d) books and stationery, (e) equipment, (f) building maintenance and (g) other specified items in respect of (i) primary and (ii) secondary White State school pupils in the 1988-89 financial year;

(2) whether the above personnel expenditure includes employer contributions to pension funds; if not, what is the employer contribution to pension funds calculated on the same *per capita* basis?

Answer: \$45790

B750E

THE MINISTER OF EDUCATION AND CULTURE:

(1) This information is not available as the SANEP system does not provide for information according to these categories;

(2) falls away.

HOUSE OF REPRESENTATIVES

QUESTIONS

+ Indicates translated version.

For oral reply:

Own Affairs:

UWC: certain professor

*1. Mr W J DIETRICH asked the Minister of Education and Culture:

(1) Whether he will furnish information on a certain professor at the University of the Western Cape, whose name has been furnished to the Minister's Department for the purpose of his reply; if not, who not; if so, what is the name of this professor;

(2) whether a settlement was made in respect of this professor; if so, (a) why, (b) what were the amounts involved and (c) what were the other terms of the settlement;

(3) whether the will make a statement on the matter?

C86E

THE MINISTER OF EDUCATION AND CULTURE:

(1) Yes. The person in question is Professor J Cohen of the Department of Conserva-

tive Dentistry at the University of the Western Cape. The information relating to the question is that during 1987 a dispute had arisen between the two parties because of the student stay-away from classes attached to the particular department and the students' demand that Professor Cohen resign.

(2) A settlement was achieved between the two parties — i.e. the University and Professor Cohen.

(a) because it was deemed to be in the interest of the University to settle the matter;

(b) In terms of the settlement the University is not obliged to disclose the amounts involved because the investigation of the matter was regarded as an internal matter for which purpose an "in-house" report was tabled. In this connection the Department at the time indicated that it would honour the University's status of autonomy and I have no intention of dishonouring such agreement now;

(c) The other terms of the settlement were that the University apologise to Professor Cohen in public and such apology was widely published in the local media by Professor Cohen.

(3) No. A Statement on the matter is not deemed necessary.

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Govt is siding with terrorists in new Bill - CP

By introducing the Indemnity Bill, the Government had irrevocably sided with terrorists against the security forces who had been pursuing these people day and night, and against its own people, Afrikaners, who had been victims of hand grenade, limpet mine and bomb explosions, Mr Fanie Jacobs (CP Losberg) said in Parliament yesterday.

He said in debate on the Indemnity Bill that the measure took from mothers and children who had lost husbands and fathers the basic right to claim compensation from people who were at least prima facie criminals.

The Bill had serious and even baffling legal and political implications.

Acceptance of the Bill meant that murder, if it was political murder committed by the ANC, would no longer be a crime.

It meant that high treason committed by the ANC would no longer be illegal, though high treason committed by the PAC would remain a crime.

Discretion in deciding who would be given immunity was in the hands of one person only — the State President. The Bill was so sweeping it would not have been accepted by any Western state or parliament.

The ex-gratia payment to victims of terrorism mentioned by Justice Minister Mr Kobie Coetsee was in no way comparable to the right to sue for damages.

Compensation would come from the taxpayers' pocket, so victims would be contributing to their own compensation. — Sapa.

Ikageng township tense after mass detentions

By Montshiwa Moroke

Ikageng near Potchefstroom was still tense last night after the arrest of several hundred people at the local Methodist church.

Lawyers told The Star last night that six people were still being held by police. The rest were released.

Between 300 and 400 residents were arrested yesterday. They were loaded on to more than 10 trucks and driven to the Potchefstroom police station after armed police had surrounded the church where a meeting was in progress.

The arrests occurred at 8.30 am after police halted a march which was about to proceed to the municipal offices and fired teargas at residents who had earlier gathered at the Ikageng stadium.

For several hours afterwards police fired teargas and rubber bullets at youths in the township and in the yards of homes.

Three-month-old twins Matthew and Beauty Mkhize, asleep when the disturbance began, were taken to Kalie de Haas Hospital after inhaling teargas.

Scores of residents stood by as youths attacked houses and torched them. The home of a councillor was gutted and that of another damaged by fire.

A stayaway had been called yesterday and no taxis travelled to or from the township, while buses operated a service outside the boundaries of the township.

After the march had been broken up, defiant residents handed an Ikageng Civic Association memorandum to the town council.

It contained many grievances, including the critical shortage of housing, untarred roads, lack of street lighting, no electricity in many homes, lack of recreational facilities, faulty refuse removal and the pay system for the aged.

The memorandum also called for the resignation of the entire council within 48 hours. Councillors who resigned were asked to align themselves with the community and "march with the people to a free, non-racial and democratic South Africa".

Six members of the civic body were detained on Monday under emergency regulations, according to an attorney.

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NEWS

Detainee numbers rise – HRC

By Esmaré van der Merwe,
Political Reporter

The Human Rights Commission (HRC) yesterday reported a rise in detentions since the beginning of March, attributing the increase mainly to a police clampdown on "political celebrations" in the wake of Nelson Mandela's release.

Another factor, an HRC spokesman said, was the campaign for the resignation of black councillors.

The spokesman said 265 people were currently being held in South Africa under the emergency regulations. Of those, 98 were being detained in the Western Transvaal, 64 in the Northern Transvaal, 71 in the Orange Free State, 18 in Natal, eight in

the Eastern Cape, five in the PWV area and one in the Western Cape.

The only homeland where current detentions had been reported was Bophuthatswana, where 25 people were being held under the state of emergency, the spokesman said.

In addition, 43 people were being held under Section 29 and

6 under Section 31 of the Internal Security Act.

Among those is Sowetan sports editor Horatio Motjuwadi, who was detained on April 12 under Section 29. Mr Motjuwadi has been transferred from John Vorster Square to the Johannesburg Hospital where he is under observation for a heart condition.

Horatio is still detained

911790
Sowetan
TODAY is the 27th day since Sowetan sports editor Horatio Motjuwadi was detained in terms of Section 29 of the Internal Security Act.

He also spends his 15th day at the Johannesburg Hospital where he is being treated for a congenital cardiac problem.

His attorney told Sowetan yesterday that he had sent a letter to the Commissioner of Police, asking that Motjuwadi be charged or released.

Children

Motjuwadi has three children.

Media Workers Association of South Africa general secretary Mr S'thembele Khala is still being detained under Section 29 of the Internal Security Act.

Police confirmed his detention after he disappeared from his Jabulani, Soweto, home on March 23.

More people detained

The Human Rights Commission (HRC) yesterday reported a rise in detentions since the beginning of March, attributing the increase mainly to a police clampdown on "political celebrations" in the wake of ANC deputy leader Mr Nelson Mandela's release.

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Another factor, an HRC spokesman said, was the campaign for the

resignation of black councillors. (329)

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ANC still holding detainees — Sachs

By DENNIS CRUYWAGEN
Staff Reporter

THE African National Congress is still holding people in detention, says the movement's constitutional expert, Mr Albie Sachs.

At the University of Cape Town yesterday he became the first member of the organisation to talk publicly in South Africa about the subject.

Mr Sachs said he had recently been involved in an inquiry and had visited detention centres.

The conditions were not as bad as he had feared, the prisoners were well fed, had not complained of physical abuse and their medical care was adequate.

"I cried... I cried afterwards. It just took me back to my own detention. It was sad to see that this was happening. Yet I knew that hit squads had sent people in to kill us. Detention is detention... It was painful. It was a side of our existence in exile that I would rather not know about," he said.

The visit and the inquiries had helped to maintain the concept that the ANC had standards. Even people sent to kill ANC members had certain basic human rights.

ANC members wanted to return home, Mr Sachs said. "We want to bring our standards and norms... the real ANC norms."

"If people come back and say

they have been ill-treated by the ANC they are not necessarily lies because we have ill-treated people.

"If people come back and say that is the ANC, that is a lie because we have a strong sense of justice in the organisation."

Mr Sachs said he first became aware of ANC detention camps in 1984.

Later ANC president Mr Oliver Tambo summoned him and others to Lusaka and instructed them to draft regulations dealing with the treatment of violations of the rules of the movement.

"It was clear that Oliver Tambo was deeply concerned with finding appropriate standards consistent with the traditions of the ANC."

At that stage the ANC had decided to hold a conference to discuss problems.

"One of the most crisp, direct and painful issues was the question of torture. Sometimes we used the word 'torture'. Other times we used the term 'intensive interrogation'."

"The point made again and again by the speakers was that the ANC was fighting for justice and freedom and it could not use the methods used by the enemy. We had our own morality."

"We tried to establish a kind of legality without having the powers of a State. I can't say we succeeded completely because problems continued and it was not possible to wipe out the abysses."

Five Cape men still in detention, say lawyers

Staff Reporter

AKGUS 10/5/70

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At least five Cape men are still in detention, say lawyers.

Two of the five were being held incommunicado under Section 29 of the Internal Security Act and the rest were emergency detainees.

Lawyers named the Section 29 detainees as Hout Bay community worker Mr Dick Meter, who was detained in March, and University of the Western Cape student Mr Raphael Martin, who was arrested last month.

Two Hermanus residents, Mr Bulelwa Mqho and Mr Mavuyi Tshandu, were both detained under the emergency regulations in April.

Mossel Bay community worker Mr Teris Ndanda was taken into custody in terms of the regulations last month, lawyers said.

Sachs: ANC still holds detainees

CMT T14P
10/5/90

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Staff Reporter

THE ANC had ill-treated people and there were still people in detention camps, ANC lawyer Mr Albie Sachs said yesterday.

Addressing about 1 000 students on "the ANC, torture and human rights" at UCT, Mr Sachs said he had cried after a visit to one of the ANC's detention camps because "it took me back to detention (in South Africa) ... detention is detention".

He did not say where the camp was, but dissident ANC guerillas said earlier this year that there were camps in Angola, Tanzania and Uganda.

The detainees had been well-fed and did not complain about being physically abused, Mr Sachs added.

Earlier this year, dissident ANC guerillas said they had been tortured in detention camps and claimed the torture was still continuing.

Mr Nelson Mandela last month admitted that some of the dissidents had been tortured but said "immediate steps were taken to discipline" those responsible.

According to a code of conduct adopted in 1985, "grave crimes", known as Section C investigations, were the responsibility of the ANC's security department, Mr Sachs said.

The code stated that all reasonable methods should be used in the investigations but torture was strictly forbidden.

Offences were divided into different

groups, depending on the gravity of the violation and were tried by a system of tribunals, he told the students.

"We tried to establish a code of legality in exile without the powers of the state."

The code of conduct covered aspects like stealing from other ANC members, driving a vehicle while drunk, and people belonging to the South African Police who had been sent to Lusaka, Angola and Mozambique to assassinate ANC leaders, Mr Sachs said.

African countries that were host to the ANC "expected us to keep our own house in order".

At an ANC national consultative conference held in 1985, the organisation's membership had been asked whether it was permissible to use violence against suspects when attacks on the leadership were imminent.

The conference decided that the ANC was "fighting for justice and freedom and that we can't use the methods the enemy was using," Mr Sachs said.

Replying to a question on amnesty for returning exiles, he said the amnesty for exiles and the return of people in ANC detention camps were interconnected.

Mr Sachs participated recently in drawing up the ANC's constitutional guidelines for a future South African government and is considered one of the organisation's legal experts.

Burnings not planned, say Ikageng leaders

By Montshiwa Moroke

Six leading members of the Ikageng Civic Association (ICA) and other progressive organisations at Ikageng near Potchefstroom, who were detained in the township on Monday in terms of emergency regulations, were still being held last night.

Those in detention are Zakes Molekane, William Maphosa, Mdeleleni Moses Duma, Phillip Mosiane, Lorenti "Ryder" Sebidi and Sephiri Ignatius Dipico.

They are also members of either the UDF, Zakhoni Education Centre or Thusanong Advice Office.

A spokesman for the ICA said yesterday the civic body had applied to Potchefstroom's chief magistrate for permission to hold a mass report-back meeting in the township at 5 pm today.

Local community leaders from the ICA, Federation of Transvaal Women and Ikageng Youth Congress were expected to address the meeting.

Return to normal

A spokesman for the ICA said yesterday they hoped the situation would return to normal in the township. However, the continued detention of civic leaders would delay this.

"We are worried by the burning of homes on Tuesday, the day we had called on the community to stay home and support the march to the administration offices, where a memorandum containing our grievances and demands was presented to authorities.

"All we had called for was for a stayaway and not for people to attack anybody's property. That is not the policy of the Civic Association nor of our mother organisations," the spokesman said.

On Tuesday between 300 and 400 people were rounded-up at the Ikageng Methodist Church where about 800 people were attending a meeting after police dispersed a large crowd preparing to stage a protest march. Most of the people were later released without being charged.

Sowetan's Motjuwadi is still in detention ³²⁹

TODAY is the 28th day since *Sowetan* sports editor Horatio Motjuwadi was detained in terms of section 29 of the Internal Security Act.

He also spends the 16th day at the Johannesburg Hospital where he is being treated for a congenital cardiac problem.

His attorney has sent a letter to the Commissioner of Police, asking that Motjuwadi be charged or released. *Sowetan 10/5/90*

Motjuwadi has three children.

Media Workers Association of South Africa general secretary Mr S'thembele Khala is still being detained under Section 29 of the Internal Security Act.

Police have confirmed his detention after he disappeared from his Jabulani, Soweto, home on March 23.

Singer's funeral tomorrow

By Mzikayise Edom

GOSPEL singer Alton Mashaba (36) who allegedly committed suicide while in police custody, will be buried tomorrow.

There is controversy surrounding circumstances of his death, which his family blames on the police.

They claim he was killed by the police, who have denied the allegation, claiming Mashaba committed suicide by shooting himself with a police firearm while trying to escape.

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Shock report on cop killings

A TOTAL of 139 people have been killed and 1 429 injured "directly or indirectly by police action" since State President FW de Klerk's watershed reform

SOWETAN Correspondent

speech on February 2.

This shock figure - including the homelands which have been plagued by unrest since the unbanning of the ANC - was given yesterday by the Human Rights Commission in its latest update on political unrest.

Contradiction

The HRC said there was "a contradiction between what the Government is saying to the international community and what the police are doing on the ground".

Much of the current repressive state action was taking place in country towns and rural areas.

Detentions

The legal space created for free political activity by De Klerk stood in question.

The HRC said the number of detentions under the state of emergency had risen to 324 on Wednesday.

A further 43 people were being held under Section 29 of the Internal Security Act and six under Section 31 of the Act.

Its estimate on people killed or injured through police action since February 2 was conservative because it had mainly been compiled from Press reports.

Its breakdown revealed that 89 people through direct or indirect police action in South Africa and 50 in the homelands. A total of 966 people had been injured in South Africa compared with 463 in the homelands.

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Amnesty concerned about detained activists

THE human rights organisation Amnesty International has expressed concern about the detention of several South African activists, urging Pretoria to release them if they are not to be charged and seeking assurance that they will not be ill treated while in custody.

Among the detainees listed are several members of the Kroonstad branch of the UDF and the Tembisa Youth Con-

SKW 12/5/90
**ESMARE
VAN DER MERWE**
Political Reporter

(329)

gress, who are being held under the emergency regulations.

Amnesty's Swedish and West German sections on Thursday released open letters to President de Klerk and Law and Order Minister Adriaan Vlok, accompanied by several letters from residents of the two coun-

tries, protesting against the detentions.

They asked the authorities to grant the detainees prompt access to legal representatives and relatives as well as independent medical treatment.

"We urgently call for them to be immediately and unconditionally released unless they are to be charged with a recognisably criminal offence without further delay," wrote Klaus Walter of Amnesty International

in West Germany.

He expressed particular concern about Tembisa Youth Congress treasurer Debra Josephine Marakalla, who is on a hunger strike.

A spokesman for the Detainees Aid Centre said Miss Marakalla had been admitted to the Johannesburg Hospital on Wednesday after being on a hunger strike for four days.

Prison authorities refused to confirm her detention.

Emergency detainees named

PARLIAMENT. — The Minister of Law and Order, Mr Adriaan Vlok, on Friday tabled the names of 63 people being detained in terms of the Emergency Regulations under the Public Safety Act. They are:

Makhubele, Hlangane Allen; Dlamini, Bekimkosi; Ngobeni, Ellah; Mavasi, Mikareko Titus; Nboweni, Terrizon Nollen; Maluleke, Kenny Calvin; Mkanzi, Joseph Agart; Shilenge, Dennis Tshikani; Makapa, Caleb Masingita; Fernandez, Mary M; Mathebula, Ludwig B; Mashao, Rhulani A; Makhubele, Thema I; Shabalala, Ronnie; Dhlamini, Theminkosi Z B; Dhlamini, Muzi K; Gumede, Thokozani Z; Tsie, Clement; Skoort, Piet; Flathele, Matthews; Skell, Aaron; Rachere, Moses; Williams, Steven; Ekane, Vusile J; Mogumi, Monapule; Sererubele, Ishmael; Qala, Albert A.

Raleni, Phillip; Thebe, Joseph; Moselane, Piet; Mere, Pistol; Dithube, Edith; Matsao, Aubrey; Menoe, Jeremiah; Seithshiro, Soul; Mahapa, Mahlonola; Maratela, Ketlareng; Louw, Abel; Banda, Aaron; Maketse, Piet; Ndanida, Teris Mxolisi; Mpama, Johannes; Majiji, Siphon; Maseko, Simon.

Lephofetse, Naboth; Sechela, Genius; Dikgang, Abraham; Chali, Shepard; Vis, Meshack; Sithole, Freddy; Foketseng, Herbert; Tannyane, Lydia; Mokone, Thabang; Solane, Mapein; Khaude, Mokete; Khuade, Timothy; Sekute, Solomon; Siyaca, Johannes; Chunungu, Moses; Sekwati, Moses; Nthako, James; and Ramphomane, Matthews. — Sapa

Detainees named

Minister of Law and Order Mr Adriaan Vlok on Friday named 63 people being detained in terms of the Emergency Regulations under the Public Safety Act. 329

They are: *Sowetan* 1415190

Makhubele, Hlangane Allen; Dlamini, Bekinkosi; Ngobeni, Ellah; Mavasi, Mikareko Titus; Nboweni, Terrizon Nollen; Maluleke, Kenny Calvin; Mkansi, Joseph Agart; Shilenge, Dennis Tshikani; Makapa, Caleb Masingita; Fernandez, Mary M; Mathebula, Ludwig B; Mashao, Rhulani A; Makhubele, Thema I; Shabalala, Ronnie; Dhlamini, Thembinkosi Z B; Dhalamini, Muzi K; Gumede, Thokozani Z; Tsie, Clement; Skoort, Piet; Flathela, Matthews; Skall, Aaron; Rachere, Moses; Williams, Steven; Ekane, Vusile J; Mogumi, Monapule; Serurubele, Ishmael; Qala, Albert A; Raleni, Phillip; Thebe, Joseph; Moselane, Piet; Mere, Pistol; Dithebe, Edith; Matsao, Aubrey; Menoc, Jeremiah; Seithshiro, Soul; Mahapa, Mahlonola; Maratela, Ketiareng; Louw, Abel; Banda, Aaron; Makeise, Piet; Ndanida, Teris Mxolisi; Mpama, Johannes; Majiji, Sipho; Mascko, Simon; Lephalletse, Naboth; Sechele, Genius; Dikgang, Abraham; Chali, Shepard; Vis, Meshack; Sithole, Freddy; Fioketseng, Herbert; Taunyane, Lydia; Mokone, Thabang; Solane, Mapein; Khaude, Mokete; Khuade, Timothy; Sekute, Solomon; Siyaca, Johannes; Chunungu, Moses; Sekwati, Moses; Nthako, James; and Ramphomane, Matthews. - Sapa.

Death threats to Mrs Meter

CAH Times 15/5/90 Staff Reporter 329 302

LAWYERS acting for Mrs Shantal Meter, wife of detained Hout Bay community worker Mr Dick Meter, have laid a complaint with police after she received telephonic and written death threats.

Mr Kader Amien, of E Moosa and Associates, the attorneys for detained Mr Dick Meter said one death threat came in a letter bearing a Cape Town postmark and signed "PLO Sympathiser".

Last week Mrs Meter received up to five telephone calls a day, Mr Amien said.

Mrs Meter has applied to security police to visit her husband today, the second birthday of their son. She will know today if she has succeeded.

Star 15/5/90 329 2374

Religious objector to be sentenced today

By Celeste Louw

The defence in the case of conscientious objector, the Rev Douglas Torr, submitted in the Johannesburg Magistrate's Court yesterday that a precedent would have to be set by the magistrate in passing sentence. He said this was the first trial since an appeal court had ruled that a six-year prison sentence was not mandatory.

Mr Torr (26), will be sentenced today for contravening the Defence Act by refusing to serve in the SA Defence Force.

He has pleaded guilty to the charge. Mr Torr explained that as a Christian he was a universal pacifist and he was not prepared to serve in any defence force or army of whatever nature anywhere in the world.

Christian morality

"Also because my perception of the role of the SADF is that of an organisation, the very purpose of which is to further objectives that undermine and are inimical to the values of Christian morality with which I identify myself."

Mr Torr believed that the SADF was used to uphold an unjust society, the court heard.

He added that he also believed society had the right to be protected. This protection, should however, be given by a peace force, trained to deal with situations in non-violent ways.

The court heard that Mr Torr had made no application to the Board of Religious Objections to be exempted from rendering service because their approach was "narrow". Applications of people with other ethical and moral objections were not considered.

The defence asked that a suspended sentence be imposed on Mr Torr on condition that he render community service at the St Joseph's Children's Home in Triomf where he is currently employed as chaplain.

The State argued that a sentence of direct imprisonment should be imposed to deter others from committing the same offence.

1383

WEDNESDAY, 16 MAY 1990

1384

The MINISTER OF HOUSING:

- (a) Not at this stage but it will obviously depend upon the necessary application for a loan for such a project received from the relevant local authority and the Housing Development Board's approval thereof. *Answered 16/5/90*
- (b) See (a) above.
- (c) See (a) above.
- (i) Falls away.
- (ii) (aa) Falls away.
- (bb) Falls away.

Lenasia South-East: leasing out of service station/business sites

24. Mr D K PADIAACHEY asked the Minister of Housing:

Whether the Administration: House of Dele-

gates is leasing out any (a) service station and (b) other specified business sites to private individuals or companies in the Lenasia South-East area; if so, (i) to whom, (ii) at what rentals, and (iii) where are these sites situated, in each case?

Answered 16/5/90

D103E

The MINISTER OF HOUSING:

- (a) No.
- (b) Yes.

(i) S Essop; A Rahaman and Z O Abdullah.

(ii) R100 per month; R110 per month and R55 per month respectively.

(iii) Erf 9972 Lenasia Extension 11; Erf 118 Finetown and Portion 1 of Erf 60 Finetown respectively.

1385

THURSDAY, 17 MAY 1990

1386

HOUSE OF ASSEMBLY

QUESTIONS

† Indicates translated version.

For written reply:

General Affairs:

Gatherings: emergency regulations

126. Mr J VAN ECK asked the Minister of Law and Order:

Whether any persons attending gatherings were ordered to disperse in terms of the emergency regulations (a) in 1989 and (b) since 1 January 1989 up to the latest specified date for which information is available; if so, (i) (aa) where and (bb) when was each such gathering held and (ii) (aa) why and (bb) in terms of what provision of the emergency regulations were the persons attending each such gathering ordered to disperse? B288E

Answered 17/5/90

The MINISTER OF LAW AND ORDER:

(a) and (b).

Yes, on several occasions and at various places country wide, in terms of Regulation 2 of the Security Emergency Regulations promulgated in terms of Section 3 of the Public Safety Act, 1953, (Act 3 of 1953) by proclamation R.86 of 1989 as published in Government Gazette 11946 dated 9 June 1989.

The MINISTER OF LAW AND ORDER:

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Durban West	87	16	255	373	57	320	200	287	429	—
Bellair	3	10	20	107	6	13	90	86	245	—
Hillcrest	87	19	33	78	39	126	139	207	735	—
Malvern	14	15	64	219	28	50	107	149	446	2
Mayville	8	14	19	161	12	56	192	88	467	—
Pinetown	34	22	59	285	29	199	707	386	114	—
Westville	5	14	22	158	14	47	147	129	561	—
Kwadabeka	124	14	210	129	81	260	101	248	181	—

Note: Because the South African Police is not satisfied with the crime situation in the RSA, crime tendencies are continuously monitored. I wish to assure the honourable member that everything possible is being done to prevent crime. When it is apparent that there is an increase in crime, active steps are taken to counteract this tendency.

Internal Security Act: section 31

241. Mr A J LEON asked the Minister of Law and Order: *(329)*

Whether any persons were held under section 31 of the Internal Security Act, No 74 of 1982, in 1989; if so, (a) how many, (b) for what purposes, (c) in connection with which trials and (d) what were the results of the testimony of these persons at each such trial? B611E

The MINISTER OF LAW AND ORDER:

Yes *Answered 17/5/90*

- (a) 26 persons.
- (b) For the purpose defined in the section to which the honourable members refers.
- (c) In connection with 10 cases of terrorism and 1 case of murder.
- (d) In 6 cases the accused were convicted and sentenced.
In 4 cases the trials have not yet been concluded.
In 1 case the accused were acquitted.

Durban West police district: offences

321. Mr R M BURROWS asked the Minister of Law and Order: *(329)*

How many cases of (a) murder, (b) culpable homicide, (c) assault with intent to do grievous bodily harm, (d) common assault, (e) rape, (f) robbery, (g) theft of vehicles and cycles, (h) damage to property, (i) housebreaking with intent to steal and theft and (j) possession of drugs were reported at each specified police station in the Durban West police district of the Port Natal Division in 1989? B811E



Confrontation . . . a Johannesburg municipal employee pushes conscientious objectors out of his way yesterday when they blocked his path during a march from the Magistrate's Court to Wits Command.

● Picture by Alf Kumalo.

Flower power for objectors

By Staff Reporter

"Conscientious objectors are not criminals", written on a yellow banner, caused stares, comments and smiles in Johannesburg's central business district yesterday during a small march marking international conscientious objectors day.

Five objectors who face or have faced conviction for refusing to serve in the S A Defence Force marched from the Johannesburg Magistrate's Court to the Witwatersrand Command.

The objectors handed over a letter, with a yellow flower attached to the envelope, for Defence Minister Magnus Malan.

The letter pleaded for the decriminalisation of conscientious objectors and the lifting of charges against refuseniks.

The yellow flower was used in the United States during the '60s as a symbol of peace in anti-Vietnam war protests.

● See Page 6

ANC dissidents released into care of black church

Staff Reporter

Eight dissident members of the African National Congress who were held in terms of the Internal Security Act after their return to South Africa in April were released yesterday, said a spokesman for the police in Pretoria.

The group, consisting of six men, two women and two of their children, were detained on April 24, the same day the Government tabled a Bill to grant temporary immunity and indemnity against arrest for returning exiles.

It is understood that during their detention their backgrounds were investigated.

The children were allowed to stay with their mothers during the detention.

Members of the group, including a former commander in the ANC's armed wing — Umkhonto we Sizwe — were reported to have been partici-

pants in the 1984 Mkata Shinga rebellion against the ANC in Angola.

The group had given themselves up to a South African mission in an undisclosed African state.

They returned to South Africa from Malawi and it was said at the time of their arrest they had prepared a document detailing their experiences at the hands of the ANC.

Families

It is understood that on their release yesterday they were taken into the care of a Pretoria-based black church while they sought their families.

On their arrest in South Africa, ANC internal leader Walter Sisulu said the group would probably be "debriefed" by the Security Police and were probably arrested for their own protection.

He also said the ANC was not worried about the return of the dissidents.

Durban North police district: offences

322. Mr R M BURROWS asked the Minister of Law and Order: *Answer 17/5/90*

How many cases of (a) murder, (b) culpable homicide, (c) assault with intent to do grievous bodily harm, (d) common assault, (e) rape,

(f) robbery, (g) theft of vehicles and cycles, (h) damage to property, (i) housebreaking with intent to steal and theft and (j) possession of drugs were reported at each specified police station in the Durban North police district of the Port Natal Division in 1989?

B812E

The MINISTER OF LAW AND ORDER:

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Durban North	5	18	23	87	9	39	174	156	332	—
Glendale	9	1	115	42	15	13	4	29	71	—
Greenwood Park	29	66	105	503	40	204	338	498	771	5
Inanda	465	62	284	519	158	530	83	471	642	—
Newark	3	9	36	24	3	7	3	7	51	—
Stanger	68	54	226	139	68	210	113	186	758	2
Tongaat	42	37	204	408	51	197	126	205	421	2
Umhali	26	36	93	117	27	66	37	64	337	—
Vernham	82	23	215	428	51	228	117	270	463	3
Phoenix	27	53	388	1 307	74	435	385	1 177	571	11

Note: Because the South African Police is not satisfied with the crime situation in the RSA, crime tendencies are continuously monitored. I wish to assure the hon member that everything possible is being done to prevent crime. When it is apparent that there is an increase in crime, active steps are taken to counteract this tendency.

Durban South police district: offences

323. Mr R M BURROWS asked the Minister of Law and Order: *Answer 17/5/90*

How many cases of (a) murder, (b) culpable homicide, (c) assault with intent to do grievous bodily harm, (d) common assault, (e) rape,

(f) robbery, (g) theft of vehicles and cycles, (h) damage to property, (i) housebreaking with intent to steal and theft and (j) possession of drugs were reported at each specified police station in the Durban South police district of the Port Natal Division in 1989?

B813E

The MINISTER OF LAW AND ORDER:

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Amazintoti	33	20	68	232	19	75	295	191	342	—
Louis Botha Airport	—	3	—	6	—	1	35	16	2	—
Montclair	98	38	150	344	53	201	245	247	410	2
Wentworth	11	6	190	503	32	67	106	325	192	—
Brighton Beach	23	10	75	262	18	63	230	139	443	—
Island View	—	1	1	4	—	—	—	—	1	—

Note: Because the South African Police is not satisfied with the crime situation in the RSA, crime tendencies are continuously monitored. I wish to assure the hon member that everything possible is being done to prevent crime. When it is apparent that there is an increase in crime, active steps are taken to counteract this tendency.

Fire-arms: licences

345. Mr S S VAN DER MERWE asked the Minister of Law and Order: *Answer 17/5/90*

(1) How many persons in the Republic were as at 31 December 1989 licensed to possess fire-arms and (b) what was the

total number of licences issued as at that date; *Answer 17/5/90*
(2) how many applications for licences were (a) received and (b) granted in 1989;
(3) how many fire-arms were reported lost or stolen in 1989;

(4) whether, in 1989, any persons were declared unfit to possess fire-arms; if so, how many? *Answer 17/5/90* B835E

The MINISTER OF LAW AND ORDER:

- (1) (a) 1 114 738
(b) 2 880 050
(2) (a) 130 655
(b) 123 415
(3) 7 760
(4) Yes, 8 367 persons.

SADF: members killed/wounded

378. Lt-Gen R H D ROGERS asked the Minister of Defence: *Answer 17/5/90* B906E

How many members of the South African Defence Force were (a) killed and (b) wounded in 1989?

The MINISTER OF DEFENCE:

- (a) 2 members were killed in military operations.
(b) The hon member is referred to the reply to part (b) of the written question number 167 of 1984.

Persons under 18 years awaiting trial

373. Mr D J DALLING asked the Minister of Law and Order: *Answer 17/5/90* B901E

How many persons under the age of 18 years were awaiting trial in police cells as at 31 December 1989?

Answer 17/5/90 B901E

The MINISTER OF LAW AND ORDER:

742 persons.

The MINISTER OF LAW AND ORDER:

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Hillbrow	103	59	412	1 272	128	814	2 678	894	1 762	21
Lombardy East	5	15	27	68	9	132	389	97	724	0
Norwood	14	12	43	119	13	149	673	286	1 091	0
Parkview	6	8	36	181	11	120	691	299	1 190	2
Yeoville	10	3	45	141	17	75	684	254	651	5
Fairlands	1	2	42	89	9	21	231	75	356	1

Note: Because the South African Police is not satisfied with the crime situation in the RSA, crime tendencies are continuously monitored. I wish to assure the hon member that everything possible is being done to prevent crime. When it is apparent that there is an increase in crime, active steps are taken to counteract this tendency.

Germiston police district: offences

406. Mr P G SOAL asked the Minister of Law and Order: *Answer 17/5/90* B953E

How many cases of (a) murder, (b) culpable homicide, (c) assault with intent to do grievous bodily harm, (d) common assault, (e) rape,

(f) robbery, (g) theft of vehicles and cycles, (h) damage to property, (i) housebreaking with intent to steal and theft and (j) possession of drugs were reported at each specified police station in the Germiston police district in 1989?

Birthday wish (329) denied

SO 11 1715 - 245190
It was a sad birthday at the home of detained Hout Bay activist Dick Meter when his daughter Laurie turned two on Tuesday.

A request to see her father was turned down by the security police.

Meter's wife, Shantaal, said her daughter Laurie asked often when she would see her father.

"I feel very frustrated and very upset. Why couldn't they let a small child see her father?" Mrs Meter asked.

She said telephonic death threats which began soon after her husband's detention had increased to about five calls a day.

She has laid a complaint with the police.

Meter said after her husband's detention, the calls came twice a day but later increased to a midnight call, followed by one at 3am and then 6am.

'Working Group' in bid to release ANC detainee

By THUMIDA MAISTRY
and FRANZ KRUGER

The African National Congress has used the "working groups" set up with the government as a platform to secure the release of a top ANC Border regional executive member.

Glen Thomas's detention last Friday under Section 29 of the Internal Security Act was "not in accordance with the spirit of the Groote Schuur Minute," the ANC has said.

Immunity

The "working groups", which met for the first time in Pretoria this week, has until Monday to table a report which could, among other things, pave the way for the release of hundreds

of political prisoners and the granting of immunity in respect of political offences inside and outside South Africa.

According to sources Thomas's detention was raised at a meeting of the working committees, and the government promised to look into it.

Thomas, a fieldworker of the Grahamstown Rural Committee, has been held in Port Elizabeth under Section 29 of the Internal Security Act since last Friday.

He is the first ANC leader to be detained since the organisation was unbanned in February.

Thomas was detained with another regional official, Lat-sila Fani, who was later released.

South 1715 - 22/5/70

329

CMT
Twin
17/5/90
329

Cops confirm ANC arrest

SENIOR police spokesmen confirmed yesterday the detention of ANC Border regional organiser Mr Glen Thomas under Section 29 of the Internal Security Act, following protest statements on Tuesday from several organisations about Mr Thomas' reported detention.

Mr Thomas, also chairman of the National Land Committee, was detained last Friday evening at a roadblock near King William's Town.

A Law and Order spokesman said yesterday Mr Thomas was being held under Section 29 and "the police are conducting an investigation into certain criminal allegations. No further details can be made known at present," he said.

DP MP for Border Mr Andre de Wet, has taken the matter up with Minister of Law and Order, Mr Adriaan Vlok. — Sapa

Staff Reporter

HOUT BAY community worker Mr Dick Meter was released from detention yesterday after being held for 59 days under Section 29 of the Internal Security Act.

Speaking from his Hout Bay home last night, Mr Meter said it felt "marvellous to be out".

Mr Meter has been involved in squatter issues in Hout Bay.

"I think it is senseless that people are still in detention since negotiations

Cap 710/13 18/5/90 329

Hout Bay resident freed from detention

tions are under way to release all political prisoners," he said.

Mr Meter was overjoyed to be back with his wife Shantaal and his two children Loriyaan, 2, and Fidelche, 5.

Mrs Shantaal Meter had launched a Supreme Court application to have her husband's detention declared invalid. Security police opposed

the application on the grounds that Mr Meter had helped "trained terrorists".

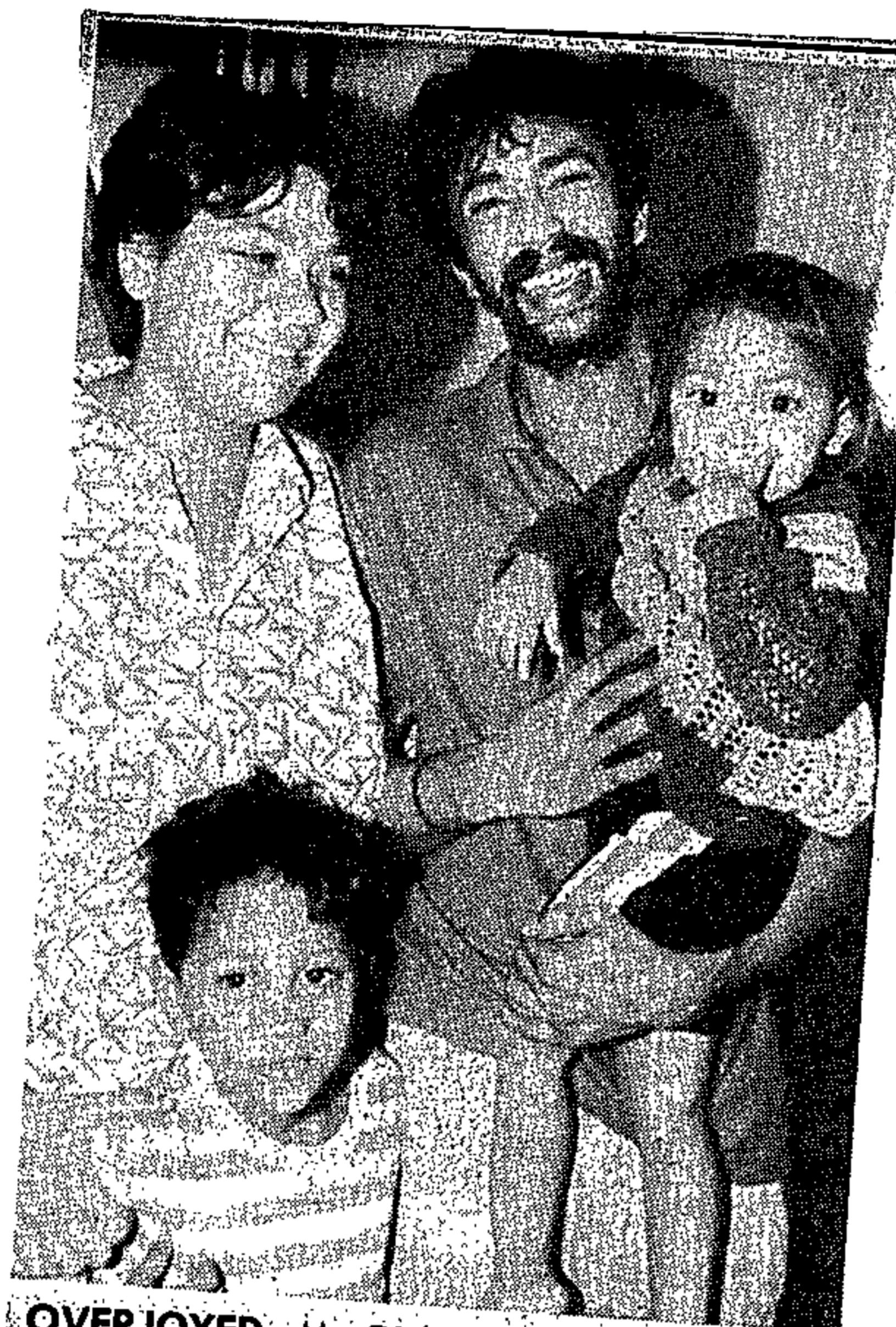
Mrs Meter said last night that it was wonderful to have her husband back. The fact that he was released before the application could be finalised showed that the police had "nothing against my husband".

Mrs Meter received

several death threats while her husband was in detention.

● The Democratic Party MP for Sea Point, Mr Colin Eglin, who made repeated representations to the Minister of Law and Order, Mr Adriaan Vlok, for the release of Mr Meter, said: "I am delighted he has been released to be reunited with his wife and his two children."

"I believe a man like Dick Meter has a role to play in dealing with the problems of the area."



OVERJOYED: Mr. Dick Meter reunited with his family.

Welcome rally as Meter's time expires

Staff Reporter

A RALLY is being arranged for Sunday to welcome home Hout Bay community leader Mr Dick Meter, released yesterday after 59 days' detention in Wynberg.

Mr Meter said today he was "very glad to be home".

"I had no idea I was going to be released. It came as a complete surprise to me when they let me go yesterday afternoon," he said.

Since news spread that Mr Meter was back home there has been a stream of Hout Bay residents visiting the family.

"They were coming to my door to see me until late last night," he said.

The rally will be held in the Hout Bay civic centre.

Official line (329) ~~444~~

The issue of ANC-held detainees, maintains its security chief Jacob Zuma (see *People*), is — as was the case with those of Swapo — a “diversion” from the real business at hand and from their role as hit-squad operatives.

However, Zuma added in a rare interview: “I’m sure that when the time comes and as the process moves, we’ll reveal who we have and explain their particular circumstances. For example, we have people in our hands who have booby-trapped hand grenades of ANC guerrillas, who participated in the gunning down of Joe Gcabe and perhaps also in the Victoria Mxenge murder. We have many spies sent by Pretoria; serious evidence of hit-squad members who’ve murdered people in and outside SA, people sent with specific tasks.”

While the organisation had generally avoided talking about the matter, Zuma said it would be naive to think there is any war where there are no casualties. The ANC had at least kept them alive: “In other guerrilla struggles such people are killed . . .

“I think people should be happy that, at the end of the day, a national liberation movement is able to produce not corpses, but people it had kept under very difficult conditions and in other people’s countries. It cannot build prisons. Look at the conditions under which our guerrillas operated. This matter becomes a diversion from looking at these people sent by the regime to spy, kill, poison. And it diverts us from the real purpose of solving our problems.”

Asked about the reported friction between Umkonto we Sizwe commander Joe Modise and his deputy, Chris Hani, Zuma said this was a figment of the imagination. Nor were there reservations on the part of the ANC’s armed wing about the decision to enter into

negotiations with government. ~~444~~

He foresaw no division on the question of ending the armed struggle, as government has demanded.

“The ANC has gone through many stages in the struggle. It always analyses the situation as new elements arise, taking appropriate decisions. These are supported in totality from the top to bottom of the organisation. I am sure that — moving from the Harare Declaration of last year — if there were any problems, they would have emerged by now. The Groote Schuur talks were an element of that declaration.”

Real constitutional negotiation, said Zuma, would depend on how and whether the obstacles to talks would be removed, which would create the correct climate. Sanctions are also going to depend on the obstacles being removed, he said.

How does the ANC view the PAC and is it concerned about losing support to the Africanists? “Not at all,” Zuma replied. “We have a history of struggle. What is the PAC? While we don’t necessarily wish to waste our time talking about the PAC, I don’t know what the PAC is doing. The ANC declared the armed struggle and fought it. The PAC also declared one but did not fight it. No one can teach the ANC about the liberation struggle.”

Zuma declined to say much about political competition with Inkatha, except that he is confident the ANC “has the majority in any part of the country.”

Amarnath Singh

Cost-
12/18/90

742 youths held

742 PEOPLE under 18 years of age were awaiting trial in police cells as at December 31 last year, Law and Order Minister Mr Adriaan Vlok said yesterday.

He said 26 people had been held under Section 31 of the Internal Security Act last year.

They had been held in connection with 10 cases of terrorism and one of murder. — Sapa

President Violetta Chamorro

8 detainees released

JOHANNESBURG. — Eight detainees from Kutlwanong, Odendaalsrus, were released on Monday, a spokesman of the Kutlwanong Civic Organisation said yesterday. Their detention sparked off a consumer boycott on April 25, the spokesman said.

APR 18/5/90
329

Eight are released from detention

EIGHT detainees from Kutlwanong, Odendaalsrus, were released on Monday, according to a Kutlwanong Civic Organisation spokesman.

Three – Monty Mayekiso, Vakale Mayekiso and Simon Menong – are members of the local civic organisation's executive committee.

Two, Mxolisi Dukwane and Sello Dithebe, are members of the executive committee of the Kutlwanong branch of SA Youth Congress.

The remaining three, Alfred Mbombo, Moses Mosala and Mzhini Ntsane, are members of the Kutlwanong branch of the SA National Students Congress.

C/Press 20/5/90 (329)

CPTT-645 21/5/90

(07) (329)

Staff Reporter

THE Hout Bay squatter community yesterday welcomed back their campaigner, Mr Dickie Meter, who was released after 59 days' detention, and vowed to continue the fight for rights for squatter communities in the area.

The reception was held at the Civic Centre in Hout Bay and was attended by about 300 people.

Mr Meter said that when he was released he heard that his family had received death threats during his detention.

He said: "I am no hero, but I have simply fulfilled my duty to fight until we are free to live under the guidelines of the Freedom Charter."

Mrs Vanessa Matthews, the leader of the Disa River community, said there was "an Afrikaner boer called Terre'Blanche who was building up an army", but the South African government was not detaining him.

"Don't you think that is strange?" she asked.

She also spoke of an alliance formed with the people of Victoria Park in Calgary, Canada, after her recent trip.

Squatters welcome Meter back and vow to fight on



WELCOME BACK . . Mr Joe Marks (left) was one of 300 people who welcomed back Mr Dickie Meter (right) from detention.

She said her sick baby daughter had almost died from a lack of fresh water.

"I had to steal water for my

baby and on two occasions Hout Bay residents fired shots at my children," she claimed.



HORATIO
MOTJUWADI

Horatio to be charged - lawyers

SOWETAN sports editor Horatio Motjuwadi is no longer being detained under Section 29 of the Internal Security Act and will be charged under a common-law Act, his lawyers said yesterday.

Motjuwadi and his wife Martha were arrested at their home in Mohlakeng, Randfontein, on March 11. His wife was released nine hours later.

"We brought an application to the Minister of Law and Order and the Commissioner of Police yesterday (Monday) and they came back to us today with the announcement," the lawyers said.

Motjuwadi is expected to appear in court within the next 48 hours.

Sowetan 23/5/90

(329)

Potch strikers are 'weak' ²⁹

CM 14/12/70
JOHANNESBURG. — The condition of seven Potchefstroom detainees held at the Grootvlei Prison in Bloemfontein was deteriorating as they entered their 10th day of a hunger strike, one of their attorneys, Mr Satish Roopa, said yesterday.

One of the prisoners, UDF organiser for the Western Transvaal Mr Zacharia Molekane, had been spewing blood since Friday. Mr Roopa said said Mr Molekane had been examined by a district surgeon but had refused any treatment.

All seven detainees were extremely weak, he added. — Sapa

ANC man's detention leads to row

W/Ment 25/5 - 31/5/90

Frank Judd said in a letter to the London *Independent* this week said it was concerned that this and other detentions disrupted "vital development work in South Africa".

The ANC has said the detention was "not in the spirit of the Groote Schuur Minute", the agreement on removing obstacles reached after talks between the two parties recently.

ANC representative Ahmed Kathrada said it expected them not to be used until this could be done.

It is believed Thomas' detention was raised at a meeting of the joint working committee between the government and the ANC.

It is likely that the detention was initiated by local police, but the reason is still unclear. Ministry of Law and Order representative Brigadier Leon Mellett said it was "no innocent thing", and a police statement said he was being held "for questioning in connection with a police investigation

●From PAGE 3

into a criminal allegation". No further information would be given, the police said. (32/1)

A report by Sapa said Thomas had been picked up together with another man who was allegedly in possession of arms, but police would not comment on the report.

It is known that Thomas was detained together with another ANC leader, Litsila Fani, at a roadblock near King William's Town. Fani has since been released, but a third man, Robert Nogumla, is still being held. The three were picked up at a roadblock, after a meeting between ANC national organiser Steve Tshwete and local ANC and United Democratic Front committees.

The Grahamstown Rural Committee (GRC) rejected by police implications that Thomas was involved in criminal activity. — Ecna

Detention of ANC man leads to row

W/12/25/5-31/5/90 (329)
By FRANZ KRÜGER

INTERNATIONAL pressure on the government over the detention of African National Congress regional executive member Glen Thomas is growing, with the matter being raised in the British House of Commons.

An "Early Day Motion" on the subject, signed by 31 members of all parties, called on British Prime Minister Margaret Thatcher "to make strong representations to the South African government for the immediate release of all political prisoners and detainees, including Mr Thomas".

Thomas, who is also chairperson of the National Land Committee, was detained on May 11 and is being held under section 29 of the Internal Security Act. He is the first ANC official to be detained since the organisation's unbanning in February.

Among Western embassies who are known to have taken up the issue with the government have been the British, Australians, Germans and Americans. Demands for his release have come from a number of overseas groups, and Oxfam director

●To PAGE 6

NEWS

Star 25/5/90

324

Detention of activists condemned

By Shehnaaz Bulbulia

A repression-monitoring organisation yesterday condemned the continued detention of political activists as nine detainees vowed to continue their week-long hunger strike in protest against their imprisonment.

A spokesman for the Detainees' Aid Centre (DAC) said that while President de Klerk was touring Europe, claiming that great changes were taking place in the country, "there is still on-going repression and detention of extra-parliamentary activists".

On May 7, two UDF Western Transvaal organisers, Zacharia Molekane and Moses Duma, were detained under the emergency regulations with three other Potchefstroom civic leaders.

They are Ignatius Dipico, Rider Sebidi and Willie Maphosa.

According to the DAC, the detainees, who have been on a hunger strike at Grootvlei Prison since May 14, have vowed to continue with the action until they are set free.

The DAC spokesman said lawyers who visited the detainees on May 19 found them weak, and one of the prisoners had been spewing blood.

"Common complaints that have been reported to the lawyers range from dizziness, headaches, stomach cramps to sight problems. Since May 18, Mr Molekane has found traces of blood in his vomit," said the spokesman.

Written notification

Two executive members of the Potchefstroom branch of the South African Youth Congress, Patrick Moloi and Saliva Molapisi, who were detained on May 12 and are being held at Grootvlei Prison near Bloemfontein, have also refused to eat.

According to the DAC spokesman, two detainees at Potchefstroom Prison, Phillip Mosiane and Elias Moleletsane, have also embarked on a hunger strike.

The detainees would suspend their hunger strike if the Minister of Law and Order furnished their respective lawyers with written notification of a date for their release, she said.

The DAC said there were presently more than 300 state of emergency detainees held countrywide.

Yesterday, a spokesman for the South African Prisons Service declined to comment, saying the issue was "a police matter".

When The Star contacted the police, Major Reg Crewe, a spokesman for SAP headquarters in Pretoria, said it was not a police matter.

However, quoting a statement on behalf of the Ministry of Law and Order, he said: "The report is incorrect. The department does not comment on emergency detainees." The statement said no detainee had serious health problems.

CP item 27/5/90 (329) ~~SECRET~~

Vena acquitted of sabotage

THE former commander of the ANC's military wing, Umkhonto we Sizwe, for the western Cape, 33-year-old Mzwandile Vena was acquitted in the Transkei Supreme Court this week on charges of sabotage and terrorism.

Vena's acquittal by Judge Davis came at the insistence of the military government. Prosecutor Johan du Toit told the court the Ministry of Justice had informed Attorney General Chris Nel that in consultation with the military council, the court has been advised to drop the charges against Vena. No further explanation was given.

Reports by CP staffers, CP correspondents, Sapa.

Army objector in court today

Staff Reporter

Conscientious objector Gary Rathbone will appear in the Johannesburg Magistrate's Court today on a charge of refusing to serve in the SADF.

His trial will begin immediately after sentence has been passed on fellow objector, Douglas Torr.

Mr Rathbone (29), is charged with refusing to do camps and faces a minimum jail sentence of 18 months.

A freelance journalist and former member of the rock group The Spectres, Mr Rathbone is working towards an M A degree in African literature.

Among the witnesses who will appear at his trial will be Es'kia Mphahlele, internationally renowned author and Mr Rathbone's professor.

329

28/5/90

Sick Horatio fails to attend court

Sowetan 2/1/81 By SONTI MASEKO

SOWETAN sports editor Horatio Motjuwadi failed to appear in the Randfontein Magistrate's Court yesterday after falling ill in the morning.

Motjuwadi was admitted to the Johannesburg Hospital and was yesterday afternoon awaiting surgery, which was to be performed in the evening.

His attorney, Mr Jeremy Crawford, said he had been informed by the Security Police that Motjuwadi was to be charged under the Explosives Act.

He was released from detention under Section 29 of the Internal Security Act last Tuesday and immediately rearrested. He did not appear in court as expected on Friday and was released and warned to appear yesterday.

Motjuwadi and his wife, Martha were detained in a dawn raid on April 12. His wife was released nine hours later.

Fifteen days later he was admitted to the Johannesburg Hospital with a heart ailment which his doctors said needed lifetime treatment as Motjuwadi had suffered from cardiac problems for many years.

Political prisoners: 'definition needed'

Dec 30/5/90

329

By Shehnaaz Bulbul

If common ground were reached between the Government and human rights organisations in terms of the definition of political prisoners, then 3 000 prisoners currently jailed, could be set free.

Geoff Budlender, of the Human Rights Commission, told a Johannesburg press conference yesterday that common ground needed to be urgently reached for an acceptable definition of a political prisoner. In the South African context the definition according to the HRC was a person who was in prison as a direct result of opposition to apartheid.

Not admitted

The Government had previously not admitted to holding political prisoners.

Instead it had admitted to imprisoning people for "crimes against the security of the State", he said.

Political prisoners, according to the HRC, could be classified as people who took part in peaceful opposition to apartheid; spontaneous attacks on property or individuals perceived as symbols of oppression; recruiting people for military training, and/or the harbouring of such combatants and activities which constituted acts of war.

hunger strikers to be (329) released

EIGHT detainees from Potchefstroom who embarked on a hunger strike lasting 11 days are being released on Wednesday.

Lawyers representing the eight said "sensitive negotiations" with the Minister of Law and Order led to an agreement on their release.

They were detained after an aborted march to the councillors' offices in Ikageng township in Potchefstroom on May 11. South 30/5-6/6/90

The hunger strike was called off on Friday following an undertaking to release them.

After the hunger strike began, they were transferred from Potchefstroom to Grootvlei Prison in the Orange Free State.

The detainees are Zacharia Molekane, Patrick Maloi, Moses Duma, Joseph Molapisi, Ignatious Dipicho, Lorenti Sibidi and Willy Maphosa.

Molekane, hospitalised after his condition deteriorated, is expected to be released on Friday with Duma.

Delay

Molekane was vomiting blood, suffering severe kidney pains and stomach cramps, could not concentrate or speak clearly and was suffering from insomnia.

His lawyer, Mr Satish Roopa, said he was not sure whether the delay in Molekane and Duma's release was related to their physical condition.

Molekane received a visit from relatives on Sunday and was reportedly still in hospital.

"Officials in the Minister's office have asked me to convey to my clients that their release is not connected to the hunger strike.

"They say it is because the situation in the township has normalised," Mr Roopa said.

• The Human Rights Commission has recorded 294 detentions under the state of emergency regulations up to May 22.

Since January 1 48 people have been detained under Section 29 of the Internal Security Act. There are 39 people still being held under Section 29.

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Most emergency rules to be scrapped?

South 30/5 - 6/6/90

329

By REHANA ROSSOUW
INDICATIONS are that most state of emergency regulations will be scrapped on June 10.

The Human Rights Commission estimates 50 000 people have been detained since the emergency was declared in 1985.

In President FW de Klerk's landmark speech on February 2, the state of emergency was amended, not scrapped as many expected.

Maximum periods of detention in terms of the emergency regulations were lowered from 12 to six months.

De Klerk announced detainees would have the right to legal representation and a doctor of their own choosing.

Media emergency regulations were scrapped — except in the case of visual material of scenes of unrest.

Education emergency regulations were scrapped and the restriction of 33 organisations, including the UDF, was lifted.

Restrictions imposed on 374 people after their release from detention were rescinded and regulations providing for such restrictions were abolished.

De Klerk said he intended to terminate the state of emergency "as soon as circumstances justify it", but he had been advised an emergency situation justifying special measures still existed.

There was still conflict in Natal and indications that "radicals" were trying to disrupt the possibility of negotiation by "mass violence".

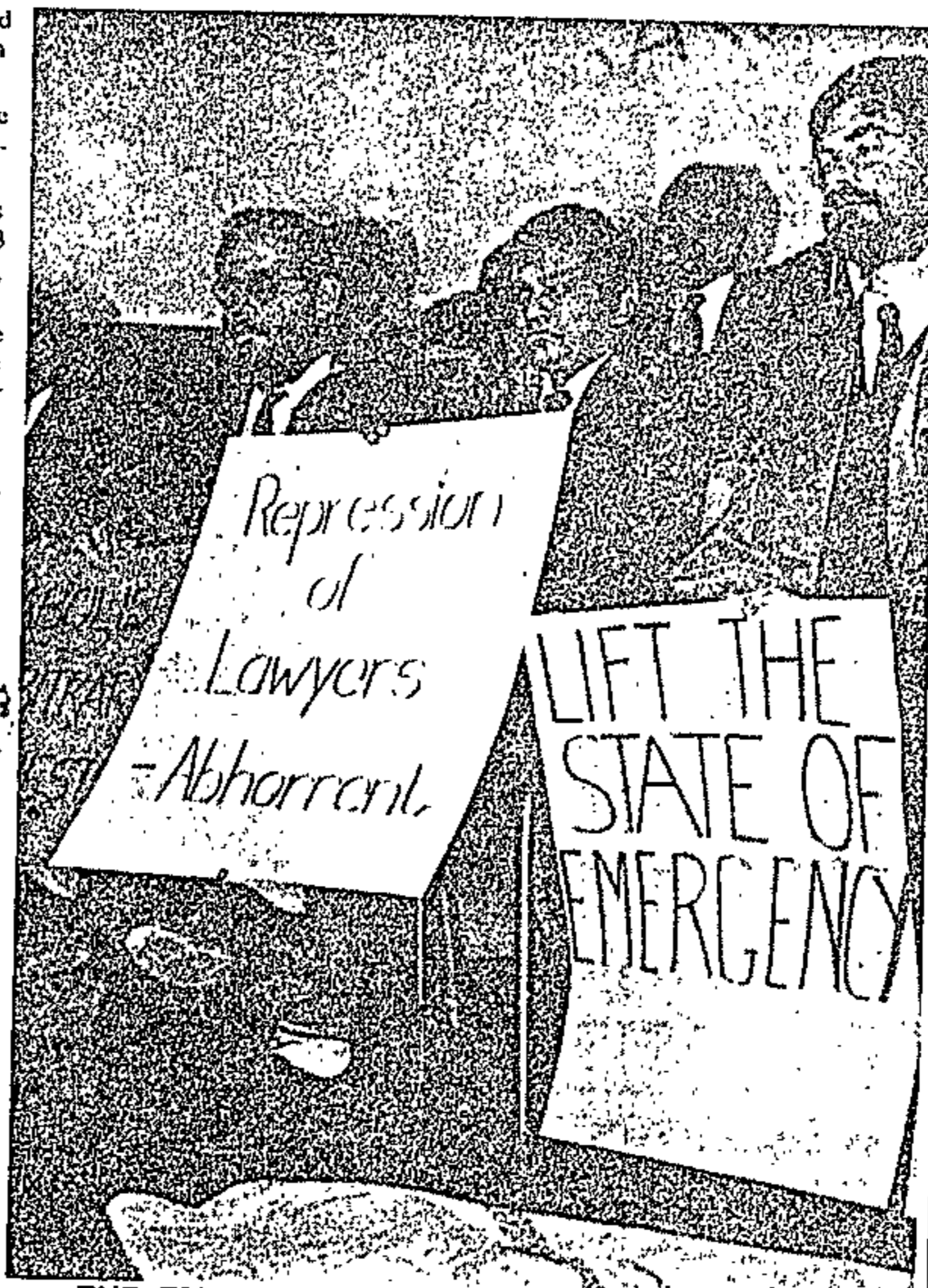
Intimidation

All indications are that the government will impose regional states of emergency, possibly only in Natal on June 10.

"Those responsible for unrest and conflict have to bear the blame for the continuing state of emergency, but it is time to break out of the cycle of violence and to break through to peace and reconciliation," De Klerk said.

The ANC has placed the blame for the violence squarely on the government's shoulders.

During their three-day talks this month, both parties committed themselves to ending the "existing climate of violence and intimidation".



END EMERGENCY: One of several protests against the state of emergency, this time by lawyers

Hunger strikers to be released

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"They say it is because the situation in the township has normalised," Mr Roopa said.

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Since January 1 48 people have been detained under Section 29 of the Internal Security Act. There are 39 people still being held under Section 29.

Petrol bombs follow march

IN the early hours of May 11, the homes of five activists of Ikageng township in Potchefstroom were petrol-bombed.

The attacks followed an aborted march by residents to the community councillors' offices to hand over a memorandum of grievances.

Police have not arrested the people responsible for the attacks, although witnesses reported seeing a white car speeding off after the incidents.

Buti Moilwanyana was worst hit that morning. Both his and his grandmother's homes were attacked.

His front and back doors were drenched in petrol and set alight. Damage at both homes is estimated at R1 400.

The home of Patrick Baloyi, president of the Ikageng Youth Congress (IYC), was petrol-bombed at 1.30am.

The bomb hit a bedroom wall and caused minor damage. Baloyi was detained later that morning.

At 1am, the home of Glen Mosiane was also petrol-bombed. The bomb hit the living room wall and caused minor damage.

Another member, Joseph Molapisi, also fell victim to the petrol bombing. His home was attacked at about 2am and damage was estimated at R600. He was later detained.

Paballelo remembers day of grief

IN the small Uplington township of Paballelo, May 26 will always be remembered with grief.

It was the day a year ago when 14 township residents, including an elderly couple, were sentenced to death in terms of the "common purpose" doctrine for having killed municipal policeman, Mr Lucas "Jetta" Sethwala in 1985.

In terms of the controversial legal principle, any member of a mob intent on murder is equally guilty if their action results in someone being killed, irrespective of which individual inflicted the

fatal blow.

On May 26 this year, residents and relatives of the Death Row prisoners attended a service at the Paballelo stadium to commemorate the day sentence was passed.

The "Uplington 14" and 11 other township residents given lesser sentences for the same murder have appealed against their sentences and are awaiting a date for the Appeal Court hearing.

In October last year, 64-year-old mother of 10, Mrs Evelyn de Bruin, the only woman on Death Row, lost an application for bail

on the grounds that she was under severe psychological strain.

Mr Justice Basson found there was insufficient evidence to make her request for bail exceptional.

De Bruin's husband, Mr Gideon Mandlongolwane, is also on Death Row.

The other Uplington residents on death row are: David Lekhanyane, Andrew Lekhanyane, Tus Gabula, Zuko Xabendlini, Zonga Mokgale, Wellington Masiza, Boel Japhla, Myner Boyu, Justice Bekebeke, Kenneth Khumalo, Albert Tywillli, and Nolile Yona.

20/5/90 By Celeste Louw
Conscientious objector

Mr Rathbone, guitarist for The Spectres rock band, faced a maximum sentence of 18 months' jail for refusing to render further service in the SADF.

The court found that Warrant Officer John Flattery of the Military Police gave the impression that his evidence was unreliable. He told the court that Mr

During cross-examination, the warrant officer conceded it was possible Mr Rathbone had no further liability towards the SADF if the concessions made by the State President to reduce the term of national service was taken into account.

Magistrate H Verhoef said there should be a clear basis for prosecution. "Reliable evidence of what a person's liability is should be placed before the court," he said.



Gary Rathbone . . . claimed he had served almost four years in Permanent Force.

ANC man freed
after protests

GRAHAMSTOWN — Police released ANC official Glen Thomas on Wednesday after protests from the United States and four other Western nations.

Mr Thomas was the first ANC official to be detained since the organisation was unbanned on February 2.

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What 1/6 - 7/6/20

Over 300 held, 10 on food strike

By PHILIPPA GARSON

MORE than 300 people are now in detention and at least 10 are on hunger strike, according to human rights organisations. (329) (42)

Detainees Aid Centre representative Audrey Coleman said hundreds of people were still in prison without having been charged. At least 40 detainees are being held under Section 29 of the Emergency Regulations.

Most detainees were executive members of youth and community organisations and people working for advice centres or trade unions, said Coleman, adding that their detention was unwarranted and outdated in the current climate of reform.

Five members of the Thembisa Youth Congress, who were detained on April 11, have been on a hunger strike for a week. Four — being held at Modderbee Prison — sent a letter saying they were being held in a "freezing cold room" and were "repeatedly assaulted by an official who says we are kaffirs and should be treated like pigs".

The four are Sam Gimetsi, Philemon Nzimande, Kennedy Nkwana and Godfrey Qwabe. The fifth TYC member, Dennis Masuku, has been held in solitary confinement in Pretoria Central Prison since he held a hunger strike in May. He has been on another hunger strike for a week. Five detainees at Grootvlei Prison — Moses Duma, Ignatius Dipico, Rider Sebidi, Zacharia Molekane and Willie Maphosa — have been on hunger strike since May 14.

APARTHEID BAROMETER

DETENTIONS

329

W/Med 1/6-7/6/90

At least 353 people are currently being held in detention without trial in South Africa, according to the latest report of the Human Rights Commission.

This includes 294 people being held under the Emergency Regulations, 39 people held under the Internal Security Act, and 14 in Bophuthatswana.

According to the HRC, those held under the Emergency Regulations include seven people in the PWV area, 20 in Natal, 70 in the Orange Free State, eight in the Eastern Cape and 47 in the Northern Transvaal while in the Western Transvaal 142 people are being held.

The HRC has recorded 48 section 29 detentions from January 1. There are currently 39 people held under section 29, and 31 under section 31. No one is currently being held under section 30.

INFORMAL REPRESSION

In Rustenburg last Saturday, an office block belonging to a number of anti-apartheid organisations was bombed at about 2.30pm. Two people were slightly injured in the blast. According to an employee in the building, the bomb was placed on the steps of the front entrance to the building.

BANNED BOOKS AND FILMS

Two novels by Shaun Hutson, *Relics* and *Deathday*, have been found undesirable by the Directorate of Publications in Cape Town. Twenty-eight films were submitted for examination. Fifteen were unconditionally approved; 13 were only conditionally approved.

HUNGER STRIKE

116-76/90

W/Med 1/6-7/6/90

Ten State of Emergency detainees are on hunger strike. They have been transferred from Potchefstroom Prison in the Western Transvaal to Grootevlei Prison in the Orange Free State.

Two hunger strikers are still being held at Potchefstroom and another is in Pretoria Central Prison. The hunger strike began on May 14. The detention of the hunger strikers came after an aborted march in which it was planned to deliver a memorandum to the local town council.

Those on hunger strike are: Zachariah Molekane, Patrick Maloi, Moses Duma, Joseph Molapisi, Ignatius Dipichto, Loreti Sibidi and Willy Maphosa.

PRISONER OF CONSCIENCE

116-76/90

W/Med 1/6-7/6/90

Dennis Masuku, president of the Themba Youth Congress, is in his early twenties and on hunger strike.

Masuku went on hunger strike on May 2. On the third day of his hunger strike, he was transferred to Pretoria Central Prison and admitted to hospital.

He negotiated with prison authorities, demanding to be returned to Modder B or to be released. He was given assurances that his demands would be met, but when nothing happened — and he was neither returned to Modder B or released — he resumed his protest.

He went on hunger strike again on May 24. Since May 3 he has been separated from his fellow detainees and is being held in isolation. He is believed to be suffering from depression. He is continuing his fast because he believes his detention to be unjustified and illegal.

Held ANC official Thomas is freed

DETAINED African National Congress official Glen Thomas was released this week with the sense he had been held to give advice about ANC policy to lower-ranking policemen. 11/6-7/6/90

Thomas, a fieldworker for the Grahamstown Rural Committee (GRC) and a member of the Border executive of the ANC, was detained on May 11 and was held in Port Elizabeth under section 29 of the Internal Security Act.

By FRANZ KRÜGER 329

He was the first ANC official to be detained since the organisation was unbanned in February, and the ANC condemned it for not being "in the spirit of the Groote Schuur Minute".

After his release on Wednesday night, Thomas confirmed he had been detained after a meeting between ANC national organiser Steve Tshwete and regional ANC and United Democratic Front executives in King William's Town.

Three others had been detained with him as they left the meeting, but two of them were almost immediately released. The other, Robert Nogumla, is believed to be still in detention.

Thomas said his treatment had been "gentlemanly"; there had been no assaults, but conditions in detention had been very bad. There had been inadequate space for exercise, the food was bad and a change of clothing sent by his family two weeks ago had only been given to him on the day of his release.

FOR SOCIAL JUSTICE

PUBLIC MEETING

ANC & a New South Africa"
Ahmed Kathrada Informa-
r of the ANC
Bernato Park High School
Hall Berea
Wednesday June 6 1990
8.00 pm.

Hofmeyr case for R100 000 resumes

CAT TIPS 2/6/90

Supreme Court Reporter

329

THE R100 000 damages action by city lawyer Mr Willie Hofmeyr against the Minister of Justice and Minister of Law and Order for being held in effective solitary confinement while an emergency detainee, resumed in the Supreme Court yesterday.

Mr Hofmeyr was arrested by security police on April 22, 1988 and held at Pollsmoor Prison for 156 days and is seeking damages from the Minister of Justice in respect of what he contends were unlawful conditions.

Mr Les Rose-Innes, counsel for Mr Hofmeyr, yesterday told the court the prison authorities were required to ensure that a prisoner leave the prison in the same physical condition as that in which he was admitted.

However, Mr Hofmeyr left Pollsmoor with his physical and mental well-being seriously affected by the conditions in which he was held, he said.

The hearing continues on Tuesday.

Mr Justice E L King presided. Mr J A le Roux, instructed by the state attorney, appeared for the ministers.

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Detainee hangs himself in cell

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JOHANNESBURG. — A
Section 29 detainee died
in prison yesterday in
what police said ap-
peared to be suicide.

Police said Mr Donald
Madisha had been
visited at 12.40pm yes-
terday at his Potgieters-
rust prison cell and had
appeared in good health.

Shortly after 1pm he
was found dead, appar-
ently having hanged
himself. A noose had
been fashioned from his
shirt.

The matter is being in-
vestigated. — Sapa

Detainee death 'a suicide'

A SECURITY detainee died in prison yesterday in what police said appeared to be an act of suicide.

A police spokesman said Donald Thabela Madisha had been visited at 12.40pm yesterday at his Potgietersrust prison cell, and had appeared in good health.

Shortly after 1 pm he was again visited and was found dead, apparently having hung himself. A noose had been fashioned from his shirt.

A senior detective officer has been appointed to investigate the matter.

Mr Saad Cachalia, a lawyer acting for the dead detainee's family, said Mr Madisha, a member of the Mahwelereng Youth Congress and a teacher by profession, had been arrested in January.

Stc 2/6/90

(329)

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E Cape ANC man released

EAST LONDON. — An African National Congress regional executive committee member, freed from detention on Wednesday, has been released without restrictions or charges, say security police.

Mr Glen Thomas of the ANC's Grahamstown Rural Committee (GRC) was held in King William's Town, and later Port Elizabeth, for three weeks.

Security police did not say whether Mr Robert Nogumla, detained with Mr Thomas after a meeting in King William's Town, had been released.

GRC spokesman Mr Mike Kenyon welcomed Mr Thomas's release but said other political detainees, including Mr Nogumla, should also be freed.

Asked to confirm whether Mr Nogumla was still in detention, a security police spokesman referred comment to the security police's public relations division in Pretoria.

A spokesman there said it was not policy to confirm the release of detainees. — Sapa.

LONELY CELL: UDF MAN IN R10 000 BID

Weekend Argus Court Reporter

CIVIL rights lawyer Mr Willie Hofmeyr was unlawfully kept in solitary confinement in Pollsmoor prison for 156 days in 1988, his counsel has argued in the Supreme Court, Cape Town.

Mr Les Rose-Innes was speaking in a R10 000 damages action brought by Mr Hofmeyr against the Minister of Justice.

He said Pollsmoor prison chief Major Piet Geldenhuys was not empowered by law to hold a detainee in solitary confinement or to deny him access to the gymnasium, radio, TV or videos, reading materials and mail.

Mr Rose-Innes said Major Geldenhuys's decision to segregate Mr Hofmeyr "was dictated by the security police".

Mr Hofmeyr, an executive member of the United Democratic Front, was arrested on April 22, 1988 under the emergency regulations.

He was held at Caledon Square police station until May 3 when he was transferred to Pollsmoor. He remained in isolation in Pollsmoor for just over five months.

Mr Rose-Innes said Mr Hofmeyr became very depressed.

"Repeated applications by his family and lawyers to the prison authorities, the Ministers of Law and Order and Justice and the State President were ignored."

Mr Rose-Innes said Democratic Party MP Mr Tian van der Merwe raised the matter with both ministers and there was no response.

"On September 28, 1988, Mr Hofmeyr launched an urgent application against the minister and the prison authorities to prevent his detention in solitary confinement.

"No answering affidavits were filed and he was released eight days later.

"The Ministers of Justice and Law and Order later agreed to pay the costs of the application."

Security branch visits

Mr Rose-Innes said that the object of Mr Hofmeyr's detention was clearly to remove him from society.

"In Pollsmoor the plaintiff was visited three times by the security branch. At no stage did they question him in relation to any matter which had given rise to his detention."

Referring to an inspection by Mr Justice E King and both counsel at Pollsmoor, Mr Rose-Innes said that in the few minutes he spent in the tiny cell he felt "extremely uncomfortable".

The hearing continues.



Willie Hofmeyr

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3/6/90
(329)

Ikageng hunger strikers go free

By DAN DHLAMINI

IKAGENG Civic Association leaders who were detained last month were this week released without being charged.

They had embarked on a 12-day hunger strike to demand they be charged or released.

Those released this week were ICA deputy chairman Willie Maphosa; treasurer Philip Mosiane; secretary Sello Tshwaripe; Sayco's Potch branch president Ryder Sebidi; Patrick Maloi and Sephiri Dipico.

Those released yesterday are Moses Duma, Mapitso Sekamogeng, Leslie Mokojima, Saliva Molapi, Ezekiel Moletane and Elias Thetlane.

Zachariah Molekane, also released yesterday, was treated at Pelonomi hospital following the effects of the hunger strike.

The former detainees told *City Press* that their detention served no purpose.

"They thought by detaining us they would break the morale of the community.

"This proved a dismal failure because residents went on to repossess the people's land which the council had sold to white developers," said Maphosa.

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6/6/90
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Amnesty International post bag keeping Vlok reading

~~By~~ By Kaizer Nyatumba

Law and Order Minister Adriaan Vlok, who came under criticism recently for his failure to curb right-wing violence, is saddled with another problem.

hundreds of letters from the American chapter of Amnesty International have found their way to his office, demanding that some detainees be released immediately or charged "with a recognisable criminal offence".

A number of letters signed by at least 349 Northwestern University students have been sent to Mr Vlok's office asking for details about Dewet Motlale Monakedi's detention.

Mr Monakedi (28), the letters said, is a member of the South African Youth Congress's executive committee and is being held in a police cell in the small town of Naboomspruit in the Northern Transvaal. No reasons had been given for his detention and his lawyer had been unable to consult him.

"We would like to inquire," the Northwestern University students wrote, "about the reasons for his (Mr

Monakedi's) detention and we are concerned that he is being held in solitary confinement. We hope that he will not be tortured or ill-treated and will receive independent medical care.

"If he is not charged with a recognisable criminal offence, he should be immediately and unconditionally released."

Twenty-three other letters have been written to Mr Vlok by Amnesty International members from New York State, expressing concern over the detention of people under the state of emergency in Gazankulu, and calling for the detainees' "immediate and unconditional release".

Detainees mentioned in the letters with Amnesty International USA letterheads are Stephen Mahlale, Paulos Maseko, Bernard Maakana and Mark Wegerif, all of whom were arrested in March, according to the 23 letters written on March 31.

It was Amnesty International's belief, the letter-writers said, that the four men could be prisoners of conscience.

AG to make decision on ³²⁹ detained man

False Bay Bureau ^{APLUS 7/6/90}

THE attorney compiling an application for the release of a detained Mitchell's Plain political activist and law student has been informed that the matter has been referred to the Attorney-General for consideration.

Mr Taswell Papier said Mr Raphael Martin, 23, a member of the Tafelsig Youth Congress and a fourth-year law student at the University of the Western Cape, had been detained at home in Tafelsig on April 9.

Police had confirmed that he was being held in terms of Section 29 of the Internal Security Act.

Mr Papier added that he had been told by the authorities that the detention was in connection with an allegation that Mr Martin had had "terrorist military training".

It is expected that an application by Mr Martin's family for his release will be made in the Supreme Court on Monday.

Hofmeyr 'not victimised while held in solitary'

By GILL TURNBULL
Supreme Court Reporter

ARGUS 8/6/90 (329)

THERE was no evidence that prison authorities had victimised former detainee Mr Willie Hofmeyr during almost five months in solitary confinement at Pollsmoor Prison, the Supreme Court, Cape Town, has heard.

This was said in legal argument in the action in which civil rights lawyer Mr Hofmeyr is suing the Minister of Justice for R100 000 damages for the conditions of his detention in 1988.

Mr Justice E King has heard evidence that during his confinement in a single cell in an empty block of six Mr Hofmeyr was deeply depressed, he could not concentrate or sleep, and was at times angry and tearful.

SEVERE RESTRICTIONS

He was finally released with severe restrictions on October 6 while an urgent application was being prepared in the Supreme Court.

Yesterday, after three days of legal argument, Mr J A le Roux, for the minister, submitted that there was no evidence that the prison authorities had victimised Mr Hofmeyr.

"They allowed him to keep his light on until midnight and permitted him to play an electronic chess game. On his own request he had been moved to a warmer, sunny cell."

Referring to the submission that Mr Hofmeyr's fundamental rights were infringed when he was kept in isolation, Mr Le Roux argued that while an ordinary person had fundamental rights the question was whether a detainee "legally and properly" in custody could be said to have these rights.

"I submit that when a person is incarcerated they do not have this right."

Judgment was reserved.

Mr Les Rose-Innes appears for Mr Hofmeyr.

Pik blasts UN



Mr Pik Botha
... rejects
interference
in the
country's
internal
affairs.

FOREIGN Minister Pik Botha has told the United Nations to keep out of South Africa's affairs.

In a letter yesterday to UN Secretary-General, Dr Javier Perez de Cuellar, Mr Botha said the government unequivocally rejected interference in the country's internal affairs.

He wrote the letter in the light of the imminent UN visit to South Africa to gauge recent and future reforms.

He said it was the sole and inalienable right of South Africans to negotiate a new constitution.

"The government will under no circumstances agree to any attempt on the part of outside agencies to usurp this responsibility," he said.

Mr Botha enclosed parts of President De Klerk's speech in parliament yesterday in which he announced the lifting of the state of emergency except in Natal.

"Further interference by the General Assembly can only be counter-productive, it would be most unhelpful given our strenuous efforts to get negotiations underway," Mr Botha said.

"Positive development"

In his reaction to Mr De Klerk's announcement, Dr Perez de Cuellar said it was a "positive development".

Several UN delegates also welcomed the decision.

The UN officials, due in Cape Town tomorrow, will brief Dr Perez de Cuellar on their return to New York and make a substantial contribution to the report he must make to the General Assembly on July 1 on progress towards dismantling apartheid.

In reaction from Washington, US government and congressional spokesmen expressed approval, but warned that the step still fell short of what was required to lift sanctions.

US President Bush said Mr de Klerk's announcement was a positive step forward for democracy.

A statement by the White House said: "This is another significant step towards creating a climate conducive to negotiation that will lead to a democratic, nonracial South Africa."

"Much work remains to be done by all sides."

"However, we are encouraged by the remarkable progress that has been made in recent months. With this latest move, the government has moved to meet almost all of the opposition's requirements to enter into negotiations. We look forward to the early beginning of a negotiating process."

Britain has also welcomed Mr De Klerk's decision.

Foreign Office Minister William Waldegrave said that it vindicated Britain's policy towards South Africa and it was clear that Mr De Klerk's reforms were irreversible.

"The old debate about sanctions is now happily in the past," he said.

"It contributes to our belief that Mr De Klerk is serious, that he has launched South Africa down a road to genuine negotiation," Mr Waldegrave said.

Mr De Klerk's announcement was a leading item on British television and radio news bulletins last night.

Britain's Anti-Apartheid Movement welcomed the news, but was "deeply disappointed" that the move did not extend to Natal.

Grenade attacks policemen shot dead

The Argus Correspondent

TWO policemen have been killed, one shot and wounded and hand-grenades hurled at a police barracks in attacks on police in townships.

The attacks yesterday were the latest incidents in an apparently co-ordinated campaign against the police, their families and homes.

Yesterday's killings took place in Ntuzuma near Durban and Kagiso near Krugersdorp.

In Ntuzuma a sergeant on his way to work was shot in the back of the head at 4.14am, a police spokesman said.

In Kagiso gunmen with AK47s opened fire on a municipal police patrol last night.

One policeman died, his body riddled with bullets, and a second, a Constable Dladla, was wounded in the foot.

The killers fired from a vehicle and sped off.

Hand-grenades were thrown at a police barracks in Bongweni, near Kokstad in Natal. No one was injured.

The names of the dead have not been disclosed.

Mother, kids gassed

JOHANNESBURG. — A 30-year-old mother and her three children, aged seven, four and five, have been admitted to hospital after being found unconscious in a gas-filled car in Ridgeway Extension here. — Sapa.

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Britain's Anti-Apartheid Movement welcomed the news, but was "deeply disappointed" that the move did not extend to Natal.

It added: "There is still an urgent need to ensure the repeal of the Internal Security Act and the battery of repressive security legislation, as powers of detention and the ability to impose mini-states of emergency remain on the statute books."

South African business leaders and economists were jubilant over the potential new boost to investment confidence.

Faster flows of foreign as well as local investment are considered crucial to accelerate the pace of economic growth needed to tackle chronic unemployment and widen the scope for a redistribution of wealth.

The SA Chamber of Business said signs of stability were a vital pre-requisite for business and investor confidence.

"Sacob sees the government's decision as an important step towards reconciliation"

Economy

Dr Azar Jammie, director of the Econometrix think tank, said: "Moves to enhance political negotiation are essential for the economic outlook."

"While some people might be apprehensive, from an economic viewpoint the blunt reality is that Mr De Klerk needs to do all he can to ease the country's foreign debt problems."

● About 80 detainees held in terms of the lapsing state of emergency are being freed today.

The release of the detainees is in addition to the freeing of 48 political prisoners announced by Mr De Klerk yesterday. — The Argus Foreign Service, Political Staff and Sapa.

● See page 9.



KEY PERSON: Winner of the ni
leen Fouche. The other finalists
Wientroub, Mr Freder

Gifts and ch

MAUREEN PITHEY
Argus Woman Editor

WITH hundreds of gifts pouring in to the ARGUS WOMAN cancer unit appeal, more than R102 000 has now been raised.

But there is a long, long way to go. The appeal, launched to help Groote Schuur's cancer unit find R1.5 million by the end of the month to buy urgently needed equipment has touched the hearts of readers and generous folk making gifts have started challenging others ...

● Leftovers Book Club from Bantary Bay gave R200 and challenged other book clubs to better or equal that.

APARTHEID BAROMETER

DETENTIONS

W/Mail 8/6-14/6/90 329

AT least 158 people are in detention without trial in South Africa, according to the latest figures of the Human Rights Commission.

This includes 118 held under the State of Emergency regulations and 34 under the Internal Security Act. Six people are being held in Bophuthatswana.

Those held under the Emergency regulations, according to the HRC, include 42 in Natal, 29 in the Western Transvaal and 20 in both the Eastern Transvaal and in the Free State.

Thirty-four people are being held under section 29 of the Internal Security Act.

DEATHS IN DETENTION W/Mail 8/6-14/6/80
FIVE people have died in detention since the beginning of the year, according to HRC records. (329)

The latest death was that of Donald Thapelo Madisha, who was found hanging in his cell at the Potgietersrus police station last Friday.

Madisha, a teacher at Mosesetjane, near Potgietersrus, was detained on January 17 at his Mahwelereng home. He was held under section 29 of the Internal Security Act and was kept in solitary confinement.

The security police alleged he had contact with trained members of the African National Congress' military wing, Umkhonto weSizwe, and failed to report their presence. The police also alleged ammunition and explosives were found in his room.

Madisha was a member of the Mahwelereng Youth Organisation and became its first chairperson on its launch in January 1984.

...forget the costs?

Detainee cannot forget the horror

AMOS MASONDO was in Diepkloof Prison for most of the five-year State of Emergency, spending his days waiting for the regulations to be lifted.

Masondo, secretary of the Wits region of the Congress of South African Trade Unions, was released from Emergency detention last year. He was detained in June 1986, a few days after the imposition of the national State of Emergency — and only a few months after being released from detention under the partial Emergency (enforced in July 1985).

Yet this man with the spontaneous smile says: "I can't be bitter. But I can't forget, either". W/M/416-1416/40

He can't forget the expectations — "others were being released; I may be released too" or that after every year, "they are not going to renew the regulations" — and the disappointment when he was not released. The mental horror of not knowing his fate was worse than any physical torture, he said.

He talks of the iniquities he witnessed during the Emergency. He saw young and old jailed for virtually no reason.

But even the outside world was a prison for Masondo during the Emergency. The first time he was released, in March 1986, he constantly looked over his shoulder, fearing re-arrest.

Masondo was lucky he could resume his place in the unions — not all detainees have their jobs waiting for them when they are released. But then he was restricted, another Emergency weapon.

We're free, FW says, but state repression remains

W/M and 8/6-14/6/90

By CASSANDRA MOODLEY

STATE repression has not ended with yesterday's announcement of the partial lifting of the State of Emergency — a web of security legislation exists to maintain state power and control and to enable the re-imposition of the State of Emergency at any time.

Yesterday, State President FW De Klerk announced the Emergency would be ended except in Natal.

The lifting of the Emergency is one of the African National Congress's preconditions for negotiations. Pressure was also on the state to lift this piece of legislation before the European Community's foreign ministers' meeting in Brussels on June 18 where the South African sanctions question would be discussed.

De Klerk said 48 ANC prisoners or detainees would be released following the lifting of the Emergency. But the Human Rights Commission, yesterday estimated there were 118 emergency detainees and 34 Internal Security Act prisoners.

And there is nothing stopping the government from enforcing the remaining security laws: the Internal Security Act of 1982, the Public Safety Act of 1953 and the Public Safety Amendment Act of 1986.

Not to mention the Defence Act, the Police Act and the Prisons Act. There have been no moves to repeal such permanent laws.

Many of the powers of the emergency legislation remain in force in the Internal Security Act. Detention without trial and bannings of persons, organisations, gatherings and publications are thus not a thing of the past.

And unless the Public Safety Act goes the State President FW de Klerk

can hit us with another Emergency at any time.

The Public Safety Amendment Act enables the declaration of "unrest areas" thus allowing Emergency-type powers within specified areas without actually declaring a State of Emergency.

And as for press freedom, Gilbert Marcus from Wits University's Centre for Applied Legal Studies says the Defence Act still prevents publication of information relating to the "composition, movements or dispositions of the South African Defence Force".

And the Internal Security Act renders it an offence to promote any of the aims of communism despite the fact that the South African Communist Party has been unbanned.

Detainees Aid Committee representative Audrey Coleman who works with emergency detainees said, "the end of the State of Emergency would be a tremendous victory, nevertheless".

Policemen would be stripped of much power and, although people could be detained without trial more justification would have to be given for such practices. This will considerably limit the number of people who are incarcerated.

Repression will, however, not disappear, she added.

"We are going to have a far greyer, less identifiable form of repression in force when there is no Emergency regulation.

"Informal repression in the name of hit squads will be heightened."

behind bars



VICTIM: Brian Sokulu endured nearly three years in prison before his release. away. I had a jacket, a pair of jeans and a woollen hat. Algoa Park police station's of-

"Don't worry, we'll bring him back soon," he said. "Soon" turned out to be nearly three years.

When the police came, no one tried to keep them out. The emergency empowered them to kick in the door anyway.

After hearing of the detention of other journalists, I thought of going into hiding. But after moving from house to house looking for a refuge, I eventually came home. The next night, the security police took me away. I had a jacket, a pair of jeans and a woollen hat.

Algoa Park police station's of-

“Ja, Brian, you write a lot in the papers,” said one of the cops to me, making me feel like a little boy in a cage.

little boy in a cage.

I was kept with about nine other people in a filthy, tiny cell with blankets full of lice. We slept on the floor. Each day, we got cold porridge in the morning, two thin slices of bread and black coffee, served in a big tin for us to share.

One of the horrible experiences of being in detention is the thought that you are divorced from your family, your colleagues and the world outside. No one knew where we were. We were denied newspapers, visits, pens and even clothes to change into. I had to use my T-

BRIAN SOKUTU, A 28-YEAR-OLD BLACK JOURNALIST, was detained by security police on June 16 1986 under the State of Emergency. Sokutu was imprisoned for nearly three years without being charged with a crime. When he was freed on March 9 1989 he was issued with restrictions that effectively barred him from practising his profession until last February. He wrote this account for The Associated Press.

shirt as a washrag on occasion. My jeans and lumber jacket made perfect pajamas.

A breakthrough came some time in July when we developed various sorts of ailments, — colds, ulcers, backaches. Some of us were admitted to Livingstone Hospital and were able to smuggle letters to our parents and bribe guards with food and money to get visitors.

During that period, a detainee would be called for hours of in-

terrogation. One young detainee, of about 16, came back sobbing. "They've beaten me up," he said. He also told of being subjected to electric shocks.

It seems the police were trying to prove that I was a revolutionary journalist who, during the 1985 consumer boycott, took pictures of people who broke the boycott of white businesses. According to police allegations, I took these pictures to "the people's militia".

are guarding against you "kill-
ing yourself". The strain is tre-
mendous. I suffered from de-
pression and had to be brought
back to St Albans.

What kept us going for those
years of hardship was collective
decision-making, consultation,
and a political programme.
Ironically, the structures
crushed by the State in the Afri-
can townships were revived in
prison. We had an education
panel, a political panel and
sport. We had to bribe warders
and hardened criminals with
money to get us newspapers. We
even smuggled a small radio to
listen to the news.

Numerous struggles for our
release were waged inside and
outside prison. In February of
1989, there was an 11-day hun-
ger strike. It proved to be in-
strumental in bringing about
our release.

I went to the Grahams town
upreme Court to try to prove
the police wrong. The case was
dismissed, but I still have to
pay the costs.
Later, I was transferred to St
Albans prison. The difference
between the police station and
prison was that we were enti-
tled to have money, clothes and
visits.
Prison breaks one physically
and psychologically, and soli-
tary confinement is a method of
tiny underground cell, which
was like being buried alive. You
see no car, hear no noise. On oc-
casion a policeman walking on a
floor above looks at you through
a window.
When you are escorted inside
by police, your shoelaces are
taken away. When you try to
sleep, you are constantly awa-
kened by police who say they

48 prisoners freed

FORTY-eight political prisoners were released country-wide yesterday, the Prisons Department announced. *CP Press 10/6/90 (329) (2)*

Although the department said it was against its policy to announce the names, or from where they had been released, 28 of the prisoners were believed to have been released from Robben Island.

According to Cape Town lawyer Wille Hofmeyer, three of the 28 were Wayne Malgas, David Fortuin and Ashraf Karriem, who became known in the Ashley Forbes trial in the Cape Town Supreme Court last year.

48 political prisoners freed

329
4/6/90
Forty-eight political prisoners were released from prison on Saturday, a spokesman for the Department of Justice in Cape Town, Major Elsa Jones, confirmed today.

The 48 prisoners' release followed the announcement in Parliament by President de Klerk last week, when the partial lifting of the state of emergency was announced. — Political Staff.

HOUSE OF ASSEMBLY

THE MINISTER OF LAW AND ORDER:

QUESTIONS

Indicates translated version.

For written reply:

General Affairs:

Mr Sybrand Louis van Schoor: inquests

368. Mr A E DE WET asked the Minister of Law and Order:

- (1) Whether the South African Police have taken any action against Mr Sybrand Louis van Schoor as a result of the findings of the inquests referred to in the reply of the Minister of Justice to Question No 9 on 27 February 1990; if so, what action; if not, why not;

- (2) Whether Mr Van Schoor's firearm licence (a) has at any stage been revoked and/or (b) is to be revoked; if not, why not; if so, when? *Answered 11/6/90* B896E

THE MINISTER OF LAW AND ORDER:

(1) and (2)

Four cases of attempted murder are at present being investigated against the person concerned. A number of formal inquests will also be held in the foreseeable future. In view of this I do not consider it advisable to furnish any information which may possibly jeopardise the investigations or anticipate the judicial process.

Internal Security Act emergency regulations:

329 persons in detention

439. Mr S S VAN DER MERWE asked the Minister of Law and Order: *Answered 11/6/90*

What total number of persons in each race group was in detention in each specified region in terms of (a) each specified section of the Internal Security Act, No 74 of 1982, and (b) the emergency regulations as at (i) the latest specified date for which information is available and (ii) 31 December 1989? B1030E

(a) (i) 44 persons of all races country-wide on 5 June 1990. *(329)*

(ii) 25 persons of all races country-wide on 31 December 1989.

(b) (i) 119 persons of all races country-wide on 5 June 1990. *Answered 11/6/90*

(ii) 61 persons of all races country-wide on 31 December 1989.

Firearms: applications

447. Dr Z J DE BEER asked the Minister of Law and Order: *Answered 11/6/90*

- (a) How many applications for firearms have been made by (i) Whites and (ii) Blacks in Welkom in each month since 1 January 1990 and (b) how many such applications were unsuccessful in each case? B1039E

THE MINISTER OF LAW AND ORDER:

- (a) and (b) Since 1 January 1990 until 30 May 1990, 1 260 applications for firearm licences have been received in Welkom. Nine of these applications were rejected. However, specific records of the different race groups of applicants for licences are not readily available.

SAP: security of ANC delegation

455. Mr P J GROENEWALD asked the Minister of Law and Order: *Answered 11/6/90*

Whether members of the South African Police were responsible for the security of the ANC delegation that held discussions with the State President from 2 to 4 May 1990; if so, (a) how many members of the Police were involved and (b) (i) how many hours of overtime did these members work and (ii) what remuneration did they receive for it? *Answered 11/6/90* B1053E

THE MINISTER OF LAW AND ORDER:

Yes, the South African Police was responsible for the safety of the ANC delegation, but at the same time for the safety of the public and also the members of the Government and officials who were involved in the negotiations.

- (a) On account of the particular nature of these duties it is not considered to be in the

anybody." — Sapa.

scripted evidence. — Sapa.

Emergency regulations

PRETORIA — Emergency regulations authorising extraordinary powers of arrest and detention and limiting the civil and criminal liability of security force members in Natal/KwaZulu were gazetted in Pretoria on Friday.

The terms of the proclamation, issued in terms of the Public Safety Act of 1953, were effective immediately.

The regulations apply to members of the SA Police, KwaZulu Police, the SA Defence Force and Prisons Service.

The Minister of Law and Order is empowered to issue an order without notice preventing actions in designated areas when he feels it is necessary for public safety, the maintenance of public order or the state of emergency.

Security force members can arrest or detain a person on a written order.

No person can be detained for more than 30 days without the written authority of the Minister who, in turn, can order detention of up to five months.

Only the Minister of Law and Order or a person acting as an official for the state or the KwaZulu government will have access to detainees or any official information relating to or obtained from detainees. — Sapa.

NATAL UNREST DEATHS

September 1987 — January 1989.....	668
February 1989 — June 7 1990.....	1 036
Past 72 hours' official toll:.....	5
TOTAL:.....	1 709

Teachers in plea for detained colleagues

Staff Reporter

329

THE Democratic Teachers' Union (Detu) has asked the attorney-general to drop charges against two teachers who were arrested for demonstrating outside St George's Cathedral last week.

Detu has also called on the Minister of National Education, Mr Gene Louw, to intervene in "this special, urgent case".

Attorney-general Mr Neil Rossouw said last night that he would have to consult his files before he could comment.

The two Guguletu Comprehensive School teachers were holding a placard demonstration last Tuesday in support of a National Teachers' Unity Forum delegation which met Mr Louw for discussions.

CMT 16/12/6/9

163 detained 329

THERE were 163 people in detention in terms of the Internal Security Act and the emergency, Mr Adriaan Vlok said yesterday.

suspensions, subject to the application of the Prisons Act, Regulations and the disciplinary code. A further explicit understanding was that departmental inquiries into previous behaviour and conduct would still continue. Thereafter, only three members failed to resume their duties. *Heard 12/6/90*

†Adv J J S PRINSLOO: Mr Speaker, arising out of the hon the Deputy Minister's reply, must we understand from the last sentence of his reply that, except for three persons, the rest of those that were suspended were reinstated in their posts?

†The DEPUTY MINISTER: Mr Speaker, they were not reinstated in their posts; the suspension was revoked and disciplinary investigations into their conduct continues. Only three did not resume their service.

†Adv J J S PRINSLOO: Mr Speaker, further arising out of the hon the Deputy Minister's reply, is it the normal procedure that prison service officials resume their duties normally while departmental disciplinary hearings against them are still pending?

†The DEPUTY MINISTER: Mr Speaker, it happens quite often that disciplinary investigations into a person's conduct are continued while he is still in service.

†Adv T LANGLEY: Mr Speaker, further arising out of the hon the Deputy Minister's reply, I should firstly like to ask him for what reasons those officials were initially suspended. Secondly, if there were no negotiations with them, whether there were negotiations with the West-German embassy or, in respect of the issue of the release, was there a mediator between them and the West-German embassy and/or the officials?

†The DEPUTY MINISTER: Mr Speaker, I do not have personal knowledge of the circumstances surrounding the question.

Satanism/devil worship: criminal acts

*8. Mr A J LEON asked the Minister of Law and Order:

- (1) Whether any criminal acts arising from or performed during satanism or devil worship activities are currently under investigation; if so, how many;
- (2) whether any steps have been taken by the Government to prevent criminal activities

inherent in, or arising from, satanism or devil worship; if so, what steps? B1197E

†The MINISTER OF LAW AND ORDER:

(1) and (2)

The prevalence and practising of satanism in South Africa, as well as the alleged concomitant crimes, is a phenomenon which has already been under investigation by the Police, for a considerable time. However, intrinsically, satanism does not constitute a crime.

At present the Police are giving priority to the investigation of various types of crimes, which are allegedly committed during satanic rituals, inter alia:

Murder;
Sexual crimes, for example, rape, sodomy and bestiality;
Crimes related to the abuse of drugs;
Violations of the Human Tissue Act, 1983 (Act 65 of 1983);
Violations of the Witchcraft Suppression Act, 1957 (Act 3 of 1957);
Violations of the Childrens Act, 1960 (Act 33 of 1960), as well as the Child Care Act, 1983 (Act 74 of 1983);
Violations of the Animals Protection Act, 1962 (Act 71 of 1962).

It must, however, be kept in mind that it is very difficult to prevent and detect these crimes. On the one hand satanic activities are surrounded by a veil of secrecy. On the other hand, victims refuse to report such crimes as a result of their fear of the supernatural, intimidation and possible reprisal.

I wish to emphasise that the Government regards this diabolic phenomenon in a very serious light. In addition to the investigation of the above-mentioned crimes, I have requested the Commissioner of Police to take active steps to investigate the extent of satanism in the country.

In this regard, I wish to point out that the Police are of the opinion that they cannot address this matter in isolation, but that they also need the co-operation of the Church, educationists, social workers, psychologists, the legal profession and others who can make a meaningful contribution towards the effective combating of the problem. A special committee under the chairmanship of a lieutenant-general and consisting of knowledge-

able clergy, legal advisors and investigators of the South African Police, are at present conducting exploratory investigations in order to obtain the co-operation of the persons and instances I have previously mentioned. Once this has been achieved, the establishing of a basis for dealing with the matter in future, will receive urgent attention.

Business interrupted in accordance with Rule 180C (3) of the Standing Rules of Parliament.

Riot Unit 8, Pietermaritzburg: certain constable

*9. Mr P C CRONJE asked the Minister of Law and Order: *Heard 12/6/90*

- (1) Whether there have been any complaints, allegations or charges against a certain constable of Riot Unit 8, Pietermaritzburg, whose name has been furnished to the South African Police for the purpose of the Minister's reply; if so, (a) (i) what complaints, allegations or charges and (ii) when in each case and (b) what is the name of the constable in question;
- (2) whether any steps have been taken against this constable as a result of such complaints, allegations or charges; if so, (a) what steps and (b) when; if not, why not?

B1198E

The MINISTER OF LAW AND ORDER:

(1) and (2)

Four charges of assault and one charge of kidnapping were lodged against the member concerned.

In one charge of assault the Attorney-General declined to prosecute.

The remaining charges are being investigated under the personal supervision of General Stan Schutte. It is anticipated that the docket will be submitted to the Attorney-General shortly for his decision.

West German Embassy: prisons service-officers/ certain person *Heard 12/6/90*

*10. Dr W J SNYMAN asked the Minister of Law and Order:

- (1) Whether the Government recently, after consultations with five suspended Non-White prisons service officers who were occupying a portion of the West German

Embassy in Cape Town, indicated that certain suspended and/or dismissed Non-White police officers would be reinstated in service; if so,

- (2) whether the officers concerned have been reinstated in service; if so, (a) on what grounds and (b) when; *Heard 12/6/90*
- (3) whether a certain person, whose name has been furnished to the South African Police for the purpose of the Minister's reply, is one of the above-mentioned officers; if so, what is the name of this person?

B1199E

The MINISTER OF LAW AND ORDER:

- (1) No. No indication was given to any person that the suspended and/or dismissed Non-White police officers would be reinstated in service.
- (2) and (3) Fall away.

However, an indication was given that written representations in this regard will be considered in terms of the powers vested in me by section 17B of the Police Act, 1958 (Act 7 of 1958).

Whites in detention

*11. Mr S S VAN DER MERWE asked the Minister of Justice: *Heard 12/6/90* B1210E

- (1) (a) How many Whites are currently being held in detention and (b) in respect of what date is this information furnished;
- (2) whether he will indicate how many such persons are members of right-wing organisations; if not, why not; if so, how many?

The MINISTER OF JUSTICE:

(1) (a) and (b)

On 30 April 1990 there were 4 009 sentenced and 609 unsentenced White prisoners in detention in South African prisons.

(2) No.

The information requested by the hon members does not form part of the information required from a prisoner on his admission.

*12. Mr R M Burrows — Administration and Economic Co-ordination. [Withdrawn.]

not
Tmt
13/6/70

Vlok delays decision on CCB chief

329

Political Staff

A DECISION on the re-detention of the managing director of the Civil Co-operation Bureau (CCB), Mr Joe Verster, and a CCB member, Mr Abraham "Slang" van Zyl, would be taken after the Harms Commission investigation had been completed, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

He confirmed that he had ordered the release of the two CCB members "in order to allow them to give evidence before the Harms Commission".

However, he had not ordered the release of former policeman Butana Almond Nofomela, who is under sentence of death for murder, because he was a sentenced prisoner and his release did not fall under his jurisdiction.

● Police kidnappers —
Page 9

Thousands ^{974 1174}
14/6/70
mourn detainee

JOHANNESBURG (329)

ANC publicity chief Mr Ahmed Kathrada addressed thousands of mourners yesterday gathered at the Potgietersrus township of Mahwelereng to bury an Internal Security Act detainee, Mr Donald Madi-sha, who was found dead in his cell on June 1.

Witnesses estimated the number of mourners at the funeral service to be between 10 000 and 20 000. — Sapa

PRISONER OF CONSCIENCE

Charles Matome Seakamela, 32, of Lebowakgomo in the Northern Transvaal has been in detention under section 29 of the ISA for five months. (329)

Seakamela, a self-employed taxi driver who supports his wife and two young children, was detained on January 21. W/M 15/6 - 21/6/90

The police alleged he had aided "terrorists" and "although aware of their status" had not informed the police of their presence.

Poisoning linked to security police

Cape Times 15/6/90

329

Own Correspondent

JOHANNESBURG. — Senior security branch officers were implicated in the poisoning of a detainee shortly before his release after five months in incarceration, the Harms Commission of Inquiry heard yesterday.

Lieutenant-Colonel Hermanus du Plessis and a Port Elizabeth security branch officer, Colonel Roelofse, were named in a medical report investigating the October 1981 thallium poisoning of Cosas member Mr Siphiwo Maxwell Mtimkulu.

Mr Mtimkulu told doctors at Livingstone and Groote Schuur hospitals that the two officers gave him three different types of tablets during his last month in detention. He said they gave him the pills to treat foot pains.

Mr Mtimkulu told doctors he was beaten on the feet with electric heater cords and beaten on his back. Doctors noted scars on his shoulder.

He also claimed to have been beaten with wet towels and fists, electrocuted through his feet, submerged in water for unspeci-

fied lengths of time and forced to stand for nine days without rest. Doctors also reported tears to Mr Mtimkulu's anus.

Advocate Mr Louis Skweyiye, for the Mxenge family and others, asked Col Du Plessis why another Eastern Cape detainee, former ANC member Mr Gonisiswe Kondile, was not regularly visited in detention by the district surgeon as prescribed by law.

Col Du Plessis said he did not think it was necessary as Mr Kondile had not asked for a medical examination.

He agreed it was normal for detainees not to complain about maltreatment to visiting magistrates and Detainee Inspectors while still at the mercy of their interrogators.

Col Du Plessis also told the commission he couldn't remember if ministerial instructions for the handling of detainees were issued after Steve Biko's death in police detention.

He said for tactical reasons he did not tell Mr Kondile's father about his son's detention.

Col Du Plessis said Mr Kondile was arrested on his way back to Lesotho when he presented a false Transkei passport at the

border post. He said he knew Mr Kondile was driving ANC MK chief of staff Mr Chris Hani's car at the time and when he was arrested, Mr Kondile and the car were taken to Bloemfontein.

Col Du Plessis said the car was hidden at a private safe house which prevented its being documented in police registers.

Mr Kondile was transferred to Port Elizabeth, then Humansdorp, and finally to Jeffreys Bay.

On his release, Col Du Plessis drove him to Bloemfontein and handed him back the car.

Shortly afterwards Mr Kondile disappeared and has never been seen since.

Col Du Plessis denied allegations by former Vlakplaas commander Mr Dirk Coetzee that Col Du Plessis had murdered Mr Kondile and burnt his body.

Brigadier Nic Janse van Rensburg denied allegations made by Mr Coetzee that he was involved in explosions and criminal activities in Swaziland.

The commission, adjourned until Monday, will wrap up testing evidence and cross-examination next week.

B/day 15/6/90 329

Harms told detainee was poisoned before release

SENIOR security branch officers were implicated in the poisoning of a detainee shortly before his release after five months in detention, the Harms Commission of Inquiry into politically motivated murders heard yesterday.

Lt-Col Hermanus du Plessis and a Port Elizabeth security branch officer Col Roelofse were named in a medical report after doctors investigated the October 1981 thallium poisoning of Cosas member Sphiwo Maxwell Mtimkulu.

Mtimkulu told doctors at Livingstone and Groote Schuur hospitals the two officers gave him three different types of tablets during his last month in detention. He said they gave him the pills to treat foot pains.

Du Plessis said he could not remember Mtimkulu experiencing pain in his feet.

Mtimkulu told doctors he was beaten on the feet with electric heater cords and beaten on his back. Doctors

LINDEN BIRNS

noticed scars on his shoulder.

He also claimed to have been beaten with wet towels and fists, electrocuted through his feet, submerged in water and forced to stand for nine days without rest. Doctors also reported tears to Mtimkulu's anus.

Adv Louis Skweyiye for the Mxenge family and others asked Du Plessis why another eastern Cape detainee, former ANC member Goni-swe Kondile was not regularly visited in detention by the district surgeon as prescribed by law.

Du Plessis said he did not think it was necessary as Kondile had not asked for a medical examination.

He agreed it was normal for detainees not to complain about maltreatment to visiting magistrates and detainee inspectors while still at the mercy of their interrogators.

Du Plessis said Kondile was arrest-

ed on his way back to Lesotho when he presented a false Transkei passport at the border post.

The colonel said he knew Kondile was driving Mkhonto we Sizwe chief of staff Chris Hani's car at the time and upon arrest Kondile and the car were taken to Bloemfontein.

Du Plessis said the car was hidden at a private safehouse preventing its documentation in police registers.

On release, Du Plessis drove Kondile to Bloemfontein and handed him back the car. Shortly afterwards Kondile disappeared and has not been seen since.

Du Plessis denied allegations by former Vlakplaas commander Capt Dirk Coetzee that he had murdered Kondile and burnt the body.

Brig Nic Janse van Rensburg denied allegations made by Coetzee that he was involved in explosions and criminal activities in Swaziland. He denied burning bodies in the eastern Transvaal or taking part in the theft of a trade union's panel van.

Detainees tortured, killed, Harms hears

The Argus Correspondent

PRETORIA. — Claims of detainees being tortured, then possibly murdered and their bodies burned, have been made to the Harms Commission.

According to testimony from doctors, Mr Siphiso Maxwell Mtimkulu — detained in 1981 — said he had been made to stand for nine days, was given electric shocks, had his head ducked in cold water for long periods and was wrapped in wet sacks. The alleged torture is said to have taken place in the Jeffreys Bay police station.

Mr Mtimkulu was found by doctors to have such a high concentration of thallium in his body that his hair fell out. Thallium is a substance used for making refractive optical glass.

He has been missing since instituting a R150 000 claim against the police in 1982 and is believed to have been killed, Mr Denis Kuny, SC, said.

Police officers who worked in the Port Elizabeth-Jeffreys Bay area during 1981 and 1982 have denied the claims.

Mr Kuny is appearing for former policeman and convicted murderer Butana Almond Nofemela and other parties.

TWO MORE DISAPPEARED

He told Mr Justice Louis Harms that two other men — Mr Gonisiziwe Kondile and Mr Topsy Madaka — disappeared about the same time.

Mr Madaka's burned-out car was found near the Transkei-Lesotho border.

The alleged incidents were recounted in detail yesterday when a former Port Elizabeth security chief, Lieutenant-Colonel Hermanus du Plessis, was called to testify on claims by former police captain Mr. Dirk Coetzee and Nofemela about the existence of police hit squads.

Mr Kuny told Mr Justice Harms "it was strange" the three had disappeared.

The hearing has been adjourned until Monday.

'More should have been freed'

By DESMOND BLOW

C/News 17/6/90

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SOURCES close to the "talks about talks" at Groote Schuur say the release of 48 political prisoners last weekend did not fulfil State President FW de Klerk's undertaking in his speech of February 2.

They say according to his speech and the Groote Schuur talks more than 100 prisoners should have been released.

"These are for crimes that are no longer crimes - such as belonging to a banned organisation, seeing that the ANC, PAC, and Communist Party are no longer banned organisations."

"We estimate that as many as 3 500 political people are in prison and the release of 48 last weekend did not signify anything," the source said.

"Although the release of most of them will be an important part of the discussions between the government and the ANC, more than 100 should have been released in terms of the State President's own statement."

He said the prisoners released had very little of their sentences to serve and none had undergone "intensive military training".

Last weekend the media were only able to establish the names of 28 of the 48 prisoners released.



Free at last! . . . David Bruce, sentenced to six years in prison for refusing to serve in the SADF, had his sentence reduced in Johannesburg Magistrate's Court yesterday to 20 months. The new sentence was made retrospective. Bruce had already served 20 months and left the court a free man.

Star 20/6/90 (329) Picture by Herbert Mabuza.

Bruce walks free after sentencing

By Celeste Louw

Conscientious objector David Bruce was released from jail by a magistrate in the Johannesburg Magistrate's Court yesterday.

Although Mr Bruce was re-sentenced to 20 months' jail yesterday by the same magistrate who initially sentenced him to six years in 1988 for refusing to render service in the SADF, he will not return to jail.

The magistrate, P Bredenkamp, imposed the 20-month sentence with retrospective force. Mr Bruce has already served 20 months of his original six-year sentence.

Overjoyed

Mr Bruce's case was referred back to the magistrate's court when an appeal against the six-year sentence was upheld by the Appellate Division earlier this year. It was found that the Defence Act did not prescribe a mandatory sentence for objectors.

At that stage, Mr Bruce had already served 20 months of his sentence.

The court also heard that Mr Bruce was about to be released on parole when his appeal came through.

The State President granted Mr

Bruce 36 months off his sentence and he was also entitled to one third off because he was a first offender, the court was told.

Mr Bruce's family and friends were overjoyed as he walked out of the Johannesburg Magistrate's Court a free man.

He said: "It was the best possible outcome my lawyers were hoping for. I am very happy.

"For me it is all over. It is part of my life. I can just look forward to the rest of it," he said.

Ursula Bruce, David's mother, said her son and other conscientious objectors should not have been sentenced to prison in the first place.

"They should be given an option of community service.

"Not everyone wishes to serve his or her community by wielding a gun," she said.

The End Conscription Campaign (ECC), Conscientious Objector Support Group (COSG) and David Bruce Support Group have all tentatively welcomed the sentence.

"We welcome Magistrate Bredenkamp's decision to set David free, but we call on the State to seriously review the whole system of conscription," a statement said.

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Sec 21/6/90

NEWS

Govt agrees on plan to phase in pardons

By Peter Fabricius,
Political Correspondent

CAPE TOWN — The Government has agreed to pardon all political crimes, even murder and bombings, if the African National Congress abandons the armed struggle in exchange.

This further disclosure of a breakthrough agreement by the joint Government/ANC working group on political prisoners was made by sources last night.

It follows the release of other particulars on the agreement, published in The Star on May 22, such as that the pardon could also apply to right-wingers guilty of violent crimes.

It is understood the working group has agreed that political offenders in prison and in exile should be pardoned in phases, according to the severity of their crimes.

This will coincide with a phasing out of political violence by organisations like the ANC.

The group has apparently drawn up a scale of offences from minor to major. Even murder, whether of individuals or through indiscriminate bombings, is expected to be solved.

Secret

But this can only happen if the ANC and other organisations stop using or advocating political violence as a matter of policy.

The group reported back to the Cabinet and the ANC executive on May 21, but its report has remained secret.

The Government has accepted its report. The ANC will give its reaction only after July 10 when deputy president Nelson Mandela has returned from abroad.

Government sources do not expect any problem and believe the delay in the ANC's response is technical and not substantive.

The working group was established at the Groote Schuur meeting of the Government and the ANC from May 2 to 4.

Its brief was to establish a definition of a political offence.

This would cover people serving prison sentences, facing prosecution or standing trial, and exiles who could be prosecuted if they returned.

Several hundred — and maybe well over 1 000 — prisoners serving sentences for violent political crimes will be released if the working group's recommendations are accepted by the ANC executive.

Many more exiles, and possibly fugitives inside the country, stand to be granted immunity from prosecution.

Sowetan 21/6/90

Raymond Makelana detained

SECURITY police in Tzaneen have detained Mr Raymond Makelana, 28, of Nkowankowa township, his lawyer, Mr Ephraim Makgoba, said yesterday. 329

Makgoba said Makelana was being held in terms of section 29 of the Internal Security Act.

Makelana's brother, Mr Phosakuwa Mashele, said police and soldiers took Makelana away on Sunday evening.

Makelana was first detained by security police and soldiers in April this year following a grenade attack on an SADF base at the township stadium. He was released after his car was searched with the aid of police bomb sniffing dogs, Mashele said.

Mother fears for jailed boy's safety

By Shehnaaz Bulbulia

Parents of three awaiting trial prisoners, who have been held at the Orlando police Station in Soweto for two weeks, fear for the safety of their children after being repeatedly refused permission to visit them.

Eunice Siswana, the mother of Luvuyo Siswana (16), said yesterday that she had been shunted from pillar to post in her attempt to visit her son.

Luvuyo Daniel Radebe (16) and Bonakele Ntoba (16) were arrested under Section 50 of the Internal Security Act on June 6 on suspicion of possessing explosives. Within 48 hours the youths appeared in court. They were then transferred to Orlando Police Station.

Mrs Siswana said she had unsuccessfully tried to visit Luvuyo, even after a lawyer representing the youths had arranged a family visit on Tuesday.

"We can't understand why. We are scared that something may have happened to them," she said.

"Immediately after Luvuyo appeared in court I went to Orlando Police Station. The police told me my son was not on the register. They then told me he was not being kept at Orlando and they finally said Luvuyo and the other boys were being held at Orlando, but family visits were not allowed."

Automatic right

A lawyer representing the youths said yesterday police were denying visits to people who had an automatic right to family visits and legal access.

"I was told by a policeman that he would prefer it if I did not consult my clients because it was a sensitive case. I had to battle to get permission for the parents to visit their children on Tuesday. I can't understand why the police backed out of an arrangement we made with them. What are they afraid of?" the lawyer asked.

Lieutenant I W Ferreira of the Orlando Police Station confirmed the detention of the youths, but declined to comment further. He referred The Star to the PRO of the Soweto Police.

The PRO said the police in Orlando had advised the lawyer to contact the investigating officer.

He said: "Lieutenant Ferreira told me he does not know of any parents that were refused permission. But if anybody comes to see their family in jail after the prescribed visiting hours they will not be allowed inside".

Mandela and Mbeki differ over number of prisoners

Sowetan 22/6/96

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NEW YORK - Differences between ANC deputy-president Nelson Mandela and other leading members of his organisation on the number of political prisoners whose release the ANC is negotiating with President F W de Klerk's government, emerged in New York this week.

At a Press conference at the end of his European tour in The Hague, Holland last week, Mandela said the ANC was negotiating the release of "almost 1 000 political prisoners," with the SA government.

In terms of the conflicting definitions of "political prisoners," he added, the SA government was currently negotiating on a figure of 577 people.

Mandela said he did not foresee any major problems to be overcome on this difference during negotiations in this regard with the SA government.

At a Press conference in New York on Tuesday, the ANC's Director of Media Service, said in response to a question on Mandela's figure: "That is not so."

Earlier at the conference, leading American anti-apartheid activists and politicians, particularly Randall Robinson, leader of the Transafrica group which has been prominent in the establishment in the United States of sanctions legislation, referred repeatedly to more than 3 000 political prisoners being held, as one of the reasons sanctions should be maintained.

Apparent discrepancy

Asked to clarify the discrepancy, Sisulu explained the ANC's figure of 3 000 plus was "also taking into account some of the detainees in South Africa and also some of those convicted in terms of the common criminal code."

Interrupted and asked specifically if Mandela's figure of almost 1 000 political prisoners at issue was correct, he said: "That is not so."

The issue of agreeing on the number of prisoners that may be defined as "political" and unconditionally released, is one of the major avenues of ongoing discussions between the Government and the ANC, in terms of the May 2 Groote Schuur Minute agreement on achieving elimination of obstacles to full-scale negotiations on a new non-racial constitution for South Africa.

Sources in New York this week indicated there was no controversy in the apparent discrepancy over figures, as American anti-apartheid campaigners might, understandably, not be fully up to date on the latest state of play in negotiations between the ANC and the Government.

This appeared to be confirmed at the press conference by Sisulu's response, in which he made it clear he was well aware of Mandela's statements in The Hague, but phrased his reply so that he did not contradict Robinson, whose support within the US political spectrum for the ANC's cause is highly valued. Sapa

Boksburg councillor held

W/Man 22/6/90
BOKSBURG: Right-wing town councillor TJ Ferreira was detained last night for questioning by police in Benoni.

His wife, Ursula Ferreira, said her husband arrived home with some friends at about 8.30 or 9.30pm.

Shortly after they sat down for a chat the security police knocked at the door and demanded to search the house, saying they were entitled to do so under "article 25" of a law they did not specify.

"However, the eight policemen only searched the car in which my husband ar-

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rived and then arrested him and said he would be taken to Sandton Police Station," she said.

After numerous phone calls by members of the family and herself, she said, it was established that her husband was being questioned in Benoni.

Ferreira sits on the town council as an independent but votes with the far right wing.

South African Police last night declined to comment. — Sapa

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Boss man keeps Mandela secret

By DESMOND BLOW

NOTORIOUS former South African spy chief "Lang" Hendrik van der Berg claims he is the only man alive who knows the person who "shopped" Nelson Mandela nearly 30 years ago, but he's not telling.

Van den Bergh, 76, was the most feared man in the country as head of the Bureau for State Security (Boss) under Hendrik Verwoerd and John Vorster.

"There is honour among intelligence agents as there is among thieves. I will take that secret to my grave," he told *City Press* at his chicken farm in Bapsfontein this week.

Although not denying it was a CIA source who betrayed Mandela to the police, he did not confirm it either.

Van den Berg said he he would feel obliged to keep the informant's identity secret even if the

informant were now dead.

But he denied the report that appeared in the *Sunday Times* last week which suggested it was Millard Shirley, head of the CIA in Southern Africa at the time, who supplied him with Mandela's whereabouts.

The suggestion that Shirley was the informant was made by former Boss agent Gerard Ludi, but Van den Bergh said: "Ludi was doing undercover work in Moscow at the time Mandela was arrested and knew nothing about it. In fact, I alone know who supplied the information."

He said that all Western intelligence services heads exchanged information in his time and he expected they still did.

"I secretly visited the heads of

foreign Western intelligence services overseas and they secretly visited one another.

"Not even our respective governments, heads of state or embassies were aware of our visits to foreign countries."

He said he got to know US President George Bush when Bush was head of the CIA, but Allen Dulles was head of CIA at the time of Mandela's arrest. It was Dulles who changed the original purpose of the CIA from intelligence analysis into planning of "covert operations" intended to remove foreign governments and leaders whose policies ran counter to US interests.

Van den Bergh said Dulles had presented him with a signed copy of his book *The Secret Enemy*.



Former SA spy chief "Lang" Hendrik van den Berg.

20 marchers arrested

POLICE arrested Mrs Hettie September — wife of ANC executive committee member for the Western Cape, Mr Reggie September — together with Dr Franklin Sonn and a group of more than 20 others at an illegal march in Cape Town yesterday. *S/Times 24/6/90 (329)*

They later appeared in the Wynberg Magistrate's Court and were warned to appear again on August 2. The march was held to protest against alleged police violence in Welkom, Sebokeng and Natal.

From page 1

CML

Times

27/6/90

Gunn arrest

that those responsible for the Cosatu House blast were "in all probability" residents or frequent visitors to the building.

Friends, family and Cosatu, however, rejected the police statement.

Mrs Gunn said the three of them were holidaying together at the Melton Wold guest farm at Victoria West in the Karoo after Jennifer had come to South Africa on holiday from Namibia.

Mrs Gunn said security police arrived at the farm at midday on Monday and kept the hotel under observation from the nearby hills.

When Ms Gunn and Jennifer were together in a bedroom, eight policeman walked into the room and told Ms Gunn she was under arrest. She was allowed to bath her 16-month old baby Haroon, pack some clothing and was then put into a police car and brought to Cape Town.

Mrs Gunn declined to say where Shirley had been since disappearing three years ago.

Yesterday security police confirmed that Ms Gunn is being held in terms of Section 29 of the Internal Security Act, according to Mr Kader Amien, of E Moosa and Associates.

The Act makes provision for police to detain a person indefinitely.

Ms Gunn, 34, an organiser of the then-Clothing Workers' Union, was first detained under Section 29 in 1985. She was released after 112 days in detention and then charged with possessing two banned communist periodicals. She was subsequently acquitted.

In 1986 she was charged with distributing pamphlets on a railway station without permission and also with causing a disturbance at D F Malan Airport.

'Elusive' unionist held in Karoo

Staff Reporter

A CITY trade unionist who has eluded the police for more than three years was arrested at a guest farm in the Karoo this week.

Ms Shirley Gunn was with her sister Jennifer and mother Audrey at the time of her arrest.

Mrs Audrey Gunn told the Cape Times yesterday: "It was a most devastating shock. I don't know how they could have been informed. This is the Karoo, in the middle of nowhere."

In January last year Ms Gunn was at the centre of a bitter wrangle between Law and Order Minister Mr Adriaan Vlok and community organisations when he linked her to two blasts — at Cosatu and Khotso houses in Johannesburg.

Police claimed she left the country in 1986 and had been militarily trained by the ANC at its Pango camp in Angola. They claimed further

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Gunn nabbed

POLICE have detained Shirley Gunn, one of South Africa's most wanted women. (329)

She was wanted for questioning in connection with devastating bomb blasts at Johannesburg's Khotso House and Cosatu House two years ago.

28/6/90



PETITION . . . Members of the Shirley Gunn Support Group hand a petition to security police in Cape Town yesterday, demanding her release from detention under the Internal Security Act.

Picture: STEWART COLMAN

Group calls for release of detainee

Staff Reporter

A DELEGATION supporting detainee Ms Shirley Gunn presented a petition to the security branch yesterday, calling for her "immediate" release. Members of the group also visited the Cape Times to protest against what it termed an "inaccurate poster".

The Shirley Gunn Support Group, many of whom are ANC members, is protesting against the detention of Ms Gunn and her 15-month-old child. Ms Gunn is being held under Section 29 of the Internal Security Act.

The delegation to the security police was led by Imam Hassan Solomon of the Muslim Judicial Council, Father Mark Thompson of the Anglican Church, Bontheuwel, Ms June Esau, Ms Rashida Abdullah and Ms Elizabeth Erasmus. It was about 30 strong.

Failing her release, the group demanded that while Ms Gunn remained imprisoned her son be provided with "cooked vegetables and clean clothes, provided by us on a daily basis".

The group claimed that the police declined to accept food and baby clothing, and were prepared to negotiate only with the family of Ms Gunn. Her family, however, is not in Cape Town.

Police spokeswoman Lt Denise Brand said police did not comment on Section 29 detentions. She confirmed that police had received the petition.

Members of the group also called at the Cape Times to protest against a poster that read "Khotso blast woman held". They said the poster headline "convicted Shirley", was inaccurate and that it was unfair to associate Ms Gunn with the blast by terming her the 'Khotso blast woman' in the poster.

The editor of the Cape Times replied that the word 'held' did not denote conviction, but was merely a statement of fact. Ms Gunn had earlier been at the centre of a bitter wrangle between Law and Order Minister Mr Adriaan Vlok and community organisations when he linked her to two blasts, at Khotso and Cosatu Houses.

CAT Times 28/6/90

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Police confirm unionist's detention (329)

SHIRLEY Gunn, the 34-year-old woman sought after the August 1988 bombing of Khotso House, was detained on Monday under Section 29 of the Internal Security Act, police said yesterday.

A relative said the arrest took place near Victoria West, but police would not confirm the location, nor in what connection she had been detained.

Early last year Law and Order Minister Adriaan Vlok named Gunn as one of three suspects being sought by police in connection with the Khotso House bombing.

He said Gunn had left SA in 1986 to undergo military training at the ANC's Pango Camp in Angola. He said Gunn and two men apparently arrived at Khotso House shortly before the explosion with a

THEO RAWANA

heavy round case.

Trained as a social worker, Gunn was detained in the Cape in 1984 while working as a Clothing Workers' Union organiser.

She became the longest serving political detainee in the western Cape after being held in solitary confinement for 112 days.

The Dominican sisters organised a petition for the former Springfield Convent pupil's release. She was released in December 1985 and charged with possessing banned literature, but acquitted in May 1986.

Gunn has been described by friends as a strong, brave woman deeply committed to an apartheid-free SA.

ANC supporters petition security police 329

CAPE TOWN - A delegation supporting detainee Ms Shirley Gunn, presented a petition to the security branch on Wednesday, calling for her "immediate" release. Members of the group also visited a Cape Town morning newspaper to protest against what it termed an "inaccurate poster".

The Shirley Gunn Support Group, many of whom are ANC members, is protesting against the detention of Gunn and her 15-month-old child. Gunn is being held under Section 29 of the Internal Security Act.

The delegation to the security police was led by Imam Hassan Solomon of the Muslim Judicial Council, Father Mark Thompson of the Anglican Church, Bonteheuwel, Ms June Esau, Ms Rashida Abdullah and Ms Elizabeth Erasmus. It was about 30 strong.

Failing her release, the group demanded that while Gunn remained imprisoned her son be provided with "cooked vegetables and clean clothes, provided by us on a daily basis".

The group claimed that the police declined to accept

food and baby clothing, and were prepared to negotiate only with the family of Gunn. Her family, however, is not in Cape Town. *Sowetan 29/6/90*

Police spokeswoman Lt Denise Brand said police did not comment on Section 29 detainees. She confirmed that police had received the petition.

Members of the group also called at the newspaper to protest against a poster that read "Khotso blast woman held". They said the poster headline "Convicted Shirley", was inaccurate and that it was unfair to associate Gunn with the blast by terming her the "Khotso blast woman" in the poster.

The newspaper editor replied that the word "held" did not denote conviction, but was merely a statement of fact. Gunn had earlier been at the centre of a bitter wrangle between Law and Order Minister Mr Adriaan Vlok and community organisations when he linked her to two blasts, at Khotso and Cosatu Houses.

Sapa

Gunn detention 'violates accord'

By GAVIN EVANS

THE detention of African National Congress member Shirley Gunn "violated the spirit of the Groote Schuur Minute", and went against the government's assurance that ANC members were free to return to South Africa, the movement said yesterday.

The ANC vigorously denied allegations made by the South African Police last year that the 36-year-old Gunn was in any way connected with the bombing of Khotso House. Police spokeswoman Lieutenant Nina Barkhuizen yesterday confirmed that Gunn was being held under section 29 of the Internal Security Act, but noted that police had not disclosed the reasons for her incarceration.

"Reports that she was being detained in connection with the Khotso House bombing are press speculation", she said. (329)

A group of Gunn supporters confronted Cape Times editor Koos Viviers on Tuesday for finding her "guilty before being tried" by using a poster which read: "Khotso House woman held".

Last year Law and Order Minister Adriaan Vlok named Gunn as a suspect in the bombings of the Khotso House and Cosatu House, a charge strongly refuted by the ANC, SACC and human rights groups.

Earlier police had blamed Gunn for a bombing at Cape Town's D F Malan airport, but later charged Jenny Schreiner and others for it. In 1985 she was detained for several months under section 29 before being released without charge.

Gunn was detained at about 5pm on Monday at a guest farm in Victoria West where she was staying with her mother, sister and 16-month-old son, Haroon — who has been allowed to stay with her.

Her attorney, Kader Amien, from the Cape Town firm Essa Moosa, said they had asked police for reasons for her detention, but by 9pm yesterday they had received no reply.

"We are very surprised that people are still being detained when negotiations are about to begin and when we've heard that the Internal Security Act may be abrogated. Her detention



Shirley Gunn ... no reason given for her detention under Internal Security Act

is clearly contrary to the spirit of the Groote Schuur Minute," Amien said.

ANC representative Joel Netshitenzhe said Gunn had never been charged for any offence and that her detention went against the grain of the talks between the government and the ANC, and "created problems" for the movement with respect to creating the climate for negotiations.

"We are demanding that all detentions must be stopped and all repressive legislation should be repealed. We will be supporting the campaign in the Western Cape for her released which will be launched on Monday".

Netshitenzhe confirmed that Gunn was an ANC member.

Human Rights Committee representative Dr Max Coleman said Gunn had been "tried, judged and convicted by the Minister of Law and Order and the media", without having been charged in a court of law.

DP to act over 'police assault' of detainee (329)

By MONDLI MAKHANYA

THE Democratic Party's unrest monitoring group in Durban is to take legal action after a leading member of the group, Roy Ainslie, allegedly witnessed South African and kwaZulu Police maltreating a detainee.

The 17-year-old kwaMashu activist was arrested on Tuesday and released on R300 bail the next day after appearing in court on a charge of attempting to murder a policeman.

The DP's unrest monitor, Roy Ainslie, said the youth was allegedly assaulted by SAP members on arrest and then handed over to the KZP. He was assaulted again and denied medical treatment, it is claimed.

An eye-witness said the arrest took place after an attack on the township's K section by members of the notorious Amasinyora gang. Fifteen minutes later, the SAP and ZP arrived and assaulted people in the streets, the witness added.

"I then saw two KZP's hit a boy in front of members of the SAP and South African Defence Force. He was screaming and shouting that he had done nothing wrong. However, the police continued kicking him and accused the youth of having shot a policeman. They then threw him into the back of a police van."

Ainslie said he would be taking an affidavit from the youth and proceed with legal action.

A kwaZulu police representative said he had no knowledge of the kwaZulu police having assaulted anyone or preventing somebody from receiving medical treatment.

Commenting on allegations SAP members looked on during the assaults, the SAP's liaison officer, Lieutenant-Colonel LJ Haasbroek, said: "You can be sure that if there is a complaint we will look into it."

STATE OF EMERGENCY DETENTIONS

According to Human Rights Commission records, nobody is held under Emergency regulations.

INTERNAL SECURITY ACT DETENTIONS

The Human Rights Commission has recorded 51 people detained under Section 29 since January 1 1990. Forty-eight people are presently being held under Section 29. The HRC is not aware of anyone held under Section 31 or Section 50 of the Act.

OTHER DETENTIONS

Six people have been detained under the Bophuthatswana State of Emergency but none have been detained under the Transkei Public Safety Act or the Venda Maintenance of Law and Order Act.

DETENTIONS DURING STATES OF EMERGENCY

A total of 41 700 detentions were recorded during States of Emergency over the past five years. (Figures in this section have been rounded off to the nearest 100.)

During the partial State of Emergency from July 21 1985 to March 7 1986, there were 8 000 detentions. During the national State of Emergency from June 12 1986 to June 11 1987, 25 000 detentions were recorded; from June 11 1987 to June 10 1988, there were 5 000 detentions; from June 10 1988 to June 9 1989, 2 500 were recorded and from June 9 1989 to June 8 1990, when the national State of Emergency ended, there were 1 200 detentions.

A total of 12 100 detentions also occurred under security legislation during this period — 7 900 detentions under the Internal Security Act and 4 200 under security legislation in "independent" homelands.

The total number of detentions for the period July 21 1985 to June 8 1990 was 53 800.

(329)

W/M 29/6/90

Vlok warns unions of possible curbs

Sowetan 29/6/90

THE Minister of Law and Order, Mr Adriaan Vlok, has warned trade unions not to transgress the law and destabilise the country's political situation, as strong action and possible legislation would be used to curb these activities.

Addressing 100 businessmen in Pietersburg, Vlok also issued stern warnings to activists about the killing of policemen, saying the Government would not tolerate this, as police were there to serve all sections of the population, and reminding criminals that strong action against lawlessness was in the pipeline.

SOWETAN Correspondent

In answer to a question about how strong the right-wing threat was, Vlok said it would be foolish to underestimate certain actions from this quarter.

But he assured law-abiding South Africans that the Government was determined to maintain law and order on all fronts during what he described as "a difficult phase in the country's constitutional development".

Decisive

Vlok reminded businessmen that they had a decisive role to play in promoting prosperity and creating employment.

"The business community has consistently urged the Government to dismantle apartheid - now that we have done this, we are relying on your support to help us create a better South Africa", he said.

Police refuse food for Gunn

SECURITY police have agreed to a Muslim prayer mat and robe for detained trade unionist Ms Shirley Gunn.

But a request from the Shirley Gunn Support Group that Gunn, who has converted to Islam, be allowed a special meal yesterday on Eid al Adha was refused by a Colonel Smith at security police headquarters in Loop Street.

He also declined to accept cooked food which the group had brought for Gunn's 18-month-old son Haroon. He said the child was eating the same food given to his mother, adding that Gunn had been supplied with a Holy Quran.

Muslims can only eat Halaal meat and the support group is concerned that the food given to Gunn and her child is not been prepared as prescribed by her religion.

Wit Wolwe 'threatened lawyer'

JOHANNESBURG. — The wife of a KwaNdebele lawyer detained by Pretoria security police, Ms Allinah Klaas, claimed this week that her husband had been threatened with death by members of the ultra-right-wing Wit Wolwe before to his detention.

A treasurer of the National Association of Democratic Lawyers, Mr J B Sibanyoni was detained under Section 29 of the Internal Security Act last Thursday night at his home in Ekangala township in KwaNdebele, said Pretoria lawyer Mr Mpho Molefe.

Ms Klaas has filed an urgent interdict seeking the release of her husband. The application will be heard

today in the Supreme Court, Pretoria.

Ms Klaas said she and her husband had last month received anonymous calls from alleged Wit Wolwe members, who threatened to kill him.

A week later Ms Klaas received another call from a man also claiming to be a Wit Wolwe member. One of their children answered another call.

Ms Klaas said the threats had been reported to Bronkhorstspuit police.

A Bronkhorstspuit police spokesman yesterday declined to comment and a Pretoria police liaison officer said he was not aware of the threats. — Sapa

State to pay 80 Orr detainees

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CMT-146 5/7/90

JOHANNESBURG. — About 80 anti-apartheid activists and former detainees are to be paid more than R120 000 by the state today, about five years after former Port Elizabeth district surgeon Dr Wendy Orr successfully interdicted police from assaulting them and others in detention at the time.

Attorneys for the ex-detainees last night confirmed that the state had agreed to pay them, without admission of guilt, a total of R120 500 plus costs, for claims filed against the Minister of Law and Order after the interdict.

The cheques will be handed to the former detainees in Port Elizabeth this evening and Dr Orr will be present, attorneys Cheadle, Thompson and Haysom said.

In 1985 Dr Orr was working in the Port Elizabeth district surgeon's offices, where her duties included attending to people detained under the state of emergency, then newly declared.

While treating between 40 and 50 detainees each day, Dr Orr noticed that many prisoners showed evidence of "systematic assault", as she later put it in affidavits supporting her application for the interdict.

Many had alleged assaults by the police during interrogation. — Sapa



State to pay out ex-detainees

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Attorneys last night confirmed the State had agreed to pay, without admission of guilt, a total of R120 500 plus the costs of the applications against the Minister of Law and Order subsequent to the interdict.

ARCUS 5/7/90
The cheques are to be handed to the former detainees at a ceremony in Port Elizabeth tonight and Dr Orr will be present.

Dr Orr brought a successful application against the Minister of Law and Order in 1985 interdicting the police from assaulting detainees being held indefinitely under the state of emergency.

She had been treating detainees who claimed they had been forced to eat their own hair, drink petrol, that bricks had been dropped on their toes and that they had been sjambokked on

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their hands and feet, and had seen evidence of serious injuries indicative of "systematic assault".

Subsequently about 90 people instituted claims against the Minister of Law and Order for assaults in detention.

These, several of whom spent years in detention after filing the claims, include prominent Eastern Cape civic and trade union leaders such as Mr Dennis Neer, Ms Ivy Gcina, Mr Ihron Rensburg, Mr Mkhuseleli Jack and the Rev de Villiers Soga. — Sapa.

Security Act 'takes over' from emergency

Opt Times 5/7/90 329

JOHANNESBURG. — Greater use was now being made of the Internal Security Act since the partial lifting of the state of emergency on June 7, Human Rights commissioner Dr Max Coleman said yesterday.

On the day before the lifting of the emergency, 34 people were in detention under the Internal Security Act and by June 27 the figure had risen to 48, he said.

"Again, whereas in the past under emergency regulations policemen and others were indemnified against prosecution for action accompanying the process of detention, now they claim self-defence."

Dr Coleman said the continued existence of the Internal Security Act belied the commitment of the government to the establishment of a climate conducive to negotiation. — Sapa

APARTHEID BAROMETER

DETENTION STATISTICS: W/Mail 6/7/90
ACCORDING to the Human Rights Commission there have been 73 section 29 detentions under the Internal Security Act since January. Presently there are 69 section 29 detainees. (329)
And in Bophuthatswana there are six State of Emergency detainees.
The HRC records that since last week, 22 people have been detained under section 29. They include prominent United Democratic Front activist and the first president of the Congress of South African Students, Ephraim Mogale, and National Democratic Lawyers Association member JB Sebanyoni.

12 held at demo for Gunn's release

By GAYE DAVIS: Cape Town

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TWELVE supporters of detained Cape activist Shirley Gunn were bundled into a police van yesterday during a city centre placard demonstration calling for her immediate release and that of all political prisoners.

The arrests came soon after Gunn's attorney, Essa Moosa, announced that a Supreme Court application would be launched challenging the validity of her detention under Section 29 of the Internal Security Act.

Moosa said it was believed Gunn's detention was invalid "in view of the expectations created by the Groote Schuur talks".

Gunn was arrested 12 days ago at a remote Karoo guest farm. She and her 16-month-old son, Haroon, had been held incommunicado ever since and Moosa was still awaiting a response to requests

for access to her, or at least to her son, who was not being held under Section 29, he said.

Her detention was "not in the spirit of the Groote Schuur Minute where it was agreed political prisoners be released and exiles allowed to return to create a climate for negotiations," he said.

He was speaking at a press conference attended by 36-year-old Gunn's mother, Audrey, who demanded she be allowed to see her daughter.

If she was not allowed to see Shirley, then at least she should be permitted access to her grandson, she said.

"South African law is beyond justice," Audrey Gunn said.

African National Congress co-ordinator in the Western Cape, Reg September, said Gunn was a respected member of the ANC. "We expect her to be charged or released."

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STATE OF REPRESSION:

Witwatersrand

LAST Saturday two of the organisers of the welcome rally for African National Congress general-secretary Alfred Nzo were arrested. One of them was told by the police he would be killed if he continued organising such events. On the same day police arrested one of the youths at the rally.

When one of the chief marshalls at the rally tried to placate the furious crowd who had surrounded the police car in which the youth was sitting, a shot was fired from the police car. The marshal was wounded and certified dead on arrival at the local clinic.

Two other South African Youth Congress members, Makhosi Jama and Aubrey Kitime, were injured.

Northern Transvaal:

Harassment by chiefs, local authorities and homeland police is on the increase in the homelands. Civic leader A. Dikgale was shot and killed by the "Chief's" police.

Orange Free State:

Reverend S Schalet was arrested in Heilbron on July 1 at the opening of the ANC office. The charge is unknown.

Eastern Transvaal:

On July 3, the home of Matthew Phosa, a member of the ANC's le-

gal department, was surrounded by police and army units. Phosa was not at home and the police demanded to search the home. The residents refused but they later returned with eight army vehicles and four hippos. They searched the house without showing a warrant. The police claimed that one of the residents had pointed a fire-arm at them. All they found was a toy gun.

EDUCATION:

EDUCATION foundation executive director Dr Johan Van Zijl said 29 classrooms must be built every working day for the rest of the century to provide accommodation for all pupils and to work off the backlog in education. W/M 6/7/90

He added that if present trends continued, 60% of all blacks in Natal would be unemployed by the year 2 000. At the same time, there would be a country-wide shortage of more than 200 000 skilled workers.

PRISONER OF CONSCIENCE:

EPHRAIM MOGALE was detained under section 29 of the Internal Security Act on June 27 and is being held at the Sandton police station. W/M 6/7/90

The 31-year-old activist was the first president of the Congress of South African Students and worked as an organiser for the United Democratic Front in the northern Transvaal. He spent five years on Robben Island after being sentenced in 1979.

In 1987 Mogale, who was also the president of the northern Transvaal branch of the South African Youth Congress, was held in terms of the State of Emergency regulations. He spent 10 months in detention.

Mogale, who is married with a three-year-old daughter, was recently injured in a car accident and had skin grafts on his hands. He is presently under medical care. He was living in Johannesburg at the time of his detention.

played in remaining a minority
and those who were



THE LAW DESCENDS . . . This woman protester was about to be arrested for taking part in a demonstration on Greenmarket Square yesterday in support of Ms Gunn. Her poster reads: "Babies need mother's love not Section 29". Ms Gunn and her 16-month-old son Haroon have been separated.

Picture: ERIC MILLER



SUPPORT . . . Mrs Audrey Gunn, mother of detained Ms Shirley Gunn, and Imam Hassan . . . Solomons read out one of several messages of support yesterday.

Picture: GLENN SHERRATT

Gunn's baby taken to 'place of safety'

Can't find Staff Reporter 32

DETAINÉE Ms Shirley Gunn and her 16-month-old child Haroon were separated yesterday when the child was put in a "place of safety" in Wynberg. According to a police spokesman, Ms Gunn and welfare officials had come to the agreement. Police had nothing to do with the arrangement, he said. But Mrs Audrey Gunn, Ms Gunn's mother, said that she had heard the news only when she went to the security police offices in Loop Street to deliver clothing for the child, who is still being breast-fed. Ms Shirley Gunn has been held incommunicado under Section 29 of the Internal Security Act since her arrest in the Karoo on Monday last week, according to her attorney Mr Egga Moosa. Haroon was taken with her, though he was not detained. Meanwhile, 12 protesters demanding the release of Ms Shirley Gunn were arrested at a lunchtime picket on Greenmarket Square yesterday.



SEAL DEMO ...
Protesters from the Seal Action Group (SAG) formed a circle on Greenmarket Square yesterday, displaying posters with slogans such as "Save our seals", "Leave the pups alone" and "Seal the door on trade with Taiwan". They circulated petitions, sang and chanted and handed out information pamphlets on the issue.

Picture: GLENN SHERRATT

Staff Reporter

ELEVEN more people were arrested on Greenmarket Square yesterday while protesting against trade unionist Ms Shirley Gunn's detention — within metres of a larger demonstration against the clubbing of seals.

None of the anti-seal-clubbing demonstrators was arrested as scores of them surged across the square and stood by in solidarity as the Gunn protesters were led or bundled into a van.

Permission for the seal protest had been asked for and granted, according to one of its organisers. This was not the case with the Gunn protest.

Meanwhile, further details emerged yesterday of the circumstances in which Ms Gunn was separated from her child Haroon while in detention under Section 29 of the Internal Security Act in

11 arrested at demonstration for Gunn

the Wynberg police cells.

The 16-month-old baby was with Ms Gunn when she was detained last Monday in the Karoo. Police have tried to link Ms Gunn, an ANC member, to blasts at Cosatu House and Khotso House in Johannesburg in 1987 and 1988.

Mrs Audrey Gunn, Shirley's mother, claimed at a press conference this week that she knew her daughter was out of the country at the time of the blasts. A police spokesman said the investigating officer

would be interested in her information.

Police claimed this week that Ms Gunn had come to some agreement about her child being taken away from her.

Yesterday Mr Willem van Wyk, chief director of welfare services with the Department of Health and Welfare in Pretoria, said it was true that Ms Gunn had not been happy about the separation.

However, she had been visited by senior officials who had "explained the situation" to her.

A court order had been obtained to have the child removed from her as police had felt it was undesirable to keep the child in a police cell.

The arrested people were: Ms Lynn Schneider, Ms Alethea Morton, Ms Dora Scott, Ms Sandra Braun, Mr Paul Ferrari, Ms Norma Beattie, Ms Iris Brown, Ms Deborah Williams, Ms Mavis Mthandi, Ms Shirley Chaplog and Sister Melamien Scott.

Sister Scott was released on R50 bail and is required to appear in court on Monday in connection with charges of obstructing a policeman in the course of his duty. The others were released on warning to appear in court on August 22 in connection with charges relating to participation in an unlawful demonstration, unless they pay a R50 admission-of-guilt fine.

Doctor who stopp the beatings. . .

w/ Argus 7/7/90

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By PAT CANDIDO
Weekend Argus Bureau

PORT ELIZABETH. — Why did no other district surgeon or doctor working in the system speak out?

This is the question former Port Elizabeth district surgeon Wendy Orr, who made headlines in 1985 revealing assaults on detainees, keeps asking herself.

This week the young doctor who still maintains that all she did was the "job of any doctor" returned to the city to attend a function at which former detainees received a settlement of R120 000.

The payment was made to about 80 anti-apartheid activists five years after Dr Orr successfully interdicted police from assaulting them and others in detention at the time.

Attorneys representing the detainees said the State had agreed to pay them, without admission of guilt, a total of R120 500 plus the costs of their applications for claims filed against the Minister of Law and Order after the interdict.

Disappointment

Prominent detainees, several of whom spent about three years in detention, included Eastern Cape civic and trade union leaders such as Dennis Neer, Cosatu's regional secretary, Ivy Gcina of the Federation of South African Women, Ihron Rensburg, an NECC executive committee member, Mkheli Jack, the chairman of the PE youth Congress and the Rev De Villiers Soga, a prominent clergyman.

In retrospect, the deceptively young looking doctor, who was relatively inexperienced when she took on her shoulders what nobody else had done, says she would do the same today.

One of her greatest disappointments still is that no other doctor working in the system has spoken out. It has considerably weakened her faith in the profession.

"I did what any doctor should have done. Yes, it changed my life. But I did the right thing," she said in an interview this week.

She still believes she achieved something — she spared detainees from further humiliation and pain.

Dr Orr, who had qualified at the University of Cape Town and was working off a state bursary at the district surgeon's office, recalls how her duties included examining and providing health-care to those detained under the emergency regulations.

Emergency

Eight years after the PE district surgeon's office had become infamous for the Steve Biko case she found the situation had changed very little.

She soon realised she was seeing detainees who had been assaulted while in detention. The daughter of a clergyman, and a person with high moral ethics she decided she had to live up to her calling as a doctor.

She still remembers the nasty telephone calls and letters, some of which really scared her at the time. Eventually she was forced to resign. A group of doctors in Johannesburg and Cape town clubbed together to pay off the last two years of her bursary.

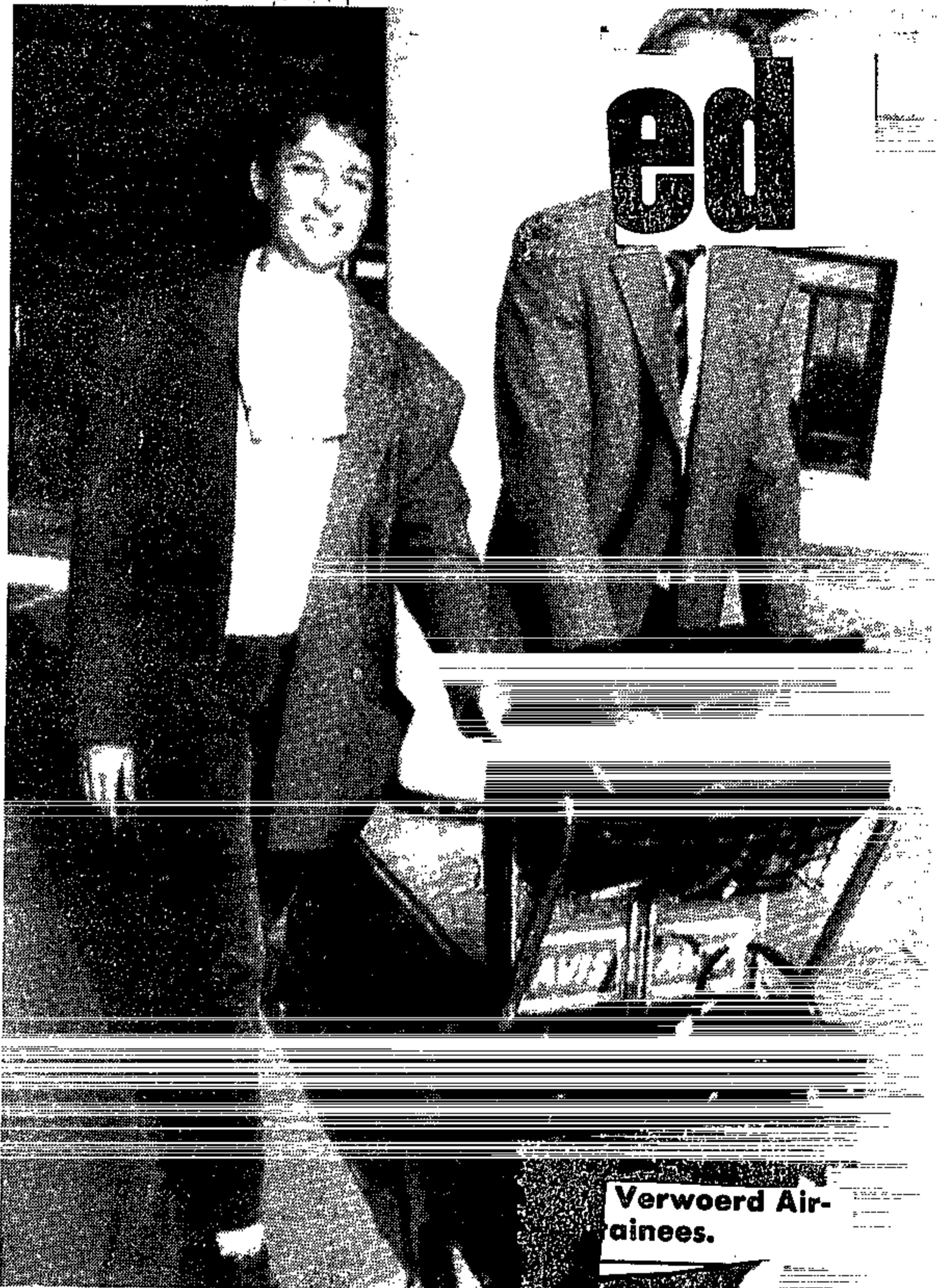
Today, after a spell at the Alexandra Clinic and the Coronation Hospital in Johannesburg, she is working on a master's degree in family medicine at the University of the Witwatersrand.

Cordon bleu

She is trying to squeeze in a cordon bleu cookery course. She is slightly more optimistic about the changes taking place in the country but believes health services are no better than they were.

She has no regrets, though she admits that her actions influenced her life and catapulted her into the limelight in a manner she did not expect.

Her words were splashed in newspapers around the world and her actions earned her a trip to America. Today she is "footloose and fancy free" and working hard for her master's degree.



Dr Wendy Orr and attorney Mr Richard Spoor arrive at H: port, Port Elizabeth, for a reunion with former

**Verwoerd Air-
rainees.**

1 000 march in Cape Town over violence

By TYRONE SEALE

Weekend Argus Reporter

ABOUT 1 000 Cosatu and United Democratic Front supporters marched through the city centre this morning to deliver a memorandum calling on President de Klerk to resolve the violence in Natal.

The march also drew attention to police action during recent protests in the Boland, and to the detention of activist Ms Shirley Gunn.

The procession started at the corner of Darling Street and Sir Lowry Road and moved down Adderley Street on the way to police headquarters in Parade Street.

With the crowd chanting "We want Shirley! We want Shirley!" outside the SAP offices, ANC official Mr Trevor Manuel and Cosatu regional secretary Ms Lucienne Nyembe insisted on handing the memorandum to Colonel Flip Delpont, Cape Town district commissioner.

Working committee

Colonel Delpont took the memorandum calling for the lifting of the state of emergency in Natal; the arrest of "warlords" in the province; a judicial commission of inquiry; effective and impartial peace-keeping by the security forces; and guarantees of freedom of association and political activity.

The memorandum, drawn up by a Cosatu/UDF joint working

committee and endorsed by the ANC, says it is conservatively estimated that about 3 300 people have been killed in the conflict in Natal since 1987.

"We have throughout the three-year period made numerous attempts to arrive at a peaceful resolution of the conflict. These attempts at peace have, however, come to nothing and in spite of the number of murders, only a handful of criminal investigations have reached the trial stage.

"It is not surprising that serious allegations are being made against the commitment of the leadership of Inkatha to peace and the police's role in the conflict and their inability to limit the violence.

"The terrible carnage taking place in Natal must stop. The situation calls for a national response, and the rest of South Africa cannot be onlookers. We believe the South African government must act and create a climate of peace in Natal."

After the Parade Street stop, the march moved to Caledon Square where the same memorandum was delivered to the station commander, Major W Strydom, who said he would pass it on to the highest ranking police officers, in line with the protesters' demand.

● In Johannesburg about 1 200 ANC supporters, singing freedom songs and waving banners and placards, started gathering at the city centre in preparation for a march.

Nine held in raid on right



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CAP

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INSID

Cold, rain

PAGE 2

100 hurt in Mamelodi clash

PAGE 2

Murders shock Natal

PAGE 3

SA set for

JOHANNESBURG. — Police have detained nine right-wingers in connection with a week of urban terror bombings aimed at civilians and liberal and moderate MPs, Law and Order Minister Mr Adriaan Vlok said yesterday.

Police also confiscated large quantities of explosives and ammunition, including blasting cartridges, plastic explosive, cartridges of various calibres, handgrenades and stun grenades. Mr Vlok announced, adding the nine are "supporters of right-wing ideology". He confirmed a weekend report that named three of the men who were held, two of them fugitives from Namibian justice, in pre-dawn swoops on

Friday, but did not identify the others arrested or give further details.

The men are being held in terms of the Internal Security Act, police said.

The explosions which police believe the nine may be connected with include the bombing of DP city councillor Mr CL Gilbert's home here on June 29.

Also listed are:

● The blast at a synagogue on July 1 in Rosettenville in southern Johannesburg and that at Antco Estates, where Mr Gilbert worked.

● A bomb blast at the home of NP councillor Mr Jan Burger at Turfontein on July 3.

● The bombing of the Vrye Weekblad offices in the centre of Johannesburg.

The three arrested men named at the weekend are Mr Leonard Veenendaal and Mr Darryl Stopforth, wanted by Namibian authorities on charges of murder and weapons possession but

out of their reach as no extradition treaty exists with Windhoek, and Mr David Rootenberg.

The minister said the arrests "refute allegations that the police are lax in acting against far-right groups".

Police also seized 141 Dynagel blasting cartridges, one M-26 practice handgrenade and primers, one Mills-36 handgrenade, three white phosphorous grenades, three riot grenades, six 225g packets of PE4 plastic explosive and ammunition of various calibres.

"The people arrested are all supporters of a far right political ideology, but cannot thus far be connected to any particular organisation," said Mr Vlok.

Because the investigation was at a delicate stage, the names of the other six men could not be revealed.

The arrests quashed any suggestion that the SAP was being tardy in its investigation of right-wing violence, said Mr Vlok, and showed that the

police would fight crime irrespective of what organisation it stemmed from.

The three were arrested three hours before a bomb blast ripped through a bus terminus here used mainly by black commuters, injuring 27 people, but an official of the Department of Law and Order said the explosive could have had a 12-hour timer.

● An organisation calling itself the Wit Bevydingsleër (WBL) has claimed responsibility for Friday's blast.

The WBL also said: "It will not be the last."

Meanwhile, Boerestaatsparty leader Dr Robert van Tonder, interviewed by telephone from his farm at Sandspruit in the Transvaal, said he did not know who the WBL was.

"But I do know that while the NP is arresting rightists and keeping them without formal charges, this will lead to more and more anarchy," he said. — UPI and Sapa

Another rightist held for blasts

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The Argus Correspondent
JOHANNESBURG. — Police have arrested another suspected rightwing terrorist in connection with bomb blasts in Johannesburg, bringing to 10 the number of suspects being held in swoops since Friday.

The arrest was made after an extreme rightwing group, calling itself the Wit Bevydingsleer (WBL) claimed responsibility for the bomb that exploded at a bus and taxi rank in central Johannesburg on Friday, injuring 27 people.

It said there would be more blasts and warned that Law and Order Minister Mr Adriaan Vlok and Mr Chris Hani, the ANC's military chief-of-staff, would be assassinated if the suspects were not released.

The claim and threats were made in a faxed message last night as the police announced they had smashed two cells of rightwing extremists and detained nine men in connection with a series of bomb blasts in Johannesburg last week.

Security police have also seized a huge arms cache. It includes plastic explosives, detonators and handgrenades.

HIGH ON LIST

In the faxed message, the WBL, using crude racist terms, said: "The WBL hereby accepts official responsibility for the attack last Friday."

Referring to the detention of several rightwingers by the police, the statement said the WBL "high command" expressed its distaste over the arrests of people whom it described as "comrades in the struggle".

They said Mr Vlok, a "traitor", and ANC military leader Chris Hani would both be high on their hit lists unless those detained were released immediately.

Mr Vlok said yesterday that the arrests of rightwingers were a breakthrough and repudiated allegations that police were reluctant to act against them. The SAP was committed to fighting violence from every quarter.

The detentions were made in the Reef region after detectives raided the Randburg home of Boerestaart Party leader Mr Robert van Tonder early on Friday and seized documents. More arrests are expected.

Three of those held have been identified. They are leading rightwingers Leonard Michael Veenendal, Darryl Garth Stopforth and David Israel Rootenberg, a former commander of the AWB's Aquila unit.

Mr Veenendal, the former leader of the AWB in Johannesburg, and Mr Stopforth are wanted in Namibia in connection with the killing of a security guard during an attack on United Nations offices in Outjo.

Reacting to the arrests, Mr Van Tonder and Boere Weerstandsbeweging leader Mr Andrew Ford said the arrests were made to please the ANC.

By RONNIE MORRIS

HARROON GUNN-SALIE, the 16-month-old child of detained activist Ms Shirley Gunn, may suffer "severe psychological damage" because of the continued separation from his mother, the Supreme Court was told yesterday.

The court was also told by the detained woman's mother, Mrs Audrey Gunn, that proceedings to remove the child happened without herself or her attorneys being consulted.

A serious decision was made to separate her grandchild from his mother on an "extremely scanty" report, Mrs Gunn said.

She said this in her application to have the order removing the child from its mother set aside.

In an affidavit, Dr Ralph James Diedericks, a consultant paediatrician, said a description of the baby's behaviour at the place of safety constituted "acute separation", the severest kind of emotional trauma for both mother and child.

"The continued separation of the mother and baby is a continuing trauma which could result in severe psychological damage to mother and child," Dr Diedericks said.

The only solution would be for Ms Gunn to have access to her baby as soon as possible to allow proper mothering to continue. The age of the baby was a strong factor for immediately re-establishing

Doctor says Gunn's son must be returned

the relationship between mother and baby, Dr Diedericks said.

While a police cell was not the ideal situation for a baby, it was in the best interest of the child to be returned to his mother, he said.

In her affidavit, Mrs Gunn said neither she nor her other daughter Jennifer considered keeping the baby because it would have been "a cruel and inhuman act". The baby was flourishing under its mother's care and was regularly breast-fed, she said.

When she went to Loop Street security police offices on July 5 to deliver fresh clothes for the baby, police refused to accept them and she was referred to a social worker where she learnt the baby had been removed from her daughter.

At the Tenderden place of safety she found the baby weeping and refusing to come to her. The child pointed to the door saying "Mama, Mama".

She was also told the child was refusing to take a bottle.

She was told the baby had been removed because the cell was too cold, police could not cope with the child's food and there had been a problem in regard to the baby's washing.

The decision to remove the child was open to attack on the grounds that it was not warranted by the evidence, nor was there sufficient evidence on which a reasonable man might have come to the conclusion to which Mr H J Venter, a commissioner of child welfare, had come.

There was no information from her daughter as to how she had coped with the situation from the time of her arrest till July 3 or how Mr Venter came to his conclusion without ascertaining whether the baby was being breast-fed.

Mr Justice M R de Kock, who heard the matter in chambers, granted the director general, department of health services and the regional head till 10am this morning to file opposing affidavits. Mr Venter and the place of safety would abide by the court's decision.

Police will indicate their attitude today after the state attorney's office referred them to private attorneys.

Mr Saji Desai and Mr Denzil Poggeker, instructed by Mr Kader Ameen of E Moses and Associates, appeared for Mrs Gunn. Mr Charles Lowy, instructed by the state attorney, appeared for the Director General and the regional head.

'Reunite Gunn with her baby'

By VUYO BAVUMA
Staff Reporter

THE continued separation of detained African National Congress member Ms Shirley Gunn and her 16-month child was traumatic and could result in severe psychological damage for both, a city paediatrician has argued.

Dr Ralph James Diedericks, who is also a part-time consultant at Groote Schuur, Red Cross and Victoria hospitals, was giving evidence in the Cape Town Supreme Court yesterday during an urgent application to reunite detained activist Ms Gunn with her son, Haroon.

Ms Gunn, a former organiser for the Clothing Workers Union, was detained in terms of Section 29 of the Internal Security Act at a guest farm in the Karoo on June 26. She was separated from her son on July 14.

"PROPER MOTHERING"

Dr Diedericks said Ms Gunn needed to be with the baby to ensure that a proper mothering process continued smoothly.

Such acute separation constituted the severest emotional trauma, especially as there had been no adequate explanation for it and adjustment.

Babies in a place of care invariably showed signs of psychological damage such as poor feeding and persistent vomiting, he said.

Ms Gunn's baby had been unaccustomed to artificial milk feeding.

"It is vital that the baby be returned to the mother, also in terms of the bonding process and nutritional supplementation.

"I am advised that the mother is providing adequate breast milk. In these circumstances, Ms Gunn will suffer intense discomfort or pain from breast engorgement," said Dr Diedericks.

Mrs Aubrey Ireland Gunn, Ms Gunn's mother, said the baby had been flourishing under his mother's care and was regularly breast-fed.

She said Shirley and her baby had strong bonds.

Mrs Gunn went to see the baby at a place of safety in Wynberg.

"The baby was weeping and did not want to come to me. He pointed to the door saying 'mama, mama'.

"A Mrs Du Preez told me that the baby had been removed from her mother because the cell was cold.

"The police could not cope and there had been problems with the baby's food.

"My attorney told her those were not serious problems as we could bring a heater and make arrangements for food or fresh clothes to be brought daily," Mrs Gunn said.

The hearing continues today.

APARTHEID BAROMETER

PRISONER OF CONSCIENCE:

Shirley Renee Gunn, 35, was arrested on June 25 with her 16 month-old baby while holidaying with her family at Victoria West in the Karoo. She was detained in terms of section 29 of the Internal Security Act.

Gunn was born in Cape Town and attended the Springfield Convent school in the Cape. In 1980 she completed a Diploma in Social Work at the University of Cape Town and in 1982 graduated with her Honours in Social Science. *W/Mail*

In August 1985 she was detained under section 29 and was subsequently released without being charged.

She worked as a social worker at Nicro and later as an organiser in the clothing workers union, in Cape Town. *1317-1617190*

Gunn was also active in community organisations campaigning against homelessness in the Houtbay Action Committee and serving in the Churches urban planning committee.

DETENTION STATISTICS: INTERNAL SECURITY ACT DETENTIONS:

The Human Rights Commission has recorded 112 section 29 detentions since January 1, 1990. This includes detainees who at one time or another during 1990 have been in detention under section 29. Some of them have been charged and are awaiting trial, some have died in detention or have

W/Mail 1317-1617190
been released without being charged.

Others are still being held. There are 79 people presently held under section 29 and two under section 31. Since Friday July 6, 1990, 10 people have been detained under section 29. They are all suspects in the spate of bombings which have occurred since April 12, 1990.

HOMELANDS:

There are currently 81 people being held in Bophuthatswana under the State of Emergency.

STATE OF REPRESSION: BOPHUTHATSWANA:

According to the South African Catering and Allied Workers Union, 75 workers were detained at the Garankuwa OK store last Thursday. The Bophuthatswana Police have only confirmed the detentions of 55 workers.

NORTHERN TRANSVAAL:

Human rights attorney JB Sebayoni was detained on June 28, 1990 in Kwandebele. *(229)*

His lawyer was told he was being held under the Criminal Procedures Act. However, Sebayoni's consultation with his lawyer the investigating officer decided to place Sebayoni under section 29 of the ISA. He was then forced to end the consultation. This took place in the presence of two magistrates and a senior public prosecutor. Since then nobody has been allowed to see Sebayoni. *W/Mail 1317-1617190*

Sebayoni was an instructing attor-

W/Mail 329
ney in the Delmas 3 trial and was also representing people arrested for the current consumer boycott in Bronkorspruit. He also received death threats from the "Wit Wolwe". *1317-1617190*

BOOKS UNBANNED:

What I Did was Right by Abram Eischer

Apartheid by Nelson Mandela *(329)*

Fifty Fighting Years by A. Lerumo

Clarion call to all Opponents of Apartheid (African National Congress, Lusaka)

The African Condition by Ali A Mazrui

Revolutionary Pressures in Africa by Claude Ake

Forced Labour in Colonial Africa by AT Nzula, II Potekhin and AZ Ausmanovich

Soweto Oder Der Aufstand Der Vorstadte by Gisela Albrecht

Where White is the Colour, Where Black is the Number by Wopko Jen-
sma

Race and Class Vol20(1), 1978 (Insti-
tute of Race Relations, London)

PUBLICATIONS BANNED FOR DISTRIBUTION:

Fullon County by James Goldman

*Jake Logan No 90 Cheyenne Blood-
bath; Bloody Trail to Texas and The
Comanche's Woman* (all by Jake Lo-
gan)

Demon Shield by Bruce King
Jenny by Ruth Shirley

Gunn baby back to mum

329
G.M. Twp
13/7/90

back to mum

BY RONNIE MORRIS
DETAINÉE Ms Shirley Gunn and her 16-month-old baby son Haroon Gunn-Salie were reunited yesterday after a Children's Court ruling.

Ms Gunn, a terrorism suspect, is being held in solitary confinement under Section 29 of the Internal Security Act. She was arrested on June 25.

Haroon was taken from her on Wednesday last week (July 4) to a place of safety in Wynberg. His grandmother, Mrs Audrey Gunn, traced him there the following day.

A paediatrician testified this week that the baby, who is still being breast-fed, suffered "acute separation" or emotional trauma.

An inquiry was held on Wednesday in terms of Section 14 (4) of the Child Care Act to determine whether Ms Gunn was unable or unfit to have custody of her child.

It was closed to the press, but an application yesterday by defence counsel Mr Siraj Desai to have the court order published, was granted.

'No order'

In his finding, Mr Hendrik Venter, an assistant commissioner of Child Care, said that before the court could make a decision it had to hear the mother's evidence, but this was impossible as Ms Gunn was in detention. The court was also unable to determine whether her circumstances were conducive to the maintenance and welfare of the child.

"The court accordingly makes no order and as a result the child is to be returned forthwith to the person in whose care it was before the inquiry — the mother," he said.

In papers earlier, Mrs Gunn said that neither she nor her other daughter Jennifer considered keeping Haroon because it would have been "a cruel and inhuman act". The baby, who was still breast-feeding, was flourishing under its mother's care.

At the Templerden place of safety in Wynberg she found Haroon weeping, pointing to the door and saying "Mama, Mama" and refusing a bottle.

● In Maritzburg yesterday 10 members of the Black Sash held a placard demonstration in support of Ms Gunn.



BACK TO MOTHER... Grandmother Mrs Audrey Gunn holds baby Haroon Gunn-Salie before taking him to be reunited with his mother, Ms Shirley Gunn.

Picture: BENNY GOOL

'The baby who's going back to prison

329

W/mumil
1317740

By GAYE DAVIS, Cape Town

DETAINEE Shirley Gunn has her baby back.

A bewildered 16-month-old Haroon, clutching a furry toy and a half-eaten biscuit, was handed over to an officer at security police offices on Cape Town's foreshore yesterday to be returned to his mother.

His release from Tenterden place of safety, where he was taken last Thursday after a security police-initiated court order to remove him from his mother's cell, followed a decision in the children's court yesterday.

The toddler emerged from Tenterden in the arms of his grandmother, Audrey Gunn, pointed at one of the reporters and cried "Mama".

Later Audrey Gunn, accompanied by attorneys and weighed down with supplies of baby clothes and food, handed Haroon over to security police.

She told *The Daily Mail* she was overjoyed at the decision of magistrate Hendrik Venter that the child be returned to his mother "forthwith".

In his finding, Venter said the court had been faced with the "unique situation" of the child's mother being held under Section 29 of the Internal Security Act.

In terms of the Child Care Act, his enquiry had to determine whether Shirley Gunn was unable or unfit to have custody of Haroon.

Before the court could make such a decision, it had primarily to hear the evidence of the mother, Venter said.

But because she was in detention, the court was unable to hear her views — or inspect the circumstances where she was or would be detained.

"The court was unable to determine whether these circumstances are conducive to the maintenance and welfare of the child. Because of this fact, which is of prime concern to the court, the court is unable to make any determination as to whether the mother is fit or not to have custody of the child.

"The court accordingly makes no order

●To PAGE 4



Grandmother Audrey Gunn arrives at the state care centre to fetch a tearful baby Haroon, 16 months old and centre of a tug-of-war between his detainee mother and the police

Picture: ADIL BRADLOW, AP

Police mum on where Gunn, son being held

By PETER DENNEHY

POLICE refused yesterday to disclose whether 16-month-old Haroon Gunn-Salie, the child of Section 29 detainee Ms Shirley Gunn, was back in the same place from which he had been removed "in his own interest" earlier this week.

Haroon had been removed from Ms Gunn — who was apparently being held in the Wynberg police cells at that stage — after a Children's Court had issued a provisional order to separate Ms Gunn and her child.

Later an inquiry in terms of the Child Care Act, presided over by assistant commissioner of Child Care Mr Hendrik Venter, ruled the court had to hear the mother's evidence before it could decide whether she should have custody or not.

This was impossible while Ms Gunn was in detention, so the court made no

order, and this meant the child had to go back to Ms Gunn.

Police liaison officer Captain Attie Laubscher confirmed yesterday that Haroon was back with his mother.

"The SAP are not prepared to disclose the place of detention of Mrs Gunn," he said. "She will be detained under the most favourable conditions which circumstances permit."

In terms of existing practice, Ms Gunn would be visited regularly by the inspector of detainees, the local magistrate, the district surgeon, and daily by police officers, he said. She would also have access to the district surgeon "whenever the need arises".

He added that the police were not prepared to enter into discussion with the press "as to the conditions under which Mrs Gunn's child finds himself, or as to where Mrs Gunn should or should not be detained".

Picket: 16 to appear in court

Police have rejected a SA Commercial, Catering and Allied Workers' Union claim that 82 of its striking members were arrested while picketing Checkers in Ermelo yesterday.

A police spokesman said only 16 people were arrested for illegally displaying placards in a municipal area in

contravention of a municipal bylaw.

Saccawu said in an earlier statement that 82 strikers were arrested.

The police spokesman said the 16 arrested would appear in court today.

Saccawu said it intended approaching the Minister of Law and Order concerning the incident. — Sapa.

Security Act must go, say Sash, HRC

Dawn Barkhuizen

The Black Sash and the Human Rights Commission have drawn attention to the increased use of Internal Security Act detentions since the lifting of the state of emergency last month, and have called again for the Act's repeal.

But a Law and Order Ministry spokesman Captain Peet Bothma has denied the Government is replacing emergency detentions with detentions under the Internal Security Act. The increased use of the Internal Security Act was because of the recent upsurge of violence.

He added: "Planting a bomb has nothing to do with politics. Police will not stand in the way of peaceful political protest, but we will not tolerate terrorism."

Detentions

The Black Sash and HRC call was made following the string of detentions — three Natal Indian Congress leaders involved in an African National Congress recruitment drive were arrested in Durban on July 13 and held under Section 29 of the Internal Security Act.

A Black Sash statement yesterday said: "Government's reform policy and the lifting of the state of emergency have not stopped detentions in South Africa. With the demise of the emergency, security forces are increasingly using Section 29 of the Internal Security Act."

"Since the lifting of the state of emergency, there has been a dramatic escalation of Section 29 detentions," an HRC spokesman said.

He supplied the following statistics:

- Eighty-three people are in detention under Section 29 with two additional detainees under Section 31. Of the 83, more than 45 were detained following the lapse of the state of emergency.

- For five months prior to June 8, 34 people were held under this Act, HRC records show. On March 28, 31 people were being held. By April 18 one had been added to the list.

- In Natal, where the state of emergency still exists, there have been no detentions in terms of the regulations, but at least three people have been arrested under Section 29.

The HRC spokesman said that of the 83 detainees, nine were recently detained right-wingers. The balance were members of legal left-wing organisations such as the ANC, the United Democratic Front, youth congresses and trade unions. The majority were black people.

Law and Order spokesman Captain Peet Botma yesterday denied that police were replacing the state of emergency with the Internal Security Act.

"Section 29 is used solely for investigational purposes. It is totally unlike the state of emergency. It allows police to investigate specific aspects. These investigations can be lengthy," he said.

Asked to explain the marked increase in detentions under Section 29, Captain Botma said the arrests were directly related to the present surge of violence in South Africa. June 1990 saw the most incidents of unrest since 1985.

The detentions were not contradictory to current Government policy, he said.

Under the state of emergency, detention was their only option.

Freed PAC: no Govt deal

Own Correspondent

Four Pan Africanist Congress members freed from Robben Island this week say they were released because they had served their sentences, not because of a deal between the ANC and the Government.

Elby July of Kimberley, Michael Gqamane of Port Elizabeth, Jan Shoba of Pretoria and Mlandeli Ketye were all released on Monday.

They were charged in the same trial in 1985 and were convicted of being members of a banned organisation, furthering its aims and receiving military training.

They were each sentenced to seven years jail, Mr Shoba said at a press conference yesterday. They lodged an appeal and the sentence was reduced to five years.

"We wish to state that we have served our sentences and are not part of any deal presently being negotiated between the ANC with this regime."

18/7/90 329

Natal ANC man detained

DURBAN — Mathematics lecturer at the University of Zululand (Umlazi branch) and African National Congress activist, Jabulane Sithole, has been detained under Section 29 of the Internal Security Act.

The chairman of the Lamontville branch of the ANC, Zolisa Mbele, said they believed his detention was due to his ANC activities and the leading role he played in the Lamontville Residents' Association.

"His arrest came two days before a meeting between the Natal administration, property developers and the Ningizimu Town Council on one side, and the civic structures of Lamontville, Chesterville and the hostels that fall under Ningizimu.

"We believe Sithole's arrest and detention was intended to prevent him from participating in this meeting, which he was instrumental in setting up."

A police spokesman confirmed that Mr Sithole had been detained. — Sapa.

Picket protest in city

By MATSHUBE
MFOLOE

FIFTEEN members of the Black Sash yesterday picketed near the Johannesburg City Hall in protest against detentions and the Internal Security Act.

The lunch-hour protest, which lasted about 20 minutes, called for the scrapping of the Internal Security Act and the immediate release of people in detention.

Sash spokesman Ms Gill de Vlieg said the Government's reform policy and the lifting of the State of Emergency had not stopped detentions in South Africa.

"With the demise of the State of Emergency, security forces are increasingly using Section 29 of the Internal Security Act," she said.

Terms

In terms of the Act, prisoners could be held incommunicado for purposes of interrogation.

The organisation claimed 79 people were being held under the Act and two under Section 31.

De Vlieg said 81 people were being held in Bophuthatswana under the emergency regulations.

1977/90 229/3
**Khutsong activist 15
dies in police custody**

JOHANNESBURG. — A 15-year-old Western Transvaal activist died at the Leratong Hospital on Saturday while in police custody.

Eugene Mbulwana was among a group of Khutsong Youth Congress activists who were arrested outside Khutsong near Carletonville last week Tuesday.

He was taken to hospital by police on Friday. A Leratong Hospital sister said Eugene had head injuries, but police told doctors he was suffering from epilepsy.

Mrs Aggie Mbulwana, Eugene's mother, said her son had no history of epilepsy. — Sapa

Star 19/7/90

Boy tortured before his death – claim

By Shareen Singh
and Shehnaaz Bulbulia

329 A statement by a youth, who claims he was tortured by police and that he witnessed the torture of Eugene Mbulwana (15) who died in hospital on Friday while in police custody, was yesterday released by lawyers.

A lawyer said the witness, whose name was being withheld to protect his life, alleged police at Welverdiend police station near Carletonville tortured Eugene until he was unconscious.

Seven months ago, Nixon Mbuyiselo Phiri (16) of Khutsong, was allegedly tortured at the same police station. He died of

a cerebral haemorrhage associated with external injuries.

The witness alleged that police kicked, punched, chained and poked needles into the backs of a group of youths who were detained with Eugene last Tuesday.

A police spokesman confirmed Eugene was among a group arrested on Tuesday and that he died while in police custody at the Leratong Hospital.

However, police would not comment on allegations of torture until further investigations and a post-mortem were conducted.

The witness said he saw police beating Eugene with a whip. Police allegedly told him: "Eugene

was stubborn and we wanted to fix him."

A police officer then stood on a table and started beating Eugene with his fists, he alleged. When Eugene fell the policeman started kicking him on the head.

The eyewitness said other policemen joined in the beating.

● The death demands an independent inquiry, human rights organisation, the Detainees Aid Centre (DAC) said yesterday.

Eugene was the sixth person this year to die in police custody under similar circumstances. The Government has ignored repeated calls for an independent inquiry after each death, DAC said.

Probe into young WR activist's cell death

A post mortem would soon be held to determine the cause of the death of a 15-year-old Khutsong, Carletonville activist who died after being held in police custody last week, a police spokesman said in Pretoria yesterday. *Sowetan 19/7/90*

He said Eugene Mbulwana, arrested last Tuesday in connection with assault and malicious damage to property, died on Friday after he was taken to hospital on Thursday.

The youth's mother, Mrs Aggie Mbulwana, told a Johannesburg newspaper that when she saw her son at Leratong Hospital a doctor said he was suffering from multiple head injuries and severe internal bleeding in the head.

He did not respond when she called his name and died minutes later. - Sapa.

4 miners detained

Sowetan 19/7/90

POLICE yesterday detained four of the 11 mineworkers injured in a clash with mine security on Tuesday at St Helena gold mine near Welkom, according to National Union of Mineworkers publicity secretary Mr Jerry Majatladi.

Welkom police said they would confirm the number of detentions later.

Tension was still high on the mine and the other seven injured workers were still in hospital, four in critical condition, Majatladi said.

He said workers felt mine management was complicating the situation by involving the police.

"By using the laws of the country in an issue between the union and management, they are taking the issue out of the hands of the union.

"Using the police can only bedevil industrial relations in the mining industry." - Sapa.

Police after torture claim statement

POLICE yesterday asked that a statement alleging they had tortured a young activist before he died be handed to them so they could investigate the allegations. 329

A police spokesman was reacting to reports that a lawyer had a statement from a youth who allegedly witnessed police

assaults on Eugene Mbulwa (15) at the Welverdiend police station near Carletonville.

Police said Eugene, arrested last Tuesday in connection with assault and malicious damage to property, died on Friday after he had been hospitalised on Thursday.

The alleged witness, whom the lawyer would

not name out of fear for the youth's life, said he had also been tortured by police. Sobetam 20/7/90

They had allegedly punched, kicked, chained and poked needles into a group of youths who had been detained with Eugene.

Eugene's mother, Mrs Aggie Mbulwa, said when

she saw her son at Leratong Hospital a doctor said he was suffering from multiple head injuries and severe internal bleeding in the head.

He did not respond when she called his name and died minutes later.

A post mortem would be held soon, police said. - Sapa.

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N Tvl Sayco leader detained

JOHANNESBURG. —
The Sayco general-
secretary for the North-
ern Transvaal region, Mr
Cassel Mathale, was de-
tained on Wednesday for
allegedly guiding "ANC
terrorists".

Police could not imme-
diately be reached for
comment.

Mr Mathale's lawyer,
who asked not to be
named, said: "An inves-
tigating officer said he
was detained for guiding
ANC terrorists."

Mr Mathale's deten-
tion came barely two
months after he emerged
from emergency rule de-
tention, colleagues said.

— Sapa

ANC calls for brutality inquiry

By Shareen Singh
and Shehnaaz Bulbulia

Stone 20/7/90
torney-General.

Two teenagers have died this year after being held at the Welverdiend police station on the West Rand, leading to human rights organisations and the ANC demanding an investigation.

Nixon Phiri (16) died in January and Eugene Mbulwana (15) last Friday.

Phiri died at the Welverdiend police station of cerebral haemorrhage associated with external injuries. At the time police said a youth had died during interrogation and an inquiry would be held.

Captain E Baartman of the Western Transvaal SAP now says the inquiry into Nixon Phiri's death has been completed and the matter is with the At-

The ANC yesterday said the fact that two deaths were linked to the same police station called for an investigation.

Dr Malcom Chope from Khutsong, where the two youths came from, said he treated five youths last week who were arrested with Eugene Mbulwana and allegedly assaulted at Welverdiend station.

Brian Currin of Lawyers for Human Rights called on the Minister of Law and Order, Adriaan Vlok, to suspend Mbulwana's interrogators and the officer-in-charge at the time.

The ANC has demanded an inquiry into Mbulwana's death and an independent board to investigate allegations of police brutality and torture.

Murder probe into 'torture' death

A MURDER docket was opened yesterday in the case of 15-year old Eugene Mbulwana, who died last Friday after allegedly being tortured at Welverdiend police station, outside Carletonville.

He will be buried tomorrow at 11 am.

This was the second death linked to Welverdiend police station, and the ANC and human rights organisations have demanded a judicial commission of inquiry. The ANC also demanded an investigation into police practices at Welverdiend.

Nixon Phiri (16) died in January this year while being interrogated at the police station. A post mortem showed that he died of a cerebral haemorrhage associated with external injuries.

Eugene's scan results showed that he was suffering from a sub-dural haemorrhage, which doctors say is caused by pressure on the head.

329 21/7/90
SHAREEN SINGH
and SHEHNAAZ BULBULIA

But police, who took Eugene to hospital, told them he was suffering from epilepsy.

An eye-witness detained with Eugene told lawyers he was brutally tortured until he became unconscious. He died at Leratong Hospital the next day.

The boys were among a group arrested outside Khutsong near Carletonville. Seven other youths, in statements to a lawyer, spoke of their experiences of police brutality at Welverdiend police station.

A doctor also told Saturday Star he treated five youths who were allegedly tortured at the police station. They had bruises, swollen lips and eyes, he said.

A post mortem on Eugene was conducted yesterday and results are expected next week.

ANC insurgents will keep coming until agreement, says Sisulu

MEMBERS of the ANC's military wing would continue to infiltrate SA until obstacles to negotiations were removed and the organisation officially agreed to suspend hostilities, ANC internal leader Walter Sisulu said yesterday.

Police, who have already arrested about 40 insurgents and are tracking several others, said they would continue to take strong action against any person planning acts of violence.

The infiltration and subsequent arrest of ANC military operatives is understood to have been discussed by President F W de Klerk and ANC deputy president Nelson Mandela when they met on Friday.

The issue has also been raised at meetings of the Steering Committee set up to facilitate communication between government and the ANC.

Ministers and officials have been reluctant to discuss the arrests in public, fearing they could jeopardise talks to remove obstacles to negotiations.

However Sapa reports that Sisulu said yesterday the arrests would not put a damper on talks between the ANC and government.

6-10-91 23/7/91
THEO RAWANA
and MIKE ROBERTSON
(329)

Reacting to the arrests, Sisulu said in an interview that greater infiltration by ANC members into SA was under way. This was nothing new and it would continue. The ANC had never said it had ceased hostilities.

Asked if that was the official ANC policy, Sisulu said: "The official line is that the question of the armed struggle has not yet been discussed with government."

Sisulu said that some of the people arrested were from overseas. "I understand that two senior people — but not national executive members — have been arrested. I think the name of one senior Umkhonto we Sizwe person is Sipho Nyanda."

Law and Order spokesman Piet Bothma yesterday confirmed that a number of ANC military personnel had been arrested. The police, he said, were reluctant to give further details as their investigation was at a critical stage. Bothma said further arrests could be expected.

Police have seized weapons including limpet mines, anti-personnel mines, RPG 7

rested were from overseas. "I understand that two senior people — but not national executive members — have been arrested. I think the name of one senior Umkhonto we Sizwe person is Sipho Nyanda."

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Police have seized weapons including limpet mines, anti-personnel mines, RPG 7

2 BUSINESS DAY, Monday, July 23 1990

Insurgents

continuing with military actions. Addressing 3 000 students in Umtata, he said the ANC might have to seize power if government did not shift or share it.

"The struggle still goes on. We are still deploying our cadres inside SA and that's not secret," he said.

This brought a stern rebuke from De Klerk, who said Hani had breached the word and spirit of the Groote Schuur Minute, and he would be taking it up in discussions with the ANC leadership.

Asked whether the infiltration of ANC members had been taken up with government officials were reluctant to comment, saying the question of infiltration was being addressed by De Klerk personally.

From Page 1

ANC head of information Ahmed Kathrada, responding to speculation that the arrests would derail the August 6 talks between government and ANC, said any future ANC approach to the talks would come out of the organisation's two-day national executive meeting starting today.

Kathrada said the arrests demonstrated double standards by government and were not in keeping with the spirit of the Groote Schuur agreement. Rightwingers arrested were briefly held or given bail, "but our people are arrested for anything, and are held under Section 29 of the Internal Security Act".

Comment Page 4

rocket launchers and missiles, hand grenades, AK 47 rifles and machine pistols. Bothma said the police would crack down on any person planning acts of violence.

"We have warned different individuals whether from the left or the right, that statements intended to sweep up emotions will have a negative effect and give rise to an increasing spiral of violence which is not in the interests of anyone in SA."

Last week Umkhonto we Sizwe chief of staff Chris Hani said the organisation was

To Page 2

Sta 24/7/90

Police: no intention of releasing results

By Shehnaaz Bulbulia

The police do not intend releasing the post mortem results of 15-year-old "Gadaffi Squad" member Eugene Mbulwana, who died more than a week ago after allegedly being tortured at Welverdiend police station outside Carletonville.

A spokesman for SAP headquarters, Captain R Bloomberg, said yesterday that the post-mortem results were part of a police investigation and could not be released.

He said after the police investigation was completed all the information concerning Eugene's death would be referred to the Attorney-General.

Captain Bloomberg could not indicate when the investigation would be over.

He added that a murder docket was opened last Thursday.

An eyewitness who was detained with Eugene told lawyers that Eugene was brutally tortured until he became unconscious. He died at Leratong Hospital on July 13 while in police custody.

New report: Call for torture probe

Call for torture 5/7/90 329

By PETER MALBIN

DR Wendy Orr said yesterday that a new report showed that 47% of 1 500 detainees held in St Alban's Prison in Port Elizabeth in 1985 were assaulted by police, and called for an official inquiry into police activity during the state of emergency.

None of these cases had ever come to court and no police officers had been disciplined, she said. Speaking at a conference on Medicine and the Media at the University of Cape Town Medical School yesterday, she urged doctors and health-care workers to "shed their traditionally apathetic image".

Dr Orr said the medical profession as a whole had done little to address the "controversial issues around detainees' health and medical care". Detention had been shown to be one of the "unhealthiest institutions".

As a Port Elizabeth district surgeon in 1985, Dr Orr said, she had witnessed evidence of police brutality and assault.

After going through various official channels she lodged a Supreme Court application and a temporary interdict preventing police assaulting detainees was granted. When she was denied access to detainees she resigned.

Brigadier Vic Haynes, public relations spokesman at SAP Headquarters, said: "We wouldn't deny that it (torture) does occur from time to time by individual members of the police who step out of line, but where it occurs the police have always taken the necessary steps to prevent a recurrence."

Dr Orr said the medical profession should lay down strict guidelines that insisted doctors report findings of torture and assault to independent channels.

Staff Reporter

THE government yesterday pressed its crackdown on activists of the African National Congress, arresting a regional official and laying evidence of an ANC arms buildup before the diplomatic community.

The crackdown coincides with reports that the ANC has been stockpiling weapons in case power-sharing talks with the government fail.

Police arrested Mr Billy Nair in his Durban office on Monday night — bringing to 10 the number of people arrested in Natal under Section 29 of the Internal Security Act over the past two weeks.

According to the Human Rights Commission, at least 46 ANC members or sympathisers have been detained in the past two months under Section 29 of the Internal Security Act, which allows for indefinite detention.

The detention of the vice-president of the Natal Indian Congress (NIC) follows the arrest earlier this month of three other NIC members and ANC recruiters, Mr Pravin Gordhan, Mr Deepak Patel and Mr Anesh Sunkar.

Mr Nair, who is also a member of the ANC interim committee for southern Natal, spent 20 years in prison for

ANC arms: Police arrest top official

sabotage. He was released in 1984.

Meanwhile, the Minister of Foreign Affairs, Mr Pik Botha, yesterday briefed foreign ambassadors and heads of mission at the state guest house in Pretoria on the police crackdown on alleged ANC-SACP cell members who had allegedly stashed the large quantity of weapons, as well as the state's response to the violence sweeping parts of the country.

Sources said the session lasted longer than ex-

pected and many questions were asked.

Indications yesterday were that there would be no significant response from foreign missions to the development, and that they would take a wait-and-see attitude to the situation.

Both the government and the ANC have indicated that they would not allow the incident to derail the next round of talks on August 6.

But the issue is expected to be thoroughly aired at today's cabinet

meeting in Pretoria and when government ministers and other functionaries meet for a bush summit at a secret venue outside the capital on July 30-31.

The ANC's stand on a possible suspension of the armed struggle could emerge today following two days of intensive discussions by the organisation's national executive committee in Johannesburg.

The ANC's office in Johannesburg indicated earlier that a state-

ment on the deliberations would be issued today.

Senior members of both the ANC and the government have stated that a resolution could be reached soon on the thorny issues of the return of exiles and amnesty for political prisoners.

If an agreement can also be reached on a review of security legislation and the emergency in Natal, the ANC could be ready to discuss details about the possible suspension of violence.

This week's strategy session by the highest policy-making body of the ANC will also have evaluated Mr Nelson Mandela's overseas tour and the ongoing violence in Natal and the Transvaal.

ANC internal leader Mr Walter Sisulu accused the government of breaking the spirit of conciliation by authorising the arrests, and said the ANC would raise the issue at next month's talks.

The disclosure of the alleged plot came just a week before SACP general secretary Mr Joe Slovo is scheduled to disclose publicly the party's leadership at a rally.

Mr Slovo on Monday accused the government of "reverting to Red Scare tactics" in a bid to smear the party's launch on Saturday.

Cmt Time
25/7/90

(Handwritten signatures and the number 329)

Doctor Orr calls for inquiry

By DENNIS CRUYWAGEN
Staff Reporter

FIGURES on detentions in Port Elizabeth in 1985 were sufficient evidence for an official inquiry into police activities during the state of emergency, said former Port Elizabeth district surgeon Dr Wendy Orr.

Dr Orr made headlines in 1985 when she successfully applied in the Supreme Court, Port Elizabeth, for an interim order restraining police from assaulting detainees.

Speaking yesterday at a conference on Medicine and the Media at the University of Cape Town medical school, Dr Orr said 1 500 men had been detained at St Alban's prison,

Port Elizabeth, between July 20 and September 24, 1985.

Almost half of them, 706, had either complained of assault or had injuries consistent with assault or both; 409 had identified police as the perpetrators of the assaults; and 296 detainees who alleged they had been assaulted by police had shown injuries consistent with their allegations, she said.

Police had investigated four cases of alleged assault and none had come to court, she added.

"Not one police officer has been disciplined, no inquiry has been instituted. Detention is not healthy," she said.

She said that the medical

profession, apart from constantly drawing attention to the fact the detention was a threat to mental and physical health, should insist that:

- No doctor working with detainees should be employed by the government because that made clinical independence impossible;

- Strict guidelines be laid down by the South African Medical and Dental Council for doctors treating detainees;

- Channels of independent reportage be made available to doctors who saw the victims of torture and assault; and

- Doctors who did not adhere to the guidelines and reportage regulations be rapidly disciplined.

ANC cadre Ximba is arrested

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Sowetan
25/7/90

POLICE yesterday arrested an African National Congress member on arms charges moments after he had left the refuge of the United States Consulate in Durban.

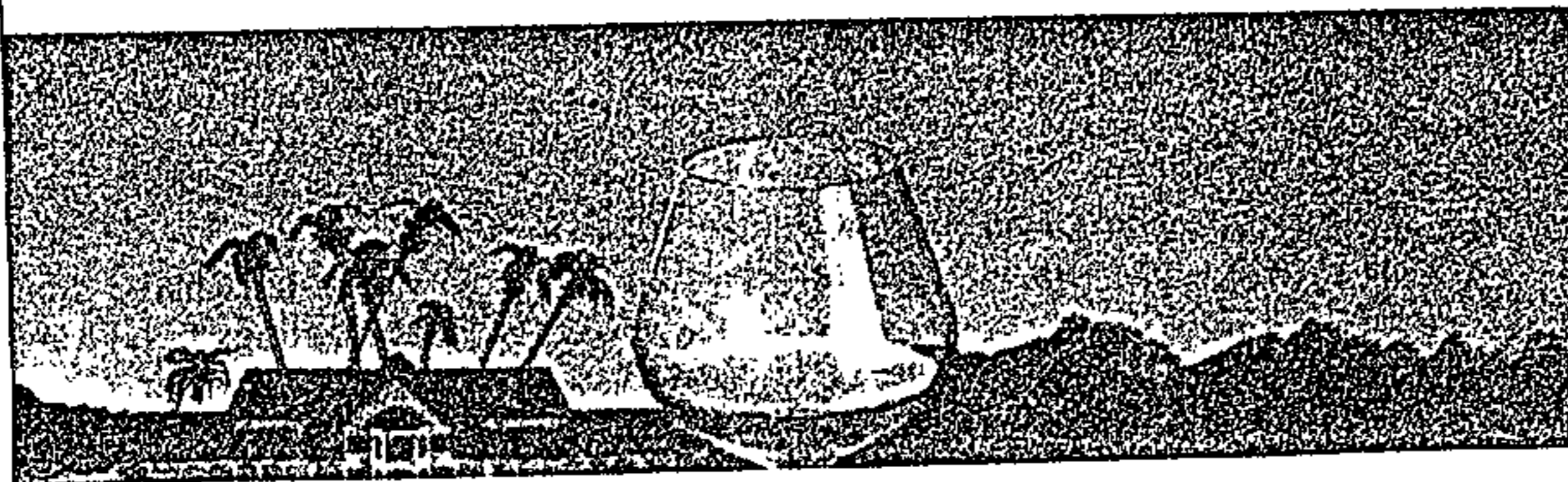
Mr Bhekumusa Jabulani Ximba entered the consulate on Monday seeking political asylum a week after police found an arms cache at his home in a township near Durban.

Ximba's lawyer, Mr Kwenza Mlaba, told journalists at the consulate that his client was willing to leave provided he was immediately charged and taken to court.

Police can hold political detainees indefinitely without charge under the Internal Security Act and Ximba wanted to avoid this. He was taken by car to a court after his arrest.

"The American Embassy has confirmed that Mr Bhekumusa Jabulani Ximba, who yesterday sought refuge in the American Consulate in Durban, left the consulate this morning of his own free will," the United States Embassy in Pretoria said in a statement.

ANC officials confirmed that Ximba was a member of the organisation. - Sapa-Reuter.



100 still held under Section 29

South 26/7-1/8/90

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THE number of people being held under Section 29 of the Internal Security Act has increased to 102, the Human Rights Commission (HRC) said in its latest report, published this week.

The HRC said at least seven people were detained in the last few days for allegedly being involved in setting up ANC underground structures.

It said 11 people had been detained in Natal between April 22 and Monday this week.

It had no record of detentions under South Africa's state of emergency, which still exists in Natal.

However, 81 people were being held under the Bophuthatswana state of emergency, the HRC said.

● In the past two weeks, those arrested in Natal include Billy Nair, Christina Langa, Pravin Gordhan, Deepak Patel, Anesh Sunkar, Siphiwe Niyanda, Jabulani Sithole and Dumisani Mthembu.

Senior communist official held in connection with 'plot'

New detention angers ANC

5/26/71/40

(329) (6)

The African National Congress today strongly condemned the detention of Mac Maharaj, ANC national executive committee member and senior South African Communist Party member, and called for the immediate release of all detained ANC cadres.

Mr Maharaj, believed to be second to Joe Slovo in the SACP hierarchy, was detained by security police last night in connection with an alleged insurrection plot.

He is being held under Section 29 of the Internal Security Act. So far, about 40 SACP members or supporters have been detained in connection with the alleged plot. Sources said further arrests were expected.

ANC internal spokesman Ahmed Kathrada, who today confirmed Mr Maharaj's detention, said: "We strongly condemn his arrest and the continued detention of our people be-

cause this does not contribute to the creation of a proper climate for negotiations. We demand that these people be released as soon as possible."

Yesterday, ANC deputy president Nelson Mandela denied there was a plot to overthrow the Government.

He told a media conference after a two-day meeting of the organisation's national executive committee (NEC) in Johannesburg: "The NEC is unanimous on working with the Government to bring about a settlement and the method we have chosen is peaceful negotiation."

Dismissed

The row over the infiltration of armed ANC cadres and militant remarks by Umkhonto we Sizwe chief of staff Chris Hani would not adversely affect the process of dialogue between the Government and the ANC, Mr Mandela said.

But police sources have dismissed Mr Mandela's claim that armed ANC

Political Staff and Crime Reporter

insurgents, allegedly aiming to overthrow the Government during negotiations, entered the country before the ANC committed itself to peaceful negotiations at the Groote Schuur summit on May 6.

Mr Mandela said the insurgents had been dispatched before the ANC-Government commitment in the Groote Schuur Minute.

Police sources said some of the insurgents had entered South Africa after May 6.

It was reported yesterday that, according to the minutes of a top-level and secret SACP conference held to plan insurrection, only the Government and the ANC, not the SACP, would be bound by a ceasefire agreement.

This emerged from information

provided by the Government to foreign embassies at a briefing given by the Foreign Affairs Department on the alleged plans for insurrection.

The SACP conference was held in Tongaat as late as May this year.

"In a ceasefire, it will be these two parties (the Government and ANC) who will agree. Those who don't sign the ceasefire are not bound by it," the minutes were reported to have said.

The SACP is to be launched as an independent party on Sunday.

Some "Tongaat Conference" delegates were smuggled into the country without Government knowledge.

Missiles

Others were already inside the country in terms of the amnesty granted for pre-negotiation talks, according to the briefing.

Mr Mandela was not among the delegates, although SACP leader Joe Slovo attended.

Diplomats were also told the al-

leged plotters had asked for more weaponry for the insurrection, including sophisticated Soviet Strela ground-to-air missiles, diplomatic sources said.

Components for car bombs had also been requested from SACP suppliers.

Security police had established that a Belgian couple, a Hollander and a Canadian were helping with the plot inside South Africa. The code name for the alleged plot was "Operation Vula", according to the sources.

"Operation Vula", with internal and foreign components, was launched in 1987, but was not discontinued after the release of Mr Mandela and the Groote Schuur talks. It only seemed to come to fruition after the Groote Schuur Minute was signed.

It was launched by the formation of a group of at least seven leaders, only one of whom, Oliver Tambo, was not a member of the SACP.

The others were Joe Slovo, Ronnie Kasrils, Mac Maharaj, Siphiwe Nyanda, Ivan Pillay and Archie Abrahams.

Tension over detention of national executive's Maharaj

Top ANC

member

detained

ARGUS 26/7/90

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By MICHAEL MORRIS, Political Correspondent
and TOS WENTZEL, Political Staff

RELATIONS between the African National Congress and the government are strained today over the arrest of national executive committee member Mr Mac Maharaj under Section 29 of the Internal Security Act.

While stopping short of saying the arrest could jeopardise the talks, ANC internal spokesman Mr Ahmed Kathrada said: "This does not make things easier".

Police have yet to officially confirm the arrest, but sources said early today Mr Maharaj was being held in connection with a probe into an alleged ANC/South African Communist Party insurrection plot.

Meanwhile the government and the ANC were "very near" to an agreement to the remaining obstacles to negotiation, according to top government sources.

They said the talks remained on track, in spite of the insurrection plot. There were political "market forces" which had gathered such momentum that neither side could now stop them.

An agreement on the release of political prisoners and the return of exiles was now possible and the political manoeuvrings could then move on to "talks about negotiations".

The ANC has remained committed to negotiations in spite of recent detentions but the matter will feature prominently in the August 6 talks.

ANC deputy president Mr Nelson Mandela maintained that some Umkhonto we Sizwe members were still acting in terms of instructions issued before the Groote Schuur meeting.

Mr Mandela is likely to have been told about the detentions when he met Mr De Klerk last Friday and there is the growing impression in political circles that most of the ANC leadership disapproved of, and may not have known about, the underground moves.

The talks will not be a full-blown "Groote Schuur 2".

Only Mr De Klerk, Mr Mandela and four key advisers from each side will be present.

The ANC team will include secretary-general Mr Alfred Nzo, foreign affairs director Mr Thabo Mbeki, Umkhonto we Sizwe commander Mr Joe Modise and SACP secretary-general Mr Joe Slovo.

The government delegation is likely to include Constitutional Development Minister Dr Gerrit Viljoen, Justice Minister Mr Kobie Coetsee, Foreign Minister Mr Pik Botha and Law and Order Minister Mr Adriaan Vlok.

From Johannesburg The Argus Correspondent reports that only the government and the ANC, not the SACP, would be bound by a ceasefire, according to the minutes of a secret SACP conference held to allegedly plan insurrection.

This emerged from information provided by the government to foreign embassies at a briefing.

The conference was held in Tongaat in May.

The SACP is to be launched as an independent party on Sunday.

Some of the Tongaat conference delegates were smuggled into the country, while others were already inside in terms of the amnesty granted for pre-negotiation talks.

Mr Mandela was not among the delegates. Mr Slovo was.

Diplomats were told that the alleged plotters had asked SACP suppliers for even more weaponry, including highly sophisticated Soviet Strela ground-to-air missiles and components for car-bombs.

Forty held in Boland pickets

ABOUT 400 people have been arrested in the Western Cape and Boland in the past three months in connection with picketing.

sample 26/7 - 1/5/90
Cape Town lawyers and the Repression Monitoring Group confirmed this week that they were aware of 398 people arrested and charged from May 1 to July 23.

Most were charged with attending an illegal gathering and released on bail shortly after being arrested.

Their trials are all continuing.

The largest group arrested was in Paarl last month; 43 people were arrested for picketing in the town centre.

The pickets have centred on the campaign for the release of political prisoners, housing and squatter campaigns, unemployed workers, strikes and the recent upheavals in Robertson and Ashton.

They took Mac to undermine us, says SACP

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By DREW FORREST and GAVIN EVANS
THE detention of Mac Maharaj, a key organiser of the SACP Communist Party launch on Sunday, was a clear move by the government to undermine the SACP, a party spokesman said yesterday.

Maharaj, detained on Thursday in connection with an alleged insurrection plan, has been widely tipped as a member of the SACP Internal Leadership Group to be announced at the launch. ~~Wendy 2317-2917190~~
Another candidate for the leadership detained this week is senior African National Congress official Billy Nair.

The SACP's Jeremy Cronin said the detentions had clearly been timed to take place shortly before the rally. A central rally organiser, Maharaj had been entrusted with introducing speakers, who include Nelson Mandela, SACP leaders Joe Slovo and Chris Hani and Cosatu's Jay Naidoo.

In another important development yesterday Cosatu's largest affiliate, the National Union of Metalworkers, hailed the launch as a "significant victory for South Africa's working people" in their struggle for emancipation. In the absence of a legal workers' party, workers had been leaderless and directionless,



Mac Maharaj

said Numsa general secretary Moses Mayeki-
so. A legal SACP would have to come up with programmes to advance the working class cause and give reality to debates on economic restructuring, he said. Sources indicate that at least three top Cosatu

unionists are to be announced as internal leaders. These are Mayekiso, Cosatu assistant general secretary Sydney Mufamadi and COSATU vice president Chris Dlamini.

Surprisingly, Numsa's education officer and leading economist Alec Erwin has also been mentioned as a possible candidate. Seen in the past as a union "workerist", Erwin would be a major scoop for the party.

The announcement of a number of big union names would boost the SACP in its avowed aim of becoming the workers' political vanguard. It would also vindicate claims that the liberation movement's best cadres are communists.

Among the former exiles certain to be named as internal leaders are general secretary Slovo and chairman Dan Tloome. Others considered likely candidates are Chris Hani and John Nkadimeng — believed to be SACP central committee members, ANC national executive committee member Reg September, and former Robben Islanders and old-time communists Govan Mbeki and Raymond Mhlaba.

Internally based activists tipped as SACP leaders include the UDF's assistant general secretary Mohamed Valli Moosa and poet-activist Jeremy Cronin.

APARTHEID BAROMETER**DETENTIONS** *W/Mail 27/7 - 29/7/90*

THERE are 185 people in detention, according to the latest Human Rights Commission report. Of these, 104 are being held under the Internal Security Act. The remaining 81 are being held in Bophuthatswana under Emergency Regulations. (329)

The HRC has recorded 135 detentions under section 29 of the Internal Security Act since January this year. However, only 102 people are now being held under this section. The figure for Bophuthatswana Emergency detainees is "conservative" according to the HRC.

CRACKDOWN ON "COMMUNISTS"

ACCORDING to press reports at least 40 Umkhonto we Sizwe and South African Communist Party members have been detained over the past two weeks in connection with an alleged attempt to set up underground structures should talks between the government and the African National Congress break down. Police have only confirmed the detention of eight people, however, including ANC National Executive Committee member "Mac" Maharaj.

There is a warrant of arrest out for Ronnie Kasrils, NEC member and ex-head of military intelligence. *W/Mail 27/7 - 29/7/90*

HUNGER STRIKES *W/Mail 27/7 - 29/7/90*

THE hunger strike which began last week Monday at Pollsmoor Prison was suspended three days later. The HRC is not certain whether the demands of the prisoners — concerning conditions — were met or not.

INTERNECINE VIOLENCE

FIGHTING between Inkatha members and ANC/United Democratic Front/Congress of South African Trade Unions activists in Sebokeng early this week left at least 30 people dead, including a policeman. Unconfirmed reports put the death toll of Inkatha members at six. (27/7 - 29/7/90)

Cosatu has accused Inkatha of spreading the war in Natal to other parts of the country, and has accused police of complicity in the fighting which broke out after an Inkatha rally on Sunday. According to the unions police were warned of the possibility of violence but stood back when fighting broke out.

Both police and Inkatha have denied the accusations.

Similar clashes between activists and allegedly Inkatha-linked vigilantes have broken out in Ermelo. Twelve activists are in hospital in the wake of vigilante attacks. Several houses and shops have been gutted and about eight youths have been arrested. *W/Mail 27/7 - 29/7/90*

Two people were shot dead in the town of Breyton, near Ermelo. The deaths come on the wake of police action, following a disturbance created by rumours that Ermelo vigilantes were hiding in the township.

STATE OF REPRESSION *W/Mail 27/7 - 29/7/90*

IN Siyathemba, near Balfour, police this week shot at toyi-toying youths returning from the funeral of a councillor. Three of the victims, all school pupils, are in the Natalspruit hospital in critical condition. (27/7 - 29/7/90)

PRISONER OF CONSCIENCE

SATHYANDRANATH "Mac" Maharaj, top ANC executive member, and on the SACP's central committee, was arrested when police swooped on a house in Mayfair on Wednesday night. He is being held under section 29 of the Internal Security Act. He is the most senior ANC member to be detained since the organisation's unbanning and there are fears that his detention could seriously threaten the second round of talks between the government and the ANC.

Maharaj, 56, who came home last month, spent 12 years on Robben Island and 13 years in exile. Maharaj was first detained in 1964 and tortured for several months. The same year he was convicted of sabotage and subversion (in what became known as the mini-Rivonia trial) along with four others, including Umkhonto we Sizwe commander-in-chief Wilton Mkwayi. (27/7 - 29/7/90)

He completed a B Admin, an MBA and two years of a BSC degree while on the Island. He was immediately served with a five-year banning order after his release in December 1976. *W/Mail 27/7 - 29/7/90*

He left the country seven months later and became a senior official in the ANC's political department. He was elected to the NEC in 1985.

He has kept a low profile for the past three years, due to illness.

ANC office a hive of activity after arrest

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PETER DELMAR

THE ANC offices in Johannesburg were a hive of activity yesterday in the wake of senior SACP member Mac Maharaj's detention by the security police on Wednesday. *6:10 am 27/7/90*

The first sign that a crisis meeting had been called was when ANC internal leader Walter Sisulu arrived at the office surrounded by security men and cancelled a lunchtime speaking appointment at the City Hall.

He refused to elaborate on what the meeting was about. Steve Tswete was sent to the City Hall to replace him.

There was a constant flow of senior ANC officials, as well as a host of famous diplomats, top clerics, homeland leaders who came and went. Winnie Mandela was also there.

One of the diplomats was US Deputy Assistant Secretary of State Jeffrey Davidow, who arrived in SA yesterday.

After him, 33 religious leaders from the Christian, Jewish, Muslim and Hindu faiths attended a report back meeting called and addressed by ANC deputy president Nelson Mandela.

According to a Press statement issued by the SACC, Mandela briefed the religious leaders on his recent 14-nation tour of Africa, Europe, and North America. He informed them that the ANC NEC had appointed a special committee to deal with violence in Natal and elsewhere.

☐ To Page 2

ANC activity

6:10 am 27/7/90

☐ From Page 1

ANC information chief Pallo Jordan, asked what the meeting was about, said that even he could not get close enough to Mandela.

The next delegation to meet Mandela was one of homeland leaders, including KaNgwane Chief Minister Enos Mabuza and of Lebowa Chief Minister Nelson Ra-

modike.

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Soon after they had finished their meeting, Mandela left almost unnoticed to meet F W de Klerk for an emergency meeting at the Union Buildings in Pretoria over the alleged SACP plot and the arrest of Maharaj.

Joe must go

'Red plot' — govt wants ANC to drop Slovo

CAP T.114 27/7/90

(329)

Political Staff
PRETORIA. — President F W de Klerk met ANC deputy president Mr Nelson Mandela urgently last night to tell him that SA Communist Party chief Mr Joe Slovo should go from the ANC delegation to the talks on August 6.

Their crisis meeting followed widespread arrests of ANC members, including that of senior SACP member Mr Mac Maharaj, and police claims of a "red plot" — Operation Vula — to seize power in South Africa.
 In an angry statement late yesterday President De Klerk charged that the ANC apparently did not

appreciate "the seriousness of the facts which were brought to light by the SA Police investigation of the past few days".
 In view of this he had called for an urgent meeting with Mr Mandela.
 Hinting that the future of the talks hung in the balance, Mr De Klerk said that the government would "determine its future action with due regard to the course of the meeting".
 After the meeting the State President issued a terse three-line statement which read:
 "As announced, I met with Mr Nelson Mandela this evening. At his request, we will meet again next week and consequently I have nothing further to say at this stage."
 Earlier yesterday Mr Mandela was said to be "hopping mad" over the arrest by security police of Mr Maharaj, who is also an ANC executive member.

There were strong rumours in Johannesburg that the former intelligence chief of the ANC's military wing, Mr Ronnie Kasrils, would also be rounded up.
 Mr Kasrils told reporters: "I expect to be the next one to be arrested ... this a tremendous police sweep."
 He admitted that he had worked "side by side with Mr Maharaj to build an ANC underground movement within South Africa as "an insurance policy" against the failure of constitutional talks.
 Mr Kasrils said he felt he had done nothing wrong or against the spirit of negotiations by organising underground activities, as no ceasefire had been agreed in the ANC's armed struggle against apartheid.
 He said it was only prudent for the ANC to continue building underground because neither the ANC nor its ally, the SACP, could be sure of the white

government's true intentions.
 But "there has been no blueprint, no plan for an insurrection", he said.
 In Pretoria senior government sources said last night that Mr De Klerk insisted to Mr Mandela that Mr Slovo be withdrawn from the ANC delegation as he had no intention of abiding by the Groote Schuur agreement.
 Diplomatic sources said Foreign Minister Mr Pik Botha, who briefed them on Tuesday on the uncovering of the alleged plot, had told them of the government's attitude on Mr Slovo and asked for understanding from foreign governments.
 ANC international affairs director Mr Thabo Mbeki said last night that the talks would go ahead despite Mr Maharaj's detention, which had not

ARRESTED
 ... Mr Mac Maharaj



P.T.O

'Red-baiting of the worst order'

Argus 27/7/80 329
The Argus Correspondent

JOHANNESBURG.— African National Congress national executive committee member and senior South African Communist Party member Mr Ronnie Kasrils has confirmed that Umkhonto we Sizwe continued to infiltrate guerrillas and weapons during the pre-negotiation period.

Mr Kasrils, who emerged from hiding to attend a Foreign Correspondents' Association lunch in Parktown yesterday, denied that the continued infiltration of MK cadres constituted a breach of the Groote Schuur Minute, saying the ANC had viewed the move as an essential "insurance policy" in the event of negotiations failing.

He said the government's alleged "Communist-inspired insurrectionary plot was Red-baiting of the worst order".

He said MK commander Joe Modise and chief of staff Chris Hani had repeatedly stated that MK cadres would continue with their work for as long as no mutually binding ceasefire had been signed between the ANC and the government.

Mr Kasrils said the police crackdown on the SACP, which this week saw the arrest of his senior SACP colleague and friend Mr Mac Maharaj, was probably a result of a discovery by police of documents discussing the possibilities of insurrectionary activity in the event of negotiations failing.

The same had happened in the 1960s when police seized the "Operation Mayibuye" draft document and treated it as a formal plan, Mr Kasrils said.

"I can assure you there is no plot to organise an insurrection, to seize the Union Buildings. What the generals of the security police are saying in their pristine naivete is based on revolutionary discourse, and nothing else. There has been no decision, no blueprint for insurrection."

He said it was "natural" that a revolutionary movement would be prepared for any eventuality, even if it saw possibilities for a negotiated settlement.

FW puts squeeze on ANC

By TOS WENTZEL, Political Staff

THE government is pressing the African National Congress to accept that there may be a need for prosecutions and further detentions following allegations of an insurrection plot.

Government sources said today that a serious crisis of mutual trust and confidence now existed in the efforts to get negotiations going but said that the meeting planned for August 6 was still on.

The ANC has also vowed to do everything possible to keep the talks on track but expressed despondency about the detentions.

According to government sources President De Klerk last night presented ANC deputy president Mr Nelson Mandela with further evidence of the plot when they met in Pretoria. Mr Mandela was first told of the plot last Friday.

HOPING FOR CONCESSIONS

Mr De Klerk was hoping that the ANC would be willing to concede that legal steps might be necessary with the evidence available.

Mr Mandela did not know about the underground moves and the government maintained that it was essentially communist elements in the ANC that were involved.

This raised questions about the position of the secretary-general of the SACP, Mr Joe Slovo, who was said to have attended an underground conference at Tongaat.

The government was unhappy about Mr Slovo's inclusion in the ANC's delegation for next month's talks, but sources close to Mr De Klerk today denied that he had demanded that Mr Slovo should be excluded. They said it was not the President's style to put ultimatums.

It was in any case not believed that Mr Mandela would be prepared to ditch Mr Slovo at this stage. The ANC deputy leader is to speak in Johannesburg on Sunday at the first SACP rally since its unbanning in February.

The government remained deeply suspicious of the motives of the SACP.

Another meeting between Mr De Klerk and Mr Mandela, at the request of the latter, is due to be held by Wednesday.

On Monday and Tuesday the Cabinet will be at a special "retreat" outside Pretoria. Future relations with the ANC and plans for negotiations including the government's policy package will be discussed.

COOL HEADS

In Pretoria a government source said today that, while the talks had been jeopardised, careful handling and cool heads could resolve the serious problem which had arisen.

Moves for the meeting yesterday appeared to have come from both sides. Mr Mandela was said to be upset about the detentions of ANC members including national executive committee member Mr Mac Maharaj who is also a Communist Party leader.

Announcing yesterday's meeting Mr De Klerk said that the ANC did not appreciate the seriousness of the facts which were brought to light by the police investigation.

An ANC spokesman said that Mr Mandela was likely to consult colleagues before saying anything.

Political Correspondent Michael Morris reports that more arrests are likely, possibly today, in the top-priority police investigation into the alleged insurrection plot.

● Meanwhile The Argus Foreign Service reports from London that Anti-Apartheid Movement president Archbishop Trevor Huddleston has written to Foreign Secretary Mr Douglas Hurd urging him to intervene to secure the release of Mr Maharaj.

The Archbishop's letter warned of "the danger to the prospects for negotiations unless Mr Maharaj and other detainees are released immediately".

Archbishop Huddleston has also written to UN Secretary-General Javier Perez de Cuellar and Commonwealth Secretary-General Chief Emeka Anyaoku urging similar pressure from them.

Maharaj arrested

Sowetan 27/7/90

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EES



KATHRADA

AFRICAN National Congress National Executive Committee member Mr Mac Maharaj is believed to have been arrested yesterday.

ANC internal spokesman Mr Ahmed Kathrada said yesterday morning a message at his home had confirmed the arrest.

He said he accepted the information was correct.

Maharaj is also a senior member of the

South African Communist Party and has previously acted as an SACP spokesman.

He recently returned to South Africa from Lusaka with other members of the ANC NEC under Government indemnity.

Police spokesman Brigadier Vic Haynes said he was unable to confirm detentions "at this time of night".

A spokesman for the Ministry of Law and Or-

der, Captain Peet Bothma, has confirmed a member of the ANC's national executive committee and senior member of the SACP, "Mac" Maharaj, has been arrested by the Security Police.

Bothma told the SABC's political news staff Maharaj was being held under Section 29 of the Internal Security Act.

He said the arrest was part of the countrywide

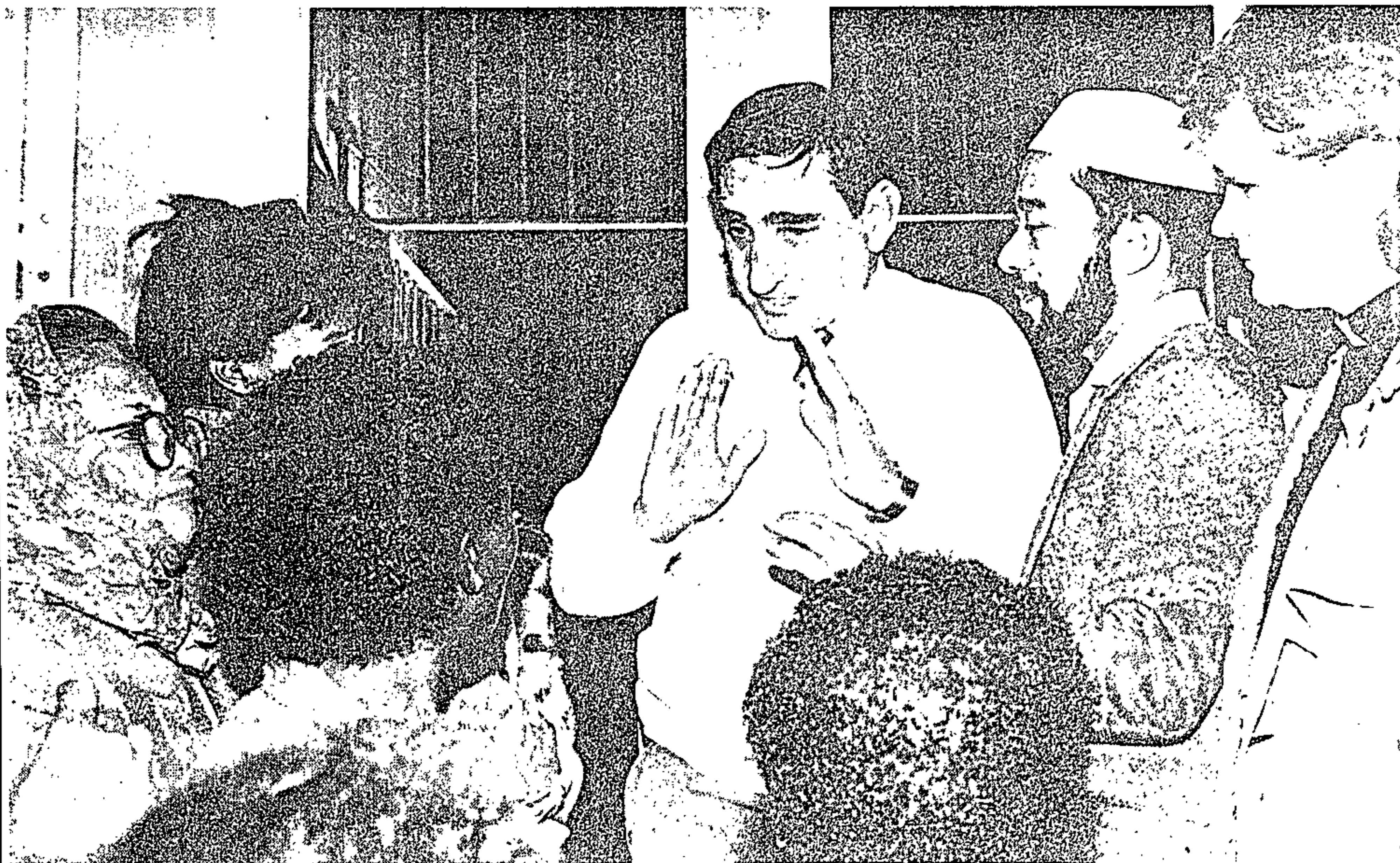
operation by the Security Police over the past three weeks.

The radio said Maharaj's arrest, and that of about 40 other people being held, follows the uncovering of information of an alleged conspiracy by the military wing of the ANC, Umkhonto we Sizwe, and the SACP to overthrow the Government by violence if negotiations with the Government failed.

Bothma said further arrests cannot be excluded.

Police are analysing the evidence they have gathered in the crack-down against SACP activists and the possibility of further arrests has not been excluded.

Bothma said the investigation into the alleged plot against the Government by insurgents was continuing but he would not comment on reports that police had obtained a large quantity of evidence indicating a plot to overthrow the Government.



PROTEST: The delegation representing the Shirley Gunn Support Committee argues with Colonel Mostert outside Security Police headquarters

PIC: YUNUS MOHAMED

SoutL 28/6 - 417190

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ANC act on Khaya feud

PEACE has been restored in strife-hit Khayelitsha after the African National Congress intervened and started talks between two opposing groups.

More than 18 shacks were burnt to the ground last weekend in Site B.

ANC interim committee member Mr Christmas Tinto said there was no truth in reports that the fighting began when ANC members clashed with supporters of the Pan-Africanist Congress (PAC).

"There are members of both organisations in a committee we formed to monitor events in Khayelitsha," Tinto said.

No clothes for detained Gunn's child

POLICE refused to accept clothing and food for the baby of detained activist Ms Shirley Gunn on Wednesday.

Gunn, a former organiser for the Clothing Workers Union, was detained in terms of Section 29 of the Internal Security Act at a guest farm in the Karoo on Monday.

A delegation, representing the Shirley Gunn Support Group, took the baby's items to security police headquarters in Loop Street, Cape Town.

When they arrived at the headquarters, the leader of the delegation, Imam Hassan Solomons, asked for the person responsible for Gunn's detention.

A Colonel Mostert arrived and

told the delegation to disperse as they were constituting an illegal gathering.

He said he was prepared to speak to only a few people inside his office, and would not give any information about Gunn.

The delegation asked that 15-month-old Haroon, who is with his mother, be provided with cooked vegetables and clean clothing daily.

After the discussions, Imam Solomons reported to the group that security police refused to accept the baby's food and clothing.

"They say they will only negotiate with the family and that the child is being cared for by them," he said.

"I conveyed to the police that we are afraid for the child's safety as we know they use children to get information from their parents."

The Gunn support committee also handed a letter to the security police saying Gunn's detention was a "deliberate attempt by the state to impede the process of negotiations".

"The detention of Gunn and her child in this transitional period in the negotiation process proves the state's unwillingness to create a climate in which negotiations can take place," the letter said.

The delegation demanded the immediate release of Gunn and all political prisoners and the return of all exiles to participate in the creation of a new South Africa.

'No amnesty for Strydom or McBride'

50- 28/7/90 (329)

MASS murderer Barend Strydom and ANC bomber Robert McBride are unlikely to be released when political offenders begin to be let out of prison soon under an agreement between the ANC and SA Government.

A joint ANC/Government working group set up after the Groote Schuur talks in May has reached agreement in principle on a definition of political offences, according to Government sources.

The group's recommendations are likely to be endorsed when the Government and the ANC meet on August 6 to try to clear away the remaining obstacles to constitutional negotiations, both sides say.

The issue of releasing political prisoners and allowing exiles to return — and the simultaneous suspension or cessation of ANC hostilities — are the main obstacles to negotiation.

Both optimistic

And both sides also express optimism that the other obstacles will also be dealt with on August 6. They believe the ANC will accept a commitment by the Government to repeal or amend security legislation next year and to review the state of emergency in Natal.

On the issue of the ANC's armed struggle — which the Government regards as the principle obstacle to negotiation — the ANC is expected effectively to suspend it for the duration of negotiations.

Although the ANC is likely to word this commitment guardedly, the Government seems ready to accept any expression as long as it comes down to a halt to the armed struggle and the confinement to base of Umkhonto we Sizwe soldiers.

Government sources said that, although a special committee of local legal experts would

PETER FABRICIUS
Political Correspondent

probably be established to rule on each political prisoner and exile, it was highly unlikely that worst cases, such as Strydom and McBride, would fall within the definition of political transgressors.

Strydom was condemned to death for gunning down several blacks on Strijdom Square in Pretoria while McBride was sentenced to death for planting a car bomb which killed two women in a Durban beachfront bar.

Government sources said the working group guidelines for defining political offences had very closely followed the Norgaard principles used for the same purpose during the Namibian settlement.

According to these principles prisoners such as Strydom and McBride would be ruled out on more than one count. For instance under the Norgaard principles acts aimed at killing civilians indiscriminately did not qualify as political transgressions.

But the working group principles apply only to the period of conflict and negotiations. Once a new government was installed, it could decide to release even the worst offenders.

Government sources have confirmed that under the agreement reached by the working group the release of political prisoners — and the return of exiles — will be conducted in phases and will be linked with levels of violence and the armed struggle.

For instance those guilty of serious crimes of violence would not be released into an environment where murder and conflict were still endemic, such as Natal, as this would aggravate the conflict.

Sources say the return of exiles will be a much greater headache than the release of prisoners.

High-ranking plot leaders will not be spared from arrest

CAT Times 28/7/90

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Own Correspondent

LONDON. — In the police swoop on people involved in an alleged insurrection plot, no leader would be spared because he was considered too high-ranking, a senior South African Ministry of Police spokesman told BBC Radio yesterday.

However, he said he "did not think" ANC deputy president Mr Nelson Mandela would be among them, and that his arrest could be "excluded at the moment".

A number of people have already been arrested in connection with the alleged plot, including an African National Congress executive member, Mr Mac Maharaj. Police have warned there will be more arrests.

Captain Peet Bothma told Radio 4's "Today" programme that there remained "a big question mark around who knew and who didn't know about this specific operation that was launched inside South Africa".

He added that police action was not against the ANC and SA Communist Party specifically, but against certain "groups and individuals" — in the same way

as the police acted against radical right-wing groups a few weeks ago.

In the same programme, ANC executive member Mr Ahmad Kathrada denied "emphatically" that there was "any, what they call, plot" to overthrow the government should negotiations break down.

He said the armed struggle was one of several strategies, including sanctions, international isolation and the internal struggle, which would remain in place as long as apartheid remained.

Capt Bothma said that in the course of investigations over the past few weeks, the police team had "come across literally thousands of pages of documents", which they were now "working through".

Many arms caches

These documents had revealed names of specific people, some of whom had been arrested.

Asked what those arrested were alleged to have done or were planning to do, Capt Bothma said this formed part of the investigation. He added that the police had "got different arms caches all over South Africa during the past two weeks". Found were limpet

mines, AK47 rifles, an RPG rocket launcher and missiles "of the type used to shoot down passenger planes", and handgrenades "which have been used extensively to attack people and members of the security forces of South Africa".

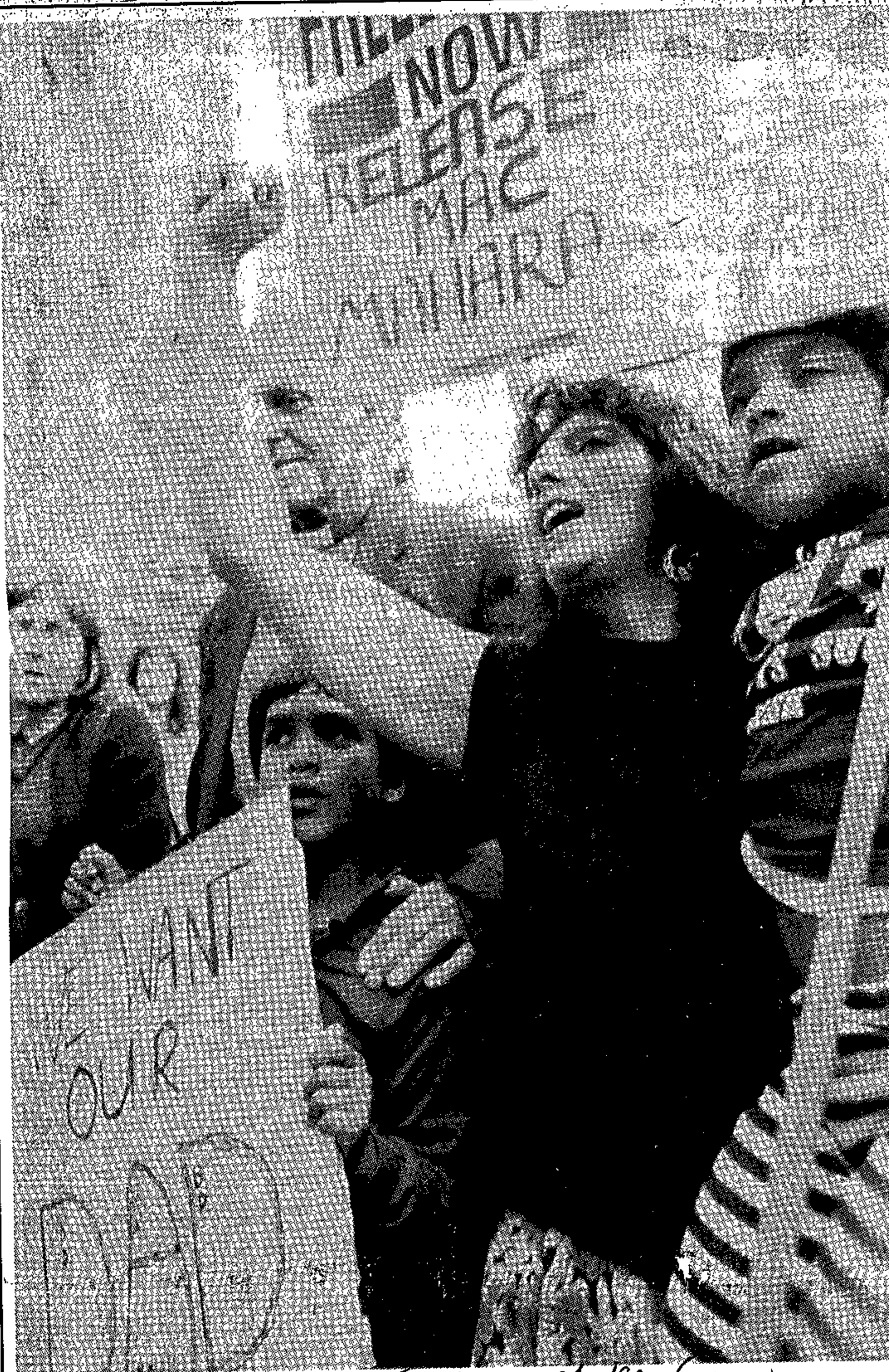
If one considered this, he said, "then it can become clear to you what their plans were".

He added that as the investigation was very sensitive and bearing in mind that talks between the ANC and the government would follow on August 6, "it is impossible for us at this stage to go into detail as to what our investigation is all about".

Capt Bothma said a 'big question mark' remained over who knew of the plot.

Capt Bothma was asked why Mr Mandela should be excluded from arrest when he had publicly said the armed struggle should continue and there was now a plot afoot to continue the armed struggle that had resulted in the arrests of other ANC members.

Capt Bothma said: "There is a big difference between continuing the armed struggle and planning a specific plot to do certain things — to intimidate people in certain ways through violence."



DEMO
... Mrs Zarina Maharaj (second right) demonstrates with her children Sekai, aged 5 (right), and Amilcar, 8 (third right), outside the South African embassy in London's Trafalgar Square yesterday for the release of her husband Mr Mac Maharaj, an ANC member who was arrested in South Africa this week. They were joined by about 50 placard-waving demonstrators.

Capt Times 28/7/90 (329)
Mac's arrest a 'breach of faith'

LONDON. — The wife of detained SACP and ANC leader Mr Sathiyandranath "Mac" Maharaj said yesterday, during an Anti-Apartheid Movement protest outside the South African embassy here, that her husband's arrest by security police on Wednesday was a breach of faith by President F W de Klerk's government.

A visibly angry Mrs Zarina Maharaj — accompanied by her two children, Amilcar, 8, and Sekai, 5,

and by the AAM president, Archbishop Trevor Huddleston — said her 54-year-old husband had returned to South Africa from exile only on the assurance he was under immunity from prosecution.

She dismissed South African government claims of her husband being a ringleader in a planned Communist Party conspiracy for armed insurrection.

Archbishop Huddleston de-

scribed the alleged plot to overthrow the government as "clearly designed either to put such pressure on (President F W) De Klerk that he will decide that politically he will not go forward, or to make it more and more difficult for the ANC to continue with its definite and positive course under Nelson Mandela for a negotiated peace process which will end apartheid". — Sapa and Own Correspondent

Probe follows two deaths and claims of torture in custody

SHEHNAAZ BULBULIA

POTCHEFSTROOM police were conducting an investigation into police methods at Welverdiend police station, West Rand, after the deaths of two detainees and several other charges of alleged police brutality, a lawyer said yesterday.

A spokesman for Police headquarters, Pretoria, Captain E Bloomberg confirmed this. He said the death of a teenager while in police custody was also being investigated and a report would be submitted to the Attorney-General.

Nixon Mayibule Phiri (16), died in January, and "Gadaffi Squad" member Eugene Mbulwana (15), this month. Both were allegedly tortured.

Apart from the two deaths which were linked to Welverdiend, a lawyer yesterday said several other detainees held there, have laid charges of alleged police brutality.

This month, The Star quoted a lawyer saying that in the space of a week, seven people had reported that police at Welverdiend had assaulted them. They displayed bruises on their bodies. In the past, a number of detainees have reported to have received electric shocks.

In several cases, the lawyer said, when their clients appeared before magistrates after being held at Welverdiend the court was asked to place on record that the accused had bruises.

Dr Malcom Chope from Khutsong, who was quoted at the time, said he treated five youths who were arrested with Eugene Mbulwana and allegedly as-

saulted at Welverdiend Police station.

He said he had treated other detainees with similar complaints.

Nixon Phiri died at Welverdiend of cerebral haemorrhage associated with external injuries. At the time police said he died during interrogation.

Captain E Baartman of the Western Transvaal SAP said the inquiry into Nixon Phiri's death had been completed and the matter was with the Attorney-General.

A murder docket had been opened in the case of Eugene Mbulwana who died at Leratong Hospital on July 13 while in police custody.

Police hold more than 300 union picketers

WILSON ZWANE

MORE than 300 SA Commercial, Catering and Allied Workers' Union (Saccawu) members were arrested while picketing during a national hour of protest on Friday, a union spokesman said at the weekend.

SAP spokesman Capt R Maree confirmed yesterday that 166 people were arrested for illegal demonstrations on Friday.

"Forty-five people were arrested at Checkers centre in Middleburg and 121 people were arrested in Pietersburg," Maree said.

In a statement Saccawu deplored the arrests, saying it was "unfortunate that the police had again intervened while the situation was volatile.

"Police intervention was uncalled for and acted as a catalyst," Saccawu said.

The union said its members stopped work and held pickets in all major centres and most smaller towns between 2pm and 3pm on Friday.

"Eighty percent of stores closed down in the city centre of King William's Town," the spokesman said.

Friday's hour of action was part of Saccawu's campaign for a living wage and the right to strike.

"During the recent strike at OK Bazaars and at Southern Sun/Holiday Inn the union was unable to exercise fully its legal right

to withhold labour because of massive police interference and the removal of access to store facilities by management," Saccawu said.

In another development, Saccawu has said it would meet Metro Cash and Carry management today for mediation in a bid to resolve the wage dispute.

"The union is demanding a R150 across-the-board increase and the company is offering R130. There are no other issues in dispute," the union said.

The strike action involving 5 000 workers at 150 Metro Cash and Carry stores throughout SA started on Thursday.

According to the union, the striking workers were conducting canteen sit-ins.

Saccawu added that it would meet Southern Sun/Holiday Inn management on Friday, following a meeting last week.

"Southern Sun continued to refuse information detailing the breakdown of the R28m allocated to wage increases this year. The present division of resources provides an increase of R12m for the top 2 000 employees and R14m for the remaining 8 000 workers, who are earning less than R800 a month.

"This allocation perpetuates poverty and protects elitism," the union said.



ANC criticises police handling of SACP detainee

The Argus Correspondent

JOHANNESBURG. — The African National Congress today criticised the police for manacled ANC and South African Communist Party executive committee member Mr Mac Maharaj at his sister's funeral in Brixton yesterday.

Mr Maharaj, detained last week in connection with the alleged SACP plot to seize power, was yesterday given permission to attend his sister's cremation. He was manacled to a black policeman and escorted by more than 25 policemen.

ANC spokesman and SACP interim executive committee member Mr Ahmed Kathrada today condemned Mr Maharaj's treatment, saying he had been treated like a common criminal.

"UNNECESSARY"

"It was completely unnecessary to have him manacled. It is yet another example of how police treat our people," said Mr Kathrada.

The ANC, Mr Kathrada said, demanded that Mr Maharaj, who was not supposed "to be in prison at all", and all other detainees be released immediately.

Mr Kathrada said ANC deputy president Nelson Mandela would probably take up the issue of Mr Maharaj's detention with President De Klerk when they meet in Pretoria tomorrow.

The ANC was today mum on its national executive committee meeting held in Johannesburg on Monday to discuss, among other things, Mr De Klerk's "preference for the exclusion" of SACP general secretary Joe Slovo from the five-man delegation scheduled to meet the government on August 6.

Mr Kathrada said no statements would be made to the press about NEC decisions until Mr Mandela had informed Mr De Klerk of them.

As far as the ANC was concerned the August 6 talks were still on.

Waterfront trading set to open in summer

Staff Reporter

THE revamped Victoria and Alfred waterfront should be open and trading in time for the summer holidays if all goes according to plan.

Hectic construction work in the Pier Head area, the first phase of the redevelopment, this week forced the re-routing of harbour traffic and the closure of a well-used harbour entrance at the North Gate.

"Fourteen contracts are being undertaken by 12 contractors here," said Mr Bev Mitchell, spokes-

Manacled Maharaj at sister's funeral



COMPASSIONATE VISIT: Handcuffed to armed police guards, SACP executive member Mr Mac Maharaj attends his sister's funeral in Johannesburg.

The Argus Correspondent

JOHANNESBURG. — Senior South African Communist Party and African National Congress member Mr Mac Maharaj was allowed to attend his sister's cremation in Brixton.

Mr Maharaj arrived at the crematorium manacled to the only black policeman among about 25 white policemen. He was not allowed to talk to anybody, including his lawyer, Mr Ismail Ayob.

There were seven police vehicles at the crematorium, including a big van known as a "Mellow Yellow" in the townships. Mr Maharaj arrived in a small police car.

Stomach cancer

Wearing black shoes, blue tracksuit trousers and a yellow top, the bespectacled Mr Maharaj kept his head high and looked straight ahead as he was escorted into the crematorium. He remained emotionless throughout the short service which preceded the cremation.

Mr Maharaj was then ushered to a small room for a last look at his sister, Mrs Mani Persad, 59, who died of stomach cancer on Sunday.

Some of the mourners were visibly shocked when he appeared.

The mourners arrived long before the police convoy which brought Mr Maharaj at 2.30pm. The SACP executive did not know until 1.15pm yesterday that he would be allowed to attend the funeral, Mr Ayob said.

Mr Maharaj was detained last week in connection with an alleged SACP insurrection plot and was allowed to go to the funeral on condition that he spoke to no one.

In a press interview during the cremation, Mr Ayob said the other conditions were that not more than 300 people attended the funeral, that the service would be restricted only to a religious ceremony, and the police officer in charge of the police convoy could remove Mr Maharaj from the funeral at any time, using his discretion.

"Greatly pained"

Mr Ayob said: "The fact that he was manacled is a statement. What can I say? Another equally eloquent statement is the fact that so many policemen brought him here."

Mr Maharaj's nephew, Mr Chohan Singh, said the family was disturbed by the heavy police presence at the funeral.

"We were greatly pained by it all. When we saw such an entourage of policemen coming to the funeral we were disappointed. We were even more hurt and saddened to see that his hands were manacled," said Mr Singh.

Mum's diabetes award

Medical Reporter

A BONTEHEUWEL mother has been honoured for her work among diabetics.

She has received the Ames Diabetes Award which is given to those who do community service for diabetics and who inspire and help others.

Mrs Elleen de Beer first became involved when her 11-year-old daughter Carol was diagnosed as a diabetic. On learning of her daughter's problem, Mrs De Beer read widely and helped as a kitchen mother at youth camps.

She also worked closely with elderly diabetic patients in her community, encouraging them to educate themselves about their disease.

Maharaj 'let out' for sister's funeral

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CWT 6/18 3/17/88
Own Correspondent

JOHANNESBURG. — Detainee and SACP leader Mr Mac Maharaj made an appearance at his sister's funeral here yesterday, manacled to two policemen and unable to speak to anyone.

A heavy police contingent mingled with mourners inside the small Hindu temple.

About 20 uniformed and plain-clothed policemen kept a watchful eye on the congregation, while others scoured the surrounding cemetery.

His brief release was limited to the religious ceremony.

ANC official says attack aimed to kill

JOHANNESBURG. — A senior ANC official yesterday said he narrowly escaped an assassination attempt in Soweto on Sunday night.

Mr Penuell Maduna told a news conference he was attacked by four men in Rockville after attending the relaunch of the SA Communist Party.

Mr Maduna, 38, claimed he was struck with a brick and had beer poured on his face before the assailants fired six shots. He was hit in the arm, where a bullet remained lodged.

Neighbours took him to Baragwanath Hospital where he said doctors could not remove the bullet lodged in his arm for fear of cutting a nerve.

The hospital could not confirm the incident last night.

Mr Maduna said he was attacked moments after he and a cousin pulled away from a filling station in Rockville.

The four assailants, he said, rammed their vehicle twice before they jumped out of their car to attack him.

He said he wrestled with one of the assailants, and had managed to overcome him when shots were fired at him. He was knocked unconscious.

At the hospital, he claimed, two black policemen approached him and said they knew he had been shot.

He had not reported the incident to the police because "police are behind this. Why should I go to them?"

Soweto police spokesman Colonel Tienie Halgryn later denied that such an incident had happened.

"He must lay an official complaint," he said, adding that Mr Maduna was trying to put the police "in a bad light". — Sapa

Maharaj 'let out' for sister's funeral

OWN Correspondent

JOHANNESBURG. — Detainee and SACP leader Mr Mac Maharaj made an appearance at his sister's funeral here yesterday, manacled to two policemen and unable to speak to anyone.

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His brief release was limited to the religious ceremony.



SACP politburo and ANC national executive committee member Mac Maharaj arrives handcuffed and under heavy police escort at the funeral of his sister, Mani Persad, in Johannesburg yesterday. On the right, Maharaj, who has been detained in terms of the Internal Security Act, is led away by security policemen after attending the proceedings. Picture: ROBERT BOTHA

Manacled Mac Maharaj attends sister's funeral

PETER DELMAR

SECTION 29 detainee and SACP leader Mac Maharaj made an appearance at his sister's funeral in Johannesburg yesterday, handcuffed to two policemen and unable to speak to anyone.

A heavy police contingent mingled with mourners inside the small Hindu temple at the Brixton crematorium as Maharaj paid his last respects to his sister, Mani Persad, who died aged 59 on Sunday.

An SACP politburo and ANC National Executive Committee member, Maharaj, 56, was detained under Section 29 of the Internal Security Act six days ago.

His police escort yesterday consisted of eight police vehicles, including personnel vans and a minibus.

The convoy swept into the cemetery shortly after 2.30pm. Newsmen who attempted to ask Maharaj about his conditions of detention received a blunt "no comment".

Maharaj walked briskly up the path to the temple handcuffed to two policemen.

The short 15-minute service presented a bizarre spectacle. Once inside Maharaj was escorted to the side of his sister's coffin where he was flanked by plainclothes security officers. He remained in handcuffs.

To foil any attempts by friends of Maharaj to organise his escape,

about 20 uniformed and plainclothes policemen kept an eye on the congregation, while others scoured the surrounding cemetery.

Throughout the service Maharaj remained impassive. He showed no signs of emotion or of recognising anyone.

He wore a bright yellow shirt and what appeared to be an SADF sports tracksuit top. He looked fit and healthy.

Mourners were clearly taken aback at the heavy police presence. One said it made him think of "Nazi Germany".

Conditions

Maharaj's attorney, Ismael Ayob, said after the ceremony that one of the conditions for his client being allowed to attend the service was that he did not speak to anyone.

Another condition was that no more than 300 mourners be allowed to attend and that the police reserved the right to remove Maharaj at any time.

It was the first time Ayob had been allowed to see his client. After viewing his sister's body, Maharaj was immediately escorted back to an SAP car.

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TOTALITARIANISM - DETENTIONS 1990

...a US Justice Department "mugshot"
here he refused to plead.

Reforms 'not forthcoming' for the media

The Star Bureau

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WASHINGTON — At least 150 journalists have been arrested in South Africa since the beginning of the anti-apartheid defiance campaign in early August 1989, the United States-based Committee to Protect Journalists (CPJ) has claimed.

The committee has updated its chronology of events in South Africa since mid-1985 to include the period between January 1 and October 31 1989. The chronology is an almost daily list of actions taken against journalists in South Africa.

The list for the first 10 months of 1989 details 90 events.

The CPJ said some of the 150 journalists arrested since last August had been detained several times. Film and equipment had been almost routinely confiscated on many of these occasions.

"While the arrests have rarely involved charges or long detentions, officials have achieved their apparent goal: preventing reporters from covering controversial news."

The CPJ added that it was watching developments in South Africa "while noting that reforms promised by the new president, F W de Klerk, have not been forthcoming for the media so far".

Try Barnard, police urged

Star 6/11/90

THE David Webster Trust has called on the police to bring former policeman Ferdie Barnard to trial and to arrest all other people suspected of being involved in the murder of Mr David Webster.

In a statement, the trust said it noted with concern the continued detention without trial of Mr Barnard, who is being held in terms of the Internal Security Act in connection with the murder of the University of Witwatersrand lecturer and anti-apartheid activist.

"The David Webster Trust, in accordance with David's own principles, abhors detention without trial. Of course, we would want all suspects to be brought to trial, and this is why we call on the police to charge Ferdinand Barnard without delay."

A police officer had stated under oath that he believed Mr Barnard had "valuable information at his disposal to events such as the Webster murder" and that he was withholding such information.

"We say that Barnard should be brought to court before a judicial officer so that such information, and his involvement in the murder, is tested in the course of a fair and public trial, presided over by a judge."

The trust said the continued detention of Mr Barnard under Section 29 created the perception that the investigation was being contained so that information which might implicate security officials could be suppressed. — Sapa.

italian song

Long delays for trial date - official

By Janet Heard

Some people had been kept in jail for up to three years while awaiting trial because there was an insufficient number of courts, according to the deputy Attorney-General for the Eastern Cape, Mr Mike Hodgen.

The long delays facing awaiting-trial prisoners was highlighted last week by a report that an Eastern Cape prisoner, Mr Blom Pule, had embarked on a hunger strike in protest against the delay in setting him a trial date.

According to the report, Mr Pule was arrested on a murder charge in December 1987 and had appeared in court 13 times without being given a trial date. *See 15/11/90*

Mr Hodgen said the situation had improved recently and there was a decreasing number of people who waited for long periods.

If the State was unable to bring a person to court within a few months of his arrest, it would be immoral to oppose a bail application and keep him in prison for a number of years, said Mr Brian Currin, the national director of Lawyers for Human Rights.

He added it was only justifiable to oppose a bail application when there

was a strong possibility the accused would abscond if he was released.

Legal sources in the Eastern Cape attributed the long delay for awaiting-trial prisoners to the backlog which had arisen from the large number of arrests during the 1984-6 political conflict.

A human rights attorney said there had been an improvement in the last year, but it was common for awaiting-trial prisoners to remain in prison for a year or more before a trial date was set.

Mr Silas Nkanunu, the Port Elizabeth regional chairman of the National Association of Democratic Lawyers, said "ideally a prisoner should be released on bail after the first court appearance".

The Transvaal Attorney-General, Mr Don Brunette, said the province did not have a backlog and monthly figures showed on average that a Supreme Court trial took eight to nine months from the time of arrest until the completion of the trial.

He said there were exceptions which included complicated political cases such as the Delmas treason trial and certain fraud cases.

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Allegations of hunger strike on death row

PRISONERS on Pretoria Central's death row have allegedly begun a hunger strike to protest against new, harsher regulations concerning visits.

Save The Patriots Campaign spokesman Jerry Ndou said yesterday prisoners had started their hunger strike on Saturday.

Ndou said a mass meeting would be held in Johannesburg on Friday to protest against the new regulations, which were instituted last week and which require that

appointments be made by visitors.

It was claimed this arrangement caused difficulty to relatives who lived far away and who had no telephones. Previously, there were specific daily times for visits to death row prisoners.

A Prisons Services spokesman denied a hunger strike had started at the prison.

He said the new arrangements had been instituted to organise visits more effectively, and denied they placed limitations on visits. — Sapa.



Prisoners 'on hunger strike' (329)

By Carina le Grange

Political prisoners on Death Row started a hunger strike on Saturday following new restrictions placed on visitors to the prisoners, according to Save the Patriots Campaign spokesman Mr Richard Moloko.

The new, harsher restrictions, announced earlier this month, require among other things, that telephonic appointments be made by visitors before visits, and that visits are forfeited if visitors do not arrive at the appointed time.

A spokesman for the Department of Prisons however denied that there was a hunger strike.

Mr Moloko said the hunger strike was also in response to the refusal by prison authorities to allow children of prisoners to visit, the forbidding of

contact visits and the refusal to grant study permits.

Mr Moloko said there were more than 80 political prisoners in Pretoria Central Prison awaiting execution.

"The Pretoria regime has realised that much of our organisation around the issue of the death penalty is being done on the level of monitoring, which includes constant visits to political prisoners on death row.

"These draconian measures are necessarily geared at curtailing any form of opposition to the judicial murders perpetrated against the anti-apartheid activists," he said.

Mr Simon Potsane, the father of prisoner Neo Potsane, said he saw the new measures "as a way of inflicting further punishment on our children".

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Lekota's challenge to De Klerk



UDF general secretary "Terror" is carried shoulder high by supporters on his release last week

Lekota was addressing a reception organised to welcome him and four other Delmas trialists — UDF general secretary Popo Molefe, UDF Transvaal regional executive member Moss Chikane, the SACC's Tom Manthata and Gcinu Muzi Malindi, a member of the UDF-affiliated Vaal Civic Association.

Lekota said he was not satisfied with the government "allowing" the peoples' leaders to participate in marches or to hold rallies in the Transkei.

Marooned

"They must sit down with them now — and of course with the exiles — and talk with them about a new and democratic constitution for our country.

"That is the message we bring back tonight. That is the determination with which we have come back."

Lekota said he brought special greetings from people who remained "marooned" on Robben Island.

"We bring with us the determination of young men who have survived Death Row, who are there now, many who have no families, no homes to return to, but this movement and yourselves.

"They want you to know that they remain eager for this movement to make it possible for them to be released from Robben Island, that they may come and constitute a process of resolving the problems of our country."

Lekota said that included in the message was the "quiet and silent yearning" of Nelson Mandela to return to Johannesburg.

Lekota had seen Mandela when a delegation of Robben Island prisoners met him at his Victor Verster prison home.

"He wants to come here and finish off the job which he and our forefathers began when they set up the movement for freedom," Lekota said.

From MONO BADELA
JOHANNESBURG.

United Democratic Front publicity secretary Patrick "Terror" Lekota maintains he was not "frightened" by Robben Island — and would be prepared to return there if necessary.

Lekota, who was released last week after four and half years in jail, said he and his fellow Delmas trialists were prepared to talk to the government if it was serious about negotiating an acceptable solution to the country's problems.

"But unless we are satisfied that they are serious, there can be no peace, there can be no quiet in this country," he said.

"We cannot be frightened by Robben Island. If we are prevented from talking, we will return there."

Five detainees on hunger strike

By Janet Heard (329)

Five security detainees who have been held at Diepkloof Prison in Soweto for up to five months have embarked on a hunger strike demanding that they be charged or released, attorney Mr Chris Watters said yesterday.

Mr Watters said according to information from the prison, the five, all of whom are being held under Section 29 of the Internal Security Act, were transferred to Bloemfontein's Grootvlei Prison on Tuesday.

He said they began their hunger strike five days ago and were demand-

ing they receive properly cooked food and that they be charged.

The five are Mr Thabiso Tekane, Mr Benjamin Cholota, Mr William Mafa, Mr Mike Ndlovu and Mr Ben Vuuruid. Mr Cholota, Mr Ndlovu and Mr Vuuruid were detained on August 25.

Two other Section 29 detainees, Mr Samuel Padi and Mr Bhekane Myeza, were charged yesterday and have subsequently stopped their hunger strike.

Police are empowered to detain people under Section 29 for the purposes of investigating criminal charges.

Comment from the Minister of Law and Order or the police could not be obtained at the time of going to press.

Chiropractor killed

By Anna Louw,
East Rand Bureau

Benoni chiropractor and former Springbok athlete Dr Danie Burger (56) died in Johannesburg Hospital last night after robbers had brutally attacked him in his Rynfield home on Tuesday.

Intruders with pangas had hacked and stabbed Dr Burger in the face and head during the night.

His five-year-old son told a domestic worker when she arrived for work yesterday intruders had hurt his father.

The assailants fled with the television set, a video recorder and four-wheel-drive vehicle. The vehicle was later found in Putfontein.

Threats halt removal

East Rand Bureau (328)

Katlehong Town Council has temporarily suspended the resettlement of 6 000 squatters at Rietfontein, near Heidelberg, because of threats that its trucks would be damaged, said the mayor, Mr Gideon Molotsi. SW 18/11/90

The squatters were willing to move, but feared people who threatened them with violence if they did so, he added.

The intimidators were from outside Katlehong and had told the squatters they were accommodated free in Katlehong, whereas in Rietfontein they would have to pay for services.

Mr Molotsi said a meeting would be held at the squatter camp on Sunday at which squatters could air grievances.

Hunger strike

329

FIVE security detainees who have been held at Diepkloof Prison in Soweto for up to five months have embarked on a hunger strike demanding that they be charged or released, attorney Mr Chris Watters said yesterday. *Sowetan 18/1/90*

Mr Watters said according to information from the prison, the five, all of whom are being held under Section 29 of the Internal Security Act, were transferred to Bloemfontein's Grootvlei Prison on Tuesday.

He said they began their hunger strike five days ago and were demanding they receive properly cooked food and that they be charged.

The five are Mr Thabiso Tekane, Mr Benjamin Cholota, Mr William Mafa, Mr Mike Ndlovu, and Mr Ben Vuurhuid.

Comment from the Minister of Law and Order or the police could not be obtained at the time of going to press.

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Suspect dies in detention

PRETORIA. — A nineteen-year-old arson suspect died during interrogation at Welverdiend police station in the Western Transvaal on Tuesday night, police said yesterday.

"The circumstances surrounding his death are being investigated and a post-mortem will be held as soon as possible in order to determine the cause of his death," the statement said.

Police are reportedly trying to trace the black man's next of kin.

In an addendum to yesterday's official SAP unrest report, a number of suspects were reported to have been detained in follow-up investigations following incidents of arson in Khutsong, Oberholzer. — Sapa

Named: The dead teenage detainee

W/Mail 19/11/90 - 25/11/90

By PHILIPPA GARSON

A WESTERN TRANSVAAL youth who died in police custody this week under disputed circumstances has been identified as Mbuyiselo Nicholas Phiri. He was 16 years old.

Although his mother was informed of his death on Tuesday morning, reports given to the media on Wednesday said police could not reveal the youth's name because his next-of-kin had not yet been informed. There is further dispute about the circumstances in which he died.

By yesterday police were still telling the press they could not release the name of the deceased.

Major Reg Crewe of the Police Public Relations division said the youth's name would be made known after his next-of-kin had been traced. He said the deceased's family lived in a squatter camp and were difficult to trace.

However, the youth's mother, Ma-

ria Phiri, said she had been informed about the death of her son at 11am on Tuesday when police fetched her from her place of employment.

Hours after the boy's death the police told Phiri her son was one of a group of schoolchildren arrested earlier on Tuesday. "They fetched me from work on Tuesday morning and took me to the Carletonville mortuary to identify his body."

Phiri's arrest came in the wake of

●To PAGE 2

Named: teenage detainee who died

W/Mail 1/11/90 - 1/11/90

●From PAGE 1

violence last weekend between youths and a vigilante group known as the "Russians", who activists claim are working with police.

After clashes on the weekend a number of youths were arrested. According to the police unrest report arsonists caused extensive damage to three private houses, two of them the homes of policemen.

Phiri's family say they believe that he was among a group of schoolchildren who were picked up by police

after marching on the Carletonville police station demanding the release of their colleagues.

A police statement released after Phiri's death, however, said he had been arrested on suspicion of arson and had died during interrogation at the Welverdiend police station.

Phiri's mother, however, says she was told a different story. "They told me that on arrival at the Carletonville police station, they found him unconscious at the back of the van. When they looked further they found he was dead," she said. "They said he had collapsed."

Speaking in her tiny shack in the township of Khutsong near Carletonville, she said she was however sceptical about this version. "I don't believe the police because when I saw my son there was blood on his mouth and nose. How could this be if he had collapsed?"

"They said I could consult a doctor if I didn't believe their version, but when I said I had no money they said it was up to me."

"They also said they would take him to a pathologist in Johannesburg, but I didn't believe them. I think they just wanted to keep me quiet."

"They also said I must keep this death to myself. They said 'we know



Mbuyisela Phiri

that after talking to you you will go out and spoil our reputation."

The youth's grieving grandmother, Anna Mathlaba, said he was "a very quiet person, always very respectful and well-behaved. But the police were always coming here looking for him."

Mathlaba said when they went to the mortuary to fetch his clothes, they were told that the youth's funeral must be held on a weekday. "They said people dying in these circumstances must be buried during the week and not the weekend."

Khutsong residents say there are at least nine other youths still in detention. They also claim that two other children, including an eight year-old, died in clashes between youths and police, but this could not be confirmed.



Geseënde Kersfees

Jubilant youths on their way to Victor Verster to demand the release of Nelson Mandela

AWB threat scuttles non-racial peace picnic

329
South
20/12-12/1/9

A PICNIC planned to be held on a Mossel Bay beach on December 16 was cancelled after a person claiming to represent the AWB telephoned the organisers and threatened to burn the buses taking people to the beach.

The picnic, organised by Mossel Bay residents at Hartenbos Beach, was planned to heal the divisions between the races.

Mossel Bay clergy have now laid charges against the unidentified man who made the threats.

And in Cape Town, a candlelight service at the gates of Victor Verster prison on Sunday to demand the release of Nelson Mandela and all political prisoners was prohibited by a Paarl magistrate.

After a rally in Paarl East, addressed by Mrs Winnie Mandela and South African Youth Congress leader Peter Mokaba, a convoy of 12 buses and cars left for the

prison.

Police set up roadblocks on the Franschoek Road which passes the prison and stopped the convoy from reaching the entrance to the prison.

Police told the marchers that the gathering had been prohibited and gave the crowd five minutes to disperse.

United Democratic Front officials negotiated with the police to allow the protestors to deliver a memorandum to the prison. Police refused the request.

An hour later, the kilometre-long convoy returned to Paarl.

Jubilant youths danced on the roofs of the buses, waving their placards and shouting slogans.

About 1 000 people packed the Planet theatre in Paarl East after the convoy returned for a report-back meeting.

UDF Western Cape chairperson Mr Bulelani Ngcuka read a memorandum from the Mass Democratic Movement entitled "Message to all our comrades in apartheid's jails" which was to have been presented to prison officials at the gates of Victor Verster.

"We are gathering outside the Victor Verster prison today at 6.30pm," the memorandum stated.

"We will gather to remind ourselves and the world at large that your continued imprisonment proves the emptiness of (President) De Klerk's talks of change.

"We will light candles as a symbol of our hope for the future of our country. You are now behind bars because of your contribution to our struggle for freedom.

"You and all other political prisoners have become symbols of hope for us."

Mana hopes for Xmas at home — after four years

GRAHAMSTOWN. — Mthetheleli Mana is a happy man. If all goes well, this should be the first Christmas he has spent at home in four years.

Previous Christmas seasons were spent in detention in various prisons in the Eastern Cape.

"I was first detained on July 21 1985 and released eight months later. At the time I was executive member of the Fort Beaufort Rugby and Soccer Unit, and the whole executive of the associations was detained."

He was then again detained after a new state of emergency was proclaimed in June 1986.

"They had been looking for me for a long time, and I slept in the Ciskei most of the time. One night, however, we had a meeting in Fort Beaufort and before dawn the police conducted a house-to-house search and found me."

"They kept me just over a year, but again I spent Christmas in jail. After being released in August, I was picked up again in November and kept until April 1988. It was my third Christmas in jail."

He was re-detained for the fourth time just before the municipal elections in October.

Mthetheleli, who works at the Fort Beaufort Advice Office, said the office nearly had to close when he was detained last year.

"The office had been open for only

seven days when I was taken away. I am sure they hoped that the office would close, but it did not. Instead, it continued to grow".

The advice office worker, who has three children, said he was looking forward to spending Christmas with his family.

"My daughter was born while I was in detention and my second child was already one year old when last I spent Christmas at home. Naturally, it would be very nice for me to spend Christmas with them and to share in all its joys."

He said that Christmas inside was sad because it was just like any other day. "We did not even get any special food."

For Mthetheleli, Christmas is a special event already. The restrictions, imposed the last time he was released, have just been lifted.

He said that all five ex-detainees from Fort Beaufort who had been restricted were not fully free.

Restrictions on MacDonald Fani, Vumile Ngetu, Peter Ngece and Mzukise Kama were lifted at the same time as those of Mthetheleli.

But for Mthetheleli Christmas this year promises to be the happiest moment in the past four years.

"Having been released and then re-detained four times, I do not know what to expect. But if I am still outside on Christmas day, it will be the happiest day of my life," he said.

— ANA

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Mpetha to spend Xmas in hospital

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20/12-18/1/90

VETERAN trade unionist Oscar Mpetha, in hospital for the past two weeks following a slight stroke, will not be home for Christmas.

Mpetha was released in October after serving four years imprisonment on charges of terrorism. Mpetha spent most of his prison sentence in the Groote Schuur Hos-

pital.

Last year, Mpetha's fervent Christmas wish was to be home with his family over the festive season.

"He is not unhappy though, because this year he is not a prisoner," his daughter, Esther Mpetha said.

"The family will be able to spend Christmas day with him, unlike last year."

Mpetha said she did not know when her father would be discharged from hospital, but did not think it would be soon as he was still experiencing discomfort.

"He is not actually in pain but he is not yet in a good condition," she said.

Mpetha's left arm and leg were slightly paralysed by the stroke.



Oscar Mpetha

'Intimidation won't stop us'

By DAN IDHLAMINI

INTIMIDATION and harassment will not stop the Jouberton Youth Congress (Joyco) from performing its duties.

This was said this week by the entire executive committee after they were briefly detained. Some claimed they were threatened with detention and violence and told to quit the organisation and become police informers.

Joyco chairman Thabo Sithole told *City Press* the police swoop on Joyco members followed a parents' meeting last Thursday where the education crisis was discussed.

He said at least 14 people - including a parent who spoke about the Back to School Campaign and highlighted the plight of pupils who have been turned away due to lack of space in high schools - had been detained.

Henry Molema, a parent, told *City Press* he was awakened by loud knocks and flashing torches in the early hours of Monday.

He said he was taken to the Riot Squad offices where he was questioned about his involvement in the Education Crisis Committee.

"I told them it was my duty as a

parent to see to it that all students pupils were admitted back to school because we don't want a generation of illiterates."

Other committee members also claimed they were threatened with violence for being members of Joyco.

Western Transvaal Police spokesman Major Ben van Heerden denied Joyco members were ever detained, and all allegations against the police.

This week the Ikageng Education Crisis Committee (IECC) in Potchefstroom met regional officials of the DET about the admission of all pupils and non-payment of registration fees. Pupils and some parents had resolved earlier that no parent should be forced to pay registration fees because this was a voluntary donation.

IECC spokesman Dudu Modise said the committee was told the schools were already overcrowded and there was an acute shortage of teachers. Some ministers of religion had already offered to make their churches available to accommodate pupils.

Modise said the committee would meet school management councils next week for an in-depth discussion over registration money and its use.

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Why staying at home can hurt more than detention

ALMOST all ex-detainees who are released under restriction orders reach a point at which they realise an awful truth: they felt "safer" and less vulnerable while they were in detention.

What a reflection of our society that being incarcerated (without even having been tried) could be regarded as preferable to being "released".

Restrictions cause considerably more severe, potentially longer-term psychological damage to restrictees than that created by the experience of indefinite detention.

Psychotherapists working with this group are increasingly aware of the deep psychic changes in their patients. Although individuals are being returned to their families and communities, they are prevented from returning to anything remotely resembling "normal life".

The inversion of accepted concepts such as freedom, independence and safety are confusing and destabilising. The restrictee is supposedly free, and has now been returned to the "sanctuary" of home.

This concept of home incorporates images of privacy and security; a place where one can relax and let down one's defences in a protective environment.

But for restrictees home is a prison in which they have to monitor their own activities and become their own probation officers. They are unable to protect their privacy or that of their families. Their homes are open to "routine checks" to ensure that they are obeying their restriction orders. These visits often take place in the early hours of the morning.

Their independence and the decisions they can make are severely limited. Their rights of free movement, association, employment, education and use of leisure time are minimal. They have to remain in a certain magisterial district and (depending on specific restrictions) may not be permitted to return to their school or university studies.

They may not be in the presence of more than a prescribed number of people at any one time, and are often prevented from contacting many organisations, even if they might have been employed by one of them prior to restriction.

In the search for another form of work to support themselves and their families, they meet further frustrations. Having to register at the local police station twice daily curtails the time available for travelling to work and for working long enough to satisfy an employer.

A number of ex-detainees also experience traumatic memories triggered by this contact with police. Such symptoms of post-traumatic stress are immensely disturbing.

The hunger strikes of last year lead to the release of hundreds of detainees and seemed at the time a major victory. But the ex-detainees are now realising that the restriction orders which were placed on many of them are in many ways more alienating than being locked up in the cells, argues a Johannesburg clinical psychologist*

Restrictees are often confined to their homes after 6pm, which denies them relaxing time with friends, further depriving them of the means to reduce anxiety and stress.

The major structures through which one gains and maintains a sense of identity and self-esteem are removed from the world of the restrictees. They cannot

of self-destructive thinking. Frequently, the depression is so pervasive that suicide seems an acceptable alternative.

The course of this inner disintegration is promoted by the real danger of physical harm extending even to assassination. Few of us have to face the possibility of our own death, having defence mechanisms to protect us from this exposure.

If we could not believe that we were sufficiently capable of looking after ourselves, or that there was some omnipotent being with whom to merge for protection, or that others were sufficiently benign to ensure our safety from immediate attack, few of us would risk leaving our beds each morning.

But restrictees are fully aware of their inability to protect themselves from overt and hidden dangers. Houses have been petrol-bombed and people have been assassinated in broad daylight.

Not every restrictee experiences disintegration of the personality, however. Nor does each one become irreparably damaged. The extent of the destruction will be apparent only in a post-restriction society.

There are, too, individuals who have been strengthened by their experience of detention and the support gained from fellow detainees. Some ex-detainees

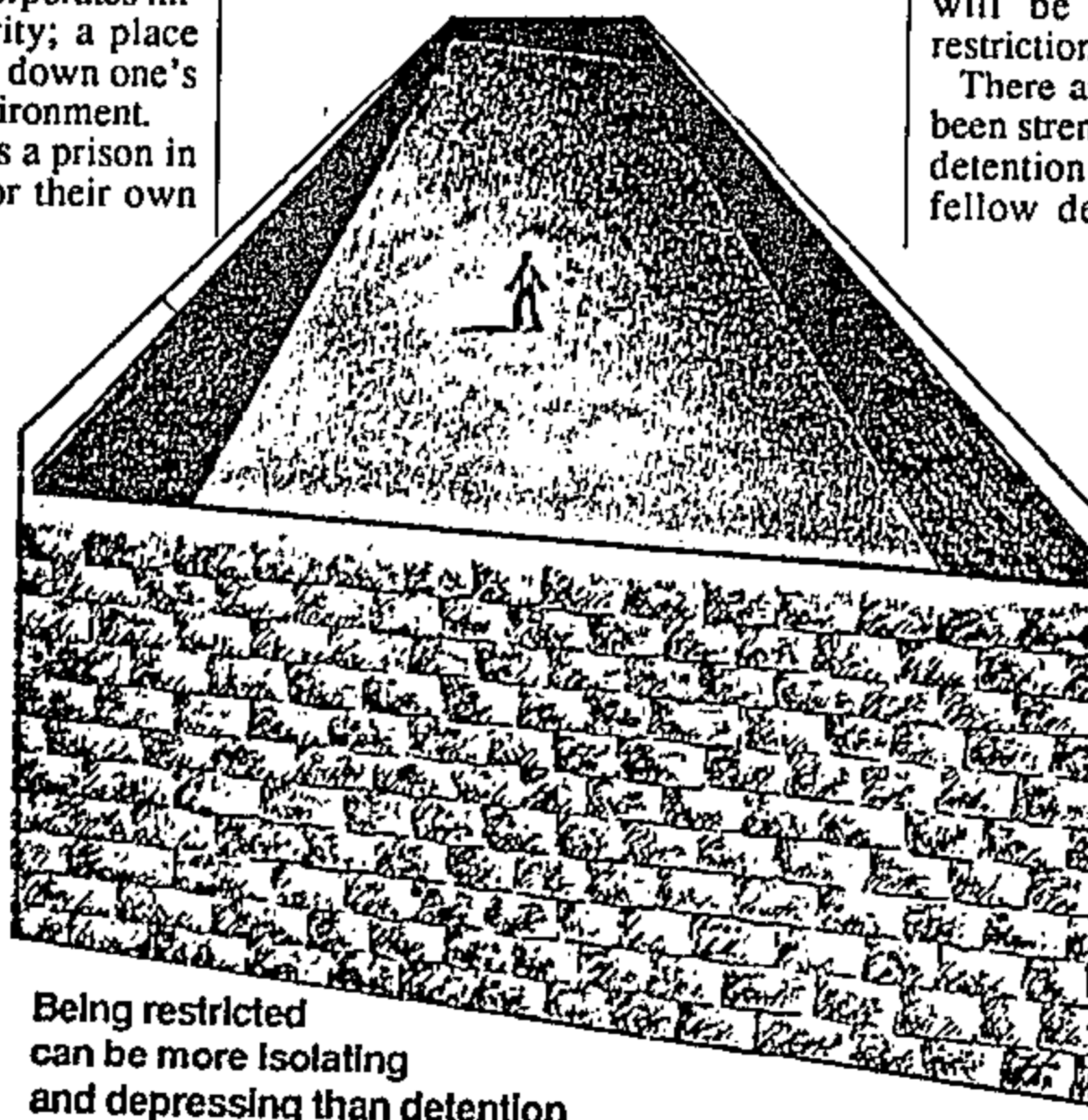
have found inner resources they didn't know they possessed and have been able to use the traumatic experience to enrich their lives in creative ways. It remains to be seen how this will pertain to some of the present restrictees.

Differences in response to restrictions are influenced by the individual and the environment, both past and present. These factors include the nature and severity of the restriction order, the personality and psychological perspective of the individual, as well as the number and quality of support systems available to the restrictee and the possibility of receiving treatment.

Prior experience of detention and any resultant damage will impact on the inner resources with which the individual confronts the new stress of restriction.

It is unethical and unprofessional for psychotherapists to stand by and witness such a disintegration of a fellow human-being and remain silent. Psychotherapists must never allow themselves to be party to any infliction of mental torture, which not only damages the victim but brutalises the perpetrators and filters through to the entire society, where individual citizens become increasingly insensitive to the pain and suffering of others.

• For professional reasons, the author of this article may not be named.



Being restricted can be more isolating and depressing than detention

work, study or play and are denied interactions that would nurture them and reflect their worth. They are stripped of independence and are infantilised, forced to live by rules imposed by authority-figures who do not have their best interests at heart.

Restrictees are left with few ways to maintain confidence in themselves as productive people. In addition, the meaning with which they have endowed their lives — usually some form of community activity or political involvement — is crushed. Feelings of impotence, isolation and depression occur when an individual is deprived of psychological nourishment in this way.

The limitlessness of the time-span of these restrictions intensifies these painful emotions. The result is often a spiral

Mom's bid to see

26/1-1/2/90.

329 Smith

jailed cadre

By REHANA ROSSOUW

THE ageing mother of Cape Town political prisoner Cecil Esau is making a determined bid to see her son after she was refused a visit on Robben Island on Christmas Day.

Mrs Maria Esau, 75, is now insisting on being allowed to see her youngest son, whom she last saw several months ago.

Esau was sentenced in August 1987 to 12 years' imprisonment for terrorism.

His mother travelled from her home in Worcester on Christmas Eve to visit her youngest son the next day. Her daughter June accompanied her as she has difficulty walking.

"My permit had arrived and we went to the docks to board the ferry early on Christmas morning," Esau said.

"Our names were on the warders' list and we were allowed to board the ferry and go to the island."

At the prison, in a waiting room near the visitors' section, a warder told Esau that there would be no visit for her.

"They told me he was rude and abusive, but Cecil is not like that, he is not short-tempered," Esau said.

"We had to wait in the room until the ferry was ready to leave again. I was heartbroken, knowing Cecil was so near but I could not see him."

"I really wanted to spend Christmas with my son. There were so many families who had travelled to the island to spend that special day with their loved ones."

Esau, who has twice suffered a stroke and is plagued with arthritis and high blood pressure, is concerned about missing visits with her son as she is not sure that her health will allow her to visit often.

She last saw him on his birthday in September and he has not had a visit since.

Her attorney, Mr Essa Moosa, confirmed that he was instructed to act



Mrs Maria Esau, forbidden by Robben Island warders from seeing her son Cecil Esau

on behalf of the family and had written to the Prisons Services asking them for reasons for refusing Esau's visits.

"Once we have the reasons we will decide whether to take further action. The Prisons Service cannot deny a visit unless they have good

reasons for doing so."

A Prisons Service spokesman said it was their policy not to comment on individual cases.

He said although provision was made for prisoners to receive visits from family and friends, the nature and number of visits depended on the

classification of prisoners according to their behaviour and adaptation to prison.

"On receipt of the attorney's letter, the case will receive the necessary attention and be dealt with appropriately," the spokesman said.

Kitskonstabels set to join union

A GROUP of kitscops from the strife-torn Crossroads squatter camp are poised to join Lieutenant Gregory Rockman's Police and Prisons Civil Rights Union (Popcru).

Sources said that a group of about 10 kitscops had approached a community organisation to arrange a meeting with Rockman later this week.

The group is presently meeting with other kitscops who have expressed an interest in joining Popcru.

The kitscops, who do not want to be named until they have met with Rockman, said they are unhappy

with the role played by the authorities in Crossroads.

They are also dissatisfied with working conditions in the police force.

"Many kitscops are unhappy at the fighting in Crossroads which is tearing the community apart," said a United Squatter Association spokesperson.

"They do not want to have to take sides against their own people."

A kitscop who was killed during fighting in the area last December was given an ANC burial in Crossroads earlier this month.

The kitscop, Gosain Jackson, was shot after a vigilante attack on the

house of Mr Geoffrey Nongwe, an opponent of controversial Crossroads mayor Johnson Ngxobongwana.

Community leaders claimed that Jackson was shot after remonstrating with a white policeman for not intervening during the attack.

A spokesperson for the SA Police Force said the SAP did not recognise Popcru. "We have no further comment in this regard."

Meanwhile, the situation in Crossroads has been described as tense following an outbreak of violence in the area last week.

The United Squatters' Association, which has begun recruiting members in Old Crossroads, said that last

week's violence followed a mustering of witdoek forces in the area.

Mr Sizwe Dwekesha was shot dead in the violence.

Sworn statements gathered by the USA allege that shortly after midnight last Wednesday, vigilantes forced the occupants of brown tents to join them to fight the "comrades".

They alleged that people had been warned that anyone who refused would be burnt.

Relatives of Dwekesha claimed in an affidavit he had been forced to take part in at least two previous witdoek attacks on Nongwe's supporters.

Volks

Hit squad suspect Barnard only a bit-part player

DETAINED David Webster murder suspect Ferdi Barnard appears to be no more than a minor pawn in a larger power play — involved only in surveillance of assassination targets and not in the "hits" themselves.

A picture has emerged, from court records and legal and police sources, of Barnard as a minor player in the clandestine, state-linked death squad network.

It is believed that Barnard told the police he was unable to identify the others involved in his cell because they referred to each other by code names.

Nine months after Webster's death the South African Police investigation team appears to have made little progress in cracking the case, despite holding Barnard in detention without trial for nearly three months.

Yesterday the Pretoria Supreme Court dismissed with costs an urgent application for Barnard's release, made by his father, former policeman Colonel Piet Barnard.

The mission of the former police sergeant and convicted murderer seems to have been to stake out the movements of Webster and two other anti-apartheid activists and pass the information on to a "handler" known only by his code name.

Strong suspicions persist that members of the Department of Military Intelligence were involved in the planning of the murder.

The potential targets appear to have been activists suspected by intelligence sources of being

After nine months no one has been charged with the murder of David Webster. The only suspect appears to have had a small role
By GAVIN EVANS

African National Congress members who for various reasons could not easily have been brought to court.

The man heading the murder investigation, Brigadier Floris Mostert of the Brixton Murder and Robbery Squad, said yesterday that there had been no more detentions or arrests of suspects, and that he was not prepared to comment further.

Earlier this week, in a replying affidavit arguing against Barnard's release, Mostert said a "secret organisation exists in the country, with members from all levels of society, which strives to terrorise left-wing radicals with the aid of violence and intimidation."

Among the allegations mentioned in Mostert's affidavits have been the following:

- Barnard had been in contact with Donald Acheson, the man charged with Anton Lubowski's murder, on at least two occasions before September 12 last year;

- Barnard was detained because he refused to give information to the police and was continuing to "withhold vital information from the police", but "possibly had valuable information about the structure, members, funding and



Victim of assassination Anton Lubowski *modus operandi*, and therefore also the transgressions of the secret organisation";

- He was arrested on June 9 last year as a suspect in an alleged conspiracy to commit robbery, but further investigations revealed he was monitoring the movements of a "left-wing radical" whose name could not be released because

the person's life could be endangered.

In his affidavit Piet Barnard said there was no direct evidence or acceptable indication that his son's detention was related to alleged crimes. Barnard said his son had "fully co-operated" with the police, and would continue to do so, but knew nothing of the Lubowski or Webster murders.

In his judgement Mr Justice HJ Press said enough facts had been revealed for the court to reasonably judge the police's suspicion that Barnard was withholding vital information in connection with a right-wing organisation responsible for the murders.

The David Webster Trust yesterday reiterated its call for Barnard to be tried or released, and for a judicial commission of enquiry to be set up to investigate the death squad allegations.

The Democratic Party has made a strong call for a judicial commission of enquiry and intends to raise the issue again when parliament reconvenes next month.

DP law and order representative and party chairman Tiaan van der Merwe described the current system of investigations as "hopelessly inadequate".

He said "it must be asked if anxiety about the involvement or awareness of some cabinet ministers had not influenced President FW de Klerk's refusal to appoint an independent investigation into police excesses."

"It is simply no longer possible to suggest that the events that have been revealed were the work of a handful of maverick policemen. The evidence is overwhelming of a vicious and violent system of behaviour on a scale so large that it cannot have taken place without the explicit or implied approval of people in very high places."

Van der Merwe said it was possible that the involvement of certain cabinet ministers "influenced De Klerk not to appoint a judicial commission" and said De Klerk's response had created the impression he had "something to hide".

It is believed that a departmental enquiry into the hit squad allegations, headed by Free State Attorney-General Tim McNally, came to the conclusion that a departmental enquiry could not deal with such a vast investigation, and that a judicial commission should be appointed. The McNally report has still not been released by the government.

Early last month, De Klerk rejected this option. He said the problem could be dealt with through a thorough police investigation and by bringing the killers to court to face charges.

But so far no one has been charged with the Webster assassination, while the only person brought to court in connection with the death squad allegations is former death row prisoner Butana Nofomela, who was the man who initially broke the story by admitting his own involvement in the assassinations.

Senior policemen such as Pretoria-based security policeman Brigadier Willem Schoon, mentioned by former policemen Nofomela, Dirk Coetzee and David Tshikalange as the man behind the death squads, are still free.

The Mostert investigation has confined itself to a criminal murder investigation and has not ventured into the related terrain of the death squad allegations.

The Webster Trust believes Mostert's team has neither the authority nor the resources to get much further in their investigation.

While De Klerk has yet to budge on his refusal to consider this option, Justice Minister Kobie Coetzee was quoted by a United States congresswoman as saying that if the departmental investigation made no progress the government would consider a judicial commission.

Another option, if De Klerk persists in his refusal, is to launch a special prosecution, headed by an attorney-general granted extraordinary powers by the state president and assisted by independent investigators.

One advantage of this option is that, unlike a judicial commission, it would not have the loophole of allowing witnesses to refuse to give evidence which incriminates themselves.

Imagine having to tell him one day that you can't afford to send him to university.



Suttner back after defying restriction

Own Correspondent

JOHANNESBURG. — Former detainee and Wits law lecturer Mr Raymond Suttner yesterday returned to SA from Lusaka after defying emergency restrictions by leaving the country last year.

Mr Suttner was met at Jan Smuts Airport by a banner-waving, chanting crowd of about 70 people.

On his release in September 1988 after 27 months in jail, 18 of which were in solitary confinement, Mr Suttner was immediately classified a restricted person.

In August last year he defied restriction orders and left SA while under effective house arrest to attend MDM talks with the Organisation

for African Unity (OAU) in Harare and to recover his health, which had suffered during detention.

According to his sister Ms Sally Suttner, he was very pleased to be back home and had always intended to come back.

While overseas Mr Suttner travelled and lectured in Britain, America, Australia and the Soviet Union and met officials of the Australian and American governments, President Robert Mugabe and President Kenneth Kaunda.

Witwatersrand liaison officer Lieutenant Ida Zweel yesterday declined to comment on how police would handle Mr Suttner's return, but said his specific case was being investigated.

News in Brief

CAT TMS 30/1/90
5 held for attacks on cops (10) (12) (29)

JOHANNESBURG. — Security police have arrested five members of a "murder group" who have been responsible for several grenade and AK47 attacks on policemen and are investigating whether they have any links with the ANC, Soweto police spokesman Colonel Tienie Halgryn said.

CAT TMS 30/1/90
Youth leader 'arrested' (10) (12) (29)

JOHANNESBURG. — SA Youth Congress leader Mr Peter Mokaba was allegedly detained on Saturday by Pietersburg police, Sayco publicity secretary Mr Simon Ntombela told journalists at a conference yesterday.

Man found hanged at John Vorster Square

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The Argus Correspondent

PRETORIA. — A man said to be a close friend of Miss Zindzi Mandela has been found dead in his cell at John Vorster Square.

A police report on the incident said today that Mr Clayton Sizwe Sithole, 20, was found hanging from a shower pipe at the police cells yesterday afternoon.

"CONFESSION"

He apparently was arrested with four others on suspicion of being involved in the murder of a number of people in Soweto and was detained at John Vorster Square on Friday.

At the time of his arrest, he allegedly had been found in possession of an AK-47 rifle, two magazines, 27 rounds of ammunition and a .38 revolver.

Mr Sithole allegedly had made a

confession to a magistrate in which he implicated himself in murder cases.

The police report said: "The circumstances surrounding Mr Sithole's death are being investigated as a matter of urgency. The documents will be submitted to the Attorney-General."

The post-mortem will be conducted by Dr Vernon Kemp, a state pathologist from Johannesburg.

Mr Sithole's family have been asked to consult Dr Kemp if they want to appoint a pathologist of their own. It is understood they have appointed a private pathologist.

Miss Mandela is the youngest daughter of Nelson and Winnie Mandela.

● Sapa reports that a prisoner died in the back of a police van on Monday as he was being taken to the Mtubatuba police station in Natal, a police report said yesterday.



Zindzi Mandela

Sowetan 31/1/90

5 not ANC men

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SOWETO police have denied recent reports that five men arrested in the township on Friday were connected to the ANC.

"We have told nobody they are connected to the ANC, as we do not have any proof of this," Soweto police spokesman Capt M J Ngubeni said yesterday.

He said the men were merely suspected of being linked to a number of attacks in Soweto involving AK 47 rifles and hand grenades.

AK-47

On Monday, Soweto police liaison officer Lt Col Thienie Halgryn said police had arrested the men and taken possession of an AK 47 rifle, two magazines and a pistol with three rounds.

"We are investigating whether the men are politically linked to any organisation but at this stage we regard them as nothing more than a murder gang," Halgryn said.

The men are allegedly connected to 12 murders in Soweto. - Sapa.

WINDHOEK. — A provision allowing for detention without trial was scrapped from the Namibian draft constitution yesterday to applause from the Constituent Assembly and galleries.

The controversial provision was dropped after shadow attorney-general Mr Hartmut Ruppel informed the assembly that Swapo had agreed, in the words of Namibia National Front president Mr Vekuii Rukoro, "to give humanity and human rights a chance".

Mr Ruppel said he wanted to stress that the all-party standing committee which drafted the constitution had included the measures "because of sound concerns over the safety of our fledgling democracy".

The provision caused controversy in the assembly and a substantial part of the day's proceedings on Tuesday were devoted to the issue.

Detention without trial in independent Namibia will now only be possi-

Namibia drops detention without trial

CMT TmfJ
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ble under martial law or a state of emergency.

The assembly yesterday also accepted that freedom of speech and the press was a right which could not be taken away — even in a state of war or under a national emergency.

With the abolition of the death penalty, this makes Namibia's constitution one of the most liberal in Africa.

The assembly also decided to limit the powers of the executive president even further by creating a security service commission to advise the president on the appointment of the chief of the defence force and the inspector-general of police. — Sapa

Five Duduza youths held 329

FIVE members of the Duduza Youth Congress, three of them brothers, were allegedly arrested at their homes by Springs security branch policemen.

Four were arrested early yesterday while one was taken on Tuesday. The names of the youths

are Mr Sakkie Kekana, Mr Sello Tsotetsi, Mr Thozamile Xuntu and his two brothers Nini and Santu. *Sowetan 11/2/90*

Mr Firoz Cachalia, the youths' attorney, said he was informed that four of the youths would be released but said he could not confirm whether they

had been released.

He said police told him Kekana was to be charged under offences relating to advocating aims of unlawful organisations. The police directorate of public relations yesterday could not confirm whether the youths were in police custody or not.

CAPT TIPS 1/2/90

Hit squads: Govt names probe judge

CAPT TIPS 1/2/90

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By CHRIS BATEMAN

THE government last night bowed to demands for an inquiry into alleged police hit squads and appointed a one-man judicial commission of inquiry "in connection with murders and deeds of violence allegedly committed with political motives".

The commission, announced by Minister of Justice Mr Kobie Coetsee on behalf of President F W de Klerk, will be headed by Mr Justice Louis Harms.

Mr De Klerk also ordered a separate inquiry, to be headed by Mr Justice R J Goldstone, into the death of an alleged ANC guerilla said to have been a former lover of Mr Nelson Mandela's daughter Zindzi.

Mr Clayton Sizwe Sithole, 20, was found hanging from a shower pipe in his cell at John Vorster Square late on Tuesday night, five days after his arrest.

A senior government source said last night that the Harms Commission

would "investigate everything from necklace murders to the assassination of Dr David Webster".

This included the activities of alleged hit squads, attacks on individuals and buildings, attacks and murders of policemen and necklace murders.

The announcement came the night before former police captain Mr Dirk Coetsee was due to address an international press conference on the activities of alleged police death squads.

As a result of the appointment of the Harms Commission, an illegal protest march to Tuynhuys tonight, organised by Afrikaner clerics and academics to call for a judicial inquiry into hit squads, was called off.

Last night Brigadier Leon Mellet, liaison officer to the minister of law and order, said: "We have taken note

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Inquiry

of the commission and we will give them all the assistance we can."

The appointment of the commissions came a day before the official opening of Parliament amid widespread and mounting protest at the lack of any independent inquiry into political hit squads.

Initial disclosures of politically-inspired hit squads involving the South African security police emerged over three months ago.

Law and Order Minister Mr Adriaan Vlok said yesterday that the Goldstone Commission would be convened immediately.

Mr Coetsee said further details of the Harms Commission would be published in the Government Gazette.

The Democratic Party last night welcomed the commissions but were cautious about their terms of reference, which are yet to be announced.

Mr Tiaan van der Merwe, DP spokesman on law and order, said it was "inconceivable" that one judge could do justice to such a brief.

Mokaba detention slammed

JOHANNESBURG. — The South African Youth Congress (Sayco) has accused the Pietersburg security police of waging a "vendetta" against the organisation's president Peter Mokaba, who was detained last Saturday.

The SAP public relations division in Pretoria confirmed on Wednesday that Mokaba was being held in terms of the Internal Security Act. (329)

Mokaba's wife, Bongi, addressing a press conference earlier this

week, said her husband had been detained after speaking at a Se-shego Civic Organisation meeting in the northern Transvaal.

Sayco urged the authorities to release Mokaba, saying they had detained him in the past and brought trumped-up charges against him, which they had later withdrawn. *Scut*
112-712/90

Mokaba was detained under the Internal Security Act in 1985 and 1988.

Judge to inquire into cell death

By MICHAEL MORRIS
Political Correspondent

329

PRESIDENT De Klerk has moved swiftly to appoint an immediate judicial inquiry into the death in police custody of Mr Clayton Sithole, lover of Mr Nelson Mandela's daughter Zindzi.

Mr Sithole, 20 — the father of Mr Mandela's grandchild — died on Tuesday, five days after being arrested.

An alleged ANC guerrilla, he was

being held in connection with the deaths of several people in Soweto.

He was found hanging from a shower pipe in his cell.

Within 24 hours, Mr De Klerk appointed Mr Justice R J Goldstone yesterday to conduct the inquiry. The commission will convene immediately.

An inquest is being held in Johannesburg today into Mr Sithole's death. Mr Mandela's wife, Winnie, is expected to attend.

in July 1988, yesterday closed his case after
calling only two witnesses.

CA/1 Trust 1/2/90
Sayco leader detained *(329)*

PRETORIA. — Police have confirmed that Mr
Peter Mokaba of the SA Youth Congress is being
held under the Internal Security Act.

329

Surprise over swift inquiry into detainee's death

THE announcement of a judicial commission of inquiry into the death in detention of Sizwe Sithole this week is the first of its kind.

There have been 70 deaths in detention since 1963 and three in the past 10 days, but only Sithole's death has met with such a swift response.

The inquiry was announced on Wednesday by State President FW de Klerk within hours of Sithole's death.

According to police, Sithole was found hanging from a shower-pipe in his cell in John Vorster Square on Tuesday night, five days after his arrest.

A Law and Order representative told

the press this week that the case was "extremely sensitive", as Sithole was the father of the youngest of Zinzi Mandela's three children, and an investigation had thus been speedily instituted. Zinzi Mandela is the daughter of Nelson and Winnie Mandela.

The Mandela family have denied that 20-year-old Sithole is involved in a relationship with Zinzi Mandela, and that he is the father of her son.

Sithole was detained under Section 29 along with four others on January 26 in connection with 12 murders in the Soweto area. Five of the deaths are those of policemen in Soweto

Audrey Coleman, a prominent human rights activist, welcomed De

BY THANDEKA GAUBULE

Klerk's move, saying she could not recall such a swift and emphatic response to any of the scores of other deaths of detainees which she has monitored in recent years.

Sithole's father suspects that his son was mistreated and will employ a family pathologist to conduct an independent post mortem this week.

Police told the press that Sithole had made a confession to a magistrate prior to his death, implicating himself in several killings.

One of the incidents in connection with which Sithole and four others were held is an armed attack on a

meeting of the former Soweto Mayor Ephraim Tshabalala's Sofasonke Party in May 1988, in which four people died and 36 were injured. AK47s and hand grenades were used in the attack.

In another of the incidents, also in 1988, two policemen and two civilians were killed in Orlando when, late one night, their vehicle was attacked with AK47s.

Two more alleged attacks, on the Soweto municipal police, in which AK47s were also used, took place. Police are attempting to establish whether these attacks were part of the group's activities.

Four individual murders are also

being investigated.

Although the alleged victims of the group were mainly police and political parties, police do not believe that the group was operating as combatants of the African National Congress, but as a criminal gang.

There is likely to be a local outcry in Khutsong, Sithole's home township near Carletonville. On Saturday, residents of Khutsong will bury four people killed in recent clashes with the police.

Two of the residents were allegedly been shot by police, and a baby is said to have died from teargas. It is uncertain how the fourth person died.

APARTHEID BAROMETER

DETENTIONS

(329) w/mailed 2/21-8/2/90.
The total number of people detained under the Emergency regulations has risen to at least 116, according to the latest report of the Human Rights Commission. This figure does not include those held in terms of the Internal Security Act or under the security legislation of the "independent homelands". It also does not include the 69 people who were arrested in Bloemfontein in connection with the rebel cricket tour protests.

The HRC said that on January 31 this year 63 people were being held under the Emergency regulations in Natal, 52 in the PWV area and one in the Free State. The HRC has also received reports of detentions in Carletonville, Bethal and Belfast.

17 AUG 92 190
105 (309)

Ciskei school principal detained, says his wife

KING WILLIAM'S TOWN. — The principal of H H Majiza Senior Secondary School in Keiskammahoek, Mr Radu Ngambu, is reported to have been detained by Ciskei Police.

His wife, Mrs Nontando Ngambu, said her husband was taken from their home in Alice minutes before he was to leave for work last Monday morning.

She did not know why her husband had been detained nor where he was being held. She condemned the detention and called for his immediate release or that he be charged.

She said her husband's detention was causing a lot of inconvenience to the family. The Ciskei Police did not reply to a fax message asking them to confirm the detention and to state under which law Mr Ngambu was being held and whether or not he would be charged. — Sapa

Zinzi's friend: inquiry starts today

Pretoria Bureau

The first of two major commissions of inquiry appointed by the State President, Mr F W de Klerk, is to begin work in Johannesburg today.

The Goldstone inquiry into the death of Mr Clayton Sizwe Sithole, the boyfriend of Miss Zinzi Mandela, daughter of Mr Nelson Mandela, is to start in the Mayoress' Parlour of the Johannesburg City Hall.

The inquiry, under the chairmanship of Mr Justice R J Goldstone, will begin at 9 am. The State President has asked the commission to report on the cir-

cumstances surrounding the death of Mr Sithole — who was found hanged in a police cell.

The secretary of the commission can be contacted at Private Bag 1, Johannesburg 2000.

The second commission, that of Mr Justice Louis Harms into alleged hit squad activities, has not yet started work. Mr Justice Harms has been given a wide mandate to get to the bottom of the hit squad controversy.

Mr Justice Harms is to review judicial reports into alleged assassinations, unsolved cases, and investigative progress in others.

(329)

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Am 10/10 7/2/70
**Sithole death:
Inquiry starts**

JOHANNESBURG
The Goldstone Commission of Inquiry into the death in detention of Mr Clayton Sizwe Sithole began here yesterday.

Mr Sithole, the boyfriend of Miss Zindzi Mandela, daughter of Mr Nelson Mandela and Mrs Winnie Mandela, was allegedly found hanging in a cell in John Vorster Square police headquarters.

Soon after the inquiry was opened by Mr Justice R J Goldstone, formal proceedings were adjourned till Friday for witnesses to be consulted and documents studied. — Sapa

CAPE TIMES 8/2/70
**Ex-policeman
detained**

PRETORIA. — Police last night confirmed the detention of former Brixton Murder and Robbery Squad lieutenant Mr Abraham van Zyl, but would not comment on reports that his arrest is linked to the organisation allegedly responsible for the murder of Dr David Webster and Mr Anton Lubowski.

Captain R Bloomburg said only: "It is in connection with an explosion in Cape Town."

Police are investigating a connection between him and another former policeman, Mr Ferdie Barnard. — Sapa

Shoelace suicide - never, says family

had "hanged himself".
 eldest brother this week
Weekly Mail that the body
 been buried as the family
 led first to have an exam-
 in independent patholo-

By CARMEL RICKARD, Durban

There's something very
 thing here, and we must
 tom of it."

me problem had arisen
 her's girl friend, and he
 Michael, 20, should quit
 Mtubatuba in Natal and
 Empangeni where he is

employed.

On Monday last week he told Michael to go to school and ask the principal to refund his fees.

Later he found out from Zungu that he had tried to get his school fees refunded.

For some reason there was a dispute and the police were called.

A fellow pupil has said in a sworn statement that Zungu was handcuffed and while two of the three people in-

volved in the incident held him by the cuffs, the other person "was busy stamping and kicking him with his shoes all over the body".

The third person in the group, who was allegedly not a police officer, "kept stamping (Zungu) over his belly".

Throughout Zungu said nothing and bystanders say he was unconscious.

Other pupils standing around were crying, but the police told them to move away. Zungu's friend claimed one of the three alleged assailants

said, in Zulu, "This thing is fit to be killed", while another said "We are going to do something to him".

He was then allegedly thrown into the back of a police van, still not responding to any calls from his friends, one of whom claims he was ordered by the principal to "wash the blood" off his clothes.

Almost two hours later, the van returned to the school, with Zungu still in the back.

One of Zungu's brothers also made a statement, saying he saw his brother, handcuffed, in the back of the police van, and called him but he was silent and did not respond in any way.

He also noticed he was barefoot, and was no longer wearing the running shoes he had on when he left home that morning.

He went to the police station where he told the police he had brought food and cigarettes for his brother.

However, he was informed that Zungu had hanged himself.

The SAP Public Relations Division says that two members of the SAP attended a complaint in the Mtubatuba area.

They arrested a 20 year old man who allegedly resisted arrest and assaulted one of the members.

"He was overpowered and placed in the back of a police van and taken to Mtubatuba police station.

"Upon their arrival at the police station, it was discovered that the prisoner was dead. The possibility that he died of suffocation due to strangulation with a shoe lace is being investigated. A post mortem examination will be held to determine the cause of death.

"The deceased had been arrested on charges of malicious injury to property, assault, assault on police and resisting arrest."

Lawyers acting for the family have established that a post mortem was conducted on February 2.

Police have confirmed an inquest docket has been opened, but they declined to give any details of the findings of the post mortem, saying this would be the subject of the inquest.

Lawyers said this week they would be formally asking the minister of Law and Order for an inquiry into the incident.

Detainee's

CLAIMS by police that high school pupil Michael Zungu strangled himself with his shoelace have been dismissed by his family.

They say the last time they saw him he was barefoot and unconscious in the back of an South African Police van, unable to reply to their calls, let alone kill himself.

The family claims he was beaten by police, then thrown unconscious into a van. Two hours later he was still lying in the back of the vehicle, and when they tried to get news of him at the police station later in the day, they

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APARTHEID BAROMETER

DETENTIONS

W/M and 9/21 - 15/2/90 (329)
A total of at least 67 people were being held in detention under the Emergency regulations on February 7, according to the latest report of the Human Rights Commission. 63 of these Emergency detainees are being held in Natal, three in the PWV area and one in the Orange Free State.

W/L ARGUS 10/2/90

Goldstone told of

'Mrs Mandela's car used in grenade, AK-47 attack'

By KAREN STANDER
Weekend Argus
Correspondent

JOHANNESBURG. — Mr Clayton Sithole, who died in police custody 10 days ago, allegedly told a police major that he and others had used Mrs Winnie Mandela's car in a hand-grenade and AK-47 attack on a policeman's house.

Major Paul Smuts was testifying yesterday before the Goldstone Commission of Inquiry into Mr Sithole's death.

Mr Sithole, reported to be the boyfriend of Miss Zindzi Mandela, the daughter of Mrs Mandela and Mr Nelson Mandela, was allegedly found hanging from a water pipe in a shower room in John Vorster Square, Johannesburg, on October 30.

Major Smuts said he had been requested to accompany Mr Sithole on October 28 to point out various places.

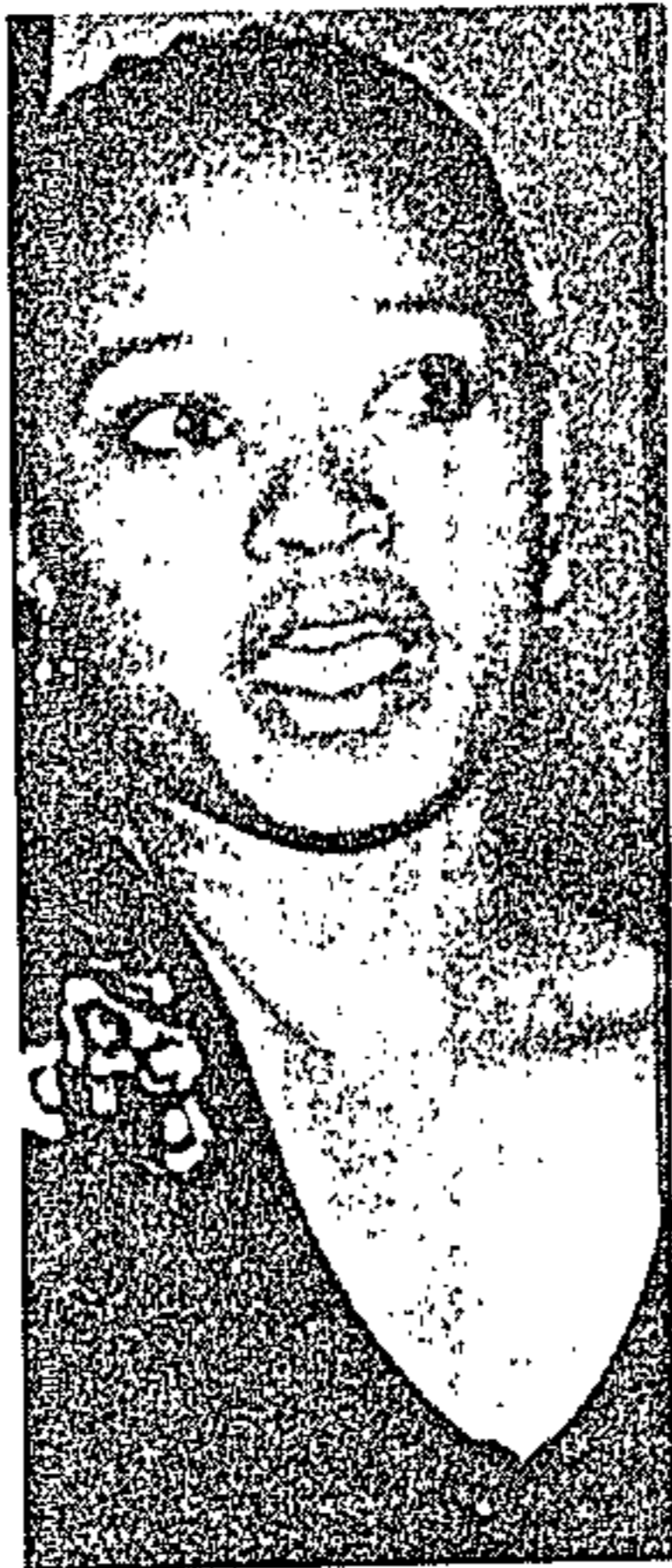
Sofasonke

While pointing out these spots in Orlando West, Soweto, Mr Sithole also admitted involvement in an attack on a meeting of the Sofasonke Party and confessed to killing a Kenneth Dlamini, who had been a state witness, with an AK-47.

According to Major Smuts, Mr Sithole said in Zulu: "I am proud of what I did. If I get out I'll do the same again. The best thing is to hang me so that I can die. I am a soldier of the armed struggle."

This was translated by the interpreter with them.

Major Smuts said Mr Sithole took him to house 8253 in Or-



Miss Zindzi Mandela

lando West where he pointed out a spot he claimed he and three others — a Philemon, a Sipho and someone called "Stunky" — had parked Mrs Mandela's car, a navy blue Stanza. They walked to the policeman's house, number 7615.

Hand-grenades

Major Smuts told the inquiry: "He said: 'I threw a hand-grenade at this house. It exploded and we jumped over the fence. I and Sipho fired with our AK-47s at the house. Stunky had a .38 special and he also shot. I went around the back and fired shots into the

house through a window. I heard a voice screaming inside the house and I kept on firing shots through the window.'"

Major Smuts said Mr Sithole then took him to another house in Orlando West, number 7784B, where Mr Sithole said the attack on the Sofasonke Party meeting took place.

Mr Sithole told the policeman he had thrown two hand-grenades at a crowd gathered next to the road. One landed behind them and the other in the middle of the crowd. One Metsing participated in the attack, shooting at the crowd with an AK-47.

Major Smuts said that at the third place pointed out, Mr Sithole said he and one Mothile had spotted Kenneth Dlamini, a state witness "in Bissar's case" in which the accused was jailed for 12 years.

Mothile jumped Dlamini and they began fighting for control of Mothile's AK-47. Mr Sithole said he shot Dlamini with his AK-47 about 30 times, Major Smuts said.

Assaulted

Earlier, the commission heard that a youth arrested with Mr Sithole and who is still in detention, gave a statement to Mr Paul Fick, leading evidence for the commission, in which he alleged that he was assaulted by police.

In the statement, admitted into evidence as an exhibit, Philemon Menzima, 20, said a number of policemen slapped, hit and kicked him, and pulled an inner-tube over his face covering his mouth and nose so that he could not breathe.

A policeman told him that they were able to kill him without leaving any wounds, Mr Menzima said.

Winnie
Mandela

CAT 7-12 12/2/90

Winnie leads Sithole mourners

329

JOHANNESBURG. — Mrs Winnie Mandela, wife of ANC leader Mr Nelson Mandela, attended the funeral of Mr Clayton Sithole, 20, in Soweto on Saturday and played a leading role during the procession.

Mr Sithole died at John Vorster Square police station here on January 29. He was found hanged in the showers.

The crowd chanted and sang as they marched to the graveyard. As the procession approached the cemetery, Mrs Mandela walked in front of the coffin. She herself bore a part of the coffin as it neared the graveyard.

Mr Mandela's daughter Zinzi, who was reported to have been Mr Sithole's girlfriend, was also at the funeral, which was attended by about 800 people.

State President Mr F W De Klerk has appointed a one-man commission of inquiry, headed by Mr Justice Gladstone, into Mr Sithole's death. In post-mortem results presented to the commission, pathologists stated that no other injuries to the body other than those consistent with hanging had been detected, and there was no evidence of assault before his death.

Various activists described Mr Sithole as a former member of Umkhonto We Sizwe, the military wing of the ANC. — Sapa

ARMS 'WERE MARKED'

(329) WILSON ZWANE

THE death of Clayton Sizwe Sithole was consistent with hanging, state pathologist Dr Denis Kemp and Johannesburg consultant pathologist Dr Jonathan Gluckman said in testimony before the Goldstone Commission of Inquiry in Johannesburg on Friday.

Sithole died while in detention on January 30 in John Vorster Square. It is understood that Sithole was the boyfriend of a daughter of Nelson Mandela, Zinzi Mandela.

Kemp said Sithole apparently died from a combination of interference with blood circulation and the cutting off of his air supply.

While concurring with Kemp, Gluckman said he saw the interference with circulation as a possible cause for Sithole's death.

Both doctors ruled out the possibility of any manual strangulation by any other person.

"But the death is consistent with hanging," said Gluckman.

The Sithole family's legal representative, Advocate Chris Laxton, showed both Kemp and Gluckman a police photo-album which had photographs of the deceased and the cell in which he was found dead on January 30. He asked them if they, during their examination of the body on February 1, had noted the marks on the upper arms of the deceased. B/D 12/2/90

They answered they had not, with Kemp suggesting that the marks were normal on people who wore arm rings (amulets) or belts.

Johannesburg district surgeon Kraus testified that when he examined Sithole while the deceased was still a detainee, he had not seen the marks on the arms which the police photographs showed.

"I would have noticed them," Magistrate Christiaan Johannes Botha said.

Botha read a statement in which the deceased signed himself as Sizwe Twala and confessed to various acts of terrorism.

The hearing continues.

Thabo Ndumela reports that more than 2 000 youths, mostly Soweto Youth Congress (Soyco) members, attended Sithole's funeral on Saturday.

He was buried with ANC colours, and freedom songs were sung throughout the funeral.

17661 13/2/90
329

Publication of Mandela allegations forbidden

The Argus Correspondent
JOHANNESBURG. — The Goldstone Commission of Inquiry has prohibited the publication of "serious allegations of criminal conduct" on the part of Mrs Winnie Mandela and her daughter Zindzi.

The commission was appointed to inquire into the death in police detention of Mr Clayton Sizwe Sithole, who was found hanged in a shower room in John Voster Square police station on January 30.

Mr Sithole was the father of Miss Mandela's child and had a close relationship with her at the time of his arrest and death, the commission heard.

During proceedings yesterday Mr Justice R J Goldstone, chairman and sole member of the commission, referred to "serious allegations of criminal conduct" on the part of Mrs Mandela and Miss Mandela.

These were allegedly made by Mr Sithole and contained in notes taken by a police officer who questioned Mr Sithole on the day of his death.

The judge said the parties had agreed that these "untested" allegations would not be made public and he made this an order of the commission.

Immediately afterwards, the officer who had made the notes, Sergeant Jan Augustine, was recalled to give further evidence.

He said he had not discussed the allegations made by Mr Sithole against the Mandelas with anyone "because I did not think it necessary".

He agreed that it was "important" information, but said Mr Sithole was not the first person to allege "the same sort of thing" under interrogation.

'Probably a combination of 3 factors'

Detention suicide: inquiry is closed

By Karen Stander

The trauma of having made serious allegations against Mrs Winnie Mandela and her daughter Zinzi was probably a factor which motivated the suicide of Mr Clayton Sizwe Sithole, the Goldstone Commission of Inquiry has heard.

The probe, the first into a death in detention, closed proceedings yesterday. Chairman and sole member Mr Justice R J Goldstone said he would report to the State President as soon as possible.

The commission was appointed to inquire into the death of Mr Sithole on January 30. He was found hanged by shoelaces and a belt in a shower room at John Vorster Square police station.

False information

Mr Sithole was the father of Miss Mandela's child and had a close relationship with her at the time of his death.

In his summation, Mr Chris Loxton, counsel for the family, said it was common cause that death was by hanging and there was no evidence to suggest Mr Sithole had not taken his own life.

Mr Etienne du Toit, for the Minister of Law and Order and the SAP, said Mr Sithole's suicide was probably a combination of three factors.

His relationship with the people he had "implicated" was important and this must have been traumatic. In addition, it was apparent that he was under the impression that he had been "betrayed" by his own people, whom he believed had given false information about him to the police. Mr Sithole believed that this information would result in his being detained for a long time.

It was probably a combination of these factors which had led to the decision to take his own life.

It was clear from the evidence that Mr Sithole had been in good spirits at least until the morning of the day he died, Mr du Toit said.

On January 28 he had been self-assertive and "even arrogant", telling Major Paul Smuts: "I am proud of what I did. If I get out I'll do the same again. The best thing is to hang me so that I can die."

There was no evidence to suggest that anything had happened on January 27, 28 or 29 to change his state of mind.

On January 30 Mr Sithole was fetched from John Vorster Square at about 9 am and taken to Protea police station in Soweto for interrogation.

He was booked back in at John Vorster at 2.46 pm and locked in his cell, where he remained until 4 pm when he was locked inside the shower room. His body was found an hour later.

It was clear that something must have happened on the 30th, Mr du Toit said.

Interrogation

In the car returning from interrogation, he had expressed anger — "and I would suggest sorrow" — saying that the "people of Orlando West" had given false information about him to police.

When locked into his cell, Mr Sithole was "still laughing and joking" with police officers. This was strange, but probably due to "false bravado".

Mr du Toit said it must have been in the hour after he was locked in his cell that Mr Sithole decided to kill himself. Evidence was that when he was taken to the shower he was wearing his belt but no shoelaces, which must have been hidden on his person or in his toilet bag. The only inference one could make was that Mr Sithole had already decided to kill himself, Mr du Toit said.

Hit squad probe starts tomorrow

STAR 4/4/90

By Norman Chandler

Pretoria Bureau

The Harms Commission of Inquiry into hit squads will start its work tomorrow.

The Department of Justice said in a statement yesterday that the Commission of Inquiry into Alleged Murders, under the chairmanship of Mr Justice Louis Harms, would meet in the N G Kkerk Sinodale Sentrum, in Visagie Street, Pretoria.

The Secretary of the Commission is Mr CBS Erasmus, and written representations providing evidence to the commission can be made to him at Private Bag X665, Pretoria.

UNLAWFUL ACTS

President FW de Klerk has charged the commission with inquiring into and reporting on alleged murders and unlawful acts of violence "in order to achieve, bring about or further any constitutional or political aim in respect of which the judicial process has been completed or which has not been solved or in respect of which the investigations are, owing to lack of evidence, not progressing."

If murders and acts of violence were committed, the commission has to investigate which bodies, institutions or organisations were responsible.

The inquiry will also try to ascertain those responsible for financing the activities.

Wife of bomber

Forced B50 pilot seized 4 men held

Killer jailed

(329)
JME
14/2/90

Treason charges investigated

Police said they were investigating treason charges, laid by the Conservative Party in Cape Town yesterday, against ANC leader Mr Nelson Mandela.

It is believed the CP charges are related to Mr Mandela's commitment to the ANC's armed struggle and his public support of sanctions on his release on Sunday.

Under present South African law, it is an offence to call for sanctions.

Detention rules not obeyed, inquiry told

329
CMT 7/11/90 14/2/90

JOHANNESBURG. — Regulations on the detention conditions for Section 29 detainees were not obeyed at John Vorster Square security cells because they were impossible to implement, the Goldstone Commission of Inquiry has heard.

General Gert Erasmus, Regional Commissioner of Police for the Witwatersrand, was giving evidence this week before the commission appointed to inquire into the death in detention of Mr Clayton Sizwe Sithole.

Mr Sithole was found hanged in a shower room in John Vorster Square on January 30.

General Erasmus said all new police stations had exercise areas, but John Vorster Square did not have enough facilities for the regulation exercise periods to be enforced.

Mr Chris Loxton, for Mr Sithole's family, said evidence had been that detainees were locked in a shower room for about an hour, during which time they could do as they pleased. They could exercise, wash clothes or shower and were not watched at this time.

He said he accepted that Mr Sithole's death was by his own hand. But he criticised the system, which had failed to prevent the suicide. — Sapa

'Sithole traumatised by naming Winnie'

The Argus Correspondent
JOHANNESBURG. — The trauma of having made serious allegations against Mrs Winnie Mandela and her daughter, Zindzi, was probably a factor which motivated the suicide of Mr Clayton Sizwe Sithole, the Goldstone Commission of Inquiry heard.

The one-man commission, the first into a death in detention, closed proceedings yesterday and chairman Mr Justice R J Goldstone said he would report to the State President as soon as possible.

The commission was appointed to inquire into the death of Mr Sithole on January 30. He was found hanged by shoelaces and a belt in a shower at John Vorster Square.

Mr Sithole was the father of Miss Mandela's child and had a close relationship with her at the time of his death.

COMMON CAUSE

In his summation, Mr Chris Loxton, counsel for the family, said it was common cause that death was by hanging. Nothing suggested Mr Sithole had not taken his own life.

Mr Etienne du Toit, for the Minister of Law and Order and the SA Police, said Mr Sithole's suicide was probably a combination of three factors.

His relationship with the

people he had "implicated" was important and this must have been traumatic.

In addition, it was apparent that he was under the impression he had been "betrayed" by his own people, whom he believed had given false information about him to the police which would result in him being detained for a long time.

Mr Du Toit said it was clear from the evidence that Mr Sithole had been in good spirits at least until the morning of the day he died.

On the 28th, he was assertive, "even arrogant", telling Major Paul Smuts: "I am proud of what I did. If I get out I'll do the same again. The best thing is to hang me so that I can die."

On the 30th he was fetched from John Vorster Square about 9am and taken to the Protea police station, Soweto, for interrogation. He returned to John Vorster Square at 2.46pm. At 4pm he was locked inside the shower room. His body was found an hour later.

It was clear something must have happened on the 30th.

In the car returning from interrogation, he had expressed anger "and I would suggest sorrow", that the "people of Orlando West" had given false information about him to the police.

CM Time 16/2/90/329

295 detainees' names tabled

Political Staff

THE names of 295 emergency detainees held for longer than 30 days were tabled in Parliament yesterday by the Minister of Law and Order, Mr Adriaan Vlok.

Yesterday's list brings the total number of emergency detainees named in Parliament since the nationwide emergency was imposed in June 1986 to 20 231.

Since the emergency was reimposed on June 10 last year, the names of 2 106 detainees have been provided in nine lists tabled in Parliament.

In terms of the Public Safety Act, Mr

Vlok is obliged to table in Parliament names of emergency detainees held for more than 30 days.

In the previous four lists, which are tabled every two weeks, the names of only 13 new detainees were disclosed.

Mr Vlok is not obliged to disclose how many emergency detainees are being held or to table the names of those held for less than 30 days.

The overwhelming majority of those named yesterday were held in Natal.

A police spokesman said yesterday that fewer than 15 people were in detention under the emergency regulations at present, two under the age of 17.

Two die in police custody

By Craig Kotze (324)

Two men died this week in police custody on the Reef.

Police said one of the men apparently died of natural causes and the other after force was used to detain him.

One man died in the Hillbrow, Johannesburg, police cells on Wednesday, the other in the Heidelberg Hospital on Tuesday. A murder docket has been opened by police in connection with the second case.

The SAP public relations directorate in Pretoria said a suspect at the Hillbrow police station complained he was short of breath. A policeman found him lying on his back and it seemed he had stopped breathing.

A doctor and the emergency services were summoned but the man was certified dead. There were no visible signs of injuries, said the police spokesman.

"An inquest docket has been opened for investigation and a post-mortem examination will be held as soon as possible," he said.

In the second case, a burglary suspect, who was forcibly detained because he resisted arrest, died in the Heidelberg Hospital at 3 am on Wednesday.

His death was the sequel to the arrest of another man linked to a burglary on a farm near Grootvlei on the East Rand. The man led police to a second suspect.

"During the attempt to arrest this man, he allegedly resisted arrest and force had to be used. Stolen property was found in his possession.

"A murder docket has been opened and a post-mortem examination will be held," said the spokesman.

The names of the dead men have not yet been released.

Two men die in detention

TWO men died in detention on Wednesday in separate incidents on the Witwatersrand and East Rand, the SA Police public relations division in Pretoria revealed in a statement yesterday.

An unidentified man (22), a suspect in a burglary, died at about 3am on Wednesday - an hour after he had been taken to the Heidelberg Hospital by police.

Resistance

The man apparently resisted arrest and force was used to arrest him. Stolen property was found in his possession, the SAP claimed.

A second man, whose age and identity has not been disclosed, died at the Hillbrow police cells at about 7.30am on Wednesday.

The SAP said the

suspect had complained he was short of breath. A doctor and emergency services personnel were summoned but the man was certified dead.

The SAP said post-mortem examinations would be held and the deaths were under investigation. - Sapa.

SAP 16/12/90

APARTHEID BARO

EMERGENCY DETENTIONS (329)

Sixty-seven people were being held under the Emergency regulations as at February 14 this year, the Human Rights Commission said in their latest report.

The HRC said 63 people were being held in Natal, one in the Orange Free State and three in the PWV area.

06/2/22 - 2/9/19/19/21

Two die in
detention

PRETORIA. — Two men died in detention on Wednesday in separate incidents on the Witwatersrand and East Rand.

Police said yesterday an unidentified man, aged 22 — a suspect in a burglary — died an hour after he had been taken to hospital. He had apparently resisted arrest and force was used to arrest him.

A second man, whose age and identity has not been disclosed, died at the Hillbrow police cells about 7.30am on Wednesday.



PETER MOKABA (31): Soyco leader has been detained under Section 29 of the Internal Security Act.

'Young lion' is caged under Security Act

Star
12/2/90

PAT DEVEREAUX (329)

DUBBED "leader of the young lions" the South African Youth Congress (Sayco) President, Mr Peter Mokaba (31), commands a half-million-strong youth movement and is described as a "a fire eater" when he rallies his young lions together in anti-apartheid protest.

At present, however, the Sayco leader has been silenced. He is currently being held in detention under Section 29 of the Internal Security Act.

Mr Mokaba, born in 1958 Mankeng township near Pietersburg in the Northern Transvaal, has been in and out of prison cells since his first detention at the age of 15.

The young militant was detained on January 17 when on his way to attend a meeting in Pietersburg, according to his lawyer, Mr Fink Haysom.

Many spells

This is just one of the youth leader's many spells behind bars.

In 1982 he was arrested and convicted of furthering the aims of the African National Congress (ANC). He was jailed for two years and redetained on his release in September 1984.

He was charged with having undergone military training outside the country and bringing arms into the country, and sentenced to seven years' jail on Robben Island for undergoing guerilla training. But he was released after serving a year when his conviction was set aside by the Appeal Court.

Mokaba was detained again in July 1985 and held in terms of Section 28 of the Internal Security Act and released on March 21, 1986, after a successful appeal.

Held incommunicado

In May 1989 the State dropped its terrorism case against Mokaba after keeping him in jail for more than 14 months.

In an urgent court application it was alleged that Mokaba was held incommunicado for several months under Section 29. He was, it was alleged, assaulted by police, threatened with death and kept manacled for days on end.

Shortly before the court application to restrain police from assaulting him was brought by his mother, Mrs Priscilla Mokaba, she too was placed in detention.

In this most recent spell of detention Mr Mokaba has so far not been charged. Mr Haysom said: "We have repeatedly demanded reasons for his detention to see whether they fit the parameters of the State President's speech but have had no response."

Youth leader released

SESHEGO. — The president of the South African Youth Congress, Mr Peter Mokaba, 31, was released from detention at the Pietersburg police station on Saturday.

Mr Mokaba was detained by the security police under the Internal Security Act on January 27. Mr Mokaba, had addressed thousands of people who attended the launch of the Seshego Civic Association, and he was detained by the police on his way home.

Before his release, the Chief Minister of Lebowa, Mr N.M. Ramodike, had sent a letter to Mr Adriaan Vlok, Minister of Law and Order, asking the latter to release him.

Mr W Cronje, administrative secretary of Mr Vlok, replied that his request was receiving urgent attention. — Sapa

329
CIVIL RIGHTS 19/2/90

Man dies in custody

JOHANNESBURG. — A 27-year-old man was found hanged in his cell at Kempton Park police station yesterday.

This brings the number of detainees to have died in police custody to four this year.

A police spokesman said the man — whose name is being withheld until his family have been notified — was found hanging from a piece of cloth.

Star 11/2/90 (32a)

By Monica Nicolson

Rape is the biggest fear facing conscientious objectors serving a jail sentence.

Conscientious objectors recently released from jail told The Star how they were forced to fight off sexual advances.

Anti-conscription campaigner Dr Ivan Toms said he was beaten up and nearly raped by a destructive and violent inmate.

Mr Saul Batzofin, imprisoned at Zonderwater for refusing to complete his army camps, was sexually harassed on countless occasions.

In October last year, Dr Toms took legal action against Daniel Knipe, who made several sexual advances towards the doctor in the Pollsmoor prison bathroom.

The second time, Dr Toms punched him in the face and Knipe retaliated by smashing the doctor's face so badly he received dozens of stitches.

"Although I was very angry at Knipe, I was shocked and frightened the system had forced me to react violently — I had never hit anyone before," he said.

The magistrate found Knipe to be anti-social, sexually promiscuous with serious aggressive and violent behaviour.

Although Dr Toms tried to get transferred to the Pretoria Central prison to join political prisoners, this was refused. Prison authorities continued to lock the two up together for 12 days, until the incident was reported in newspapers, Dr Toms said.

An admitted homosexual, Dr Toms said rape was no less

The assault jailed objectors fear most

traumatic for him than for women who are raped by men.

Dr Toms is suing the Minister of Justice, Mr Kobie Coetsee, for R10 000 damages because he alleged the authorities failed to protect him. The case proceeds in Cape Town in April 5.

Mr Batzofin was luckier — he managed to avoid violent confrontation.

"Being raped is a huge problem and a definite reality. I was really scared. Nobody's there to protect you — it's every man for himself.

CRIMINALS

"Men offered me gifts, stroked my face and once, someone lay down next to me on the bed and began rubbing my leg," he said.

Jailed conscientious objectors said the problem arose because, in terms of the Defence Act (1983), refusing to do military service is a criminal offence — they may not be categorised as political prisoners. Thus, pacifists are confined with violent men such as murderers and rapists.

Both men said that although the prison authorities were aware of sexual harassment and rape, the situation was ignored. They claimed condoms were not handed out because authorities believed it condoned homosexu-

ality, making innocent rape victims vulnerable to Aids.

End Conscription Campaign (ECC) chairman, Mr Chris de Villiers, said conscientious objectors were jailed for their stand against violence and would therefore be marked targets in prison.

The ECC plans to launch a campaign calling for the release of objectors later in the year.

"With Mr FW de Klerk's announcement that political prisoners are to be released, the Government should find no difficulty in releasing objectors."

Asked to comment, an SA Prisons Service spokesman replied as follows:

"At present a civil action is pending in respect of this (Dr Toms) particular case and consequently it is not possible to provide any information.

"However, it can be mentioned that the Prisons Service regards every complaint of an alleged assault, no matter how petty, in a very serious light and prisoners are not allowed to intimidate each other. Prisoners are daily given the opportunity to lodge complaints or requests, and preventive measures, for example the re-allocation of sleeping quarters, are instituted should it appear that a prisoner is threatened."

'Dangerous 9' on run

NINE men charged with terrorism and due to appear in the Delmas Circuit Court today overpowered warders and escaped from Modderbee prison near Benoni yesterday morning, police said.

Captain Eugene Opperman, a Witwatersrand police liaison officer, said the men overpowered an undisclosed number of warders and escaped at about 10am.

The men - Mr Alfred Kgasi, Mr Ernest Ramodika, Mr Francis Pitse, Mr Johannes Maleka, Mr Joseph Nkosi, Mr Reginald Legodi, Mr Tapelo Kapotse, Mr Maketse Toka and Mr George Mate - are said to be armed and extremely dangerous.

They made their getaway in a car, a beige Nissan Skyline with the

registration HFW 976 T, belonging to one of the warders.

The men apparently drove off in the direction of Johannesburg.

An extensive police search is under way.

One of the suspects took the uniform of one of the warders and this might be used by the escapers to commit other crimes, Opperman said.

Anybody with information should contact their nearest police station or the security branch of the SAP, but should not confront these people as they are armed and extremely dangerous.

Details of their escape could not be divulged for obvious security reasons, Opperman said.

The men were due to appear in court in Delmas today. Sapa

329



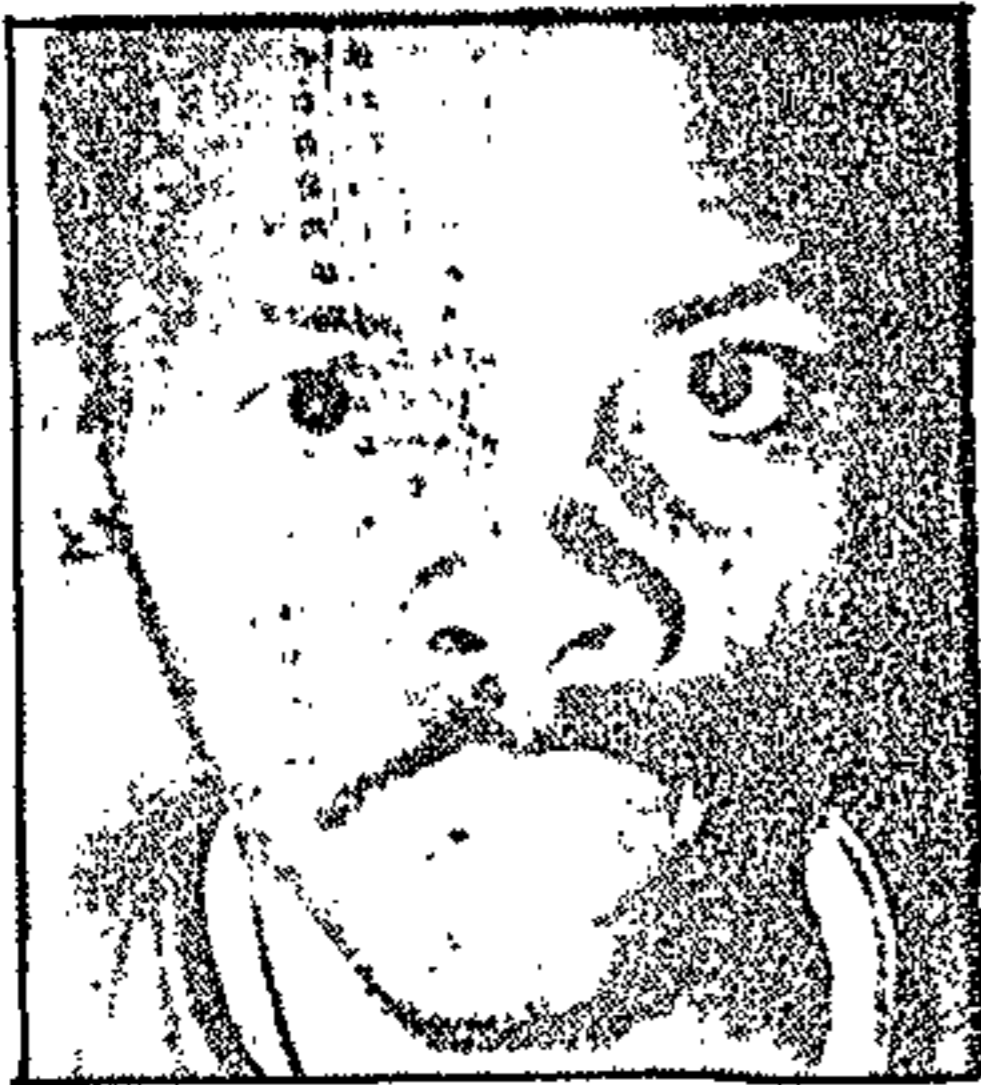
Joseph Nkosi.



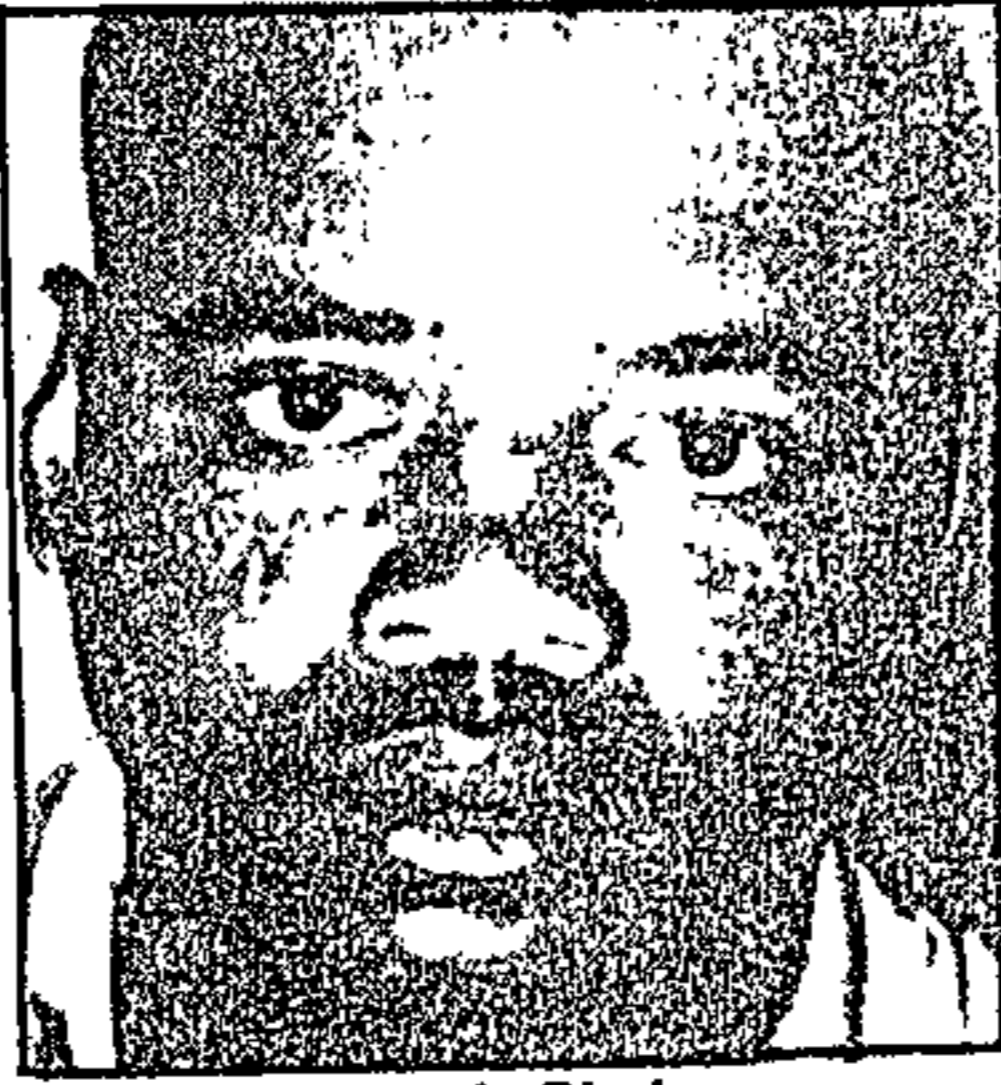
Reginald Legodi.



Reuben Khotza.



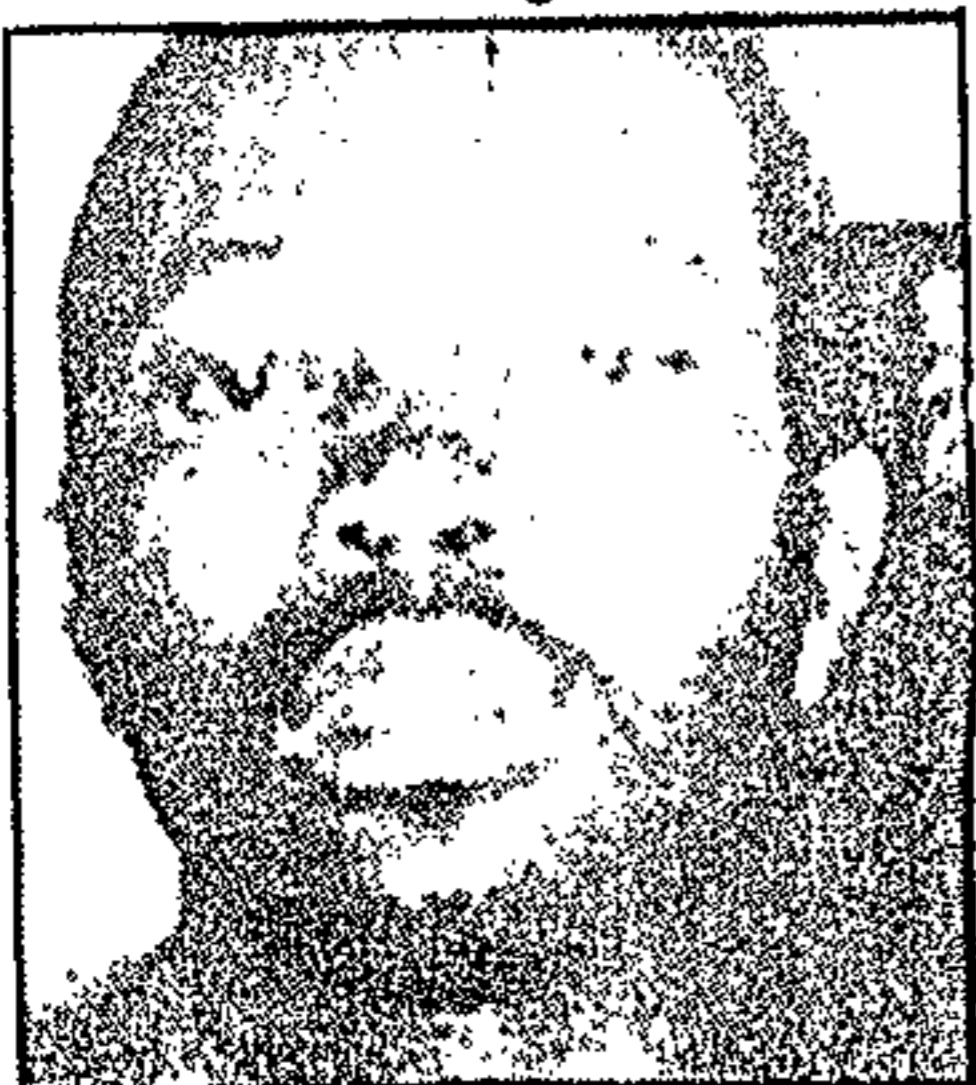
Alfred Kgasi.



Francis Pitsi.



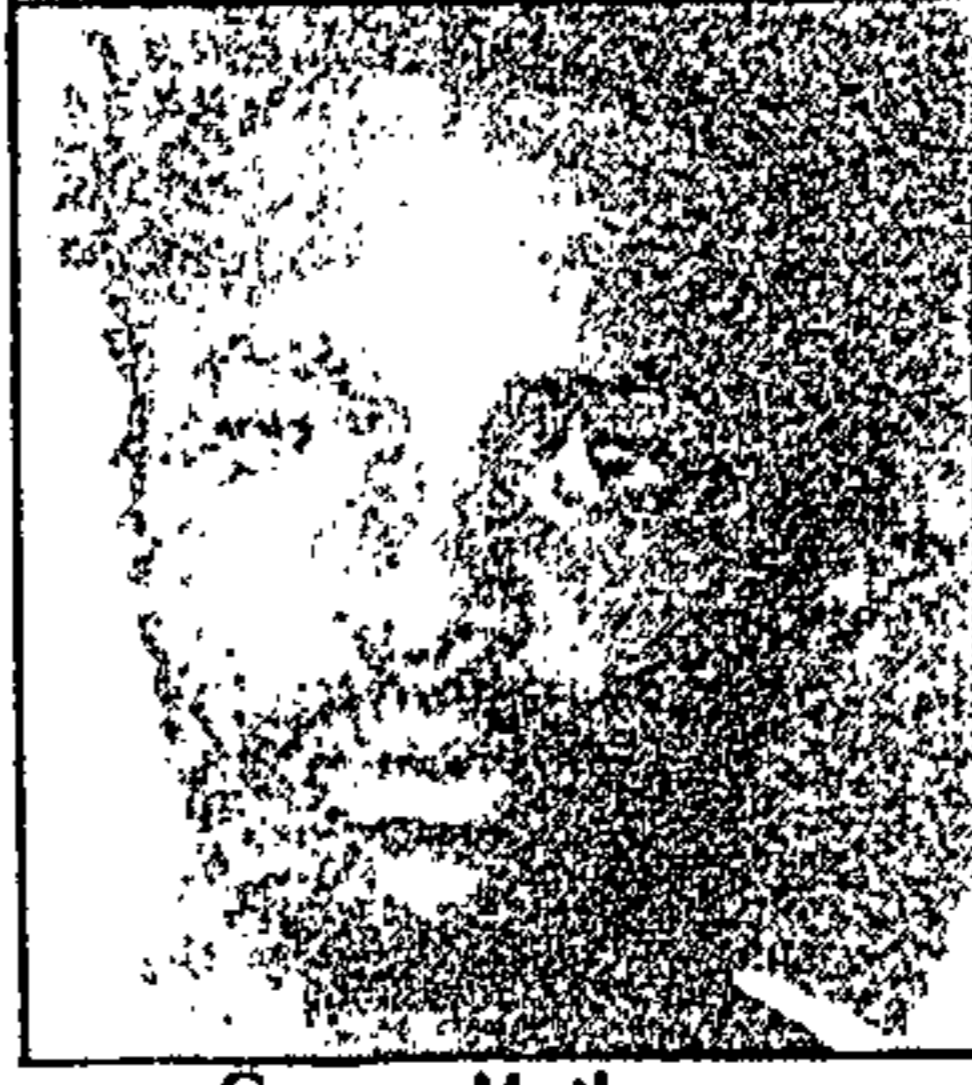
Mokoatsi Toka.



Ernest Ramadite.



Pieter Maluleka.



George Mathe.

By Craig Kotze

A massive police dragnet was cast over the Reef for nine prisoners, charged with terrorism and high treason, who broke out of the Modderbee Prison near Benoni after overpowering warders yesterday.

The nine were to have appeared in the Delmas Circuit Court today, said Witwatersrand police spokesman Captain Eugene Opperman.

The prisoners are armed and at least one of them has a prison warden's uniform.

Captain Opperman said the suspects attacked warders at about 10 am and overpowered them.

The suspects are: Mr Alfred

9 prisoners overpower warders

80-19/290 (329)
Kgasi (24), Mr Ernest Ramadite (24), Mr Francis Pitsi (25), Mr Pieter Maleka (35), Mr Joseph Nkosi (25), Mr Reginald Legodi (23), Mr Mokoatsi Toka (32) and Mr George Mathe (26), Mr Reuben Khotza (23).

They are regarded as extremely dangerous.

The warden's car in which the nine escaped has been reco-

vered just outside Daveyton on the East Rand.

Police immediately launched an intensive search and roadblocks were set up. Vehicle patrols were also sent out, Captain Opperman said.

He said it was feared that the uniform taken from a warden could be used to commit other crimes.

Captain Opperman declined to give further details on the escape.

He warned that the men were to be considered extremely dangerous and that the public should not apprehend them.

Anyone with information is asked to contact their nearest police station.

Fourth death in police custody in 19 days (329)

By Craig Kotze

19/2/90
A robbery and attempted murder suspect apparently hanged himself in a Kempton Park police cell yesterday — the fourth person to die in police custody on the Reef within 19 days.

Witwatersrand police spokesman Captain Eugene Opperman said the man, aged 27, was found hanged in his cell at 8.50 am.

He had apparently hanged himself with a piece of cloth.

An inquest docket had been opened, said Captain Opperman, adding that the man's name could not be released.

The latest death was reported as police were investigating the deaths of two men last week in police custody.

One died in the Heidelberg Hospital after a forcible arrest, while the other died of apparent natural causes in the Hillbrow police cells.

And on January 30 Mr Clayton Sizwe Sithole, arrested on allegations of murder and terrorism, was found hanged in a shower room at John Vorster Square.

The State President ordered a commission of inquiry to look into the circumstances of Mr Sithole's death. It was the first such probe into a death in detention.

Mr Justice Goldstone, the chairman of the commission, closed the inquiry last week after hearing evidence and said he would report to the State President as soon as possible.

Winnie told me to hide ³²⁹ ~~ex~~ member of football club ^{ARCUS}

The Argus Correspondent

20/2/90

JOHANNESBURG. — A former member of the Mandela United Football Club was encouraged to go into hiding by Mrs Winnie Mandela after he claimed her daughter's lover, Mr Clayton Sizwe Sithole, had shot and killed a member of the football club, the Rand Supreme Court has heard.

Mr Sithole, the father of Miss Zinzi Mandela's child, was found hanged in a shower at John Vorster Square police station on January 30.

Yesterday Mr Lerotodi Andrew Ikaneng, 23, one of four accused of killing a former club member gave evidence in his own defence. He told Mr Justice R A Solomon and two assessors that Mrs Mandela told him she would find a hiding place for him as police would want to question him about the death of the club member, Mr Maxwell Madonda who was known as Tole.

She told him Tole had been killed because he had given evidence in court.

Mr Ikaneng, Mr Isaac Mazibuko, 22, Mr Sandilo Blanket, 22, and Mr Sibusiso Chili, 25, have pleaded not guilty to murdering Mr Madonda, who was allegedly beaten to death in Orlando West on February 13 1989.

Three other accused, Mrs Dudu Chili, 47, her son Mr Mpika Chili, 22, and Mr Moses Nhlantla Blanket, 18, were last week acquitted of murdering Mr Madonda.

Mr Ikaneng testified yesterday he had joined the football club in 1986 and lived in Mrs Mandela's house in Orlando West. After an argument with Mr Sithole and the death of Tole he had left the club.

He said he had been arrested and detained for most of 1987. On his release he returned to Mrs Mandela's home. He left in 1988 and was later called an "informer" by Mrs Mandela and her daughter, Zinzi, at a meeting of a "disciplinary committee" at the Mandela home in Dube.

He said the meeting appeared to have been led by Mr Sithole.

Mr Ikaneng testified Mrs Mandela had urged him to go into hiding after Tole was killed. He had seen Mr Sithole carrying an AK47 rifle.

(Proceeding).

Are political prisoners criminals or victims?

Star 21/2/90

(329)



**HUMAN RIGHTS
FOCUS**
An article by the
Human Rights Commission

The South African Government has long maintained that it does not hold political prisoners, a claim which has often in the past triggered debate as to what constitutes a political trial, political imprisonment or a political prisoner.

It is an issue which has come alive in a compelling and practical way ever since the release of political prisoners has been identified as one of the preconditions for the creation of a negotiating climate.

State President Mr F W de Klerk, in his address to Parliament was careful to avoid the use of the phrase "political prisoners" and in fact limited the announced release of prisoners to those convicted solely on account of their membership of previously banned organisations.

Clearly, however, this limitation is not going to satisfy the calls, both internal and international, for the release of all political prisoners, and already two Cabinet Ministers have gone on record as saying the issue is negotiable.

So, what is an acceptable definition of a political prisoner? Within the South African context probably the simplest and most essential definition is a person who finds himself or herself in prison as a direct result of opposition to the system of apartheid.

This opposition can take many forms, ranging from peaceful protest to being caught up in political unrest, to opting for armed struggle.

Political activists involved in peaceful protest have found themselves in contravention of laws by means of which the apartheid gov-

ernment has criminalised activities which in any democratic country would be considered normal, legitimate and healthy political opposition.

Such persons have faced charges (and sentences) all the way from attending an unlawful gathering, of possession of banned literature, up to subversion and even treason and terrorism, depending upon the interpretation of the courts.

An estimated 50 000 people over the last five years have found themselves in court as a result of being caught up in the violence of political unrest arising from mass resistance to apartheid.

Public violence

Many of these have been convicted for public violence, arson, malicious damage to property, incitement, intimidation and some for murder.

Again, convictions and sentences have been heavily dependent on the interpretation of the courts.

Those who have engaged in armed struggle by choice, have faced charges of treason, terrorism, sabotage and sometimes murder. In the recent "Deinmas 12" trial, the accused refused to participate in the trial proceedings, claiming prisoner-of-war status and rejecting the

competence of a civilian court to try them.

When passing sentence, although overruled by his two assessors, the judge found mitigating factors of a political nature.

It is clear that all three categories of political prisoners as outlined above will have to be taken into account when responding to calls for the release of political prisoners and also for the cessation of political trials and executions.

We are not then simply talking about the 70-odd prisoners whom the authorities have identified for release (or reduction of sentence) but about a far larger number.

The Government admits to holding about 350 prisoners convicted for "offences against the security of the State" (as the jargon goes).

This figure increases to about 3 000 if one includes those political prisoners sentenced for "unrest" offences.

All of these prisoners can properly claim they find themselves in prison as a direct result of their opposition to apartheid. All are political prisoners.

Inevitably there will be a few cases which are not clear-cut, and in such cases the Namibian experience of appointing an independent tribunal could be followed.

Cell deaths: names released

Star 21/2/90 Staff Reporter (202) (329)

Police have released the names of two of the three men who died in police custody recently.

They are Mr Uys Namane and Mr Simon Tshabalala.

Mr Namane died last week in the Hillbrow police cells from natural causes when he suffered breathing problems, police said. He was being held on charges of possessing dagga.

Mr Tshabalala allegedly hanged himself in a bathroom after being forcibly arrested and held in the Heidelberg hospital. Police said that there were various warrants out for his arrest in connection with armed robbery and attempted murder.

Police said the name of the man held for robbery and attempted murder, who was found hanged over the weekend in the Kempton Park police station, could not be released until his next of kin had been informed. Police are investigating the deaths.

Slang van Zyl's wife to press for his release

510-21/2490 Staff Reporter (220) (329)

Mrs Brenda van Zyl, wife of ex-policeman Mr Abraham "Slang" van Zyl, held in connection with the assassinations of Mr Anton Lubowski and Dr David Webster, is to continue trying to secure his release.

She has instructed her lawyer, Mr Pieter du Plessis, to bring an urgent application for leave to appeal against a Rand Supreme Court judgment on Friday rejecting an application by her for the immediate release of her husband.

Mr Justice H C J Flemming rejected her application against the Minister of Law and Order and the Commissioner of Police for the immediate release of her husband, and declaring the detention of her husband by the Brixton Murder and Robbery Squad unlawful.

Mr Justice Flemming said in his judgment that the urgency of the matter did not give him enough time to give detailed reasons for the turning down of the application. Full reasons would be given later.

am sure it will be, but it will be
prosperous, as I know it can be."

Art Times 22/2/90
SA men in Kei detention *29* 

THE South African government had asked that seven South Africans detained in Transkei be charged in accordance with normal legal procedures, Foreign Minister Mr Pik Botha said yesterday. The government had received consular access to the seven detainees, he said in reply to a question, tabled by Mr Colin Eglin (DP, Sea Point). The Transkei government has said the seven are being held in connection with a coup attempt against Major-General Bantu Holomisa and the ruling Military Council. Five detainees have been held since last July and the other two since December. They have still not been charged by Transkei.

3 claim to have heard screams 'as youth was tortured to death'

Star 22/2/90 (22) (22) (329)

By Shehnaaz Bulbulia

Three people have claimed in statements to lawyers that they heard a youth's screams as he was allegedly tortured to death by policemen. The three say they were also tortured.

Police have admitted that the youth, Nixon Phiri (16), died during "interrogation" at a police station near Carletonville.

The three witnesses have made statements to the law firm, Vally, Waters and Mthembu.

They detail allegations about the "torture" of Mr Phiri and themselves.

The names of the three have not been released. Lawyers say they fear for their lives.

Captain R Bloomberg of police headquarters in Pretoria said yesterday: "The death of Nixon Mbuyiselo Phiri is being investigated by the SA Police.

"We are still awaiting the final post-mortem report in order to ascertain the cause of death. We have nothing further to add to our news media statement issued on January 17 regarding the youth's death."

Captain Bloomberg, quoting the January 17 statement, said a youth died during interrogation at Welverdiend Police Station, near Carletonville.

Circumstances surrounding his death were being investigated.

A post-mortem report on Nixon Phiri's death has been obtained by The Star.

It finds he died on January 16, with the cause of death being cerebral haemorrhage associated with external injuries, which contributed to shock.

Lawyers acting for the Phiri family

told The Star that one of the witnesses said in a statement that a group including Nixon Phiri was approached by three plainclothes policemen — one white and three black — after visiting a friend in Khutsong.

Nixon Phiri lived in the nearby Sonderwater squatter camp.

According to the statement, the police rounded the group up and tried without success to force them into the boot of a red Ford Sierra.

At the same time, a police van approached the group. The group was shoved into the van and then brutally assaulted by three special constables, it is alleged.

"We were forced into the van and I noticed that there were two other men that had swollen faces. Three special constables got into the van and started assaulting us with the butts of their shotguns.

DIFFERENT ROOMS

"They kicked us, punched us, slapped and swore at us. They forced us to sing freedom songs. We just cried, we did not sing," it is claimed in the statement.

The group was then allegedly taken to the Welverdiend Police Station, which is a converted house.

They were asked to line up in the kitchen and one by one were taken into different rooms where they were allegedly tortured by police.

The statement continues: "I heard screams from the other rooms and a Security Branch white policeman took me into a room. He was joined by three other black policemen.

● To Page 2.

P.T.O.

Death in custody investigated

PRETORIA. — Police here confirmed yesterday that they were investigating the death in police custody of a 16-year-old, Nixon Phiri.

They were responding to allegations by three people, published in a Johannesburg newspaper yesterday, that they had heard Phiri's screams as he was being tortured by police.

Phiri died during interrogation at Welverdiend police station near Carletonville on January 16.

The three — who asked not to be named because they feared for their lives — said in statements to lawyers that they were also assaulted at the station.

Post-mortem results showed Phiri died of cerebral haemorrhage and external injuries. — Sapa

CPH Trip

23/2/90

329

Officer 'right to refuse note'

Sto 23/2490
By Cathy Stagg (329)

When section 29 of the Internal Security Act says "access" to the detainee is not allowed, that word covers the sending of a memorandum, it was submitted in the Rand Supreme Court yesterday.

Mr Bruce Burman, SC, was arguing before Mr Justice L F Weyers in reply to a proposition put to the court on Wednesday by Mr Ismail Mahomed, SC.

The challenge to section 29 is proceeding even though the particular detainee, Mrs Margaret Stofile, has been released from detention.

Last week she was charged with the unlawful possession of weapons.

Mr Burman submitted that the Commissioner of Police had

correctly exercised his discretion when he refused to allow Mrs Stofile's attorney to send her a memorandum.

Mrs Stofile was detained because the police believed she was harbouring terrorists in her house and that the terrorists were launching attacks, predominantly on the police.

Weapons were allegedly found in her house on a number of occasions and she had wilfully refrained from answering questions or supplying information.

Mr Burman said the commissioner's refusal, on the grounds that the memo could contain a coded message, was not so improbable.

"We don't live in that world," he told the judge.

APARTHEID BAROMETER

DETENTIONS 329 U/Mail 23/2 - 1/3/90

A total of 12 people are currently being held under the Emergency Regulations, while at least 17 others are being held under the security legislation of Transkei, Ciskei and Bophuthatswana. Figures for Venda are not available.

The latest report of the Human Rights Commission, issued on Wednesday, stated that eight people were being held under the Emergency Regulations in Natal, three in the PWV area and one in the Orange Free State. Five people are being held in the Ciskei and five in Bophuthatswana.

Foreign Affairs minister Pik Botha said in parliament on Wednesday that seven South Africans were being held in detention in the Transkei. Five have been held since the middle of 1989 and the other two since the end of last year. He did not say whether any Transkeians were being held in detention there.

The HRC report said that most of the 63 people being held under the Emergency Regulations last week had either been charged or released.

The HRC also said that five people from Natal were being held under proclamation 103 of 1973.

PRISONER OF CONSCIENCE

329

W/Mail 23/2-11/3/90

ESAU MACHITJE, 29, ANC member, was detained under section 29 of the Internal Security Act on November 14 last year and is still being held.

Machitje was one of six children who grew up in Tokoza on the East Rand. After matriculating in 1982 he studied to be a computer technician in Alberton. Since qualifying he has worked for the Eliz Computer Company. At the time of his detention he was manager of a local football club.

According to his girlfriend, Gladys Motsoeneng, Machitje says he is proud to be an ANC member, was detained under suspicion of assisting an Umkhonto we Sizwe cadre, according to police. He recently wrote to Law and Order Minister Adriaan Vlok, calling for his release, but has not yet received a reply.

He has a six-year-old son, Andimba, and is the breadwinner for his family.

'32 000 arrested during SA emergency'

The Argus Foreign Service
WASHINGTON. — The South African government has used its emergency powers to arrest more than 32 000 people since June 1986, the United States State Department has reported.

The department's annual country reports on human rights practices for 1989, submitted to Congress on Wednesday, did not include recent events such as the unbanning of the ANC and the release of Mr Nelson Mandela in its assessment of the South African situation.

However, there were 22 pages on the situation in South Africa in 1989, saying that, in spite of encouraging moves by the South African government since the September elections, the main legislative pillars of apartheid remained in place.

It said that, at the end of 1989, there were 18 people detained under the state of emergency, 24 under the Internal Security Act and an estimated 2 000 to 3 000 serving prison terms for unrest-related offences.

Blom 27/4/90

329

Robben Island prisoners on hunger strike

LESLEY LAMBERT

CAPE TOWN — About 350 political prisoners on Robben Island were understood to have started a hunger strike yesterday as part of a new campaign for the release of all political prisoners, irrespective of whether they have committed acts of violence.

The strike was in response to President F W de Klerk's announcement at the opening of Parliament earlier this month that government would grant an amnesty to prisoners whose sole offence was membership of a banned organisation. The offer excluded prisoners who had been found guilty of committing acts of violence.

In another development yesterday, police arrested about 20 people involved in a peaceful protest against continued incarceration of political prisoners. The protest

was aimed largely at supporting the Robben Island hunger strikers.

A police spokesman said they would be charged under the Gatherings and Demonstrations Act.

It is understood that a memorandum of prisoners' grievances will be presented to government on Thursday.

□ Sapa reports that the Prisons Service in Pretoria confirmed a "number" of Robben Island prisoners had gone on hunger strike yesterday.

The Prisons Service said although the prisoners had not been taking their meals, they had "ample other foodstuffs in their possession".

Island prisoners still refuse food

CAPE TOWN — Tensions have increased since a hunger strike began on Robben Island on Monday, Mr Dullah Omar of the Defiance Campaign's Hunger Strike Committee said yesterday.

He said the committee rejected President de Klerk's definition of political prisoners. Mr Omar added there were about 3 000 political prisoners countrywide according to the committee's definition, 800 of whom were on Robben Island, Sapa reports.

The striking prisoners' main demand was that they should be released immediately and unconditionally.

United Democratic Front media and information representative Mr Willie Hofmeyr said the prisoners had set up a joint committee. They had demanded access to legal representation and to the heads of their respective organisations (PAC, ANC and Black Consciousness Movement) but there had been no response as yet to these requests.

The committee intended posting pickets around Parliament every lunchtime until the strike was over. It was also organising a march in Cape Town on Friday from St George's Cathedral to Stalplein, in protest against the continued detentions.

PRESS CONFERENCE

The Star's Own Correspondent reports that a woman whose husband has joined the hunger strike said: "Enough is enough. We've waited too long." Mrs Pina Ncata was one of several women who addressed a press conference at St George's Cathedral hall yesterday in support of the strikers.

"We thought our people would be released (after Mr de Klerk's speech)," said Mrs Ncata, common law wife of Mr Lizo Ngqungwana, jailed for life in 1987.

"We still need them. We long for our loved ones. I wonder if the Government knows how painful it is to bring up a child without a father."

Mrs Patricia Jacobs, mother of student Mr Peter Jacobs who was arrested in May 1987, said she had been shocked by his arrest, but now understood his reasons for joining the liberation struggle.

"I've also changed, although I don't go out and throw stones ... Here in my heart I know that the things he fought for are right. We say to Mr de Klerk: 'Please release our boys. They are not terrorists, they are fighting for their freedom, for what they know is right.' I am with my son."

On being asked whether the UDF campaign would include those convicted of "right-wing" crimes, Western Cape chairman Mr Bulelani Ngcuka said they were concerned with offences politically motivated against the "obnoxious system of apartheid".

"Offences by the right wing are in perpetration of this system, which has been internationally described as a crime against humanity." Right-wing crimes were therefore not regarded in the same light.

Asked whether the hunger strike campaign would be effective, Mr Ngcuka replied that emergency detainees had embarked on a successful hunger strike during the defiance campaign last year.

"We are just as determined as we were last year."

Star 28/2/90 (329).



Holding lighted candles for hope . . . these two boys were part of yesterday's protest march by the End Conscription Campaign to highlight the plight of imprisoned conscientious objectors. Calls were made for the release of Charles Bester and David Bruce.

Picture by Alf Kumalo.

I was tortured — car-bomb accused

By Therese Anders, Highveld Bureau

MIDDELBURG — One of two men, both school-teachers, facing multiple murder charges following the 1988 Witbank car bomb explosion, says he only made a confession statement after being tortured by security policemen.

Mr Joseph Mandlenkosi Vilakazi (26), of Vosloorus, yesterday told the Supreme Court sitting in Middelburg that he had been assaulted and tortured for three days at the Germiston security police offices.

He said a security policeman had then dictated much of the confession statement to him.

WET BLANKET

He was giving evidence at a trial within a trial to test the admissibility of confessions allegedly made by the two accused.

Counsel for the accused have challenged the validity of the confessions, which they claim were not freely and voluntarily made.

Mr Vilakazi and Mr Ramoepi Stephen Maboa (26), also of Vosloorus, have pleaded not guilty to three counts of murder, 14 counts of attempted murder, 50 counts of malicious damage to property and one charge of theft.

The charges arise from the massive car bomb explosion on October 24, 1988, outside a Witbank

office block housing Witbank CID and security police personnel.

The three Witbank residents who died in the explosion were Mrs Dina Elizabeth Moela, Mr Elias Masina and Mr Jacob Samuel Masuku.

According to the charge sheet 11 police vehicles were either destroyed or damaged in the blast.

Mr Vilakazi has told the court that he was arrested by security police on November 14, 1988. During the next three days he was interrogated at Germiston.

He told the court a policeman repeatedly assaulted him, held a firearm to his head, threatened to kill him, rolled him in a wet blanket and then beat him with a hose or a sjambok. During this time he was deprived of food and water.

Finally, on November 16, he agreed to write a confession after he had been handcuffed for about six hours to a table which had then been placed on his head. He had been unable to move or sleep during that time for fear that the table would fall on him.

The State has claimed that the two accused and other persons involved in the bomb explosion had belonged to an ANC cell in Vosloorus.

The accused had been trained in weaponry near Vosloorus by Mr Samuel Monyake, also known as MK Valdez or Thabang, who was a member of Umkhonto we Sizwe.

Late lunch for prisoners

MIDDELBURG — Men fighting for their lives could not do so on an empty stomach, said Mr Justice MC de Klerk yesterday after lunch had failed to arrive for the accused in the Witbank car bomb case.

The judge stopped court proceedings during the afternoon session so that the two men, who face multiple murder charges, could go to the cells for their meal. Defence counsel Mr Graham Gertsch said the accused, Mr Joseph Mandlenkosi Vilakazi and Mr Ramoepi Stephen Maboa, were feeling faint as they had not had anything to eat since consuming a slice of bread at dawn. — Highveld Bureau.

Whites want 'right to govern themselves'

Stw 1/3/90

By Helen Grange

Conservative Party leader Dr Andries Treurnicht last night told a 3 000-strong audience he would "rather negotiate a small country for whites than a large country for blacks".

Speaking to an audience which crammed every entrance to the Roodepoort City Hall, Dr Treurnicht said conservative whites would demand, in ever increasing numbers, their own land and the right to govern themselves.

This was a demand the

Call for inquiry into cell deaths

By Shehnaaz Bulbulia

Groups monitoring repression yesterday called on the Government to immediately launch an open and independent commission of inquiry into all recent deaths in police custody.

They said assurances by police that the deaths were being investigated were not "good enough" as history had shown that police could not and should not investigate such matters.

Ms Judith Hawarden, chairman of the Black Sash in the Transvaal, said while the Sash welcomed the Government's quick response to the death of Mr Clayton Sizwe Sithole, who died in custody at John Vorster Square, it noted that the Government remained silent on other cell deaths.

She said there should be an independent inquiry into every death in police custody.

NIXON PHIRI

"Nixon Phiri died at Walverdiend police station on January 16 and there was no initiative on the State's part to handle that case in a swift manner.

"One wonders if President de Klerk responded to Sithole's case because he was said to be the father of Zinzi Mandela's daughter."

Dr Max Coleman of the Human Rights Commission said an independent commission should be appointed to probe the deaths in police custody during the past two months.

He said the brief of any inquiry should include the question of whether the deaths were a coincidence, or part of a pattern of police behaviour.

Political Staff

CAPE TOWN — A group of 26 Members of Parliament and officials from the Minister of Justice's office held a social function on Robben Island last night, although several hundred political prisoners there are on a hunger strike.

More than 300 prisoners have joined in the hunger strike, which started at the beginning of the week.

The Prisons Service has re-

Party on Robben Island while hundreds refuse food

fused to confirm or deny the figure.

The hunger strikers are protesting against being left out of the amnesty for some political prisoners announced recently by President de Klerk.

A picket is to be held outside Parliament each day until the hunger strike is over.

A march is due to take place tomorrow afternoon to hand over a memorandum to Mr de

Klerk on the prisoners' demands.

MPs said they had been invited by Minister of Justice Mr Kobie Coetsee to go to Robben Island.

A spokesman for the Minister's office said MPs who dealt with Justice issues from all parties in Parliament would be on the trip, which was intended for them to get to know each other and the Minister's parliamentary staff.

Hundreds of political prisoners on hunger strike

WIM 213-813190

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FIVE white political prisoners in Pretoria Central Maximum Security Prison will join the hunger strike of about 350 black Robben Islanders at 6am today.

The group of white male prisoners, all African National Congress members, in Pretoria are expected to be joined by the two white female prisoners this week.

Those who have announced their decision to join the hunger strike are Karl Niehaus, Steve Marais, Eric Pelsner, Damien de Lange and Ian Robertson.

Kieran de Lange, brother of Damien, said yesterday their demand was the unconditional release of all political prisoners. They will continue with the strike until their demand is met or until the ANC instructs them to stop, he said.

"I have just been to visit Damien and he informed me that all the white male ANC prisoners were joining the strike in solidarity with their comrades on Robben Island. For the past week they have ceased exercising and have been doing yoga to prepare themselves," De Lange said.

He said it was likely that Pretoria Central's two ANC woman prisoners would join the hunger strike in the next few days.

For almost a week now, about 350 Robben Island prisoners have been on a hunger strike to demand the release of all political prisoners, regardless of the nature of the offence.

Activists are hopeful that the strike will force State President FW de Klerk's hand on the matter, as Minister of Police Adriaan Vlok was forced to concede in the widespread hunger strikes last year.

The move has been timed to add pressure to the ANC's call for the "climate for negotiations" outlined in the Organisation of African Unity's Harare Declaration, to be created by De Klerk.

Dullah Omar, legal counsel for the prisoners, told the *Weekly Mail*: "De Klerk will retreat on his position if forced to do so by the people."

Omar added: "The hunger strike exposes the fraudulent nature of De Klerk's reform process. The lesson is that no change could take place until the people fight — the solution lies with the people."

When De Klerk addressed parliament on February 2, he announced the release of political prisoners — but excluded prisoners convicted on terrorism or murder charges, even though these offences might have been committed for political reasons.

At 2.30pm today, families, friends and well-wishers of the prisoners will march from St George's Cathedral in Cape Town to Tuynhuis, where they will demand to see De Klerk to hand him the hunger strikers' declaration.

The statement, which is representative of African National Congress, Black Consciousness Movement and Pan Africanist Congress prisoners, calls for the release of "all political detainees, political prisoners and combatants", the termination of all political trials, the lifting of the State of Emergency, withdrawal of the South African Defence Force and police from the townships, the improvement of prison conditions and the opportunity for prisoners to consult freely with the political leadership of political organisations and legal representatives.

The hunger strikers are also demanding that "all incarcerated people who have engaged themselves in various ways in the struggle against the system of apartheid ... be recognised as such ..."

The hunger strike action will continue until their demands are met.

Some of the prisoners' families visited them this week and reported that the morale of the prisoners is high

Political prisoners in Pretoria and Robben Island are on a hunger strike to demand the unconditional release of all political prisoners. By

CASSANDRA MOODLEY and GAVIN EVANS

and they are in good health and determined to realise their objectives.

The prisoners have been advised by doctors to drink water with two spoons of sugar.

Shadrack Motau, cousin of terrorism prisoner Maiden Motsa, said Motsa's spirits were high. The family of treason prisoner Xolani Nduna said he looked well and was prepared to sustain the hunger strike until all political prisoners were released unconditionally.

And the community and friends continue to support the prisoners. Lunchtime pickets outside the parliamentary buildings in Cape Town have been staged every day since Monday, despite the arrest of 33 picketers who were subsequently released on R50 bail. Candlelight vigils are also held every night.

Tomorrow a "motorcade" carrying concerned community members from Athlone Stadium to Bloubaergstrand, the closest point to the island, is planned.

On Wednesday night about 800 people met at the Civic Hall in Bonteheuwel to support the hunger strikers.

"It was unique in that it was the first time the three major groupings came together in Cape Town to hold such a meeting," said Omar.

Speakers at the meeting represented the ANC, the United Democratic Front, the PAC and the BCM and included Bushi Maape, a recently released Robben Island prisoner.

Omar said the sentiment at the meeting was clear: unity was needed not only on the hunger strike issue but broader action as well.

The strike does not include prisoners who are ill and those who are involved in manual labour. Prisoners who work in the kitchen however are staging go-slows.

The South African Prisons Service commented: "It can be confirmed that a number of prisoners at the Robben Island prison have since breakfast on 26 February not been taking the meals served to them in prison. They do however have ample other foodstuffs in their possession."

"In cases where prisoners refuse to eat they are warned of the adverse effects thereof and they are treated strictly in accordance with the internationally accepted guidelines pertaining to the handling of such prisoners."

"The SA Prisons Service is satisfied that the people entrusted to its care are treated in a professional and humane manner."

"As far as the SA Prisons Service is concerned all requests or complaints brought to the attention of the prison authorities through the proper channels receive due and prompt attention and are dealt with in a responsible manner within the ambit of prevailing policy. It is therefore unnecessary for prisoners to resort to undisciplined behaviour in order to get their requests attended to."

As Mandela moves in, Relly moves out

WIM 213-813190

By EDDIE KOCH

GAVIN "GR" RELLY bowed out as head of South Africa's most powerful corporation yesterday without finishing a job he started five years ago: working for rapprochement between the African National Congress and captains of industry over the nature of a post-apartheid economy.

When Nelson Mandela rolled out the red carpet for Relly on Monday, there were many in the business community who believed that the meeting would be a repeat of the pioneering conference in Lusaka between the ANC leaders and big businessmen that the Anglo chief put together in 1985.

Before handing Anglo's reins to director Julian Ogilvie Thompson yes-

terday, Relly had clearly hoped to round off his career with another boost to the process of reconciliation between business and the ANC.

Instead both men emerged from the half-hour discussion at Mandela's home in Soweto frustrated that the meeting did not allow in-depth talks on key economic issues facing the country.

But on Monday, Mandela used the occasion instead to lobby Relly about a new approach to labour relations — and the agenda was shaped by the fact that labour leaders Cyril Ramaphosa and James Motlatsi were present throughout.

Both men are senior officials of the National Union of Mineworkers and clearly wanted the meeting to signal that the fight for more progressive labour legislation in this country was as important as the issue of economic reconstruction for South Africa.

The end result was that the talks were deflected away from nationalisation.

However, the talks about labour relations did not deal with substantive issues — such as the deep conflict between labour and organised industry over the Labour Relations Act — mainly because Mandela has not had time to familiarise himself with complex trade union developments that have taken place in the last decade.

Relly said that although the pair had not been able to discuss the post-apartheid economy, "the community and international community should not get into a flurry over nationalisation. These are issues that sensible men can discuss."

Relly's adviser Michael Spicer told the *Weekly Mail* both men had clearly felt the meeting "misfired". They were irritated because the shortage of time and the ANC leader's crowded programme on the eve of his departure for Lusaka did not allow in-depth talks on key economic issues.

"They emerged from the talks without having discussed anything substantial about the future of the economy," said Spicer. "Then when the press asked the big questions of the day both men had to trot out fairly standard positions."

Police stop thousands-strong teachers' march

By PHIL MOLEFE (325)

THOUSANDS of black teachers from different Pretoria township schools were yesterday ordered to disperse by the South African Police when they attempted to march to the Department of Education and Training offices.

The teachers travelled from Mamelodi and Atteridgeville in buses and taxis and assembled at the Bloed Street taxi rank from where they would have proceeded with the march to the DET head office in Schoeman Street. The march was planned for 10am.

Police barricaded Kruger and Boom streets alongside the taxi rank where the teachers had assembled.

According to Mamelodi Teachers Union member Squire Khumalo, the

police gave the teachers three minutes to disperse.

In Soshanguve, over 1 000 teachers, who had gathered yesterday morning at the local community hall, were told by senior policemen that they could not proceed to Pretoria to join their colleagues for the march because it was illegal.

Teachers defied the police order and attempted to proceed to Pretoria in over 50 taxis and private cars.

The procession ran into a police road block near the Soshanguve police station and was prevented from going ahead.

Several taxis and cars took another route via Hebron and Erasmus but again found that police had blocked the road.

See PAGE 9

Supporters of hunger strikers demonstrate solidarity this week outside parliament

Picture: EFRIC MILLER, Atlanta

Reasons for Van Zyl judgment given

Judge explains Act's meaning

Star 5/3/90

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By Cathy Stagg

The right to remain silent applies to detainees held in terms of section 29 of the Internal Security Act but also means that as long as they withhold information, they need not be released.

This was the finding of Mr. Justice H C J Flemming. The judge heard an urgent application in the Rand Supreme Court last month for the release of Mr "Slang" van Zyl, brought by his wife, Mrs Brenda van Zyl.

When the application was dismissed, the judge said he would supply his reasons later.

Prima facie case

In a written judgment handed down on Friday, Mr Justice Flemming said it was appropriate to emphasise that the court did not have to make a finding on whether or not there was a prima facie case against Mr van Zyl. It had only to objectively evaluate whether it was shown that Brigadier Floris Mostert, the commanding officer of the Brixton Murder and Robbery Squad, had reason to suspect Mr van Zyl had committed a crime or was withholding information.

Mr van Zyl, an alleged former member of the squad, is suspected of having responsibility for a bomb blast in Athlone, in the Cape, allegedly committed as a member of a cell in the Civil Co-operation Bureau.

Other former members of the

Brixton unit are suspected of being members of the cell. They are Mr "Staal" Burger, formerly the commanding officer of the unit, Mr "Chappie" Maree and Mr "Calla" Botha. The judge found that Brigadier Mostert's belief about this occupied a central position in the evidence before the court.

There were connections between this particular cell and certain events, the judge said.

Regarding the murder of Mr Anton Lubowski, the available information concerned only Mr Maree and Mr Ferdi Barnard, who according to the information, worked for the cell. The judge found this could at most be of interest to show Mr van Zyl's capability to reveal evidence about who were cell members or who worked for it.

It could also indicate to the investigating officer what instructions the cell had, what it had taken upon itself and what aims the cell found acceptable. It would show the sort of evidence the investigating officer would have to seek, the judge said.

Mr Justice Flemming said the alleged acts of violence or conspiracy to commit them need not necessarily be crimes for which the detainee himself had criminal culpability.

The detainee's motive for withholding information made no difference, the judge said. The right to remain silent remained, but the detainee's problem was that, when he was held in terms of section 29, exercising that right could form part of withholding information.

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Big boost for hunger strikers

Sowetan 5/3/90

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POLITICAL trialists will today join the nationwide hunger strike that has spread to prisons across the country in a bid to push Government into releasing all political prisoners.

The 14 accused in the Yengeni trial in Cape Town, currently the biggest political trial in the country, will stop eating food this morning.

Trialist Chris Giffard said the four on bail planned to fast publicly,

Sowetan Reporter

in the St George's Cathedral crypt, to highlight the strike.

This is believed to be the first time that trialists have gone on a hunger strike to demand the release and the cessation of their trial and adds momentum to the snowballing strike that began on Robben Island last week.

The Government has appointed Mr Justice M R de Kock to deal with the complaints of the hunger strikers.

More than 340 political prisoners on the island are demanding that President FW de Klerk extend his amnesty to "all incarcerated people who have engaged themselves in various ways in the struggle against apartheid".

They decided on the hunger strike because it was the "only avenue" open to them.

The prisoners are calling for the unconditional release of all political

prisoners and detainees in line with De Klerk's statement on February 2.

They said: "It is a disciplined manner of telling our people and the world that, here in the bowel of the beast, we shall not succumb."

The strike has spread to other prisons, including Pretoria Central. Political prisoners and trialists held at Pollsmoor will join the strike today.

The strike has unified political prisoners across the spectrum including ANC, PAC and the Black Consciousness movement. It has also drawn support outside the prisons and pickets were held outside Parliament every day last week, culminating in a march on Friday.

The thrust of the campaign is that the political prisoners do not want to be used as bargaining chips at the negotiating table, but ought to be freed in line with one of the preconditions set down in the Harare Declaration.

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(329)

Vlok lists five more detainees

Political Staff

THE names of another five emergency detainees who have been held for longer than 30 days have been tabled in Parliament by the Minister of Law and Order, Mr Adriaan Vlok.

Friday's list brings the total number of emergency detainees named in Parliament since the nationwide emergency was imposed in June 1986 to 20 236.

Since the emergency was reimposed on June 10 last year, the names of 2 111 detainees have been provided in the ten lists that have been tabled in Parliament.

In terms of the Public Safety Act, Mr Vlok is obliged to table in Parliament the names of the emergency detainees who have been held for more than 30 days.

The names of five people who have been detained for more than 30 days are: Gideon T Mapete, Edgar C Papiyana, Mkhonzi E Ntentile, Khawulezile D Sandi and Zalizele W Mkhontwana.

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'He felt he had been falsely implicated'

No one to blame for Sithole's death

CAPE TOWN — No one could be criminally blamed for the death of Mr Clayton Sizwe Sithole, who died in detention this year, according to the report of a one-man commission of inquiry by Mr Justice R J Goldstone released yesterday.

Mr Sithole was found hanging by his shoelaces and a belt in a shower room at the Protea Police Station on January 27 this year. Mr Goldstone found that Mr Sithole had without doubt caused his own death by hanging. No recent injuries that were not associated with hanging were found on his body.

On the evidence before the commission the factors which could have given rise to his decision to commit suicide were:

- His anger that certain people had provided the police with fake information against him.

Criminal conduct

- His impression that he could continue to be detained under section 29 of the Internal Security Act for a long time.

- His having implicated people very close to him in criminal conduct.

In evidence before the commission it was claimed that Mr Sithole had made serious allegations of criminal conduct against Mrs Winnie Mandela and her daughter Zinzi.

Mr Justice Goldstone said during the course of the proceedings that he did not consider it in the interests of fairness and justice for these untested allegations to be made public.

Mr Sithole was arrested at White City, Soweto, on January 26 this year in terms of Section 40 of the Criminal Procedure Act. A loaded .38 revolver and an AK47 rifle with two magazines and 27 bullets was found on the premises and Mr Sithole admitted they belonged to him. He also admitted

responsibility for armed attacks in Soweto during 1988 and 1989 and pointed out to police the places where the incidents had occurred.

Mr Sithole had given the police information about the shootings and hand grenade attacks.

On the day before his death Mr Sithole was examined by Johannesburg District Surgeon Dr E Krausey who found nothing untoward except that his blood pressure should be watched.

While being questioned at Protea Police Station, Mr Sithole had told a fellow detainee of his "sorrow and anger" that "people of Orlando West" had given the police false or incorrect information which could have resulted in his being detained for a long time.

It was clear that between 2 pm and 4 pm on January 30 Mr Sithole had decided to take his own life.

"Whenever and however he came into possession of his belt and shoe laces (which remains unexplained) he took them with him into the shower cubicle."

Constable J M J Jansen, who was in charge of the cells, told the commission that when Mr Sithole had first arrived at John Vorster Square, he had had neither shoelaces or belt in his possession.

It later emerged that his belt had been removed soon after his arrest en route to the Protea Police Station. There was no evidence explaining the removal of the deceased's shoelaces prior to his arrival at John Voster Square.

At 4 pm the deceased was taken to shower room No 5 for exercise and showering. He was locked in the room by a Constable Powrie who had the only key for the shower room. At 5 pm Constable Powrie unlocked the shower room and found Mr Sithole hanging by a belt and shoelaces from a water pipe. — Sapa.

Winnie, Zindzi link in Sithole suicide?

By BARRY STREEK

THE fact that Internal Security Act detainee Mr Clayton Sizwe Sithole had implicated people very close to him — Mrs Winnie Mandela and her daughter, Zindzi — in alleged criminal acts could have given rise to his decision to commit suicide, the Goldstone Commission said in a report tabled in Parliament yesterday.

Mr Sithole, who committed suicide by hanging himself in John Vorster Square, Johannesburg, on January 30, was the boyfriend of Miss Zindzi Mandela and the father of her child.

During interrogation on the morning of his death, Mr Sithole "made serious allegations of criminal conduct on the part of Mrs Winnie Mandela and her daughter, Zindzi".

Mr Justice R J Goldstone, the sole member of the commission, said that during the hearings he had ruled he did not consider it relevant or in the interests of fairness and justice for untested allegations against Mrs Man-

delas and Miss Zindzi Mandela to be made public.

The report stated that there was no evidence to indicate or suggest that Mr Sithole's death had been caused by any act or omission involving an offence by anyone. This was conceded by counsel appearing for the family of Mr Sithole, Mr Justice Goldstone said.

The judge found that other factors that might have caused Mr Sithole to commit suicide were "his anger that certain people from Orlando West had provided the police with fake information against him" and "his impression that he could continue to be detained for a long time".

After his arrest on January 26 this year Mr Sithole admitted responsibility for armed attacks in Soweto during 1988 and 1989.

He said: "I am proud of what I did. If I get out I'll do the same again. The best thing is to hang me so that I can die. I am a soldier of the armed struggle."

CHIEF TENTS 6/3/90
Policemen
'ignorant
of rules'
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Political Staff

NO manpower shortage in the police force could justify detainees being guarded by policemen who were ignorant of the relevant regulations, the Goldstone Commission said yesterday.

The commission found that neither of the two policemen who were guarding the late Mr Clayton Sizwe Sithole, who died in detention in January, was aware of the provisions of the regulations on Section 29 detainees.

The commission said it was of the utmost importance that the letter and spirit of the Section 29 regulations should be adhered to by those responsible for the well-being of detainees.

Letter of law important — judge

CAPE TOWN — The provisions of Section 29 of the Internal Security Act were drastic and made serious inroads into the normal rights and privileges of every citizen, Mr Justice R J Goldstone, said in his commission of inquiry report into the death of Mr Clayton Sithole in detention in John Vorster Square in January this year.

"It is of utmost importance therefore that the letter and spirit of the regulations should

be adhered to by those responsible for the well-being of such detainees." ^{Star 6/3/94} (29)

Mr Justice Goldstone, who conducted a one-man commission of inquiry, said he had been asked by the Minister of Law and Order and the police to consider the application of the regulations applying to Section 29 detainees "insofar as they were of practical effect in respect of the deceased".

As a result of this a number of

matters had been debated before the commission by counsel representing the various parties.

These included whether detainees should be allowed to keep their shoelaces and belts; whether to withhold them would not amount to degrading treatment in conflict with the regulations; and the inexperience of the two constables, aged 19 and 20, who had been guarding Mr Sithole. — Sapa.

Tambo tape: appeal against sentence upheld

CAPE TOWN — The Cape Town Supreme Court yesterday upheld an appeal by a Guguletu man against a nine-month prison sentence for the possession of a tape recording of a speech by ANC leader Mr Oliver Tambo.

Mr Justice A J Lategan, with Mr Justice DM Williamson concurring, suspended the sentence imposed on Xolile Jaxa (26) on

July 20 last year.

Mr Percy Sonn, for Jaxa, said he was appealing against the sentence on the grounds that it had been shockingly inappropriate, inadequate consideration had been given to the fact that he had been detained for a long time and that the magistrate had over-emphasised Jaxa's failure to give evidence to explain his possession.

3/24/90
The magistrate had also failed to give weight to mental damage suffered by Jaxa during detention and that he had received psychiatric treatment, he said.

Mr JD Tredoux, for the State, said the magistrate had correctly exercised his discretion and asked that the sentence remain and the appeal be turned down. — Sapa.

No offence evident in Sithole's death — judge

6/3/90.

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Political Staff

CAPE TOWN — There was no evidence to suggest the death of Clayton Sithole had been caused by any act or omission involving an offence by anyone, Mr Justice R J Goldstone states in a report tabled in Parliament yesterday.

This, he says, was conceded by counsel appearing for Sithole's family.

Sithole — boyfriend of Zinzi Mandela, Nelson Mandela's daughter — was found hanged while detained under Section 29 of the Internal Security Act in connection with 12 murders in the Soweto area.

In the report, the judge, who was a one-man commission of inquiry into Sithole's death, is critical of certain aspects of the way in which Section 29 detainees are handled.

The judge says no manpower shortage in the police force justifies these detainees being guarded by young and inexperienced policemen — Sithole's two guards were aged 19 and 20.

Neither was there justification for these detainees being guarded by policemen who were ignorant of the relevant regulations applying to such

detainees — the two guards were unaware of these regulations.

Mr Justice Goldstone said the provisions of Section 29 were "drastic" and made serious inroads into the normal rights and privileges of every citizen.

It was, therefore, of the "utmost importance" that the letter and spirit of the regulations be adhered to by those responsible for the well-being of such detainees.

Mr Justice Goldstone said further careful consideration needed to be given by the authorities to the manner in which Section 29 detainees were held.

In particular, consideration should be given to the apparent conflict between the necessary requirement for humane, dignified, and decent treatment on the one hand and sage detention and interrogation on the other.

The judge said further careful consideration should be given to the desirability of allowing investigating officers a discretion as to certain privileges allowed to detainees.

Sithole death. nobody blamed

MR. CLAYTON Sizwe Sithole who died in detention this year killed himself and nobody could be criminally blamed for his death, according to the report of a one-man commission of inquiry by Mr Justice R. J. Goldstone released in Cape Town yesterday. *Sowetan*

Sithole was found hanging by his shoelaces and a belt in his cell at the John Vorster Square police station on January 27 this year. *6/11/90*

Goldstone found that Sithole, who had been associated with the Mandela family, had without doubt caused his own death by hanging. No recent injuries that were not associated with hanging were found on his body.

The judge found there was a reasonable possibility that one or more of a number of factors could have made him decide to kill himself.

On the evidence before the commission the factors which could have given rise to his decision to commit suicide were:

"His anger that certain people from Orlando West had provided the police with fake information against him;

"His impression that he could continue to be detained under Section 29 (of the Internal Security Act) for a long time; and,

"His having implicated people very close to him in criminal conduct, i.e. Winnie and Zinzi Mandela."

'Threat to assault, shock Schreiner'

Cape Times 7/3/90 329

Supreme Court Reporter

TERRORISM accused Ms Jenny Schreiner had been intimidated by threats of violence to make a confession to a magistrate, the Supreme Court heard yesterday.

This was the submission by Mr Mike Donen, for the defence, in the trial of Mr Tony Yengeni and 13 others.

Mr Donen said that when Ms Schreiner was taken to a magistrate she alleged she had been manhandled and threatened that she would be handed back to a security policeman, Lieutenant Frans Mostert, who would carry out threats of physical assaults, electric shocks, injections and hypnosis.

She had in fact compiled notes and given them to a security policeman, Warrant-Officer Schalk van der Merwe, after she had been manhandled by Lt Mostert, Mr Donen said.

Mr Donen said that from the face of an official document which is completed before a confession was made, it appeared that "serious intimidation" took place. There was a reasonable possibility that the threats of as-

saults still operated in Ms Schreiner's mind when she was taken before the magistrate.

She had been handcuffed and when she asked for the cuffs to be removed, the magistrate asked a security policeman who in turn asked a colonel. The colonel refused permission for the handcuffs to be removed for security reasons.

That showed that Ms Schreiner was still under the control of the security police and that the magistrate was also under security police influence because he was unable to order the removal of the handcuffs, Mr Donen said.

Not much assurance could be drawn from the magistrate's assurance to Ms Schreiner that she had nothing to fear because she was in the presence of a magistrate.

There had also been a subtle threat from the security police to continue detaining Ms Schreiner in terms of Section 29 to induce her to make a confession to a magistrate, Mr Donen said.

The trial continues today.

Smuts delivers plea for Groote Schuur

Political Correspondent

IT would not be surprising if Groote Schuur Hospital had to start closing down some patient services by the end of the week, the MP for Groote Schuur, Ms Dene Smuts, said yesterday.

"Nothing underscores the threat to academic medicine more vividly than the fact that the departments of cardiology and cardiac surgery at the hospital would be marooned in the old wing with equipment that doctors describe as "derelict" if the rumoured cuts are enforced.

"Not only could they not acquire new equipment, they would literally be unable to move into the new wing which has been built at great cost," Ms Smuts said.

After discussing conditions at the hospital with staff yesterday, Ms Smuts said that the plight of striking workers "simply adds to the burdens our health services are expected to carry".

Heart transplant goes ahead

Staff Reporter

GROOTE SCHUUR HOSPITAL'S heart transplant team performed its third heart transplant this year on Monday despite reports that services at the hospital have been affected by a strike.

The operation, performed on a 46-year-old Transvaal man began at 10pm and finished at 2am yesterday morning.

He is in a stable condition and "recovering well" said a hospital spokesman yesterday.

From page 1

already overburdened nursing staff would have to contend with the duties of striking workers.

"If the strike continues the whole hospital system could break down and the patients will suffer."

Dr Bowey said strikers constituted "a support structure which is as vital to the hospital as the clinical care itself".

Groote Schuur was considering the possibility of bringing in more student nurses.

He said it was "not entirely fair" to criticise the quality of the food, but conceded that transport of food to the wards was being affected, which would account for its being cold and slow in arriving.

The director general of Provincial Administration, Mr Barry van der Vyfer, said:

"If clerical, administrative and other personnel cannot help out adequately, alternatives will be found."

He refused to allow the Cape Times to visit the Groote Schuur Hospital "at the moment".

Shea 9/13/90

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Different versions of police shootings

Two 'witnesses' to torture killed

By Shehnaaz Bulbulia
and Montshiwa Moroke

Two men who claimed to be "witnesses" to the death of 16-year-old Nixon Mbuyiselo Phiri, who died while being interrogated at a West Rand police station, were shot dead by police this week.

Police said the two men were fatally wounded in separate incidents during unrest in the Carletonville area.

Lawyers, quoting statements made to them by Carletonville residents, said there was no unrest at the time of the shootings.

Lawyers said the two dead men, Mr Thomas Tshabalala and Mr Pule Mac Muthupi, had previously claimed to have heard Nixon Phiri of Khutsong, Carletonville, being tortured.

Mr Phiri died during interrogation at the Welverdiend Police Station near Carletonville on January 16, according to a police statement.

Mr Tshabalala claimed he, too, had been tortured at the police station at the time of Mr Phiri's death.

Asked to comment on the shooting of Mr Tshabalala and Mr Muthupi, a police spokesman said yesterday that Mr Muthupi and another man were fatally

wounded last Sunday.

They were shot when police tried to arrest suspects after a petrol-bomb attack on a SAP vehicle. The spokesman said the suspects attacked the police during the attempted arrests.

Police said Mr Tshabalala was fatally wounded when police fired birdshot and rubber bullets at about 100 youths who had trapped a police patrol.

Lawyers have entirely different versions of the deaths.

Witnesses afraid

A lawyer for Muthupi's family told The Star he had received statements from three eye-witnesses who were present during Mr Muthupi's death.

They said Mr Muthupi and Mr Jack Mokoena, an activist, were shot dead by police at about noon on Sunday while visiting a friend.

The names of the three witnesses have not been released. The lawyer, who also declined to be named, said they feared for their lives.

According to the lawyer, one of the witnesses who was shot by policemen said in a statement that a group, including Mr Muthupi and Mr Mokoena, were

visiting a friend when they saw a Casspir parking at the back of their shack.

"We saw it through the window. The policemen jumped out and were coming towards the shack we were in. We all rushed out through the front door. To our amazement another Casspir was parked at the front gate," the witness said.

The witness claimed that white policemen wearing blue uniforms started firing at the group from the top of a Casspir. Mr Mokoena and Mr Muthupi were shot.

"We ran towards a small passage near the shack. A bullet caught me in the elbow. We jumped a fence and started to run," the witness claimed.

The police continued to shoot, it is claimed in the statement.

"We did not provoke the police because we were sitting in our friend's shack peacefully. Their aim must have been to trap us inside," said the witness.

Another witness who said he was in a shack close by said in a statement: "I heard shots outside and then went to see what was taking place. I saw two boys lying on the ground".

After the police had ordered

the witness back into the shack, police fired into the dwelling, it was claimed in the second statement.

"(Policemen) entered my shack and started searching. When I came out after the police had left, I found the bodies of the two boys were gone," said the second statement.

A third witness who was in a shack situated close to the incident claimed that after hearing the sound of gunshots the witness ran out of the shack and found two bodies lying on the ground.

Bodies taken

"The police ordered me back into my shack and when I was inside they shot into the shack.

Thereafter other gunshots were fired. Some boys ran into the shack while the police were shooting. Police entered the shack and searched it. They took the boys with them," according to the witness.

A lawyer said yesterday he had been told by the Khutsong Civic Association, of which both Mr Tshabalala and Mr Muthupi were members, that lawyers had received reports of Mr

Tshabalala's death on Wednesday.

According to allegations made to lawyers, Mr Tshabalala was shot by police at about 7 am outside a relative's home.

The full police statement on the shootings by a Western Transvaal SAP spokesman is:

"On Sunday March 4 a mob threw a petrol bomb at police vehicles. Police pursued those responsible and cornered them in a squatter shack. When police attempted to arrest the suspects they were attacked. Some of the attackers were armed with sharp objects. Shots were fired by the police and two men, Mr Muthupi and Mr Mokoena, were fatally wounded. One man and a youth were arrested."

The police spokesman added that on March 7 at 6.40 am in Khutsong a police patrol was trapped by 100 youths.

"The group was armed with fire bombs, stones and pangas. While the Casspir was forced to move through the youths it was pelted with stones. The SAP fired birdshot and rubber bullets at the youths. The mob dispersed. There was no damage to the Casspir. Mr Tshabalala was, fatally wounded," the spokesman said.

Nzo wins appeal on murder conviction

BLOEMFONTEIN — The Appeal Court in Bloemfontein yesterday set aside the conviction and sentence for murder imposed on Rufus Nato Nzo, but dismissed the appeal of Douglas Mnyisile Tyutyu.

Nzo, a member of the military wing of the ANC and self-confessed terrorist, and Tyutyu, a key figure in the terrorism campaign in Port Elizabeth, were convicted of high treason and murder by Mr Justice C T Howie in the Eastern Cape Supreme Court on September 19 1984.

They were imprisoned for 15 years for the murder, with 10 years of the sentence to be served concurrently with 20 years for treason.

Their appeal was against the murder conviction only, where they were found to have had a common purpose with the killer of Vukile Tshiwula's wife. Mrs Tshiwula was killed on May 8 1984 by a man identified only as Joe.

Yesterday Mr Justice Hefer, with the concurrence of Mr Justice Nestadt, set aside Nzo's conviction and sentence for the murder. They found he had dissociated himself from the common purpose before the murder was committed.

The judges said Tyutyu's sentence was disturbingly excessive, but not sufficiently so to warrant Appeal Court interference.

Mr Justice Steyn took the view that the appeals of both men should have succeeded on the murder count. His view was that the mere foreseeability that the woman might be murdered by Joe or someone else did not amount to authority for or participation in the murder. — Sapa.

CCB boss released, to give evidence

ARK645 9/3/90 (329)
The Argus Correspondent

PRETORIA. — The managing director of the covert SADF Civil Co-Operation Bureau (CCB), Mr Joe Verster, is expected to give evidence on Monday before the Harms Commission inquiry into politically motivated murders.

Mr Verster, taken into custody a week ago under Section 29 of the Internal Security act, was unexpectedly released from detention last night with a release order signed by Min-

ister of Law and Order, Mr Adriaan Vlok.

Two other alleged CCB operatives — Mr "Slang" van Zyl and Mr Theunis Kruger — were also released. Legal sources said they too would give evidence.

Major-General Jaap Joubert, CID deputy chief, said provisions of the Internal Security Act made it impossible for people in detention to give evidence before a commission. For this reason Mr Vlok had agreed to release orders.

Mr Justice Harms has not yet ruled whether the three will give evidence in camera or open session.

Today, an in camera session is considering aspects of evidence surrounding claims by the Minister of Defence, General Magnus Malan, that Mr Anton Lubowski, a Swapo executive member, was a member of Military Intelligence at the time of his assassination.

Mr Justice Harms will later decide whether to continue in camera or not.

Hunger strike ends after Mandela has word with minister

By GAYE DAVIS and
CASSANDRA MOODLEY

THE decision yesterday by more than 300 Robben Island political prisoners to suspend their hunger-strike came days after Nelson Mandela directly intervened with the South African government.

Mandela told a meeting of African National Congress members in Lusaka last Friday that he had telephoned Minister of Justice Kobie Coetsee to bring the seriousness of the situation to his attention.

The ANC deputy president said he was expecting Coetsee to ring him back that evening and he was hoping for "good news".

His intervention came as political prisoners in Pretoria, Johannesburg and other centres announced they were joining the 343 Robben Island prisoners in the hunger-strike they launched on February 26 to demand their unconditional release.

Lawyers representing the hunger-strikers met on Wednesday with Coetsee for discussions they described as "useful".

Yesterday 11 lawyers were ferried to the Island to report back and take instructions from their clients, four of whom have been admitted to Cape Town's Somerset Hospital since the hunger-strike began.

They returned with the hunger-strikers' decision to suspend their action.

"The political prisoners are satisfied that their demands are presently receiving the attention of the minister and they have accordingly decided to suspend the hunger-strike with immediate effect," a statement said.

Lawyers will communicate the decision to hunger-strikers in other centres, including Marion Sparg and Susan Westcott, who joined the strike a

week ago.

After meeting in Lusaka last week, the national executive committee of the ANC repeated its call for the unconditional release of all political prisoners, saying the hunger-strike underscored the urgency of the issue.

Coetsee neither denied nor confirmed Mandela's intervention.

A statement by a ministry of justice spokesperson said: "All communications between the minister of justice and people raising a variety of matters virtually on a daily basis are considered as private and confidential; therefore no further details can be furnished."

Coetsee was not prepared to engage in public debate on a sensitive matter: announcements would be made "if and when they can serve a purpose", the statement said.

The four Robben Island prisoners admitted to hospital this week were named by attorneys as Christmas Mofokeng, Abraham Magugule, Thabo Ramaditse and Conrad Lekhombi.

They are to be informed of their comrades' decision, attorney Bulelani Ngcuka said.

Westcott's co-accused in the Broederstroom trial, Damien de Lange and Ian Robertson — also convicted of terrorism — are among five white male prisoners at Pretoria Central said to be "bearing up well" in their week-long strike.

De Lange's brother said he was quite surprised State President FW de Klerk had not reacted more positively.

There are an estimated 3 000 political prisoners jailed in South Africa, according to Audrey Coleman of the Detainees' Aid Centre. The figure includes people convicted of arson and public violence. Coleman said no more than 20 political prisoners had so far been released.

In the past week, the hunger strike of political and awaiting-trial prisoners has spread to Pollsmoor, Westville and Johannesburg prisons.

The Hunger Strike Support Committee, formed last year when emergency detainees went on a national hunger strike, has also been resuscitated and has planned a programme of action to draw attention to the hunger-strikers' plight.

The programme includes a march to the Rand Supreme Court in Johannesburg to deliver a memorandum outlining the prisoners' stand and demands. The solidarity march will proceed from St Mary's Cathedral at 1pm today.



Police try to 'free' Fozia Lowe, mother of hunger-striker Najeem Lowe; she had chained herself to the gates of parliament in protest

Picture: ERIC MILLER, Afrapix

Attorney receives R15 000 damages

CAT Times 10/3/90 Supreme Court Reporter 329

A CITY attorney, Mr Nazeem Ebrahim, who was arrested at work by four policeman in the presence of clients, yesterday received an out-of-court settlement of R15 000 for damages from the Minister of Law and Order.

The minister further agreed to pay Mr Ebrahim's costs.

The settlement came during an adjournment and while a police witness was still under cross-examination.

Mr Ebrahim, of Premier Road, Walmer Estate, originally claimed R25 000 damages for unlawful arrest and R50 000 damages for injuria.

He told the court that on December 2, 1986 he was wrongfully and unlawfully arrested by four policemen at the offices of attorneys Ince, Wood and Raubenheimer and detained.

He was "bundled" into the back of a police van and taken to the Paul Sauer police station in Strand Street and later to Caledon Square.

The policemen had, without reasonable cause, arrested him in the presence of his own clients and staff and all his attempts to obtain a copy of the warrant of arrest were refused by the constables, Mr Ebrahim said.

He was arrested for alleged reckless driving, but was later acquitted in the Regional Court.

ive situation".
in never be equated with

Bay garden.

Picture: ANNE LAING

Whites try to stop march

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PRETORIA. — Welkom police arrested 67 whites who, armed with sjamboks and other weapons, tried to disrupt a legal march by teachers from nearby Thabong township to the Welkom Civic Centre yesterday.

Forty-three of the 67 have been summoned on charges of obstructing police in the execution of their duties, the chief of the South African Police's public relations division in Pretoria, Major-General Herman Stadler, said.

He said he understood the Thabong Teachers' Committee had been granted permission from a Welkom magistrate to hold a protest march from Thabong to the

Cart Times 10/3/90
Welkom Civic Centre but armed farmers and other whites tried to stop the march.

It is not certain what action the farmers' group had contemplated but, according to Gen Stadler, police at the scene ended up positioning themselves between the protesters and the farmers.

This resulted in the arrests because the farmers were "hindering" proceedings, he said.

Police said later in a formal statement that the whites were told by officers on the scene that the march had been authorised and the organisers had followed the correct channels. They were warned not to take the law into their own hands.

The statement said the 43 men who were charged were issued with notices to appear in court and an admission-of-guilt fine of R100 was set.

In a separate incident, police detained three UDF activists in Bultfontein, near Welkom, on Thursday night under regulation three of the state of emergency, a Johannesburg lawyer acting for them said yesterday.

Mr Amichand Soman said they were Mr Arcas Potsonyane, Mr Daniel Pulela and Mr Jan Skalkwyk.

Early yesterday morning, police also allegedly swooped on Thabong, detaining 11 residents.

● Govt rejects CP claims — Page 2

Schreiner to tell court about detention

By LINDA GALLOWAY
Supreme Court Reporter

TERRORISM accused Ms Jenny Schreiner will give evidence today about the circumstances of her Section 29 detention which led her to make a statement to a magistrate allegedly "confessing" to certain things.

Ms Schreiner will be the first witness for the defence in a trial-within-a-trial which will test the admissibility of seven statements made by the accused during their Section 29 detentions.

The defence offered to lead evidence first to prove the statements were not freely and voluntarily made.

The State has to prove that four of the seven statements were made freely and voluntarily, and the onus lies with the defence for the other three. Mr Justice S Selikowitz ruled after a preliminary trial-within-a-trial.

He ruled that the statements of accused Mr Charles Mahlale, Mr Mbutu Nduku, Mr Gary Kruser and Ms Jenny Schreiner did not comply with sections of the Criminal Procedures Act.

Mr Mahlale's statement had been written prior to his appearance before a magistrate and thus had not been reduced to writing by the magistrate or in his presence as required by the Act.

The document relating to Mr Nduku's statement was incomplete and thus it was impossible to conclude from its appearance that it had been freely and voluntarily made.

In a question-and-answer sheet attached to Mr Kruser's document, he stated that he was making the statement because the police and told him that this could increase his chances of being charged and having access to a lawyer.

This implied that there had been undue influence on Mr Kruser to make the statement.

The mere fact that it was suggested to him that making a statement to a magistrate would be "put on the scales" when a decision was made as to whether he could see a lawyer worked against the administration of justice.

In the case of Ms Schreiner's statement, the judge said the document raised many issues which would not benefit from detailed analysis at this stage.

However he was satisfied that there was "sufficient doubt" as to the voluntary nature of the statement and the use of undue influence that the onus would fall on the State to prove otherwise.

In the case of three other accused, Mr Michael Lumbambo, Mr Mtheteleli Titana and Mr Chris Giffard, the defence would have to prove that the statements were not made freely and voluntarily.

The trialists are: Mr Tony Yengeni, Miss Jennifer Schreiner, Mrs Lumka Yengeni, Mr Michael Lumbambo, Mr Mbutu Nduku, Mr Wellington Nkwandla, Mr Mtheteleli Titana, Mr Gary Kruser, Mr Christopher Giffard, Mr Sitlabocha Mahlale, Mr Alpheus Ndude, Ms Gertrude Fester, Ms Zurayah Abass and Mrs Colleen Lombard.

B/DW 13/3/90

Decrease in unrest after detentions, says govt

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Own Correspondent

CAPE TOWN — There had been a significant drop in incidents of unrest after the detention of about 150 people across the country, a senior Law and Order spokesman said yesterday.

Police began the clampdown on what Law and Order Minister Adriaan Vlok described as "troublemakers" last Thursday night.

Most detentions had taken place in the Transvaal, Free State and Natal. The spokesman said the number of unrest incidents had decreased from a high of about 195 on Friday to about 20 on Sunday.

Meanwhile, 70 people were arrested in Long Street, Cape Town, yesterday afternoon as police prevented pupils and unemployed workers from marching in protest against the slashing of the bread-price subsidy.

Protesters were released on bail of R50 each last night. Police said they would comment on the matter in today's unrest report.

The march was organised by the Unemployed Workers' Movement (UWM) and the National Unemployed Workers' Co-ordinating Committee.

Sapa reports from Pietersburg that an unidentified schoolgirl was allegedly shot dead by Venda police at Thohoyandou yesterday when police opened fire on more than 10 000 people who were marching to deliver a human skull to Venda President Frank Ravele's office.

This was confirmed by police who said the circumstances leading to the shooting were unclear.

DANIEL FELDMAN reports that the residents of strife-torn Katlehong on the East Rand will meet tonight in an attempt to find a peaceful solution to the violence which has killed about 50 residents since last Monday.

Katlehong mayor Gideon Molotsi yesterday invited representatives from three taxi associations, a variety of civic associations and police to attend.

An SA Black Taxi Association spokesman said yesterday the association had approached a retired judge to head a one-man commission of inquiry into the violence.

WILSON ZWANE reports the Vosloorus Crisis Committee on the East Rand was planning to meet the town council and a delegation from the hostels yesterday in a bid to resolve hostility between residents and hostel-dwellers.

AA642 13/3/90 (329)

Almost 150 detained in unrest clampdown

Political Staff

ALMOST 150 people have been detained under the emergency regulations since Law and Order Minister Mr Adriaan Vlok warned last Thursday of a clampdown to stop a wave of unrest.

The number of unrest incidents has declined since Mr Vlok's warning, his spokesman Brigadier Leon Mellet said last night.

He said Mr Vlok would be providing statistics to parliament today.

Mr Vlok confirmed that just under 150 people had been detained since Thursday night.

Almost 100 were detained on Thursday and Friday and the rest over the weekend.

He emphasised that no

prominent political activists were being held.

All the detainees were perpetrators of violence and unrest, Mr Vlok said.

Security sources disclosed last week that in the first eight days of March there had been almost 400 incidents of serious unrest — a rate equal to that during the worst days of the 1985-86 unrest.

In February this year there were 1 127 unrest incidents, in February 1985, 1 055 and in February 1986, 1 629.

Mr Vlok warned that the police would use all means at its disposal to halt violence and stop those trying to thwart negotiations.

● More parliament reports, page 4.

More than 50 000 detained

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MORE than 50 000 people have been detained during the past nine years, Dr Max Coleman of the Detainees Parents' Support Committee said yesterday at a service to commemorate Detainees' Day.

In this period more than 20 people had died in detention while two former detainees, David Webster and Sicelo Dhlomo, were murdered.

Last year there were about 400 political trials in which at least 500 people were convicted on charges of sedition,

Over 20 have died in cells

By ISMAIL
LAGARDIEN

treason, possession of arms or banned literature. Forty-two people were hanged, he said.

Because of the February 2 speech by President F W de Klerk, a sense of relief had settled on the anti-apartheid community in the country. This was wrong, Coleman said.

"Security legislation and detention without trial still exist on the statute books. There is no need to give up the fight now," he said.

He said the government had identified 77 people who would benefit from the opening of Parliament speech.

In terms of the Harare Declaration all political prisoners should be released and all political trials stopped before a climate conducive to negotiations could be created, he said.

Coleman said there were about 300 political trials presently underway involving people who had stood up against apartheid.

Yesterday was the ninth Detainees' Day service and it was suggested that it become a standing date on the calendar.

The service was held at the Central Methodist Church in Johannesburg. Throughout the service two burly men with firearms tucked in their waists listened and scrutinised literature and other items on sale.

A haunting memory

EIGHT years after the disappearance of their eldest son, the mystery of what happened to Port Elizabeth student Siphwo Mtimkulu still haunts his family.. "It is painful not to be able to do anything to find out what happened to



Siphwo's father, Siphwo Mtimkulu

him," said his 55-year-old mother, Mrs Joyce Mtimkulu who still clings to the hope that her eldest son may be found alive.

"There have been too many rumours," said Mtimkulu embittered by recent sensational revelations by self-confessed "hit squad" boss Captain Dirk Coetzee in which he made an apparent reference to Mtimkulu's alleged poisoning while in detention and his subsequent disappearance.

Coetzee also claimed that after Siphwo was kidnapped, he was taken to the Swazi border where he was burnt and his ashes strewn across the Swazi-South African border.

"Because of the activities of the hit-squads we don't know what to believe anymore," said Mrs Mtimkulu.

"We want proof that he is either dead or alive.

"If we can just get a bone, or a nail which we can say is Siphwo's. Until then we can't forget.

"If Siphwo is alive in this world then I know he is not happy and is still suffering."

"The only people who can clear up this matter are those responsible for his disappearance."

WHEELCHAIR BOUND:

A disabled Siphwo Mtimkulu months after his release from detention in 1982



Mystery of poisoned detainee

South 15/3-21/3/90

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SIPHIWO Mtimkulu, 21 years old and leading a resurgence of student militancy in Port Elizabeth, became an obvious candidate for the attention of the security police during the turbulence of 1981.

Out to crush the Congress of South African Students (Cosas), the police swooped during the anti-Republic Day festival demonstrations in Port Elizabeth in that year. Mtimkulu was shot during the swoop, and with six other Cosas members, was arrested.

After being treated at the Algoa Park Police station for a gunshot wound, he spent part of the night at the Livingstone Hospital.

In "perfect" health at the time of his arrest, he emerged from the Algoa Park police station five months later a shadow of his former self.

Before he disappeared in April the following year, the seriously ill Mtimkulu, who had spent 10 months in Groote Schuur Hospital recovering from thallium poisoning, had brought two court actions against the police.

The first was a R40 000 claim against the Minister of Law and Order in connection with assaults on him while in detention.

On April 2 1982, he brought a R140 000 claim in which he had accused the police of poisoning him during his months in jail.

Nearly two weeks later, Mtimkulu was given a lift to Livingstone Hospital by a friend, Topsy Madaka, who is also missing.

He was driving a reddish Mazda.

Mystery surrounds the exact circumstances of their disappearance. Mtimkulu did arrive at the hospital and had later sought a lift to his home. At the time he was still not able to wear shoes, used a walking stick and only able to walk short distances.

Madaka, later in the day, arrived at Mtimkulu's home to inquire whether he had returned from the hospital. Mtimkulu's cousin gave Madaka a track suit top to give to him when he said he would know where to find him.

Only the next day did relatives and friends realise that both had disappeared from "the face of the earth".

The two were reported missing — with the police consistently denying that they had been detained.

In a letter dated July 28 1982 from a Brigadier Sherman to the PFP's Mr Andrew Savage, it was reported that the police had found a red Mazda, registered in the name of Topsy Madaka, abandoned at the Transkei/Lesotho border.

Madaka's passport was found inside the car.

The then Commissioner of Police, General Johan Coetzee, later told a

Sunday newspaper he believed that Siphwo had left South Africa.

Mrs Di Bishop, a former PFP MPC, her husband Brian and Mrs Mtimkulu also searched Lesotho for a trace of Mtimkulu. After extensive inquiries, they returned — convinced that he had never been there and that Madaka's car being found at the border "was merely a red herring".

In June 1983 their disappearance took a new turn when Mrs Madaka, half-blind and disabled, was visited by two white men who introduced themselves as "security police".

She said they had told her that Madaka had died on April 17 the previous year. Inquiries to the police, however, showed they had no knowledge of his death.

On February 25 1986, during a raid on the Mtimkulu home, a uniformed riot squad policeman told the family Mtimkulu had recuperated and had returned as a terrorist.

On March 10 the police again visited the home, asking about Siphwo's whereabouts.

In November last year the Afrikaans weekly, Vrye Weekblad, quoted self-confessed hit squad head, Captain Dirk Coetzee:

"I know of an instance where a suspected ANC member held in Port Elizabeth was poisoned. He actually didn't get the full dose, became paralysed and his hair started to fall out.

"He was eventually admitted to Groote Schuur Hospital in Cape Town, where doctors discovered he had been poisoned. He had one day, on his way to hospital, disappeared — wheelchair and all."

In February this year, a self-confessed CCB courier, Mr Allan van de Schyff, approached SOUTH with information that he had transported two males from police headquarters in Port Elizabeth to Valkenberg in Cape Town.

He recognised one of the persons as Mtimkulu from a photograph shown to him.

Perfect murder potion

THALLIUM is the perfect poison if murder is the intent.

Tasteless and odourless, it was previously used to kill rats until withdrawn. As little as 800mg can be fatal.

In South Africa its use is confined to industry only. It is a heavy metal and used in the manufacturing of lenses, imitation jewellery and alloys.

Port Elizabeth student leader Siphwo Mtimkulu made South African medical history when in 1982 he became the first recorded case of thallium poisoning in the country.

And for several months, as doctors first tried to diagnose his ailment and later tried to counteract the almost fatal dose of thallium in his bloodstream, Siphwo suffered a living hell.

He described the symptoms of thallium poisoning in statements obtained from before his disappearance.

"The pain got so bad that I was reduced to tears. I had to crawl in my parents room for attention. I felt a continuous pain in my feet and lower

legs. I could not even find a comfortable position to sleep in bed."

"When released I could only walk for short distances around the house with pain. I spent most of the my time sitting in my bed and talking to friends and relatives.

"The leg and stomach pains became progressively worse each day. The second or third day after my release I consulted Dr J Moodliar. I am not sure whether he made a diagnosis but he gave me tablets for leg pains and a mixture for my stomach.

"I consulted my attorneys on the same day and could not sit properly on a chair — sat on the floor. The pain got so bad I was even reluctant to walk."

A lawyer's statement continued: "It was during that day Siphwo's condition became very bad. To tell them (his parents) how he felt, he would crawl...before he went to hospital he was sleeping in their room... he was screaming with pain."

In a statement made in 1982, Dr Moodliar said: "He complained of painful feet. He also had occipital headaches and pain between the shoulders for the past few months... he was passing blood per rectum for the past four months."

Several weeks after his admission to Groote Schuur Hospital in Cape Town he became completely bald.

When he was discharged 10 weeks after admission he was only able to walk short distances, his concentration was poor. There was no further traces thallium in his urine.

It was not clear whether he was to recover from the neurological damage.



Mtimkulu arrives in Port Elizabeth after treatment in Cape Town

APARTHEID BAROMETER

EMERGENCY DETENTIONS

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LAW and Order spokesman Brigadier Leon Mallett said on Monday that 150 people had been detained under the Emergency regulations since last Thursday. A total of at least 89 political activists were detained under the Emergency regulations last week according to the United Democratic Front publicity secretary Patrick "Terror" Lekota. He said eight activists, according to local UDF leader Dennis Bloem, had been detained in Kroonstad, 11 in Welkom and 69 in Odendaalsrus. On Wednesday Lekota said he had received unconfirmed reports of 377 people in detention. However 206 of these were from Bultfontein, and it was not clear whether these had been arrested or detained. The Human Rights Commission said on Wednesday they had the names of 84 people being held under the Emergency regulations, though the real figure was far higher, an HRC representative said.

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PRISONERS OF CONSCIENCE

EBRAHIM ISMAEL EBRAHIM, 51, MANDLA MASEKO, 38 and SIMON DLADLA, 37, African National Congress and Umkhonto we Sizwe members, were all detained under section 29 of the Internal Security Act between 33 and 39 months ago and on January 16 last year were jailed for treason and sabotage.

Ebrahim, a senior ANC member, was kidnapped from his home in Mbabane, Swaziland at gunpoint on December 15 1986, allegedly by members of the South African security forces. He was brought to Pretoria where he was detained under section 29, kept in solitary confinement and allegedly tortured.

He first became active in the Congress movement in the 1950s. After the ANC was banned he joined Umkhonto we Sizwe and in 1964 was sentenced to 15 years imprisonment on Robben Island for sabotage. After his release he became leader of the ANC's political-military committee in Swaziland. He was sentenced to 20 years imprisonment for treason. W/M at 16/3-24/3/90

Maseko left South Africa in 1976 and was detained under section 29 in June 1987. He was found guilty of planting landmines and weapons, treason and sabotage and was sentenced to 23 years imprisonment.

- Dladla, a Swazi national, was also detained in June 1987 after he and Maseko were detained at a roadblock. He was sentenced to 15 years imprisonment.

W/M 16
16/3 - 22/3/90

New detainees on food strike

(329)
By CASSANDRA MOODLEY

MORE than 70 State of Emergency detainees in the Vaal Triangle and Free State have embarked on a hunger strike barely a week after they were arrested in a police crackdown in unrest areas.

The Detainees Aid Committee approximates the number detained under Emergency regulations since last week as 150. The Human Rights Commission reports that 12-year-old Yusi Masina from the Eastern Transvaal has also been detained.

DAC representative Audrey Coleman says most hunger strikers are at Bloemfontein, Kroonstad, Welkom, Odendaalsrus, and Vereeniging prisons.

The hunger strikers are demanding

●To PAGE 2

Food strike by new Emergency detainees

W/M 16/3 - 22/3/90
that they be charged or unconditionally released.

"The police have used the excuse of unrest to detain these people. This is an excuse because most of them are leading figures in their community organisations: in Welkom, the president, vice-president and publicity secretary of the Thabong Youth Congress were detained.

"Law and Order Minister Adriaan Vlok is misinformed if he says only criminal elements are being detained,"

●From PAGE 1

says Coleman.

She adds that there is no basis for such detention without trial especially since "President (FW) de Klerk has said that it is legitimate to articulate opposition to the present system".

Meanwhile, an HRC representative reports that a Kroonstad Prison common law inmate, Paulos Themba, escaped from prison this week and gave them a letter to hand to the commis-

sioner of prisons in Pretoria. The letter lists the demands of more than 50 prisoners and Emergency detainees at Kroonstad, and calls for the commissioner's intervention.

The common law prisoners have been on hunger strike for 12 days and were joined by the Emergency detainees a week ago. The Kroonstad prisoners are demanding the improvement in prison conditions.

Department of Prisons comment was unavailable.

Police refuse boy's petition

Staff Reporter 329

POLICE refused to accept a memorandum delivered by the five-year-old son of detained community worker Mr Dic Meter during a Hout Bay march yesterday because the boy was "too young to know", a police spokesman said.

The memorandum called for the release of Mr Meter, who was detained last Tuesday under Section 29 of the Internal Security Act. He campaigned for the upliftment of the squatter camps in the Hout Bay area.

Hout Bay affiliates of the Cape Areas Housing Action Committee organised the march.

Eight of 14 Cape terrorism trial accused released

329

CAPE TOWN — Eight of the 14 Yengeni terrorism accused have been acquitted and released after the State formally ceased the prosecution against them in the Cape Town Supreme Court yesterday.

There were tears and scenes of jubilation as those who had been on trial hugged each other during a brief adjournment after the announcement.

The defence will petition the Attorney-General for bail for the remaining six accused, the court was told after the adjournment, when the State announced its intention of continuing with its prosecution.

State Prosecutor Mr H Klem told the court that the prosecutions against Mr Mthetheleli Titana, Mr Gary Kruser, Mr Christopher Giffard, Mr Charles Mahlale, Mr Alpheus Ndude, Ms Gertrude Fester, Ms Zurayan Abass and Mrs Colleen Lombard had been formally stopped in terms of section 6 of the Criminal Code.

This entitled them to be acquitted, and the State was asking that this be done.

The prosecution against the other six accused — Mr Tony Yengeni, Ms Jenny Schreiner, Mrs Lumka Yengeni, Mr Michael Lumbambo, Mr Mbutu Nduku and Mr Wellington Nkwandla — will continue, Mr Klem told the court.

The hearing was postponed until tomorrow.

Outside the court the freed group, three of whom had been in prison for three years, said they were excited but also sad.

"I feel like half of me is gone," Ms Fester said, referring to the accused remaining in the cells. — Sapa.

Four BC *Sowetan* members *21/3/90* detained in Vaal

By SOWETAN
REPORTER *AA*

FOUR members of the Black Consciousness Movement in the Vaal Triangle have been detained and the homes of other BC activists were searched by security police, publicity secretary of Azapo, Strini Moodley, said.

329
He added that Azanian Youth Organisation member Jacob Potsane was taken from his home in Zamdela on Thursday afternoon.

Sowetan *21/3/90* No reason

His mother, who witnessed the detention of her son, said the police did not tell her why they were taking him away.

Another Azapo member, Mahomed Letlatsa, was taken off the street in Zamdela on Monday.

Azanian Student Movement members Lerwana Sebiloane (22) and Sabata Maboe, who are also of Zamdela, were taken away on Friday last week. Maboe represents students in the Parents Teachers Students Association at Nkgopoleng High School in Dikgutsaneng, Zamdela.

Their families have not been told of the reasons for their detention.

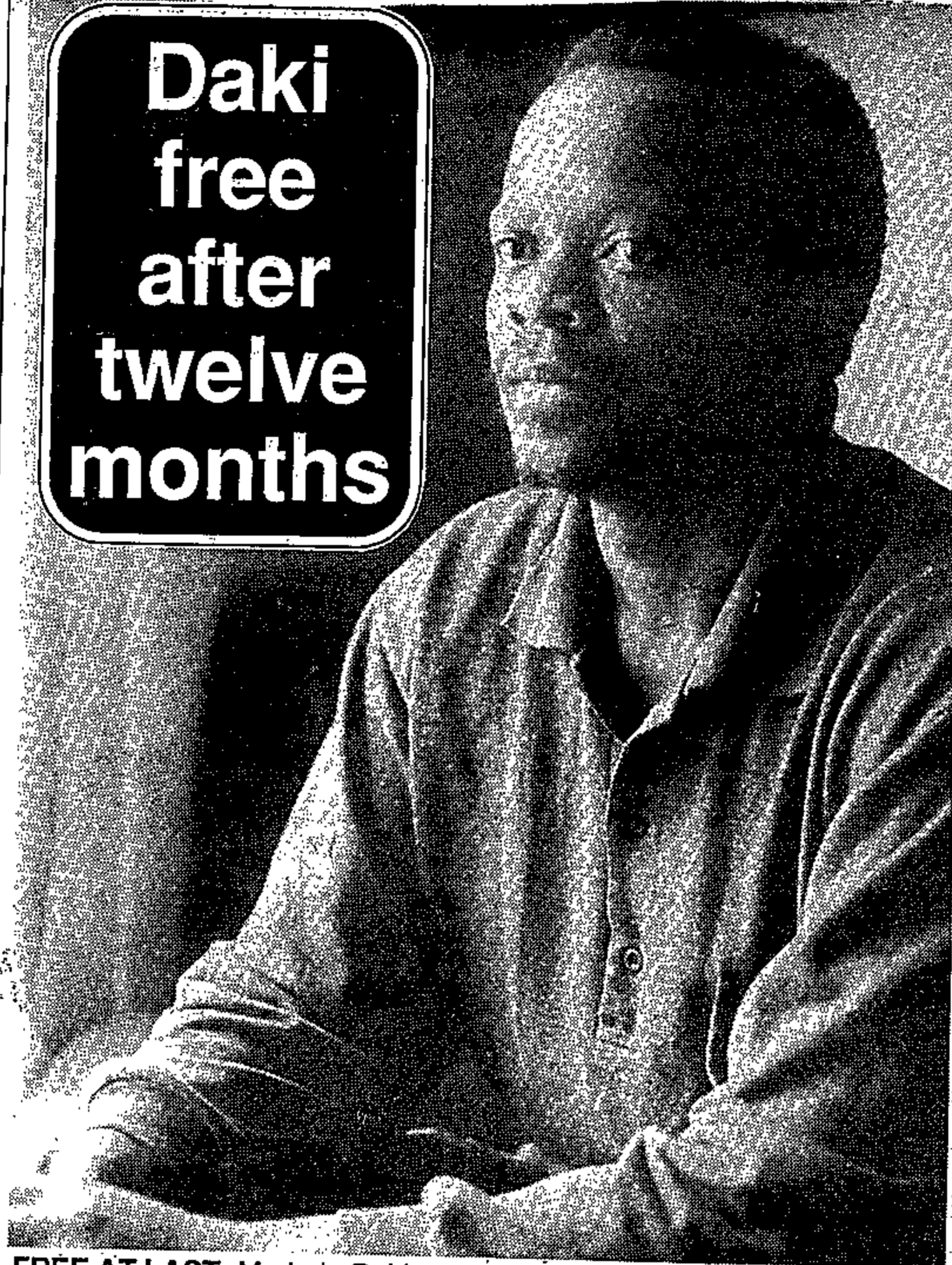
Activists

However, Lieutenant R N Merton, of the SAP, said he did not have any information about the arrests and searches.

Moodley said activists in the area suspect they were detained in connection with the schools boycott at Nkgopoleng High School.

"The boycott entered its third week this week over dissatisfaction with the principal. He was rejected, but the meeting resolved that he should be taken back and resume work on Monday. Now that a compromise has been reached, we do not understand why they are still detaining people."

**Daki
free
after
twelve
months**



FREE AT LAST: Madoda Daki, 31 of Guguletu was released on bail last week after spending more than a year in detention. Daki spent six months in solitary confinement and was transferred in August last year to Pollsmoor Prison. He appeared in the Wynberg Regional Court last week on three charges of terrorism, leaving the country illegally and placing a limpet mine at the Cape Town Supreme Court. The trial was postponed to April 2.

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PIC: YUNUS MOHAMED

South 22/3 - 28/3/90

UDF attorney sues over jail conditions

By LINDA GALLOWAY
Supreme Court Reporter

329
AF663
22/3/90
UNITED Democratic Front executive member and city attorney Mr Willie Hofmeyr is suing the ministers of Justice and of Law and Order for R100 000 in damages arising from his detention in 1988.

Mr Les Rose-Innes, for Mr Hofmeyr, told the Cape Town Supreme Court yesterday that Mr Hofmeyr had spent 168 days in detention in 1988, under conditions and circumstances which were unlawful.

Save for two short periods during this time, Mr Hofmeyr was isolated from other prisoners and held in "virtual solitary confinement", refused an FM radio and reading material except study documents, and allowed only one 30-minute visit a week.

Mr Hofmeyr was released from detention after an urgent application for relief was brought in the Supreme Court.

The ministers of Justice and of Law and Order, who are opposing the application, had admitted that Mr Hofmeyr was held in virtual solitary confinement, but argued this was in terms of statutory regulations.

Prison emergency regulations stated that, where practical, emergency detainees should be held apart from con-

victed or awaiting trial prisoners.

Mr Hofmeyr was the only white emergency detainee at Pollsmoor Prison at the time.

Mr Rose-Innes said he would argue this regulation was a discretionary one which could have been used to allow Mr Hofmeyr to be held with either of two political prisoners — Mr Christopher Giffard, who was awaiting trial, or Dr Ivan Toms, serving a sentence for conscientious objection.

Mr Rose-Innes said it was a well-documented fact that solitary confinement was detrimental to the psychological wellbeing of prisoners and that prison regulations allowed for a maximum period of 30 days in solitary.

One of the issues at stake in the hearing was whether the Security Police actually had jurisdiction over the conditions under which detainees were held in a prison.

Mr Hofmeyr's father, Mr Arend Hofmeyr, told the court he had made numerous representations to the prison authorities, the police and the Minister of Law and Order to have his son removed from solitary confinement.

Books and food the family had taken to prison for his son had been refused.

The hearing continues.

Hunger strike claim (329)

SIX alleged members of the Black Consciousness Movement of Azania and its military wing, the Azanian National Liberation Army, currently on trial in Klerksdorp for terrorism, have embarked on a hunger strike.

Sowetan 22/3/90
However, the Prisons Department has denied

the hunger strike is taking place.

Their lawyer, Mr Mosa Mavundla, said the men began fasting on March 12 in an attempt to force the Government to release them following President FW de Klerk's announcement that political prisoners would be freed.

Willie Hofmeyr claims R100 000

Supreme Court Reporter

329

CITY lawyer Mr Willie Hofmeyr is suing the Minister of Justice for R100 000 in damages for effective solitary confinement while he was held alone in a section at Pollsmoor Prison as an emergency detainee.

Mr Hofmeyr is seeking the damages for the manner and circumstances in which he was detained at Pollsmoor Prison for 168 days. He only sought costs against the Minister of Law and Order if he opposed the application.

In papers, Mr Hofmeyr said he was segregated from other prisoners, refused permission to exercise indoors when the weather was adverse, was refused access to the prison gym, was refused access to books and magazines from outside prison and was refused permission to write and receive more than two letters a week.

Mr Hofmeyr further said he was refused access to the prison's radio system, save for the last three weeks of his detention, refused permission to possess and use an FM set, and reasonable access to a television and video screenings.

The hearing continues today. Mr Justice E L King is presiding.

Meter held (329)

HOUT BAY community leader Mr Dick Meter was detained under Section 29 of the Internal Security Act this week. *South 22/3 - 28/3/90*

His wife, Chantal, confirmed that Meter was detained at the Hout Bay Community offices on Tuesday afternoon.

Lawyer claims R100 000 for 14-year restrictions

By LINDA GALLOWAY
Supreme Court Reporter

ATTORNEY Mr Willie Hofmeyr has described in the Supreme Court, Cape Town, how, for 14 years, he was detained and restricted and at times prevented from studying or working because of his involvement in politics.

Mr Hofmeyr was testifying at the hearing in which he is claiming R100 000 in damages from the Ministers of Justice and Law and Order after he was held in virtual solitary confinement in detention for 168 days in 1988.

Mr Hofmeyr alleges that the conditions and manner in which he was held were unlawful.

In his evidence yesterday he said that after graduating with a business science degree from the University of Cape Town in 1976 he was served with a five-year restriction order.

Among the conditions of the order were that he be confined to the Goodwood magisterial district and be in the company of only one person at a time. He was not allowed to communicate with other restricted persons, be on the premises of any education institution (he was a teacher) or get involved in the publication of any material.

Mr Hofmeyr was married in May 1977 but had to apply for permission to do so because he was marrying another restricted person with whom he

was not allowed to communicate.

Permission was granted for 20 people to attend a reception at his parents' home in Pinelands but the names and addresses of all the guests had to be given to the police.

At university he had been involved in an education project tutoring black matric pupils and the Student Representative Council sub-committees on Wages and Economics and Communities.

He was also a Western Province first-division table tennis player.

Mr Hofmeyr was unable to find work and was later granted permission to work in the Cape Town magisterial district.

While working he obtained permission to study part-time for a masters degree without having obtained an honours degree because he was not allowed to attend lectures.

After his restriction order was lifted — three months before it expired — he completed his masters degree in economic history and registered for an Llb degree.

While working he became involved in union and community projects and Grassroots, a community newspaper.

The hearing continues.

Mr Justice E L King is on the Bench. Mr L Rose-Innes, instructed by Mallinck Ress Richman and Closenbergh Inc, appears for Mr Hofmeyr. Mr J A Le Roux, instructed by the State attorney, appears for the ministers.

Father says son was victimised

CAPE TIMES 23/3/90 329

THE father of former detainee Mr Willie Hofmeyr said he had perceived that his son was being victimised because he was denied access to a radio and was held in effective solitary confinement.

Under cross-examination in the High Court yesterday, Mr Arend Hofmeyr said he had raised aspects about his son's detention with prison officials.

Mr Willie Hofmeyr is claiming R100 000 damages from the Minister of Justice.

Mr Hofmeyr snr told the court of efforts by his family to alleviate his son's conditions of detention in effective solitary confinement.

He had asked that his son be allowed to exercise with other categories of prisoners but had gained the impression the security police would have to agree.

Mr Hofmeyr jnr said in evidence that he was restricted for five years under the Suppression of Communism Act, that he had been detained three times subsequent to that and that he had been elected to the Western Cape executive committee of the United Democratic Front.

The hearing continues today.

Mr Justice E L King presides.

W/Mail 23/3 - 29/3/90

tion was 106 496. He said that on December 31 1988 the average rate of over-population was 31,02 percent.

PRISONER OF CONSCIENCE

(329)

JAMES MANGE, 34, African National Congress and Umkhonto we Sizwe member, was detained under the Internal Security Act nearly 12 years ago, convicted of treason and sentenced to death on November 16 1979. His sentence was later commuted to one of life imprisonment.

Mange, who grew up in Soweto, left the country during the Soweto uprising in 1976. He received military training in Angola and the Soviet Union before returning to Natal where he and other ANC members trained people in guerilla warfare.

After being captured Mange, who was the leader of the group, was allegedly tortured by security police and held in solitary confinement. W/Mail 23/3 - 29/3/90

Mange was tried with 11 other ANC members. Their trial, held in Pietermaritzburg, was the first treason trial in the country since the 1960s, and Mange was the first political trialist who had not been convicted of murder to be sentenced to death. During the court proceedings they dismissed their lawyers and demanded to be treated as prisoners of war. He was also sentenced to a year's imprisonment for contempt of court.

After an international campaign Mange's sentence was commuted by the state president to one of 20 years imprisonment.

He is now a keen musician and poet and is a practicing Rastafarian. He has a 15-year-old son, Prince.

APARTHEID BAROMETER

EMERGENCY DETENTIONS

329

The Human Rights Commission has recorded that 144 people were being held under the Emergency regulations as at March 20. According to the HRC 85 of these people are from the Orange Free State, 21 from the Northern Transvaal, 16 from the Eastern Transvaal, eight from the Western Transvaal, seven from the PWV area, six from Natal and one from the Eastern Cape.

Hofmeyr saw psychiatrist

329
Staff Reporter

TO survive a period of isolation in detention in 1988, lawyer Mr Willie Hofmeyr had requested the services of a state psychiatrist, the Supreme Court heard yesterday.

Mr Hofmeyr was giving evidence during his R100 000 damages claim against the Minister of Justice for allegedly unlawfully detaining him for 168 days at Pollsmoor Prison.

During this period of isolation, Mr Hofmeyr

was segregated from other prisoners, refused permission to exercise indoors in adverse weather conditions, refused access to the prison gym, refused reading material except study books, refused the use of an FM radio, refused access to audio-visual facilities and allowed only one 30-minute visit a week.

After an urgent application by his father, Mr Arend Hofmeyr, on August 10, Mr Hofmeyr said he was allowed to exercise with awaiting-

trial prisoners, excluding Mr Chris Giffard (a former Yengeni trialist).

To questions from Mr Les Rose-Innes, acting for him, Mr Hofmeyr said he had asked his attorney to request the services of Dr Tuviah Zabow whom he knew visited Pollsmoor to counsel prisoners.

Mr Hofmeyr said he could not sleep or concentrate, suffered weight loss and experienced other symptoms which were "out of character".

Mr Justice E King presided. Mr J A le Roux appeared for the minister.

Civic leader dies while in police custody

By Shehnaaz Bulbulia

A Western Transvaal civic leader died in custody the day after he was detained under the emergency regulations, a lawyer said.

According to the lawyer, who did not want to be named, Mr Lucas Tlhotlhomisang (39) of Ipelegeng, near Schweizer-Reneke, was detained by police and held at the Schweizer-Reneke police station on Monday.

At about 4 pm on Tuesday, police informed Mr Tlhotlhomisang's family that he had died of a brain haemorrhage, the lawyer said.

The District Commissioner of Police for Klerksdorp, Colonel A.T. Meiring, confirmed the death but said according to a doctor's report Mr Tlhotlhomisang had died of meningitis.

Mr Tlhotlhomisang, the publicity secretary of the Ipelegeng Civic Association, was transferred to the Klerksdorp Prison on Tuesday. His family alleged that he died as a result of police torture, the lawyer said.

The family alleged further that Mr Tlhotlhomisang, who is survived by his wife and three children, was physically healthy before his detention.

A post-mortem examination will be held.

APARTHEID

DETENTIONS (329)

A total of between 170 and 220 people are currently being held in detention without trial in South Africa, according to the Human Rights Commission.

An HRC representative said yesterday they had recorded a total of 112 detentions under the Emergency regulations as of March 28. However she stressed this figure reflected only detentions reported to them; the real figure could be 150 or more.

"Most of these detentions have occurred in the Free State and because they have taken place mainly in rural areas it has been difficult to get up to date statistics. The actual total could well be considerably higher."

According to government figures a total of 36 people were being held under the Internal Security Act as of March 23. Of these 31 were being held under section 29 (which provides for detention for purposes of interrogation) and five under section 31 (detention of those the state wants to call as state witnesses). The HRC has recorded a total of 27 section 29 detentions in the 12 weeks between January 1 and March 27. This figure does not include those already in detention at the start of this year. The HRC also estimates that 20 people are currently being held in the "independent homelands".

The HRC regional breakdown of those being held under the Emergency regulations is as follows: Free State — 75; Northern Transvaal — 21; PWV — seven; Eastern Cape — two; Natal — one; Eastern Transvaal — one; unknown — five.

Since March 8 they have recorded 47 releases from the following areas: Free State — 27 (Welkom — 12; Odendaalsrus — four; Parys — five; Vredefort — two); Eastern Transvaal — 16; Natal — five; Northern Transvaal — four.

WMA 30/3 - 4/4/90

PRISONER OF CONSCIENCE (329)

DAMIEN DE LANGE, 31, was detained under section 29 of the Internal Security Act on May 8 1988, held in solitary confinement until January 23 1989 and on November 11 last year was convicted of terrorism and sentenced to 25 years imprisonment.

De Lange was born in 1958 in Kitwe, Zambia but his family moved to South Africa when he was a young child. After completing his schooling in East London in 1976 he worked in an hotel and then as an unskilled labourer at a state-owned phosphate mine in Phalaborwa. In 1979 he became a cadet reporter on the *Cape Times* and later the *Sunday Express*. In 1981 he participated in a petrol bomb attack on the offices of the Progressive Federal Party in protest against its refusal to boycott the Republic Day celebrations. After that he left South Africa for Botswana and joined the ANC. He received military training in Angola and returned to South Africa in July 1987 as commander of a five-person unit. Their communications officer was Susan Westcott, 25, who is serving an 18 year sentence. They successfully blew up a high voltage electric mastpole in Alberton, a radio mast in Linksfield and attacked a military bus in Benoni, injuring 16 airforce personnel.

De Lange is married to Westcott and has two children from a previous marriage.

W/Ma 30/3-4/4/90

Psychological health discounted in jail — Hofmeyr

By LINDA GALLOWAY, Supreme Court Reporter

PRISON authorities appeared not to take the psychological wellbeing of emergency detainee Mr Willie Hofmeyr into account in their dealings with him, the Supreme Court, Cape Town, has been told.

Mr Hofmeyr was being cross-examined at a hearing in which he is claiming R100 000 damages from the Ministers of Justice and Law and Order after 168 days in detention in 1988 in conditions amounting to solitary confinement.

Mr Hofmeyr said he was aware that the prison authorities were not responsible for his detention, but thought that in their decisions on the conditions of his detention and what was practicable, "consideration of my psychological wellbeing never entered the equation".

Elaborating, Mr Hofmeyr said that instead of getting "input" or advice from the security police on some of his requests where they had discretion, the prison authorities had handed these over to the police for a decision.

He had felt desperate when he realised that two other white detainees, Ms Janet Small and Mr Raymond Suttner, also held in conditions amounting to solitary confinement, had been released only after they had had nervous breakdowns and been admitted to hospital.

It had been "very nice" to leave his cell for hospital visits, half-hourly, once-weekly visits from family or his lawyer, but "at the end of the day back in your cell it has an adverse effect," he said.

Questioned by Mr J A le Roux, for the ministers, Mr Hofmeyr said one of his warders, a Sergeant Hanekom, had played darts with him "when nobody was around" after his request to play darts with the warders had been refused.

He had given Sergeant Hanekom his set of darts when he left, both in appreciation and "as an investment for the future".

The hearing continues.

Mr Justice E L King is on the Bench. Mr L Rose-Innes, instructed by Mallinck Ress Richman and Cloenberg Inc, appears for Mr Hofmeyr. Mr Le Roux is instructed by the State Attorney.

Prison darts 'helped to ease loneliness'

City Times 30/3/90

Staff Reporter

WHEN there were no other warders around, a Pollsmoor Prison warder played darts with lone detainee Mr Willie Hofmeyr, the Supreme Court heard yesterday.

Mr Hofmeyr is claiming R100 000 damages from the Minister of Justice, for the manner in which he was held in isolation.

Under cross-examination by Mr J A Le Roux, for the minister, Mr Hofmeyr said that to "alleviate the loneliness" of being in a cell for 23 hours a day, he and the warder would also talk about family.

He looked forward to visiting Groote Schuur or Victoria hospitals, and became "very upset when two appointments were cancelled".

"It was a relief to get out of the cell. At the hospital I even saw some medical students I knew. I would be lifted emotionally but at the end of the day depression set in again," he said.

Asked about visits from security police, Mr Hofmeyr said they visited him only once.

"They just locked me up, to keep me inside and didn't show any interest in me. I felt that if they questioned me, they'd let me go," he said.

Ruling may mean release for COs

Star 31/3/90

329

PAT DEVEREAUX

JAILED objectors David Bruce and Charles Bester are likely to be released from prison after yesterday's landmark Bloemfontein Supreme Court decision on the sentencing of conscientious objectors who refuse to serve in the SA Defence Force.

The judgment will affect the sentencing of all conscientious objectors and was made during the appeal by objectors Dr Ivan Toms and David Bruce.

In a majority decision by five judges of the Appellate Division in the Supreme Court, it was ruled that the sentences to be imposed on conscientious objectors charged with refusing to serve in the SADF were not mandatory and magistrates could impose sentences at their discretion.

Set aside

The End Conscription Campaign's chairman, Mr Chris de Villiers, said this effectively meant Dr Toms, who was out on bail pending the outcome of the decision, will not have to return to jail.

Bruce, originally sentenced to six years' jail, has had his sentence set aside. His case will be referred back to the Magistrate's Court for re-sentencing. Bruce's lawyer, Ms Kathy Satchwell, was yesterday attempting to get him released from prison and

said she would bring a bail application for him on Monday.

In the light of the new judgment, Charles Bester, also sentenced to six years' jail, will have his case referred back for re-sentencing.

Reacting to the decision Ms Mandy Taylor of the Conscientious Objectors Support Group (COSG) said: "The mandatory six-year jail sentence for those who have sincere objections to military service has always been received with shock and abhorrence."

"We hope when the Magistrate's Court reconsiders the cases of David Bruce and Charles Bester they will follow the Appeal Court's example in the re-sentencing of Dr Toms and release them..."

Mr de Villiers said the court decision placed the Government in a dilemma. "If the court imposes sentences less harsh than those meted out to Bruce and Bester, public anger at the State's treatment of COs will probably reduce but on the other hand the number of people prepared to take the consequences of not serving in the SADF could then increase," he said.

He added that at present there were at least seven objectors facing trial.

Star 3/3/90 329

Frantic bid to halt violence

Fresh detentions, stepped-up use of troops on cards

FRANS ESTERHUYSE,
TOS WENTZEL and SAPA

CAPE TOWN — The Government and scores of significant leaders across the political spectrum are frantically trying to stop the spiralling violence which has turned parts of South Africa into battlefields and led to calls for martial law.

A series of peace moves has begun in the wake of President F W de Klerk's warning that the full weight of the Government's power could be invoked to restore law and order.

Senior Government sources suggest fresh detentions under the emergency regulations and stepped up troop deployments in unrest areas could be on the cards.

But the moves to head off the violence have been dealt a serious blow by the ANC's cancellation of a joint peace rally which was to have been addressed by ANC deputy-president M. Nelson Mandela and Kwa-Zulu Chief Minister and chairman of Inkatha, Chief Mangosuthu Buthelezi, in Natal on Monday.

After ANC internal leader Mr Walter Sisulu had earlier reported that the peace rally was definitely on, the ANC's "interim leadership core" later announced it had been called off.

'Atmosphere not ideal'

"The atmosphere is not yet ideal for a joint rally in Natal," the statement signed by ANC information and publicity head Mr Ahmed Kathrada said.

However, Mr Mandela was still due to visit Natal areas affected by violence on Monday and Tuesday and to consult people in the region, and arrangements were still being made for a meeting between Chief Buthelezi and Mr Mandela, the ANC statement added.

As fighting and unrest continued throughout the country — and with this week's known death toll in Natal alone already 37 and possibly as high as 70 — politicians fear a further escalation could seriously affect the first formal talks between the Government and the ANC, scheduled for April 11.

The latest moves towards ending the violence include: A meeting in Maritzburg today between the Minis-



VICTIM: One of the 36 confirmed fatalities of the unrest. The unofficial toll is as high as 70.

Staal Burger comes in from cold

LEGENDARY top policeman Staal Burger is to come out of hiding to testify before the Harms Commission about the South Afri-

NORMAN CHANDLER,
Pretoria Bureau

poenaed to appear shortly before the Harms Commission.

Mr Burger will remain in hiding



TORCHED: A burning hut in the Henly area near Maritzburg.

Thousands flee Valley of Death as violence spreads

DAWN PARKHUIZEN

AS fighting continued in stricken Natal last night, the official death toll for the week climbed to 36 with unofficial estimates reaching between 60 and 70.

At the time of going to press, reports of more bodies being found continued to stream into the offices of the Maritzburg Crisis Co-ordinating Committee.

Thousands of people are joining those fleeing to Maritzburg after fighting from Edendale's "Valley of Death" spilled into Slangspruit and Imbali in a pre-dawn raid by Inkatha supporters yesterday.

An estimated 8 000 and 10 000 refugees are being housed in halls and tents and private homes in the city and many, whose homes have been razed, are continuing to stream in.

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Star 31/3/90 329

Frantic bid to hal

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The latest moves towards ending the violence include:

- A meeting in Maritzburg today between the Minister of Law and Order, Mr Adriaan Vlok, and Chief Buthelezi in a bid to find a solution to the fighting in townships surrounding the Natal capital.
- An address to be given by President de Klerk to Parliament on Monday on the threat to good order, and action to be taken by the Government if the violence and intimidation continue.
- A meeting between Mr Vlok with police generals yesterday.
- A meeting between President de Klerk and five Natal Democratic Party MPs on Thursday to discuss ways of stopping the violence. The MPs told Mr de Klerk immediate steps were necessary to deal with thousands of refugees.
- A call by the Mayor of Maritzburg, Mr Mark Cornell, for martial law.
- Pleas by leading black opinion-makers to all leaders to recognise the complexity of the problems in a society dominated by a "culture of violence".
- A Cabinet meeting at Tuynhuys yesterday at which tougher measures to be taken were discussed.

At today's crisis talks in Maritzburg, Mr Vlok is to be accompanied by the Commissioner of Police, General Johann van der Merwe, and Brigadier Leon Mellet. Chief Buthelezi is to be accompanied by a number of his top men. A news conference is to be held immediately after the meeting.

Top ANC sources and Chief Buthelezi have indicated they regard the Natal violence as being out of

● TO PAGE 2.



VICTIM: One of the 36 confirmed fatalities of the unrest. The unofficial toll is as high as 70.

Staal Burger comes in from cold

LEGENDARY top policeman Staal Burger is to come out of hiding to testify before the Harms Commission about the South African Defence Force's Civil Co-operation Bureau (CCB).

Mr Burger, a former police lieutenant-colonel, is being sought by the SA Police for questioning in connection with the activities of the CCB. He was also being hunted by the Namibian police in connection with the murder of Swapo

NORMAN CHANDLER,
Pretoria Bureau

executive member Mr Anton Lubowski.

His brother, SABC London representative Mr Sakkie Burger — who flew from England to mediate in negotiations on the question of his giving evidence — told Saturday Star yesterday: "He has decided to talk, and has been sub-

poenaed to appear shortly before the Harms Commission."

Mr Burger will remain in hiding until he is called to testify before the commission, which is sitting in the Sinodale Sentrum in central Pretoria, his brother said.

The commission, chaired by Justice Louis Harms, was established by the State President, F W de Klerk to investigate alleged politically inspired murder. It has been in session almost a month.

Three of Staal Burger's former police colleagues in the Brixton Murder and Robbery Squad, which he was the commander, are appearing before the commission. They are Mr Abraham "Slang" van Zyl, who has already testified, and Calla Botha and Mr Fele Barnard, who are both due to testify when hearings resume on Wednesday. Police have not been able to trace a fourth member, Mr Chappie Maree, who disappeared

● TO PAGE 2.

Coetzee to testify at Harms inquiry

RUNAWAY former police captain Dirk Coetzee has agreed to testify before the Harms Commission about alleged South African Police hit squads.

Mr Coetzee, who left South Africa last November after giving a newspaper interview about the alleged squads, is to give evidence in London.

It was announced in Pretoria yesterday the commission would begin hearing evidence in London from April 23.

Mr Coetzee, who has since his departure from South Africa joined the African National Congress and has been living in Lusaka, made his statements about hit squads after a former colleague, Butana Almond Nofemela, said in an affidavit to

Lawyers for Human Rights on October 19 last year that such squads did exist within the South African Police.

In his affidavit, Nofemela — who was on death row at the time for the murder of a Brits farmer — said Mr Coetzee had been his commanding officer.

Mr Justice Louis Harms, the commission chairman, said in Pretoria last week that Mr Coetzee's evidence was vital to the commission and that efforts were being made to convince Mr Coetzee that he should testify.

NORMAN CHANDLER
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ILLUSTRATION BY