

TOTALITARIANISM — DETENTIONS

1993

JAN. — JUNE

STAN 8/1/93

ET backs eight held over theft of rifles

By Brendan Templeton
and Phillip Zoio

Afrikaner Weerstandsbeweging leader Eugene TerreBlanche said last night he fully supported eight Free State men arrested in connection with automatic weapons stolen from the SA Army.

Police yesterday recovered 58 automatic rifles, stolen from Welkom Commando at the weekend, at a farm near Hobhouse.

Local AWB member Dirk Ackerman said yesterday the arrested men were AWB members.

TerreBlanche said the AWB high command had not instructed anyone to steal arms. The theft was probably born "out of sheer desperation" after the Government had failed to provide farmers with weapons.

The men, from Hobhouse, Ladybrand and Welkom, were being held under the Internal Security Act, said a Free State police spokesman.

TerreBlanche accused Law and Order Minister Hernus Kriel of not properly protecting farmers in the area because he would not supply them with automatic or sub-automatic weapons after recent attacks on farmers.

"They need these kinds of weapons because the people attacking them use automatic rifles."

32 held in raids at Bruntville

Eleven people were arrested at Bruntville, Mooi River, on Saturday in a police operation after the arrest of 21 others earlier in the day.

Eight of the 11 were arrested for interfering in police duties.

The 21 were arrested in connection with recent arson attacks on Bruntville hostels.

Among those held were a woman who was found in possession of an unlicensed firearm, and others found in possession of homemade guns and ammunition.

All 32 will appear in Mooi River Magistrate's Court today. — Sapa.

Rival taxi bodies in court bid to have members freed

Pretoria Bureau

Two rival taxi organisations yesterday brought an urgent application in the Pretoria Supreme Court against the Minister of Law and Order and a senior police officer for the release of 18 of their members detained near Pietersburg at the weekend. *Star 11/11/93*

The application, which was heard in Mr Justice M M Joffe's chambers yesterday and postponed to today, follows the arrest of 13 members of the RSA Taxi Association and five members of the rival Lehlabile Taxi Association (LTA).

The men are being held in preventive detention after being arrested in connection with traffic violations.

Both the taxi associations — citing Minister of Law and Order Hernus Kriel and the

head of the Far Northern Transvaal Crime Unit, Lieutenant-Colonel Charles van Wyk, as respondents — applied for the detentions to be declared unlawful and invalid.

In papers, LTA secretary Valentine Sekhukhune said he was told by telephone on Saturday afternoon police had arrested some members and confiscated their minibuses.

He was told the arrests were linked to touting and traffic offences — but the men had been detained in terms of Section 50 of the Internal Security Act.

The police, in papers before the court, said the arrests were aimed at curbing violence.

One such incident had occurred on November 15 when four men shot eight people dead and wounded three.

The hearing was due to resume at 2 pm today.

'Informers given weapons'

Own Correspondent

Police informers at John Vorster Square in Johannesburg are being armed illegally with pistols, allowed to raid the homes of suspects, and sometimes take part in the interrogation of suspects.

These allegations were made in a sworn statement by Chris Coetzee, a police spy from 1983.

In an affidavit Coetzee — a coloured man — implicates several members of the South African Narcotics Bureau and the Langlaagte Dog Unit.

The Sowetan newspaper forwarded the list of implicated officers to the police.

Reacting to the allegations, Witwatersrand Police spokesman Lieutenant Wilus Webber said the claims would be investigated "with the utmost urgency".

According to Coetzee, informers were at times used against their will as domestics at the

homes of officers under whom they served, performing duties such as gardening and refuse removal.

The informers also took part in searches for dagga, Mandrax tablets and liquor in the homes of "trapped" illegal dealers.

In the process, the informers would steal expensive items such as rings, watches, cameras and liquor. He says officers in charge knew about this.

Coetzee (44) is currently in hiding, fearing for his life, after quitting as an informer in December.

He spoke of his experiences as a gun-toting spy, raiding she-beens on the Reef and being used against his will as a domestic servant at his boss's home in Turfontein, Johannesburg.

The man in charge of Coetzee has been promoted from constable to sergeant.

Another informer, named in the affidavit as Marlin Kater, lives with the sergeant.

Coetzee said he once made an arrest in the presence of his boss, whom he referred to as "baas".

Coetzee claims that:

- Police encouraged informers to steal property and money during raids.
- Police accepted bribes from detainees.
- Police warned some illegal dealers of pending raids.
- State vehicles were at times used privately.
- Police visiting brothels at night left their service pistols with informers outside the premises.
- Confiscated liquor stored at John Vorster Square was often stolen by the police themselves, using informers.
- Coetzee claimed that he and Kater had guarded a police vehicle outside a brothel in the northern suburbs of Johannesburg while three policemen went to "enjoy themselves inside".

Bid to free 16 fails

An application in the Pretoria Supreme Court for the release of 16 Pietersburg taxi operators has been dismissed with costs. *SM 13/11/93*

Mr Justice Joffe yesterday dismissed the urgent application by the Lethlabile Taxi Association and the RSA Taxi Association, which had asked for the release of their members arrested by the police in Pietersburg on Saturday.

The taxi associations

contested that the arrests, carried out under section 50 of the Internal Security Act, were unlawful. *(329)*

The detained taxi operators were fined for traffic offences before their arrest.

The judge found that the provisions of the Road Traffic Act had been applied before the taxi operators were arrested, but to no avail. — Pretoria Correspondent.

Gluckman: Inquest into custody death gets postponement

By Cyril Madlala

An inquest into a death in police custody, in which the post-mortem was performed by controversial pathologist Dr Jonathan Gluckman, was postponed in Johannesburg Magistrate's Court yesterday because counsel for the police was ill.

Bongani Bethuel Maphumulo (31) died on December 13 1990 after handing himself over to the SAP's Soweto murder and robbery unit, which was investigating a theft charge against him.

The case was one of those referred to by Gluckman when he went public in July last year with allegations of police complicity in the deaths of prisoners in custody.

At the time, the police said Maphumulo had drowned in a swimming pool while attempting to escape.

However, both Gluckman and State pathologist Dr Michelle Forster indicated in their post-mortem reports that the death was caused by multiple injuries.

In his report, Gluckman stated: "The demonstration of fracture of the hyoid bone is highly suggestive of manual strangulation."

Yesterday, counsel for the police J du Toit

asked for a postponement because his senior, Etienne du Toit SC, was sick and unavailable.

The delay was opposed by Dennis Kuny SC for the Maphumulo family, who said that as all the witnesses were available, including Gluckman and Forster, their evidence could be heard. Du Toit could cross-examine them later.

He said it was likely that the doctors will have left the country by the next court date as Forster was emigrating to New Zealand and Gluckman might be holidaying in France.

Magistrate C G de Lange said he was not prepared to continue without Du Toit and postponed the hearing to February 15.

He apologised to Professor Derrick Pounder, who had travelled from the UK as an observer for the international secretariat of Amnesty International. Pounder is head of the Department of Forensic Medicine at Dundee Royal Infirmary in Scotland and chairman of the United Kingdom branch of Physicians for Human Rights.

He was in the country to meet with lawyers and medical experts to discuss Amnesty International's concerns regarding Maphumulo's case.

It is a lovely word: "unfortunate". So English. Not just "of the English language" but also somehow redolent of the English character, of the use of understatement which they have made such an art form.

"Unfortunate" and "regrettable" — two key words of English diplomacy. One could imagine the British foreign secretary summoning the German ambassador in 1939 to inform him that the invasion of Poland would be "unfortunate".

The word is brought to mind by the latest report on the African National Congress detention camps, published this week by the so-called Douglas Commission. The commission is a one-man inquiry conducted by Advocate Robert Douglas SC, a distinguished member of the Natal Bar. His investigation was conducted under the aegis of the International Freedom Foundation (IFF), well known as a conservative pressure group.

It is, of course, the third published report on the subject, the two previous inquiries having been produced by the ANC itself and Amnesty International. The shameful story of the ANC detention camps is therefore well-known and the litany of horrors in Douglas's 64-page document contains little new about these skeletons which have been rattling in the liberation movement's cupboards. But his report does give other cause for regret.

Scanning the report during the IFF press conference at which it was released this week, my attention was caught by a reference to Harry Gwala, the ANC leader in the Natal Midlands. Douglas writes that, according to "a report in the *Sunday Times*", Gwala had recently "set up a fund to help Cuba ...".

"One's mind boggles at such lunacy," declares the advocate. "Money desperately needed by the black community is to be donated to Cuba to prop up the discredited and dying dictatorship of Fidel Castro."

Somewhat baffled by this outburst on the part of the distinguished advocate, I asked if he regarded South African funding of Israel a similar act of lunacy, to which he replied by demanding whether I dared to draw a parallel between Cuba and Israel. I then inquired whether, before arriving at the finding that Gwala was a lunatic, he had invited the ANC leader to appear before his commission. To which he replied that the inference of insanity could not be drawn from his statement. At which point I subsided, mentally chiding myself for momentarily forgetting the principle that press conferences should not be arenas for point-scoring, at least by journalists.

Reading the report more fully, however, the opportunities for point scoring provided by the Douglas report prove legion. For a start, the advocate — whose task was to conduct an impartial inquiry into activities of the South African Communist Party as well as the ANC

A word about the Douglas report

*W/Mail 15/1-21/1/93.
The latest report on the ANC detention camps can be described with one word — and it's not 'impartial' or 'accurate'.
By DAVID BERESFORD*

— shows himself to be a virulent anti-communist. "Everything I have seen, or heard indicates that the SACP is controlled by a group of unrehabilitated Stalinists whose views remain largely unaffected by the momentous collapse of communism," he declares in the opening pages, promising that the "basis for this viewpoint" will be dealt with later in the report.

The "later" proves to be a chapter headed "the SACP" which contains the fulmination against Gwala and his charitable works for Fidel Castro. There Douglas repeats his characterisation of the SACP leadership as "Stalinist" (he also gratuitously dismisses Joe Slovo as a "crank") but the only basis he offers for the viewpoint is a less than remarkable extract from a recent speech by Charles Nquakula, deputy secretary general of the SACP, insisting socialism has not been destroyed in Eastern Europe and that capitalism remains ultimately doomed. It is, however, sufficient for the advocate to conclude that the views of "SACP luminaries all coincide and point to resolute, unreformed communists without shame, or conscience who are determined to remould South Africa in the communist image".

An overt prejudice against the subjects of his inquiry is not the only startling aspect of the Douglas report. It is matched by an indulgence in hyperbole and sweeping generalisations. He declares, without qualification: "The saga of the ANC/SACP in exile is one of tyranny, terror, brutality, forced labour in concentration camps and mass murder." The detention camps — in which the numbers of victims probably numbered in their hundreds, rather than thousands — are said to "readily conjure up a comparison with Nazi concentration camps and the Gulag". He suggests the only difference between the ANC security apparatus, the Mbokodo, and the

KGB and Gestapo redounds to the credit of the latter — in that the Mbokodo victimised loyal supporters of the ANC, while the Nazis and Russians "at least ... murdered and tortured real, or perceived enemies of the state".

The report opens with an evocation of the Soweto uprising, an episode which Douglas states "culminated in a march on 16th June, 1976" — a novel chronology which may be blamed on a misprint, rather than historical inexactitude, but which alerts one to the factual basis of the report. With some justification, as it transpires. He relies, for his account as to what happened in the camps, on 25 "sworn depositions and statements" without distinguishing between the two. He concedes that the witnesses were not subjected to cross-examination, but states that their evidence was subject to corroboration — the nature, or existence of which is not apparent from the report.

His leaps of logic are, on occasion, breathtaking. Quoting extensively from statements by Chris Hani that he was not responsible for the creation of the detention camps and had tried to halt summary executions taking place in them, Douglas concludes, incomprehensibly, that "on the evidence and the probabilities I have no hesitation in concluding that Hani was a leading figure in the reign of terror unleashed by the ANC/SACP or its members in exile".

Dealing with the celebrated case of Thami Zulu, the ANC commander who died in mysterious circumstances after being detained as an "enemy agent", the advocate produces bizarre allegations by an unidentified witness that he had his spine "broken" and that he had been taken to hospital and there injected with blood contaminated by the HIV virus. He says the autopsy showed Zulu had died of "heart failure", that traces of the poison diazinon were found in his body, that he was found to be HIV positive and that "the overwhelming probabilities are that he was murdered". He declares that one can "safely infer" (from what, it is not clear) that "very important people" in the ANC leadership encouraged the Mbokodo to get rid of Zulu.

Readers who have followed *The Weekly Mail's* attempts to unravel the Thami Zulu story will know that he appears, from a post-mortem report, to have been killed with diazinon, an organo phosphorous pesticide. So far it is known the South African security services are the only side to have used poison — specifically organo-phosphates — a detail which is not conclusive in apportioning blame for the Thami Zulu killing, but suggests Douglas' "inference" is less than "safe".

It is the sort of mish-mash of prejudice, gossip, illogicality, generalisation and unsustained allegation which make the Douglas report of little credit to the reputation of the South African legal profession.

In a word, it is unfortunate.

Gluckman claims face test in court

w/mall 15/1-21/193

YET another delay in the inquest into the death in police custody of a robbery suspect, Bethuel Maphumulo, has left the questions about the cause of his death unanswered.

Maphumulo's death was one of those mentioned by independent pathologist Jonathan Gluckman when he revealed, in July last year, that "90 percent" of more than 200 post mortems he had performed on people who had died in police custody indicated the subjects had been killed by the police.

The inquest is the first judicial hearing for which Gluckman has prepared a report since his revelations. The inquest is viewed as a test of the validity of Gluckman's allegations, which were largely dismissed by Law and Order Minister Hernus Kriel.

In December, Kriel released the results of a police investigation into Gluckman's allegations. In a statement he accused Gluckman of making false allegations, saying of 118 cases taken from Gluckman's records, only 34 had died in police custody.

The inquest has generated tremendous international interest. Yesterday's hearing was attended Professor Derrick Pounder, the head of the department of forensic medicine at Dundee University, who was acting as an observer for the respected human rights organisation Amnesty International.

Maphumulo was arrested on December 11 1990 in connection with a robbery.

*Dr Jonathan Gluckman's
claims that police have killed
numerous suspects in custody
will get a hearing at an
inquest which has drawn
international media attention.*

PAUL STOBER reports

Two days later he died in custody.

Maphumulo's attorney, Lawley Shein, said he was told by a Colonel Oosthuizen that Maphumulo had tried to escape but had been caught near the swimming pool, at Protea police station. Oosthuizen said Maphumulo had resisted arrest and in the resulting struggle had fallen into the pool and drowned.

However, post-mortems on the body revealed abrasions and bruises on Maphumulo's face, legs, and neck. Both the state pathologist and Gluckman recorded multiple injuries as the likely cause of death.

A relative of Maphumulo laid charges against the police, alleging that she and Maphumulo were beaten and given electric shocks when they were interrogated together about the robbery.

The attorney-general ordered an inquest into the death when the post-mortem reports called into question the police version of Maphumulo's death.

The inquest, which was postponed because senior counsel for the SAP fell sick, will reconvene on February 15.

Ipelegeng trio in buckets of trouble

C. Press 17/1/93 -
By DAN DHLAMINI

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ALLEGATIONS of having caused a big stink in a western Transvaal township has landed a teacher and three activists behind bars.

Ipelegeng teacher and ANC Schweizer-Reneke branch chairman Israel Gxaweni and his co-accused, Reuben Phutiagae and Godfrey Chacha, this week briefly appeared before Schweizer-Reneke magistrate CC Kruger, charged with malicious damage to property for allegedly heaping faeces on council premises.

The state alleges that the accused emptied buckets full of excrement outside the Ipelegeng administration offices on November 25 last year.

Kruger postponed the case to February 24, following a defence request.

The incident allegedly occurred at the height of unrest which resulted in stayaways and a consumer boycott in the area late last year.

Gxaweni and Chacha, who have been in detention since November 25, have been refused bail and Phutiagae is out on R350 bail.

C Press 17/1/83
Whites arrested for shop bomb
(8/11) (329)

THREE white men were arrested in Despatch this week in connection with the New Year bombing of a Patensie farm shop owned by ANC member Malcolm Hepburn, police have confirmed.

The men, aged between 27 and 52, are being held under Section 29 of the Internal Security Act.

Police arrested the men in connection with a vehicle theft syndicate but believe they could be linked to the bomb attack.

Last Sunday commercial explosives were placed at the front and back doors of the Qwhathi Store, causing about R150 000 damage and fuelling speculation about a rightwing attack. — Pen

Minister must pay R23 000 — couple

By Cyril Madlala

A prominent couple in Johannesburg's art circles are suing the Minister of Law and Order for R23 000 for alleged assault, wrongful arrest and detention.

Sculptor David Rossouw and his wife Kristine — former manageress of the Johannesburg Art Gallery shop — are claiming R8 000 and R15 000 respectively from the Minister in the Johannesburg Magistrate's Court.

Mr Rossouw's father is seeking a further R452 for damage caused to his vehicle which was used by the couple.

The couple, who were not married at the time, claim that in December 1989 they were stopped in Berea by SA Police members who broke the windscreen of their vehicle by hitting it with an unknown object.

Rossouw was allegedly "pulled, pushed and shoved" by the policemen who pointed a firearm at him. He was later detained at the Hillbrow Police Station.

P Both, for the Minister, told the court yesterday that the police would testify that Rossouw was driving recklessly, and that when they attempted to arrest him he resisted.

They then used force "as was reasonably necessary" to effect the arrest, but Mrs Rossouw tried to prevent them from doing so.

The police admit that the couple were arrested without a warrant and detained at Hillbrow police station. They deny that this was unlawful.

The case continues today.

Police deny assault on sculptor

By Cyril Madlala

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Stm 22/11/93

A policeman denied in the Johannesburg Magistrate's Court yesterday that police assaulted Kensington sculptor David Rossouw when he was arrested in December 1989, and said Rossouw's wife had assaulted a policeman.

Rossouw and his wife Kristine are claiming R8 000 and R15 000 respectively from the Minister of Law and Order for alleged assault, wrongful arrest and detention.

Rossouw's father is seeking a further R452 for damage caused to his vehicle, which was being used by the couple.

The Rossouws claim that in December 1989 they were stopped in Berea by SAP members who broke the windscreen of their vehicle.

Rossouw was allegedly "pulled, pushed and shoved" by the policemen. One allegedly pointed a firearm at him.

They were later detained at Hillbrow police station where his wife was charged with assault and for swearing at a policeman.

Sergeant Andrew Marambos told magistrate C van Niekerk that Rossouw had been driving so recklessly that there would have been a collision if the police vehicle had not swerved.

He said he identified himself as a policeman. The Rossouws deny he did this.

He told the court that there was a strong smell of dagga when he approached their vehicle, but when it was searched none was found.

He admitted that he was carrying his firearm, but said he had not drawn it.

Rossouw had resisted when he tried to arrest him. "Reasonable" force, including wrestling him to the ground, was then used.

Marambos said Kristine Rossouw was very abusive and tried to prevent Rossouw's arrest. She had slapped a policeman and was then arrested.

The police deny that the couple's arrest and detention was unlawful.

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Still no end to mystery of Sambo

CI/Preo 24/11/93

(329) (256)

Reports by MONWABISI
NOMADLOLO

THE sensational trial of three white security cops who allegedly tortured and grievously assaulted a father of four was postponed to July 28 in the Nelspruit Regional Court on Monday.

Sweet Johannes Sambo was last seen lying unconscious on the floor of the notorious Squammans Camp near Komatipoort on July 4 last year. The following morning his body had disappeared.

Nelspruit attorney Phineas Mojapelo on behalf of Sambo's family is demanding R381 000 from the Minister of Police, alleging that Sambo was murdered while in the hands of the police.

Because Sambo's body was never found the three policemen have been charged with assault and not murder.

A black policeman who witnessed the assault gave evidence on November 13 last year of how the three cops tortured Sambo to make him confess he was a gun-runner.

Policeman Themba Mnisi appeared in court on crutches under heavy security. He had been shot shortly before the trial and said he feared for his life.

This week the court was informed that Mnisi had been re-admitted to hospital and was not available at present for cross-examination by the defence.

The three cops, all sergeants, are: Pieter McIntyre, 25, of Komatipoort, Jacques Else, 22, of Witbank and Andre Venter, 28, of Marble Hall.

A court official told City Press after the adjournment that the three accused had asked him the name of the hospital where Mnisi was being treated, but he told them

'We know he's dead, the prophets told us!'

THE courts have not decided yet, but the family of missing Sweet Johannes Sambo, 30, believes he is dead.

The family, of Tonga village in the eastern Transvaal, has already performed traditional rituals to mourn his death after prophets and sangomas said "Sambo's dead!"

Sambo's 26-year-old wife Lindiwe and mother of his four children - two boys and two girls - has lost all hope of finding his remains.

Sambo, suspected of smuggling illegal weapons from Mozambique, went missing on July 3 1991 after he was arrested by security police and taken to the notorious Squammans camp near Komatipoort.

A Nelspruit court heard in November last year that Sambo was severely tortured by police.

Three security policemen, who have been charged with assault with intent to do grievous bodily harm, are currently on trial in the Nelspruit Regional Court.

An elder of the family, Jorran Sambo, also said there was no hope of ever finding Sambo alive.

"I've searched everywhere for him, including hospitals and for-

ests," he said, adding that according to tradition the wife had to go into mourning if a certain period elapsed before the husband returned.

"We have already performed the necessary rituals. Umiakoti (his wife) wore a black dress for a year. Last year we slaughtered a cow during the final cleansing ceremony."

Lindiwe said she had suffered enough since her husband disappeared. "I'm now looking for work to support my children," she said from her Steenbok home.

She has since gone back to her family where she stays with her mother, Sally Mashaba, 60.

She had to leave her house in Tonga after she was allegedly harassed by her husband's younger brother, known as Doctor.

Lindiwe alleged that Doctor wanted "to step into his brother's bed", by taking her over. The Sambo family was outraged.

"That boy is mad. How could he do this to his brother's wife," Jorran said, adding he also supported Lindiwe's return to her parents.

She intends suing the state for loss of support after the case.

he did not know.

In his evidence-in-chief in November last year, Mnisi gave a chilling account of how his white colleagues tortured ZCC member Sambo of Tonga in the eastern Transvaal.

There have been rumours that Sambo's body was thrown in the crocodile-infested Komati River.

The case has drawn widespread interest around Nelspruit.

While in the dock before the postponement the three, who were all wearing suits, looked calm and relaxed while talking among themselves.

The 30-year-old Sambo, father of four children aged between 16

months and eight years, was arrested on July 4 by four black members of a special force, including Mnisi, who were searching for illegal arms.

Mnisi testified that Sambo was taken to the notorious Squammans camp near Komatipoort.

He was interrogated by black policemen in a room that served as a dining-hall.

Later the three white sergeants took over the interrogation of Sambo during which he was tortured.

Mnisi told the court the black policemen were then ordered out of the torture room.

There were terrified screams during hours of

torture and then silence.

Mnisi said he went back to the room that night with Const Sibande and found that Sambo had stopped breathing. They then left the body there and went to sleep, he said.

The following morning he returned to the room and found Sambo's body missing.

In an exclusive report last year, City Press reported that Komatipoort police had records of six bodies found at the "crocodile pool" at the confluence of the Crocodile and Komati rivers near the Mozambican border.

None of the bodies was that of Sambo.

Where lies



Stanza Bopape - missing since June 1988

Stanza Bopape?



Exclusive investigation by Abbey Makoe

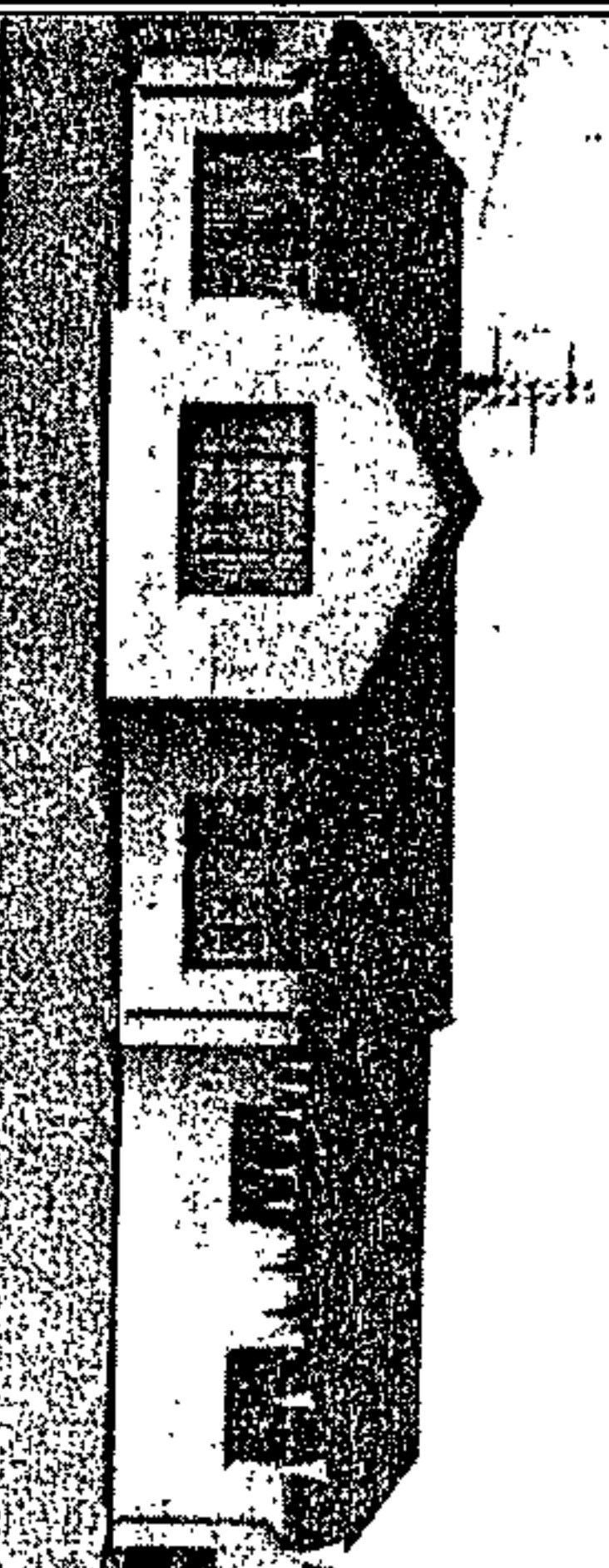


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AREAS AVAILABLE:
DOBSONVILLE GARDENS

— Des Jordaan

EX-COP JOHNNY MOKALENG (above), led Sowetan to this secret grave site on a farm in the Phokeng area near Rustenburg where he claims activist Stanza Bopape and other detainees are buried.

In a sensational confession Mokaleng, a former constable based in Potchefstroom, told how he was part of a group of policemen who buried four detainees on the farm between Rustenburg and Swartruggens, Western Transvaal on October 10 1988.

In a sworn affidavit, Mokaleng claimed several detainees had been badly assaulted and tortured in a building on the farm called the "waardeidskantoer" (office of truth).

Four of the detainees subsequently died. *25/1/93.*

"Two were wrapped in big plastic bags and the other two detainees were still wearing their blood-soaked clothes. One of the men was still

breathing.

"They were thrown into separate holes and some policemen picked up shovels and filled the graves."

He said out of curiosity, he had inspected the other graves.

"I looked around at other graves, looking at the name tags. I was unfamiliar with most of the names but I remembered the name Stanza Bopape on one of the tags".

"I later learnt that Bopape was a political activist who had disappeared. A white policeman, whose name is not known to me, confirmed to me later the same night that that was where Bopape was buried."

Police claimed at the time that Bopape had escaped from custody while held under Section 29 of the Internal Security Act. No friends or relatives have heard or seen Bopape since his detention on June 9 1988.

See stories pages

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NEWS Mokaleng says missing activists were forced to dig graves

Bopape is buried near Phokeng - former cop

Sowetan 25/1/93

By Abbey Makoe

SECRET GRAVES At least 10 detainees buried in operation which started in 1985:

A GROUP of black and white police officers in the Western Transvaal secretly murdered and buried political detainees in their custody, including Stanza Bopape, between 1985 and 1990.

Sowetan was told that at least one was buried alive - inside holes dug six feet deep - by other detainees.

According to information in Sowetan's possession, white officers had themselves a braai and drank beer, brandy and whisky while detainees dug their own graves.

After burying detainees of their choice, the white officers fired shots in the air, reportedly in celebration of a job well done.

These allegations are contained in a sworn declaration by a former Potchefstroom police constable, Mr Johnny Mokale, who served in the SAP for more than eight years.

This alleged covert operation, according to Mokale, took place on a remote farm, some 500m from Kgale section in Phokeng village, between Rustenburg and Swartburg.

When approached for comment, a spokesman for the SAP's Directorate in Pretoria, Major Ruben Bloomberg, said it was "strange that the man (Mokale) did not report the incidents while still serving in the police force".

Bloomberg said: "We consider his allegations in a very serious light. We request him to make his evidence available so that we can thoroughly investigate the matter."

Bopape, a Mamelodi, Pretoria, activist, who police said escaped while in their custody on the night of June 11-12 1988, is alleged to have been tortured, murdered and buried on the farm.

And although black labourers living around the farm associated the owner with the SAP, attempts to establish the claim last week drew a blank.

It is believed that several political activists who disappeared mysteriously during a police crackdown since the mid-1980's could have been buried at the same site after long sessions of torture inside a white room in the farmyard, labelled the "truth office".

Two were wrapped in big, black plastic bags and the other two detainees were still wearing their blood-soaked clothes. One of the men was still breathing. "They were thrown into separate holes and some policemen picked up shovels and filled in the graves."

Mokale (29) says he once joined the group in one of its many escapades. It was on the night of October 10 1988.

He says that night many detainees were badly assaulted on the farm, culminating in himself and members of the group burying four detainees that day.

"Two were wrapped in big, black plastic bags and the other two detainees were still wearing their blood-soaked clothes. One of the men was still breathing.

"They were thrown into separate holes and some policemen picked up shovels and filled in the graves."

According to Mokale, the covert operation by the group started in 1985. Police stopped burying detainees on the farm after the unbanning of political organisations in 1990, he said.

Mokale claims that "to the best of my knowledge, at least 10 bodies were buried on the farm".

Mokale said a group of policemen came to the Ikageng police station on October 10 1989

looking for activists in the local township.

The policemen arrived with a group of about six or eight activists who were in the back of a minibus.

"They appeared to have been assaulted before they arrived. The assaults continued in my presence," Mokale said.

Mokale said after he and other policemen assaulted several activists at the Welverdiend police station in Carletonville, they drove to the Dwaalboom police station in Rustenburg where they found "a group of teenagers who had been detained without trial for almost 120 days".

"The detainees, numbering more than 20, were then ordered into the police van and were taken to a farm outside Phokeng village.

"The detainees were divided into two groups. The first group was taken to a room in the farmhouse, where we tortured them with electricity, kicked them and assaulted them with our fists and batons."

Mokale said the second group was taken about 700 metres into the veld and ordered by police to dig holes about two metres deep.

"This happened in the early hours of the morning and they dug by moonlight. A group of policemen, who were watching the detainees dig the holes, had a braai and drank beer, brandy and whiskey.

"Out of interest I looked around at the graves, looking at the name tags. I was unfamiliar with most of the names but I remembered the name Stanza Bopape on one of the tags.

"I later learnt that Bopape was a political activist who had disappeared. A white policeman, whose name is not known to me, confirmed to me later the same night that that was where Bopape was buried.

"Bopape's name tag had a number on it: SAP 13. I understand this to mean a police exhibit.

"White policemen started firing in the air with their service pistols - apparently in celebration of their completed job. It was around 4am when we left the scene," Mokale said.

Police murdered, buried detainees — ex-constable

329

STA-2 25/11/93

Own Correspondent

Western Transvaal police murdered and buried political detainees in their custody, including Mamelodi activist Stanza Bopape, between 1985 and 1990, a former policeman claimed in a sworn affidavit in the possession of the Sowetan.

Former Potchefstroom police constable Johnny Mokaleng said in his confession at least 10 people were buried on a farm in the Phokeng area between Rustenburg and Swartruggens in the western Transvaal.

Mokaleng said he was part of a group of policemen who had buried four detainees on a farm in the Phokeng area near Rustenburg on October 10 1988.

Mokaleng, a policeman for more than eight years, said the four detainees died after they had been badly assaulted and tortured in a building on the farm called the "office of truth".

office of truth"

They were buried in holes dug by other detainees.

"This happened in the early hours of the morning and they dug by moonlight. A group of policemen, who were watching the detainees dig the holes had a braai and drank beer, brandy and whisky.

"Two were wrapped in big plastic bags and the other two detainees were still wearing their blood-soaked clothes.

"One of the men was still breathing.

"They were thrown into separate holes and some policemen picked up shovels and filled the graves," Mokaleng said in the affidavit.

He said he had inspected some of the other graves because he was curious.

"I looked around at other graves, looking at the name tags. I was unfamiliar with most of the names but I remembered the name Stanza

Bopape on one of the tags.

"I later learnt that Bopape was a political activist who had disappeared. A white policeman, whose name is not known to me, confirmed to me later the same night that that was where Bopape was buried."

Police claimed at the time that Bopape had escaped from custody on the night of June 11-12 1988 while being held under Section 29 of the Internal Security Act. No relatives or friends have seen Bopape since his detention on June 9 1988.

SAP spokesman Major Ruben Bloomberg said it was "strange that the man (Mokaleng) did not report the incidents while still serving in the police force".

He said: "We consider his allegations in a very serious light. We request him to make his evidence available so that we can thoroughly investigate the matter."

Father: glad that truth is coming out

■ Fear of dying before knowing what happened to Stanza:

By Abbey Makoe

329

REACTION by Stanza's father, Mr Matome Bopape :

"I have always demanded to know what former Minister of Law and Order Adriaan Vlok's men did with my son but to no avail," Stanza's father, Mr Matome Bopape, told *Sowetan*. / *Sowetan* 25/11/93.

"I went as far as asking for his corpse, 'dead sure' that they have killed him.

"I am glad that I am likely to know the truth about my son - at long last. I mean, if it is a cop saying all these things, then I am taking it from there."

Bopape was full of praise for the Almighty, adding to almost everything he said the words "God is great".

Bopape said his main fear - dying before knowing Stanza's whereabouts - seemed to be fading.

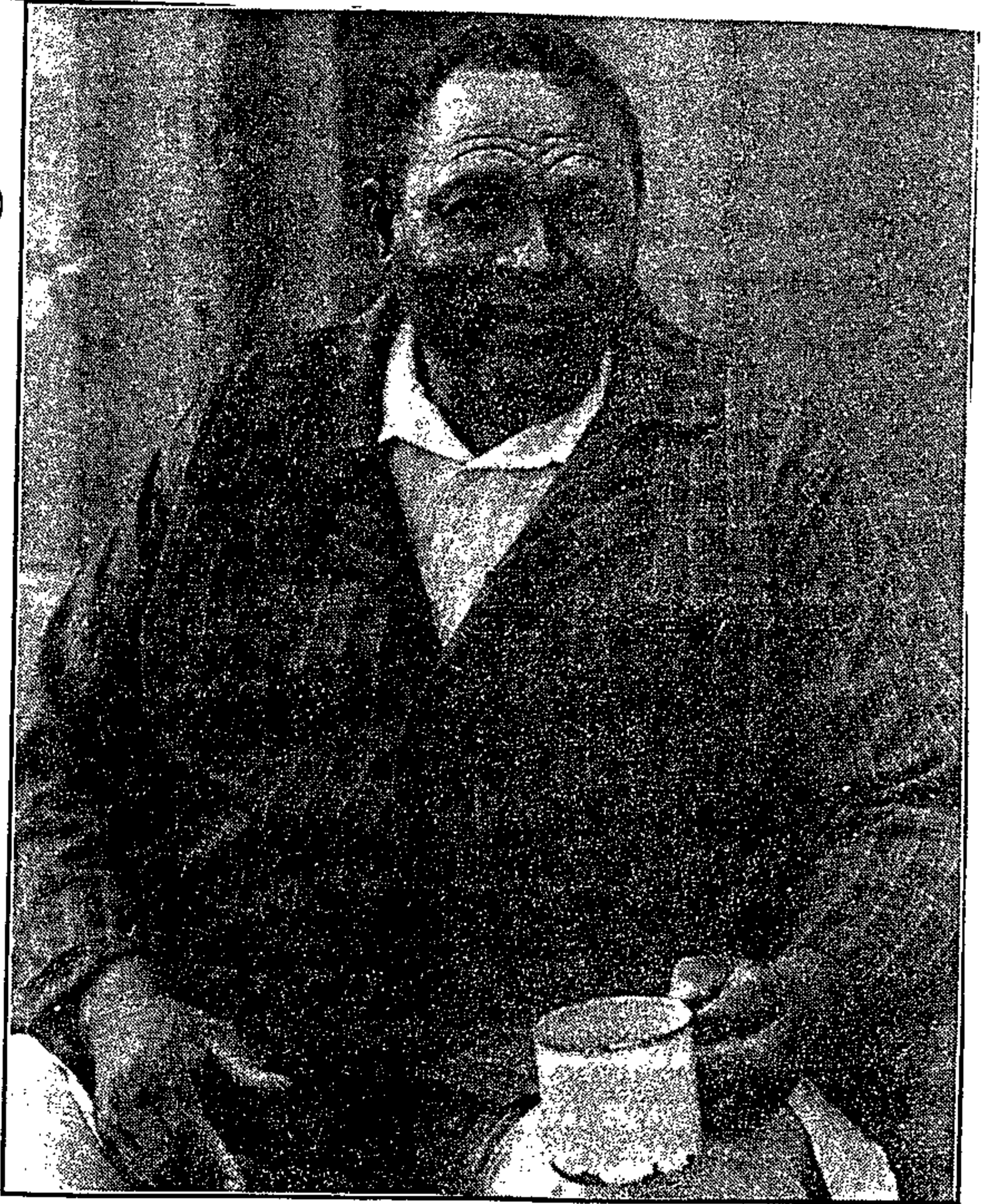
"Knowing where he ended up will reduce the stress in my family, especially among his brothers and sisters.

"No one else but Vlok must be called to account - not only for my son's disappearance but for other activists whose whereabouts remain a mystery.

Bopape spoke to *Sowetan* about the psychological torture and spiritual suffering the family was subjected to since police alleged that Stanza had escaped from their custody.

He said he never enjoyed any sleep. "In fact my wife was accusing me of throwing in the towel the other day and I told her God was on our side."

Bopape pointed at an old car parked next to his: "There is Stanza's car. It was new when he bought it. My wife once suggested that we sell it but I refused. You know, every time I see that car it reminds me of my son."



Truth at last for Matome Bopape?



focus on Stanza Bopape

WHEN Stanza Bopape completed his law degree at the University of the North (Turfloop) near Pietersburg, his parents were thankful that their son had finally reached the stage where he would ease their financial burdens.

They had to. Stanza's parents channelled the bulk of their meagre funds into his education.

According to African tradition, the eldest child is expected to play his part in helping those coming after him to succeed in life as well. In Stanza's case there were five others.

On June 9 1989 a group of policemen stormed into Stanza's backyard room in Mamelodi. They confiscated pamphlets and T-shirts with political slogans on them and took Stanza, then the 28-year-old general secretary of the Mamelodi Civic Association, away.

Three weeks after Stanza's detention, police informed the young activist's lawyers about his "escape" from their custody.

Ironically, police claimed Stanza escaped three days after they had arrested him, on the night of June 11-12.

"Ludicrous," cried Jan van Eck, an independent MP who conducted a solo campaign in Parliament demanding that former Law and Order Minister Adriaan Vlok reveal details of Stanza's alleged escape.

But Vlok steadfastly maintained:

"Stanza disappeared while on his way to pointing out certain spots in connection with acts of terror in which he was allegedly involved."

Vlok has unwaveringly refused to name the three policemen in whose custody Stanza was when he disappeared. "They were repairing a punctured tyre at the time of incident," he said. But how is it possible that the supposedly well-trained trio failed to notice that Stanza, in the back of the car, was up to mischief?

Police, with Vlok as mouthpiece, have maintained that Stanza, who was handcuffed and had his legs in chains, managed to take keys from an officer's jacket and free himself.

Vlok went on to say that his men were "tired" when Stanza escaped.

He says his men only recognised the escape when Stanza was already far from them, before disappearing into the bushes.

"They fired two shots at him but they missed," Vlok said.

Stanza's father, Matome, held a meeting with the Minister and later described Vlok's version about the disappearance of his son as "cooked-up lies." He still does.

He told *Sowetan* at the weekend: "I mistook him (Vlok) for a father, a parent who knows what it is like to go to bed wondering what has happened to your son."

When Stanza's father walked out of the meeting with Vlok he described the talks as "useless".

On June 9 1989 a group of policemen stormed into a backyard room in Mamelodi and took away newly qualified lawyer Stanza Bopape, who has since disappeared.

Abbey Makoe reports: *Sowetan* 25/1/93



Stanza Bopape



Adriaan Vlok

Vlok has unwaveringly refused to name the three policemen in whose custody Stanza was when he disappeared

He asked the Minister, in what he called a man-to-man talk, for the body of his son so he could bury him and bring to an end the nightmare of suspense and uncertainty.

Vlok responded by firing another broadside: "Someone has given information under oath, saying he had seen Stanza in the company of a man and a woman after his escape."

Vlok said Stanza was seen in the vicinity of another attack "in which people died".

For a man of Stanza's stature, with a host of political and social friends, to fail to contact anyone about his whereabouts would be a ludicrous action.

But Vlok and his cohorts, particularly Law

and Ministry spokesman Brigadier Leon Mellet, share one sentiment: "We reject sharp accusations and dismiss them as scandalous propaganda from radical left-wing circles."

Even if Johnny Mokale, as reported on Pages 1 and 2, did not reveal his knowledge about the graveyard in Rustenburg, the public, and most of all the black community led by Stanza's parents, want to know the end of their loved ones.

It would be interesting, apart from Stanza's case, to see what Vlok's reaction would be should he be forced to account for other skeletons found at places Mokale knows about.

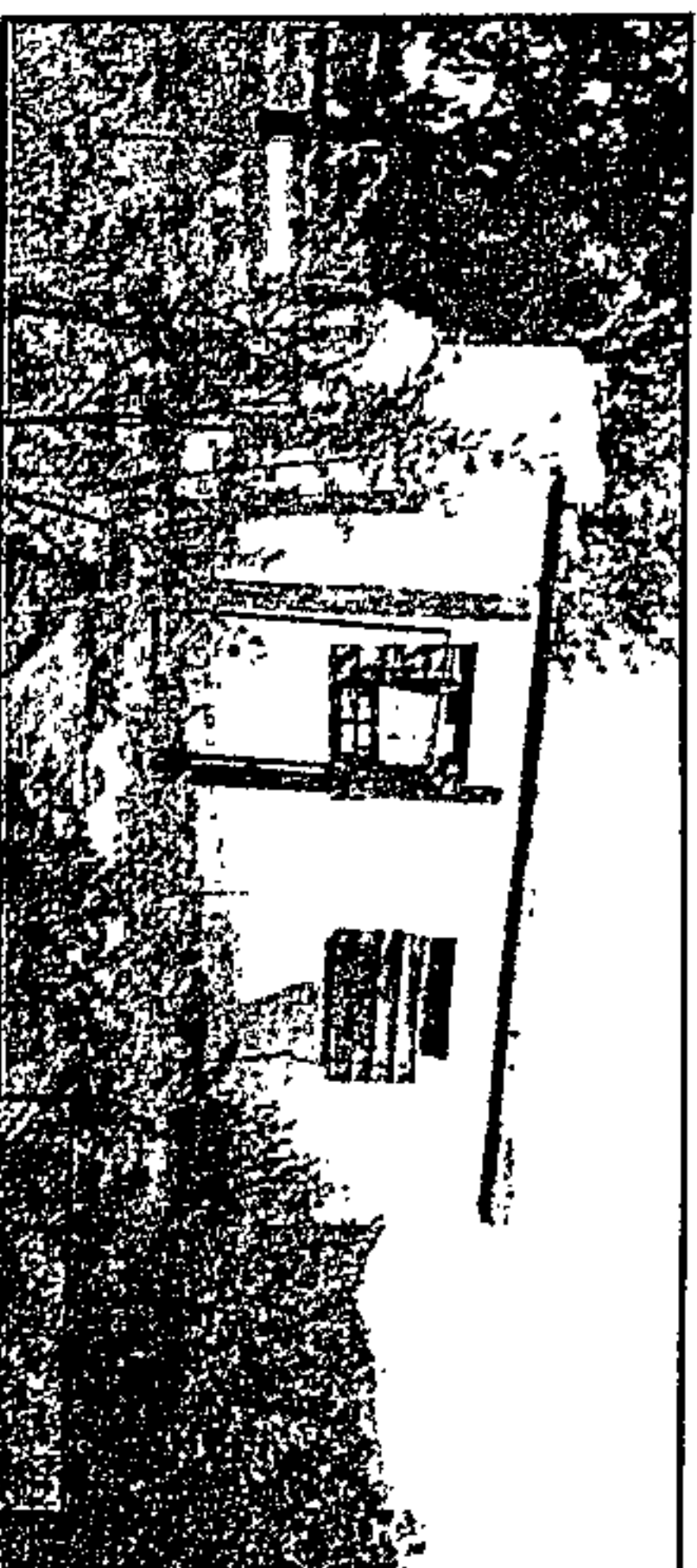
The veil of secrecy under which the police force has operated, coupled with its twin - unaccountability - has gone too far.

"One wonders what men like Vlok really dream about at night," whispered my colleague and friend Pat Seboko. "I'm sure they have developed a tendency of jumping out of bed screaming," he added, shaking his head as he walked away.

Seboko's feelings, I think, represent those of the majority. What the hell do they really dream about at night?

Stand by, Vlok, it seems the hour has finally come.

'Saw a youth killed



'The truth hurts'

The "truth chamber" (above) where it is alleged that detainees were assaulted and tortured. Inset: ex-cop Johnny Mokaleng, who made the allegations. See reports on page 2.



in cold blood

See page 26/11/93

(329)

A

YOUNG detainee was shot in the head at point-blank range inside the Carletonville police station by a constable and then immediately buried in the backyard of the police station.

This is a further allegation made by Mr Johnny Mokaleng (29), who yesterday claimed he had seen the grave of Stanza Bopape, a Mamelodi activist who disappeared in June 1988, and had helped bury other detainees.

A floodlit search for remains on a farm near Rustenburg late last night, however, proved fruitless. The search, in which police used earth-moving equipment, was undertaken after Mokaleng pointed out alleged grave sites. Police forensic experts are expected to examine the area today.

Included in a sworn statement in Soweto's possession, Mokaleng named a black policeman who cold-bloodedly killed the youth inside the charge office. The policeman still serves in the force.

"I was in the company of the same group of policemen as those in the farm incident," Mokaleng said.

By Abbey Makoe

"There was a group of detained youths in the charge office. A constable took out his service pistol and intimidated one of them.

"He was shouting: 'If I shoot you, I'll shoot!' He then pulled the trigger and shot the youth in the forehead, killing him instantly. We pretended that we were rushing the youth to hospital but we took him to the backyard. A group of us dug a grave and we buried him."

Mokaleng said another detainee was murdered at the Dwaalboom police station near Rustenburg.

Mokaleng claimed he and other policemen stopped at the Dwaalboom police station to lock up detainees they had tortured.

"We then took one detainee, whose name is not known to me, and assaulted him in the charge office. He fell on the back of his head, fracturing his skull. We were about to go back to Ilageng when another policeman stationed at Dwaalboom took the unconscious boy to the back of the premises. They dug a hole and buried him there."

See reports page 2.

No deposit

6 MONTHS TO PAY

"Leatherette 5-piece Lounge suite"

R799⁹⁹

R146

per month x 6



"Double Base set (137 cm)"

R399⁹⁹

R73

per month x 6



Bopape's 'escape' implausible – family

STAR 26/1/93.

By Jo-Anne Collinge

Political commentators, anti-apartheid groups, lawyers and family members of Mamelodi activist Stanza Bopape had no direct evidence of his death in detention in mid-1988. But they rejected as totally implausible the police account of his "escape" from custody.

The first suspicions were aroused when Stanza's lawyers struggled to obtain confirmation of his solitary confinement under section 29 of the Internal Security Act. Although Bopape was detained on June 9 and allegedly escaped on June 12, his lawyers were informed only on July 4 that Stanza had been "exempted from the provisions of section 29 ... as he escaped".

Matome Bopape, father of the missing activist, managed by mid-October 1988 to see the then-Minister of Law and

Order, Adriaan Vlok. He left the meeting convinced his son was dead.

Vlok, Bopape revealed, had told him that Stanza escaped while three policemen were escorting him — in leg-irons, as was usual with detainees — to the Vaal area. The vehicle in which they were travelling had had a flat tyre and the policemen had stopped to fix it.

Bopape said Vlok had told him: "While the police were fixing the wheel, your son took the key from a jacket on the back seat and loosened his chains." Stanza then allegedly ran off, with the police firing at, and missing, him.

Although he doubted his son was alive, Bopape decided to check whether — by some chance — he was in exile.

In February 1989 he and attorney Fink Haysom visited the ANC in Lusaka and were given assurances that Stanza had never surfaced in exile.

In April that year Vlok continued to insist that the police

had tracked down people who "have stated under oath that they have seen Bopape since his escape". In one instance he was allegedly sighted near the scene of an armed attack.

Lorraine Mokgosi, Stanza's girlfriend in 1988, was detained before Stanza and released about five months after his disappearance.

"Even after my release, policemen came to my place in the Vaal, looking for Stanza," Mokgosi said yesterday. "Maybe they were trying to bluff me — so that I would think he was still alive."

Vlok steadfastly refused to name any of the people who had seen Stanza alive after June 1988 and would not disclose the names of the three policemen who were with the detainee on the fateful journey to the Vaal.

In June 1990 Vlok asserted: "An investigation (into Stanza's disappearance) under Lieutenant-General Jaap Joubert has since continued and is still continuing unabated."

STm 26/1/93
Illegal arms:

bishop held

East Rand clergyman Bishop Solomon Khumalo — the alleged leader of the Khumalo gang — and five other men were arrested in Tokoza yesterday for possessing illegal firearms. (228)

They appeared in the Alberton Magistrate's Court and the case was postponed to today. (329)

The arrests followed two days of violence after the funeral of Khumalo's wife on Saturday. Four people were killed.
— Crime Reporter.

NEWS Outcry over allegation of police killing of political activists

'Probe Bopape's death'

THE ANC yesterday called for the immediate establishment of an independent probe into both allegations that policemen killed Pretoria activist Mr Stanza Bopape and mass graves of other alleged police victims.

The ANC was responding to allegations published yesterday in *Sowetan* that policemen had tortured and killed detainees, among them Bopape, who was Mamelodi Civic Association's general secretary.

"This infamous chapter in the history of repression must be thoroughly exposed, and all missing activists accounted for, the ANC said." Police have consistently maintained that Bopape freed himself from handcuffs and leg

includes investigating alleged mass graves;

■ INDEPENDENT COMMISSION Call by ANC

irons and escaped from police custody on June 11-12, 1988. He was detained on June 9 1988.

Meanwhile, the Mamelodi Civic Association has reacted with shock and anger at the news that Bopape was killed and buried by security forces.

"It is with a great sense of shock and anger that we learnt of what happened to Stanza Bopape and others in 1988," said Mr Pasty Malefo, publicity secretary of the MCA.

"We have always known that the forces of

darkness and apartheid have murdered Bopape and yet when the truth comes out it hits one between the eyes. This leaves us very angry."

Malefo said the tragedy was that the incident happened in 1988 "and it is still happening now. Only last week two of our members in Mamelodi were almost killed".

Malefo said the MCA will consult with the family and other organisations to see how best to assist in the matter and to see to it that those responsible are brought to book.

Azapo praises ex-cop

Sweetan 27/1/93
■ No confidence in continuing
charades:

329 282
THE Azanian People's Organisation yesterday praised former municipal policeman Mr Johnny Mokaleng for admitting his involvement in the murder of detainees.

Azapo publicity secretary Dr Gomolemo Mokae said in a statement that "the paramount guilt" belonged to the State which allowed "these excesses" to continue and was unwilling to come clean on its past sins.

"We have never had any confidence in charades like the one which was purported to be making an inquiry into the death of Dr David Webster."

Evidence

Mokae was referring to the inquest last week which was unable to decide on who had assassinated Webster, based on the evidence placed before it.

Meanwhile, the ANC has called for the immediate establishment of an independent commission to probe Mokaleng's allegations.

It said details provided by the former policeman indicated there had been a systematic policy of torture, elimination of activists and mass burials in unmarked graves.



Police excavators dig for the bodies of detainees at Welverdiend near Carletonville alleged by former municipal policeman Johnny Mokaleng to have been buried in graves. No bodies were found during the diggings in the area yesterday and at Phokeng village near Rustenburg on Monday night. PIC: PAT SEBOKO

Cops call off

satisfaction



hunt for bones

THE POLICE'S "operation big dig" was finally called off yesterday after it moved back to the Rustenburg area following new information that secret graves existed in the area.

Earlier, a second police search for bodies at Welverdiend in the Western Transvaal proved fruitless.

This followed Monday night's excavation on a farm between Rustenburg and Swartruggens where a former policeman claimed missing activist Stanza Bopape and other detainees had been buried.

Former constable Johnny Mokaleng, in an affidavit published by *Sowetan* earlier this week, alleged the detainees were tortured, killed and buried by his colleagues on

the farm in October 1989.

Mokaleng now faces charges of fraud and defeating the ends of justice.

The two police generals - Piet du Toit and Izak "Krapplies" Engelbrecht - appointed on Monday to investigate Mokaleng's allegations left Carletonville for Rustenburg yesterday afternoon to investigate a possible 55 graves on a farm near the Bophuthatswana border.

The supposed graves were pointed out to journalists on Monday night and police were subsequently notified. Police established, however, that the grave site had been been used by local residents to bury their dead.

See story page 2

2

Sowetan 27/1/93
16 residents freed

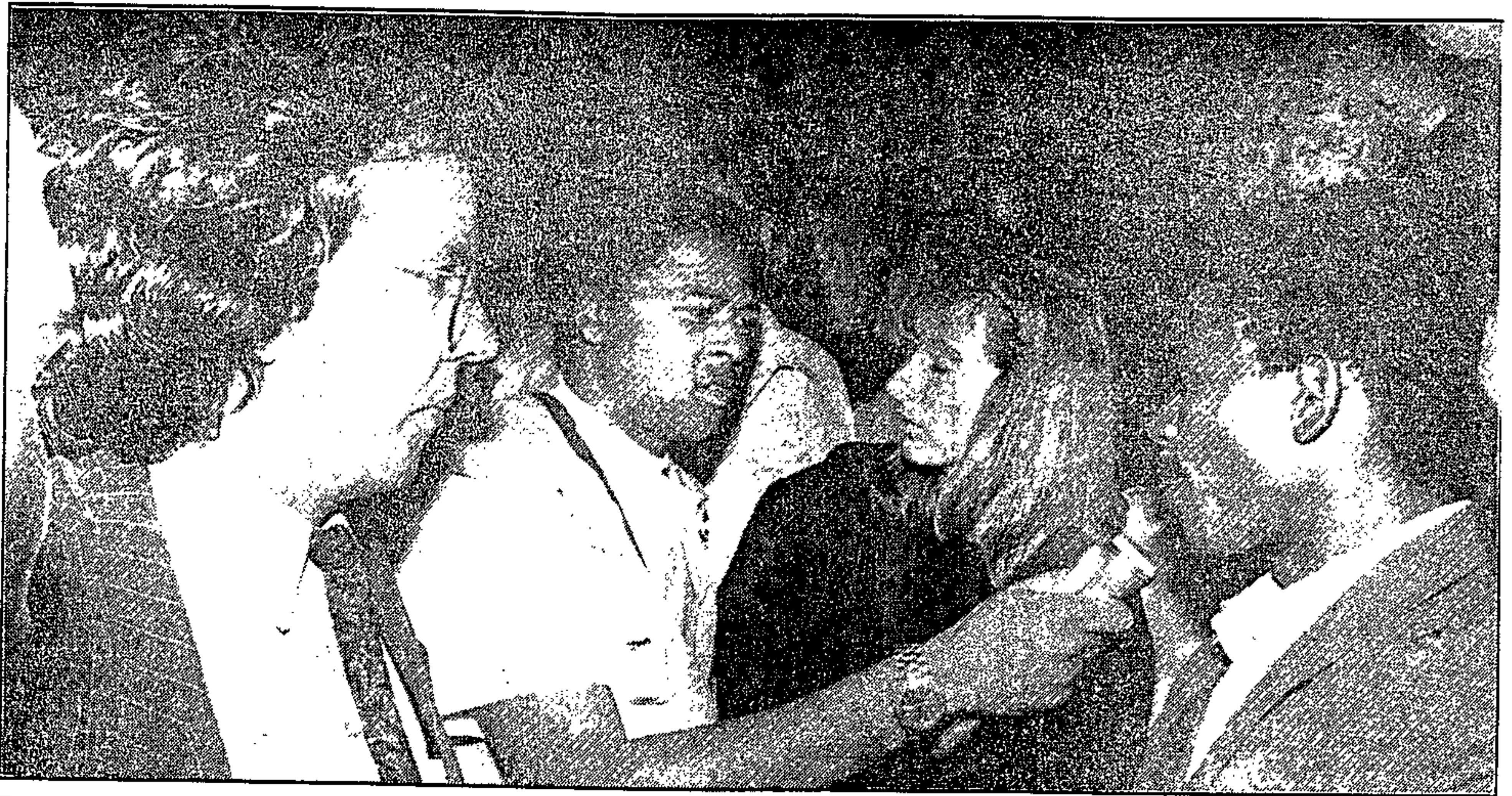
POLICE have released 16 of the 20 Bruntville, Mooi River, people held under the Criminal Procedure Act.

Police spokesman Captain Budhram yesterday denied ANC allegations that the fact that the people were not charged in a criminal court was proof of police abuse of unrest regulations. (329)

"Detentions in terms of the unrest regulations are done when deemed necessary to combat or prevent public disturbance, disorder, riot and public violence and to restore public order.

"Criminal charges do not necessarily have to follow," he said.

NEWS Police generals to investigate 55 suspected graves



Former municipal policeman Mr Johnny Mokale and his lawyer, Mr Paul Jenkins, speaking to journalists on Monday night after police excavators failed to reveal bodies where Mokale had alleged they had been buried on a farm near Rustenburg.

Pic: PAT SEBOKO

Fruitless search at 'grave' sites

Sowetan 27/1/93.

■ **FRAUD CHARGE** Johnny Mokale sticks to his allegations of detainees' murders:

By Abbey Makoe and Sapa

A THIRD police search for the bodies of detainees an ex-policeman alleged were tortured, killed and buried by his colleagues drew a blank yesterday.

The first diggings were at Phokeng village near Rustenburg on Monday night and yesterday police excavators moved to near Carletonville.

Then they moved back to Rustenburg, where police, acting on fresh information, pinpointed a grave site which, however, had been used by local residents to bury their dead.

Former municipal constable Johnny Mokale now faces charges of fraud and defeating the ends of justice.

Police spokesman Colonel Johan Mostert said police findings and Mokale's statements to a magistrate would be forwarded to the Attorney-General for his decision.

But yesterday Mokale remained adamant that his tales of torture and murder were true and that the police had removed the evidence.

Mokale had said policemen tortured and buried several detainees. He alleged that Mamelodi activist Stanza Bopape was among those buried in graves on a farm near Rustenburg during October 1989.

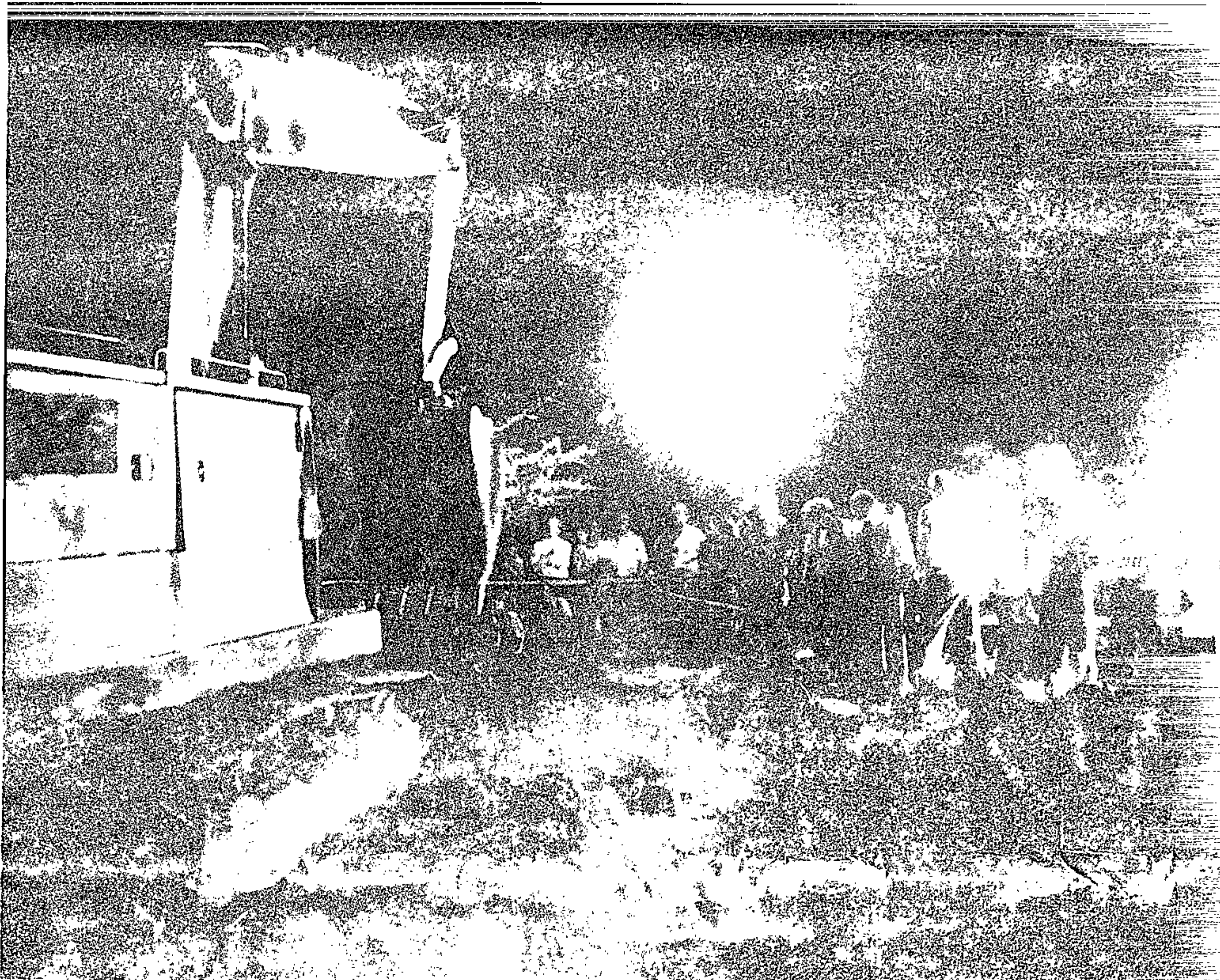
He told a packed Press conference in Carletonville after the diggings yesterday that he was convinced no one else but the police had removed the bodies.

"Only the police knew where the bodies were buried. Each time police beat up a detainee they do not take him to court for fear of evidence against them," Mokale said.

He stood by the story of buried bodies he gave to *Sowetan* and the statement he had made before a magistrate in Rustenburg on Monday and said he would still say the same thing in court.

The two police generals - Piet du Toit and Izak "Krappies" Engelbrecht - appointed on Monday to investigate Mokale's allegations left Carletonville for Rustenburg to investigate a possible 55 graves on a farm near the Bophuthatswana border.

The graves pointed out to journalists on Monday night, however, were those of local people.



High hopes . . . which were dashed. The excavator shifted tons of earth and didn't find as much as a bone at this bushy Rustenburg last night. The story as told by a former policeman was that 20 bodies were buried there. Picture

Not a bone in sight as police dig for bodies

Staff Reporters

(329)

RUSTENBURG — More than 100 policemen, journalists and bystanders gathered late last night at a remote clearing, 600 m into Bophuthatswana territory, expecting that the bodies of up to 20 detainees — whom a former policeman claimed were buried there — would be discovered. Their wait was in vain.

After a delay of several hours, former policeman John Botumile Mokaleng pointed out the spot he had mentioned in an affidavit to lawyers.

At 9 pm, a large excavating machine rolled in.

With two small searchlights, the large excavator rumbled into action, and police had to stretch tape around the clearing to keep away dozens of curious journalists expecting a gruesome find.

As the large machine dug deeper into the hard ground, it became increasingly clear that no old bones had or would roll down any of the heaps of removed soil.

By 10.40 pm, the hole was

about 4 m by 10 m and about 2 m deep. Nothing had been found.

At 11 pm it was clear to police that all that lay beneath the surface of the clearing in the Kgalestad trust area in the homeland, about 10 km from Rustenburg, was soil and plenty of large rocks.

Police spokesman Colonel Johan Mostert said forensic experts would visit the scene today and sift through the soil to "make sure they had missed nothing".

The excavations followed allegations made in the affidavit by the former municipal policeman, and in a subsequent statement before a Rustenburg magistrate yesterday, that he had been part of a group of policemen who had buried four detainees at the site on October 10 1988. That night, he had learnt that Mamelodi activist Stanza Bopape was one of the detainees who had been buried there.

The excavation was due to begin early yesterday afternoon after Mokaleng signed his affidavit before the magistrate.

But Mokaleng struggled for about two hours to find the site. The process was further delayed when South African Police had to wait until after 9 pm for permission from Bophuthatswana President Lucas Mangope to start digging.

Mostert said a similar process would be conducted today at Carletonville police station, where Mokaleng claimed in his affidavit other detainees had been buried.

Mostert said Mokaleng could still be charged with perjury. Until further investigations, he would not be arrested and would remain in the care of his lawyer.

Mokaleng was accompanied yesterday by two lawyers.

If his allegations were proved to be true, Mokaleng could be charged with murder, Mostert said.

Police Commissioner General Johan van der Merwe yesterday swiftly appointed two senior officers, General Piet du Toit and General Krappie Engelbrecht, to investigate the sensational claims. They were at the Bophuthatswana site last night.

STANZA
BOPAPE
ALLEGED
TO HAVE
BURIED
FOUR
DETAINEES
AT THE
SITE
ON OCTOBER
10 1988.

STAR 26/11/88



Former municipal police constable Johnny Mokale watches as police dig up the back yard of the Welverdiend police station near Carletonville yesterday. However, there was no trace of the bodies of detainees that Mokale claimed had been buried there.

Picture: SUE KRAMER

Blom 27/1/93
17 people

'still missing'

RAY HARTLEY (329)

THERE were at least 17 known cases of political campaigners disappearing under mysterious circumstances, the Human Rights Commission (HRC) said yesterday.

A full list of those who disappeared and the circumstances under which they went missing has been compiled by the organisation, following allegations that missing detainee Stanza Bopape had been buried on a farm near Rustenburg.

The HRC said Bopape's lawyers confirmed he was still being held under the Internal Security Act about five days after his alleged escape from custody.

The most recent "disappearance" from custody took place on June 22 1990 when George Gwala went missing after police claimed he had been left at a Durban taxi rank.

Bophuthatswana community leader Rev Frank Moema was allegedly abducted from his home on March 13 1990 by men in camouflage uniforms.

Student campaigner Siphiwe Mthimkulu went missing on April 14 1982, was suffering from thallium poisoning and could barely walk when he was abducted, the document said.

ANC 'no' to Inkatha peace rallies proposal

Blom 27/1/93
THE ANC yesterday rejected an appeal by Inkatha leader Mangosuthu Buthelezi that the two organisations short-circuit preparatory talks in favour of high-profile peace rallies in conflict areas of Natal.

The ANC said in a statement it had no objection in principle to ANC president Nelson Mandela jointly addressing rallies with Buthelezi, but added that "such events should be part of a comprehensive approach currently under discussion".

Buthelezi said earlier he and Mandela urgently needed to address meetings jointly, which would result in a "massive movement for peace", instead of engaging in "posturing, skirmishing and manoeuvring for peace".

The ANC said discussions were aimed at "resolving differences and laying the basis for a successful meeting between the lead-

ership of both organisations ...

"The ANC and the IFP have, over recent weeks, held a series of bilateral meetings with one objective: to address, in a comprehensive manner, all issues relating to ongoing violence and ensure the creation of a climate for free political activity and tolerance," the ANC said.

Delegations headed by ANC deputy secretary-general Jacob Zuma and Inkatha national chairman Frank Mdlalose had identified and discussed issues.

"The ANC looks forward to further discussions with the IFP so all measures possible can be taken to address the violence and improve relations between the two organisations, both at leadership and membership level," it said in a statement.

RAY HARTLEY

Three plead not guilty to 22 charges

THREE men claiming to be ANC members, who allegedly murdered two security guards and a traffic officer during two armed robberies in which they stole almost R1m, pleaded not guilty to 22 charges in the Rand Supreme Court yesterday.

Mnqanqeni Solomon Simphiwe, 33, Makhosi William Phuthumile, 28, both of Phola Park, Alberton, and Motaung Daniel Sihema, 35, of Katlehong pleaded not guilty to three counts of murder, six attempted murder charges, three counts of robbery with aggravating circumstances, house-breaking and nine counts of unlawful possession of a machine gun and ammunition.

The three were allegedly part of a gang which stole R571 280 from Standard Bank's

SUSAN RUSSELL

Southdale branch on May 29.

They were also allegedly part of the same gang which killed two security guards and attempted to murder four others during an armed robbery at Corobrik near Nigel on November 25 1991.

Security guards Daniel Johannes Jacobus Verster and Hermanus Stephanus Lombard were murdered by the gang after their Fidelity Guards van was ambushed. The gang escaped with R401 880.

It is alleged the three also shot dead traffic officer Jacobus van der Merwe after he stopped them for speeding on March 27 last year. The trial continues.

Police search for mass graves draws a blank

LLOYD COUTTS (329)
A SECOND police search in Carletonville yesterday for the bodies of detainees that an ex-policeman alleged were tortured, killed and buried by police proved fruitless. *BYDAY 27/1/93*

Former constable Johnny Mokaleng — who insisted yesterday that his claims of police misdeeds were true — now faces charges of fraud and attempting to defeat the ends of justice.

A search on Monday night for the mass grave — said to include the body of Mamelodi lawyer Stanza Bopape, who went missing from police detention in 1988 — also failed to produce any evidence.

Police spokesman Col Johan Mostert said the charges against Mokaleng would be referred to the attorney-general.

Mokaleng alleged in an affidavit published by the Sowetan that he had participated in the torture of several political detainees who were later killed and buried while a group of white and black policemen held a braai at Ga-Kgale, in Bophuthatswana, on October 10 1989. One of the detainees, he claimed, was still alive when he was lowered into the ground.

He also claimed that he helped bury the body of a youth — shot dead by a fellow policeman — in a shallow grave behind the Welverdiend police station.

After the searches turned up no clues, Mokaleng insisted that police must have removed the evidence.

The two police generals appointed on Monday to investigate Mokaleng's allegations — Piet du Toit and "Krappies" Engelbrecht — left Carletonville for Rustenberg yesterday afternoon to investigate what was said to be the site of 55 graves on a farm near the Bophuthatswana border. In fact, this turned out to be the site of farm labourers' graves.

Observers put the cost of the police operations at R150 000.

● See Page 2

No more diggings planned, says SAP

Staff Reporter

Investigations into the activities of former policeman Johnny Mokale, whose claims that police had murdered and buried detainees remained unsubstantiated after two highly publicised excavations, would probably take several weeks to complete, police said yesterday.

SAP spokesman Major Ruben Bloomberg said no further diggings would be authorised on the basis of claims made in Mokale's affidavit, first published in the Sowetan.

Police did not plan to take legal action against the newspaper, he said.

Police would continue to investigate — by digging again if necessary — any further allegations made against them, he added.

After diggings at sites identi-

fied by Mokale in the western Transvaal failed to uncover human remains, SAP spokesman Colonel Johan Mostert said Mokale "could find himself in court" on charges of fraud and attempting to defeat the ends of justice.

Bloomberg said the investigation would not be treated differently from any other probe.

"Justice must take its course," he said.

He could not say exactly how many weeks police would take to wrap up the investigation. But once it had been completed, a docket would be submitted to the Attorney-General, who would decide whether to prosecute Mokale.

Sowetan lawyer Paul Jenkins declined to comment on the police investigation.

● Focus shifts to constable's shady history — Page 14

News in brief

so we fan
28/1/93
3 held in **(329)**
Natal swoop

THREE people have been arrested in a police swoop in the Amaoti area of Inanda, Durban, where National Peace Secretariat and United Nations delegates are standing by for a meeting with local factions.

The arrests were made after home-made fire-arms, ammunition and what police identified as "equipment to manufacture weapons" were seized at a township home early yesterday.

Policemen were still searching the township for more weapons.

'Continue search for Stanza'

Sowetan Reporter

THE father of missing Mamelodi political activist Mr Stanza Bopape yesterday made an impassioned plea to the authorities and the public to continue searching for his son.

Speaking from his Mamelodi East home, Mr Matome Bopape told *Sowetan*: "It is no longer the question of him being alive or dead. I now long for the truth.

Sowetan 28/1/93
■ **Father of missing Mamelodi political activist makes impassioned plea to police and public:**

"I still pray to God and to our ancestors to help us, for they are the ones who see things we cannot see."

Bopape still believes that the police have an explanation to offer for his son's "mysterious" disappearance in 1988.

He spoke to *Sowetan* after police could not

329 find the graves of buried detainees as alleged by a former policeman, Mr. Johnny Mokaleng.

"Mokaleng told us this was eating him up inside, that he did not sleep at night."

A spokesman for the police said Mokaleng now faced charges of fraud and defeating the ends of justice.

NEWS Companies cheat their desperate clients • Call to probe vanished detainees

Govt under pressure

Over missing activists

by Ike Motsapi

Sowetan 25/1/93

■ HRC releases names of 50 political activists who disappeared under mysterious circumstances:

RESSURE is mounting on the Government to start a commission of inquiry into the disappearance of political activists, some of whom are allegedly buried in secret graves.

The African National Congress, the Zambian People's Organisation and the Human Rights Commission have urged the Government to do this as a matter of urgency.

The HRC yesterday released names of 50 people believed to have been detained, who have since disappeared.

Included in the list is Mr Stanza Bopape of Mamelodi who police said escaped from custody three days after being detained on June 9 1988.

In a statement to Sowetan the HRC said: "Due to a reticence on the part of the police during the 80s to notify families of people who had been detained it is possible that certain people on this list were in fact detained and subsequently released."

The HRC said their list was not exhaustive because investigations continued to find people "disappearing in politically related circumstances as late as January of this year."

Here is the list of people who have disappeared:

United Democratic Front members uyisile Mjila, Shepard Skweyiya and Ollisile Olifant; Jim Masebenzi

Mahlangu was last seen in KwaNdebele in a white kombi on February 11 1987. Tsefontein youth Thomas Manyeki was last seen running away from Imboko vigilantes with his leg bleeding heavily on June 12 1982 when the State of Emergency was declared.

A month later Jabulani Zulu, who was being detained in KwaNdebele Prison, spoke to a detainee in a neighbouring cell who identified himself as Manyeki. The HRC said both the South African and KwaNdebele police denied detaining Manyeki under unrest regulations.

Stanza Bopape (June 12 1988); The Reverend Frank Moema was abducted from his Bulfontein home (March 13 1990); Siphiwo Mthimkhulu and Thobile Madaka (April 14 1981) from the Eastern Cape; Siphiwe Mthimkhulu disappeared from the Livingstone Hospital in Port Elizabeth;

Petrus Vusi Mahlangu (May 1986); Andrew Makepe and Harold Sefolo, (July 15 1988); Elvis Rathogwa (May 17 1988); Tsokie Madaka (1982); Eric Govuza, and Fanele Duna (1982); Nicholas Boike Thlapi (1986); Charlotte Lange (October 20 1988);

Vincent Mahlalela is alleged to have escaped from custody (December 21 1986); George Gawala was taken from work in Krugersdorp (June 22 1990);

Cape activist Yran Buyisile Bmapisa was dragged from his home (December 23 1988); Phineas Leoate, Edgar Mokotjo Phakone, Sandile Mabaso and Ntinda Thulani Makhuba are alleged to have escaped from Protea police station in Soweto (December 25 1987); Paul Modiri (December 3 1988); David Mafokang (November 3 1987); Vusi Khumalo and Gabisi Mosunkuthu disappeared on September 1987 with Floyd Mashele. Mashele resurfaced later and has since died in a strange car accident near Pieterburg;

Mthabatha Andries Seema (March 31 1988); Siyolo Mashigwana (September 4 1988); Daniel Tshabala (August 5 1988); George Shabangu (February 6 1987); Aziz Abrahams Aziz, Nolizwe Mhlaza and Mathews Moone (September 1989); Champion Godolozzi, Qaquawuli Hashe and Sipho Galela (May 8 1985); Denis Sengulane (1988);

Five unknown members of the Black Consciousness Movement of Azania disappeared during December 1992; Mbulelo Ngoni (February 1988); 14-year-old Herbert Nkosi Mshali (1988); Phindile Mletu (May 1987); Nhlamhla Mbatsha (May 1988); William Magolo, a cook at a Springs mine, was detained during September 1986 and has not been seen again.

Never mind the fire
it's off to school we go



Grave search turns up Iron Age settlement

810m 29/11/93
POLICE searching for further evidence of an alleged mass grave of missing detainees near Rustenburg yesterday stumbled on a previously unidentified 18th-century Sotho/Tswana settlement.

Police returned to inspect a remote site on the SA/Bophuthatswana border as a follow-up to an earlier search for graves former municipal policeman Johnny Mokaleleng claimed contained the bodies of detainees killed by police in 1989.

As on Monday, when police excavated in the Ga-Kgale trust lands, and on Tuesday, when they dug up the back of the Welver-

LLOYD COUTTS

diend police station, no evidence was found to corroborate Mokaleleng's claims.

Police spokesman Col Johan Mostert said police had followed every lead and were convinced there were no bodies in the Ga-Kgale area.

Witwatersrand University archaeology professor Tom Huffman, who was invited to the area by journalists for his expert opinion, said while there was no evidence in the vicinity of recent graves, several rock formations were, in fact, old settle-

ment walls from the late Iron Age.

"This is far more interesting than anything else," Huffman said, after finding shards of pottery and a walled kraal.

Meanwhile, it is understood that Mokaleleng, who now faces charges of fraud and attempting to defeat the ends of justice, had attempted to sell his story to a newspaper in December. He apparently offered to point out the grave of Mamelodi lawyer Stanza Bopape, who went missing from police custody in 1988, but was turned down by City Press after investigation by the newspaper.

Grave-hunt aborted

By Mathatha Tsedu
Investigations Editor

Sowetan 29/11/93 ■ **ANCIENT DWELLINGS** Another search for

missing bodies of activists proves fruitless:

A WITS UNIVERSITY ARCHAEOLOGIST halted what could have been another fruitless grave-hunt yesterday when he declared alleged graves at a Phokeng forest as remnants of ancient African dwellings.

Professor Tom Huffman and colleague Dr Simon Hall were called in by newsmen to investigate what appeared to be graves near the site pointed by former policeman Mr Johnny Molakeng earlier this week.

Police dug up a site near the area on Monday following allegations by Mokaleg that a number of detainees were tortured, murdered

and buried there in October 1988.

Mokaleg alleged that among those buried there was Mamelodi activist Stanza Bopape, whom police said escaped while in their custody in 1988.

Yesterday Huffman told a contingent of journalists that a hole in the ground could have been dug by a porcupine as roots of surrounding trees had been uncut.

He later told *Sowetan* that if there had been graves in the area, they would have shown by indentations.

Police spokesman Colonel Johan Mostert said police had followed all possible leads and were convinced there were no graves.

He called Mokaleg a liar and said investigations to charge him for defeating the ends of justice were continuing.

He said the excavation, which was instituted following the publication of Mokaleg's allegations in *Sowetan* earlier this week, had cost more than R100 000.

Mostert said the operation had now been closed.

Police staged a media coup with this week's 'graveyard dig', but the key question has not been answered:



A friend's photograph of Stanza Bopape, taken not long before he vanished.

Well, where is Stanza Bopape?

W/M and 29/1 - 4/2/93

329 *QED*

Masisha "Stanza" Bopape, the young activist who simply vanished two days after being detained, is almost certainly dead. Chances are that the remains of the brilliant law student are lying in some unmarked grave.

Not, to be sure, the grave pointed out by aggrieved former municipal constable Johnny Mokaleng in this week's curious police publicity blitz; but in some other grave, whose location is

known to the same people who probably know where the remains of Sphiwe Mthimkulu, Sipho Hashe, Boikie Thlapi ... and at least 30 other "disappeared persons" are lying.

The police had no difficulty assembling a media event to prove that the constable had it all wrong. But in five years they have failed to answer the real question: What did happen to the detainee who never returned home?

See PAGE 2

No plan to move production from PE, says GM

5/2/85 ~~18~~ E. Post

GENERAL MOTORS stressed today it had no plans to assemble vehicles outside its present facilities in Port Elizabeth.

The statement followed speculation that the Kadett might be assembled by BMW on the Reef — a contention arising from talks held between the two companies.

Mr Bob White, GM's managing director, said today: "As we have stated on numerous occasions, it is GM's intention to remain in South Africa. We have no intention of leaving."

"Further, we have no plans to assemble vehicles

outside our present facilities in PE.

"And, as to speculation regarding any possible discussions with another company, I can only say that I find it counter-productive even to comment on such rumours."

He stressed that continued speculation by the media would only have a negative effect on PE and its employment situation.

GM, which has recovered from difficult times to enjoy better sales in the car market recently and strong sales with trucks, has repeatedly said it would not pull out of PE.

In an industry already made nervous by falling

sales, suggestions that GM's volume seller could be leaving PE are regarded as having a depressing effect on the company's workforce.

This month 1 300 men will collect pay packets at Samcor (Ford) in PE for the last time.

Latest figures (for October) showed GM fourth in the log of car sales.

GM's October figure was 19,6% down on September, but nevertheless 30,4% up on October last year.

GM was third in the light commercials section as well as in medium commercials, but second in heavy trucks.



Mr BOB WHITE

So what did happen to Bopape?

w/mail 29/1-4/2/93

F Masisha Johannes "Stanza" Bopape was alive today, he would probably have been one of the key young African National Congress leaders, prominently involved in negotiating with his former oppressors.

Sadly, Bopape is almost certainly dead. The chances are high that the remains of this brilliant young activist, legal student and civic organiser are lying somewhere in the country, in an unmarked grave.

Not, to be sure, the grave pointed out by aggrieved former municipal constable Johnny Mokale, in this week's curious police publicity blitz; but in some other grave, whose whereabouts is known to the same

Somebody, somewhere, knows what happened to Stanza Bopape — but it's not aggrieved former constable Johnny Mokale, who started this week's curious police publicity blitz.
By GAVIN EVANS

people who probably know where the likes of Siphwe Mthimkulu, Siphwe Hashe, Boikie Thlapi and at least 30 other "disappeared persons" are lying.

Like so many other talented young

people at the time, Bopape's teenage and adult life was consumed by "the struggle" — both in fighting for a new order and in being hammered for being so good at it. From his school SRC, to the Mamelodi youth and civic organisations, the Azanian Students Organisation and, in all probability, the ANC, he was a young man on whom leadership settled easily.

As a result, from 1980 until his "disappearance" eight years later, Bopape had at least four spells in security police detention, was tortured, harassed and threatened. Finally, after two days of detention under section 29 of the Internal Security Act, he vanished.

What is not in dispute is that at

midnight on June 9 1988 Bopape, then 27, and his comrade, Bheki Nkosi, were detained at their home in Century Plaza, Hillbrow. They were then taken to Roodepoort Police Station, before being transferred to John Vorster Square for interrogation the next day.

According to the police, at around midnight on June 12 1988 he was being transported to Vereeniging by three policemen, including a major, when their vehicle had a puncture. Bopape, who was in handcuffs (and, according to a later version by then Law and Order Minister Adriaan Vlok, also in leg irons), remained in the car, while the trio of captors got out.

Bopape somehow managed to find the keys to his various shackles in the pocket of a police jacket, freed himself, climbed out of the car and ran away into a nearby forest. The police fired, but missed, and he escaped.

The police, who were investigating his alleged involvement in the ANC's military underground network, opened a docket, but say they could not find him. They later said they were informed by various unnamed sources that he had been spotted at the site of various ANC bomb blasts, and in exile.

The police version took some time to develop. Mark Phillips, a lawyer who represents the Bopape family, says that on June 10, 17 and 24 1988 he made written inquiries to the Commissioner of Police, requesting the right to visit Bopape and asking for the reasons for his section 29 detention.

"These inquiries were not answered until June 27, when the SAP telexed us and said that Bopape had been 'exempted from the provisions of section 29'.

"We then asked what 'exempted' meant because there is nothing in the Act which mentions exemption from its provisions, and it's a term never used before or since.

"Finally, on July 4, they informed us he had 'escaped on June 12', and they later gave us their account of the details."

Several months later, after the case had been taken up by Amnesty International, the United Nations, the Democratic Party and others, Vlok agreed to a meeting — set up by MP Jan van Eck — with Stanza's father, Matome Bopape. Bopape's attorney, Nicholas Haysom, and Van Eck were barred from this meeting.

Afterwards, Matome Bopape told a media conference that Vlok had been unable to allay his fears in any way and that he believed his son was dead. Nevertheless, he initiated an intense local and international search for his son, contacting among others the offices of the UN High Commissioner for Refugees, and visiting ANC headquarters in Lusaka.

He was told by the ANC that it had conducted a thorough search of its records, camps and installations; and that Bopape had definitely not joined the organisation in exile.

No ANC dissident has claimed to have seen him — nor, for that matter, have his former employers in the Community Research and Information Centre, his family or friends.

Phillips believes the police version of his escape is implausible: "It is incomprehensible why it took the SAP so long to notify the lawyers about the alleged escape. Their subsequent excuse was that if they had made the escape public, it would

Where have all the flowers gone?

w/mail 29/1-4/2/93

By JACQUIE GOLDING, GAVIN EVANS and ECNA ELEVEN years ago, Port Elizabeth student activist Siphwe Mthimkulu and his friend, Topsy Mdaka, disappeared.

Mthimkulu was in the process of suing the police after being poisoned with the deadly nerve poison, thallium, while in detention. At the time he vanished, he was confined to a wheelchair.

The police claimed he had slipped into exile. His family, colleagues and former police captain Dirk Coetzee say he was murdered by the South African Police.

Mthimkulu is one of more than 30 political activists now classified as "disappeared persons", most of whom vanished during the successive post-1985 states of emergency.



Big dig — John Mokale and policemen watch the excavation

Photo: JOAO SILVA, The Star

According to the police, some of these "escaped", others were "released" into thin air or disappeared soon after their release. Yet others disappeared without being detained.

Port Elizabeth activist Sizwe Kondile, according to the police, was detained on June 26 1981 and released six weeks later after which he was "placed in possession of a motor vehicle and allowed to proceed wherever he wanted to go". He was never seen again.

Three years ago Coetzee filled in the gap with an account which was vigorously denied at the time by police. Coetzee said when he went to the Jeffrey's Bay police station, he saw Kondile handcuffed to a bed and was told by a doctor on duty this was "another Steve Biko case coming up" because Kondile had suffered brain damage during interrogation.

He said Kondile was then driven to Komatipoort by Captain (later Colonel) Doep du Plessis, of the Port Elizabeth security branch, and another security policeman, given "knock-out drops", then "shot in the head", after which he was "burnt to ashes" on a pyre of wood and tyres. Coetzee named five other policemen, four from Port Elizabeth, who were present at the burning.

The rebel police captain also made mention of the SAP's involvement in Mthimkulu's disappearance, claiming that the student leader was killed and that his body was disposed of by the security police.

Together with Madaka, he vanished on April 14 1982 while on his way to hospital to collect his medication.

Mthimkulu's doctor confirmed seeing him at 11 that morning. He returned home that afternoon and left in Madaka's car to visit a friend, Lulu Johnson, in New Brighton. He never came home.

"He left early that morning with Topsy, who drove the car because Siphwe could not walk," said Simon Mthimkulu, Siphwe's father. "I knew something had happened to him because he would have contacted me."

At the time of Mthimkulu's disappearance, his lawyers were preparing a damages claim for R150 000 against the then minister of law and order, Louis Le Grange.

Madaka's car, with his passport still inside, was found at the Transkei/Lesotho border near Sterkspruit.

Another who vanished without trace was northern Transvaal activist Boikie Thlapi, who has not been seen since March 20 1986. An alleged underground member of the African National Congress, Thlapi was stopped at a roadblock after leaving Ikageng to attend a vigil in Klerksdorp. He was taken into custody by the Stilfontein police, who claimed he was not on their register. A year later police confirmed that he was detained, but added that he was released a few days later. His family have not heard from him.

Activist Mthabata Seema disappeared in March 1988. He had gone to court to attend a criminal hearing and was later seen at the Pietersburg prison in the company of two security policemen. Seema could not walk and had to be assisted out of the car and into the prison entrance. Witnesses say prison staff refused to accept him because of his condition. His wife, Mokgadi Seema, went to the prison a week later and she was told that he was not being held there. He has not been seen since.

Siphwe Hashe, Champion Galela and Owaqaweli Godolozzi, all members of the Port Elizabeth Black Civic Organisation, received an urgent message on May 8 1985 to go to HF Verwoerd Airport to meet a British visitor. They never returned. Their families are convinced they were detained and later murdered.

Like the families of the rest of South Africa's "disappeared ones", they wait for the day when someone tells them what really happened.

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● To PAGE 8

P.T.O.

So what happened to Stanza Bopape?

W/maul 29/1-4/2/93.

● From PAGE 2

have prejudiced the investigation. But it is unclear how this could possibly have been the case when they had already claimed he'd been "exempted" from Section 29.

"What was also surprising is that the police opened a docket on June 13 into this alleged escape, but in the months that followed they never visited his family, friends or employers to see if they could find him. This is odd, given their claim that he was an ANC military operative — a real prize for the security police.

"It is also worth noting that the state has consistently refused to release the names of the three policemen said to have guarded Bopape. There has never been any indication of an internal investigation into the circumstances of the escape, or whether any disciplinary action was taken against these policemen for allowing so important a detainee to abscond so easily."

The logical alternative to the police version is that Stanza Bopape, like disappeared eastern Cape activist Sizwe Kondile, was murdered while in the custody of the security police.

What then of Johnny Mokaleng's false lead? Mokaleng's version is that Bopape's body, and the others, must have been moved. This, however, is unlikely.

The indications are that there had been no digging on the sites for at least three years, suggesting that if any bodies were moved, it was done in the 18 months after Bopape's murder.

Other possibilities are that Mokaleng pointed out the wrong sites, that he had a grievance against the police and made the whole thing up, that he was set up, or a combination of the three.

While the police are understandably gleeful about the whole affair, the fact remains that Bopape is still missing, presumed dead. And the chances are high that somebody, somewhere, knows where his body is lying.

FOCUS ON TH

Trail leads back to house of horrors

By PHILIPPA GARSON

ALLEGATIONS by former police constable John Mokaleng of the murder and burial of activists by western Transvaal police have thrown the spotlight once again on policemen in the Carletonville area.

Some of the men Mokaleng implicated this week were the subject of a 1991 internal police probe which led to the closure of the "house of horrors" Welverdiend police station in Carletonville; 13 policemen facing more than 100 charges ranging from murder to assault were suspended. (329)

Another ex-policeman formerly based at Carletonville recently made a statement similar to Mokaleng's to the Independent Board of Inquiry into Informal Repression. *W. M. M. M.*

Alleging abuses at Carletonville, Welverdiend and Khutsong police stations in 1991, he says colleagues frequently "dumped" bodies in Khutsong and then removed them. 29/1-4/2/93

Press exposure and the intervention of lawyers and human rights bodies forced the closure of Welverdiend after at least two detainees died and scores of others were tortured.

Most of the policemen charged as a result of the probe have been acquitted or had their cases withdrawn. One was found guilty of assault and fined R300.

All the policemen were back at work a month after their suspension. Those stationed at Welverdiend have been transferred to Carletonville and Khutsong.

Further torture allegations at Khutsong were made as recently as February last year.

One of the policemen implicated in the sworn statement of alleged torture victim Paulus Tshabalala is the notorious Constable Ephraim Fente Rampete, also implicated by Mokaleng.

Based at Potchefstroom, Rampete has been linked to several deaths and torture incidents.

Putting a face to a statistic

STAR 30/1/93.

WHEN your office has been reduced to ruin by an arsonist's firebomb, you might not take too kindly to a colleague who stands amid the charred remains cracking jokes.

But that is one memory a close friend and former work-mate has of Malasha "Stanza" Bopape — the Mamelodi community leader who disappeared in 1988 — and it's a fond one.

"When we walked into our offices and found them trashed, Stanza was still able to make us laugh while we tried to clean up. He had a great sense of humour and he had this way of making things bearable," says Keith Coleman, who worked with Bopape for 3½ years at the Community Research and Information Centre (CRIC). "These things were part of life for him."

The fire-bomb attack on the offices of CRIC — an organisation which worked with anti-apartheid unions, youth groups and civics — was an ominous portent. Two months later Bopape was detained, together with another CRIC employee, Bheki Nkosi. Bopape was general-secretary of the Mamelodi Civic Association and a member of the township's youth organisation — and was trying to complete a law degree.

"He was 27 at the time and incredibly young for the position he held," Coleman says. "That was partly a reflection of the leading role the youth were playing at that time but it also reflected who Stanza was — charismatic, competent, a real leader. He wasn't a fiery orator — he just had this quiet confidence."

When police took Bopape into

SEARCHES were made this week for the remains of dissidents said to have been killed by police. Chief Reporter JOHN PERLMAN finds out more about one of the men who disappeared.

custody on June 9, he was no stranger to detention without trial. He had been inside three times before, starting with a two-week spell just before his matric exams. His previous incarceration had dragged on for 10 months. His final detention lasted just three days.

LAWYERS for the Bopape family received a letter from the police which read: "Your client escaped late at night while being escorted by motor vehicle to Vereeniging, where certain police investigations were in process. A flat tyre en route necessitated the police vehicle to stop and, while the spare tyre was being fitted, your client made good his escape."

"When we heard the completely absurd story of the circumstances surrounding Stanza's supposed escape, and, when he failed to contact any of his friends, I feared the worst," Coleman says. "And when Bheki got out and told us how he had been tortured, I believed that Stanza had probably been tortured to death. I still believe that."

"Stanza was effectively the black mayor of Pretoria. Imagine if the white mayor of Pretoria had disappeared under these circum-

stances, what the response would have been. Yet because Stanza was from Mamelodi, it was allowed to be forgotten and it shouldn't have been."

This week, Bopape's disappearance was news again, following allegations made in the Sowetan by a former policeman, Johnny Mokale, that he could point out the place where the Mamelodi leader had been buried.

Police dug up the area but found nothing. Stanza's father, Matome Bopape (63), was dismayed at the fruitless search, but glad that "this thing had come up again. This thing must be finished," the pensioner said. "I want to get an answer for myself and I believe that everything will come out."

Stanza Bopape has a daughter, Mashigo (4), who has never seen her father. She was born after her father disappeared. Her grandfather says he likes to have her with him whenever he can. "I feel better when I've got that little girl with me," he says. "I will make her grow, just like I did with her father."

Matome Bopape was born near Pietersburg but came to Pretoria to work in the motor industry as a repairman. "Stanza was the first born of my sons and I wanted him to be a lawyer. That is a good, honest job. That is why I worked so I could pay for his studies."

Bopape travelled to Lusaka to see if his son had fled into exile and met with Adriaan Vlok, then Minister of Law and Order. "He never gave me any answers," Bopape says. "I said 'why don't you just tell me, even if you have killed him, and then I will be happy'."

"Now I am in the middle. I won't say Stanza is dead and I won't say he is alive. But if he is dead they must bring me the bones so that I can bury him myself."

'Find truth about missing

MK activist'

THOUGH former policeman Johnny Mokaleng's claims about the burial of victims of police torture were not substantiated by police excavations, this week, they have triggered a campaign to uncover the truth about missing Mamelodi activist Stanza Bopape.

Bopape, a civic leader and Umkhonto we Sizwe cadre, disappeared while held in solitary confinement in June 1988. The police allegation that he escaped has been doubted from the start by his family and by critics of the Government's human rights record. Mokaleng this week alleged

that Bopape was one of several detainees secretly buried in the western Transvaal.

Yesterday the ANC's PWV regional secretary, Paul Mashatile, announced that the ANC and the Bopape family had instructed lawyers to approach advocate Jan Munnik, appointed under the National Peace Accord as SAP reporting officer for the PWV, to investigate the

police handling of the Bopape case. "We demand that police make documentation and witnesses available to the reporting officer," said Mashatile.

One of the documents that lawyers will present to Munnik is a statement by Bopape's former flatmate, Bheki Nkosi, who was detained with Bopape. Although the statement was made in 1989, Nkosi authorised

its release only this week.

In it Nkosi, now chairman of the PWV region of the ANC Youth League, recounts that police who interrogated him in the days after Bopape's disappearance repeatedly said Bopape was dead. In one instance, a John Vorster Square security policeman, identified as "Syfert", had said the police had shot and killed Bopape when he tried to escape, Nkosi alleges.

Mashatile said the ANC was also demanding the immediate establishment of an independent commission of inquiry to investigate

● TO PAGE 2.

STAR
30/1/93

329
JO-ANNE COLLINGE

Gruesome statement of police 'brutality' released

South 3011-312193

THE affidavit of former municipal policeman Constable Johnny Mokaleng which led the police to investigate his claims of police murder, torture and secret disposal of victims was made public this week.

His story appeared discredited when no bodies were found at the "burial sites" he pointed out in the western Transvaal.

He outlined a gruesome tale of police brutality in the affidavit, signed on January 19 this year.

On October 10, 1989, according to the affidavit, a group of policemen from the SAP's Criminal Investigation Department came to the Ikageng police station where Mokaleng worked. They asked him to take them to the homes of various political activists.

Mokaleng said the policemen already had six or eight activists in

their vehicles.

They took the activists to the Welverdiend police station. There, he said, the policeman donned balaclavas and went into a private room called "Die Waarheid Kantoor" (The Truth Office).

In the room, Mokaleng claimed, electrodes were attached to the testicles, wrists and ankles of the activists. They were given electric shocks, punched, kicked and hit with batons. Many lost consciousness during the interrogation.

They were then dragged out of the police station, thrown into the back of a police van and driven to the Dwaalsboom police station.

Detainees were ordered to carry the activists from the police vehicle into the cells and then taken to a farm outside Phokeng township near Rustenburg.



STANZA BOPAPE

Some were taken into the veld to dig holes about two metres deep.

Mokaleng said a group of policemen made a braai and drank beer, brandy and whisky while they watched the holes being dug.

While he watched the graves being dug, Mokaleng said, he saw other graves, one of which bore the name Stanza Bopape. He claimed a white policeman later confirmed Bopape was buried there.

When the detainees finished digging the graves, Mokaleng said, they were taken away and a police van returned with four people, three of whom appeared to be dead. The fourth seemed to be still breathing.

Two of the four were in black plastic bags and the other two in their blood-soaked clothes. They were thrown into separate graves and the police covered the bodies with soil.

After the burial, Mokaleng said, the white policemen fired their pistols in the air, apparently in jubilation at their completed job, and left the scene at about 4am. — **Sepa**

The Johannesburg Rand Supreme Court heard this week how Pitje's assailants, Matlose Rodney Seatile, 25, and Motlahabe Abra-

cried and begged for his life.

Legwai, son of attorney Godfrey Pitje, was on his way home from FNB stadium in Johannesburg

when he phoned the police. Seatile grabbed Pitje, forced him into the car and drove off at high speed.

The trial continues this week.

'Cop told me they shot Bopape'

By THEMBA KHUMALO

(329)

A MAN who was detained together with Stanza Bopape claimed that the police assaulted them and pushed Bopape against a wall during their arrest in a Johannesburg flat in June 1988. CIV 31/11/93

Bheki Nkosi of the ANC Youth League in Mamelodi told a press

conference on Friday that he was the last political activist to see Bopape when they were arrested by heavily armed police at Century Plaza in Joubert Park.

Police said Bopape, whom the ANC said was an Umkhonto we-Sizwe cadre, "escaped" as he was taking them to a place where he had hidden arms.

Nkosi said a warrant officer at John Vorster Square later told him the police had shot and killed Bopape when he tried to escape.

Bopape's father, Matome, repeatedly called former Minister of Law and Order Adriaan Vlok a liar for saying his son had probably gone to join the ANC in Lusaka.

■ See Page 5

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Ciskei detains ANC member

AN ANC member has been detained in Ciskei - apparently for a shooting incident that occurred over four years ago. 31/11/93

Ray Currie was detained by Ciskei security forces in Peddie last week. 329

The shooting - allegedly involving Currie and another ANC cadre - happened at Currie's home in Alice in 1988. At least two policemen died in the incident. 31/11/93

NEWS

MIPs grill FW de Klerk on deaths in detention • Field under Internal Security Act

NP, guilty of abuses,

By Ismail Lagardien
Political Correspondent

PRESIDENT FW de Klerk was quizzed about the mysterious deaths and disappearances of detainees in South Africa by Members of Parliament in the house yesterday.

Speaking during the debate on the State President's Opening Address, the leader of the Democratic Party, Mr Zach de Beer, said the NP was guilty of the most gruesome human rights abuses.

The ANC-aligned Labour Party nailed De Klerk further, accusing him and his Government of the devilish dualism of preaching tolerance and reconciliation while the facts behind the death of people such as Stanzu Bopape and Steve Biko were being sealed behind a

**Democratic and Labour Parties say Nats are
sanctioning about Bill of Rights:**

wall of mystery:

Mr Llewellyn Landers, national Labour chairman, said the NP's plan of action to promote the concept of human rights in a Bill of Rights at this hour was laughable and sanctimonious for all the mystery that surrounds the killing of detainees.

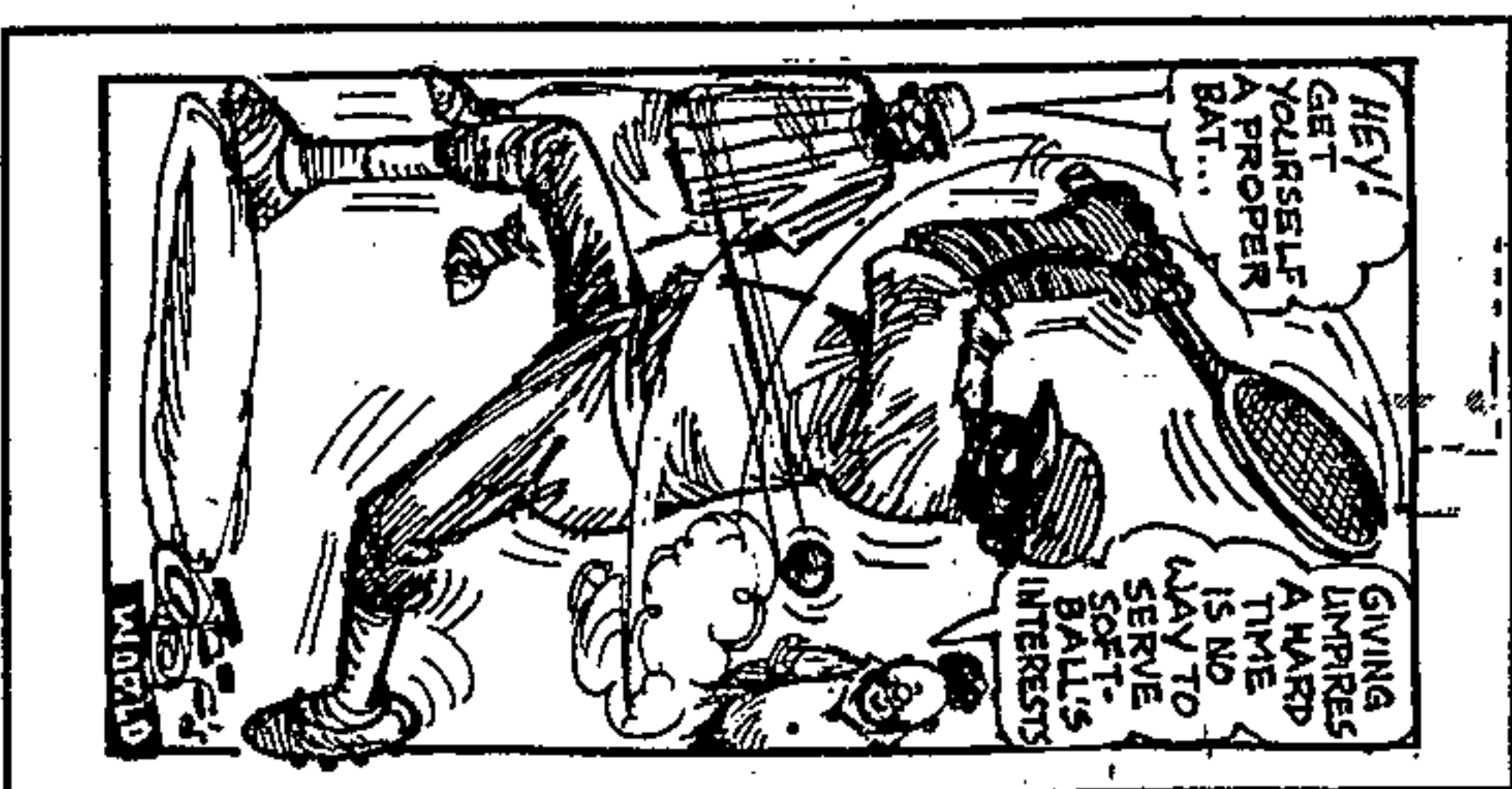
"We find it strange, too, that a country which boasts one of the most effective and sophisticated intelligence networks in the world is unable to solve these mysteries.

“The National Party Government has an appalling record of human rights abuses committed during its 44-year rule ... the abuse of human rights has developed into a culture and tradition

The DP leader also referred to Biko's death and said the Government had to admit it was "guilty of human rights abuses, possibly murder, in order "to prevent it from happening again".

De Beet and Landers: both said that millions of South Africans would actually like to know what the military officers who were retired last December were guilty of.

The resurgence of interest in detainees who disappeared in prison or died while in custody comes after last week's flurry of activities after an ex-police-man said he knew where Bopape was buried. Diggings in the area revealed no graves.



GIVING
LIMPRES
A HARD
TIME
IS NO
WAY TO
SERVE
SOFT-
BALL'S
INTERESTS

Taximen released

■ No charges put to them:

By Alinah Dube

THE 55 taxi drivers who were arrested by police in the Pietersburg-Potgietersrus areas early last month have been released without being charged.

Major Arma Vogel, media liaison officer for Far Northern Transvaal police, confirmed the taxi operators' release yesterday.

The 55 who were arrested on January 9 for permit offences and touting were held under the Internal Security Act.

The Lethabille Taxi Association and RSA Taxi Association brought an urgent application in the Pretoria Supreme Court seeking their release.

ANC men *Star 4/2/93* found with arms cache

Staff Reporter *329*

Three ANC members have been arrested for attempting to smuggle a large weapons cache from Swaziland to South Africa, according to police liaison officer Captain Burger van Rooyen.

Included in the cache, which was hidden in the false bottom of a car boot, were two RPG-7 rocket launchers with six rockets and boosters.

Van Rooyen said the discovery was made during a routine search of the car as it tried to enter South Africa at the Golela border post on Monday.

Other weapons in the cache were 34 F-1 hand grenades, 2 800 AK-47 rounds, nine Makarov pistols with 18 full magazines, 13 Stechkin pistols with 26 full magazines and 40 UZRG hand grenade detonators.

Van Rooyen said two of the men were arrested at the border post and the other man was held later.

They are being held under Section 29 of the Internal Security Act.

Govt strategy for health care

BIDAY 5/2/93
GOVERNMENT has enlisted the services of advertising agency Saatchi & Saatchi Worldwide to promote its new plan to re-vamp health care services.

The Health Department has stressed that the state cannot afford to spend a greater percentage of its GNP on health, and the only way it can hope to resuscitate the health system is by radically shifting its focus and resources from sophisticated curative care to primary preventative strategies.

Saatchi & Saatchi Klerck and Barrett director Kgomotso Modise said advertising in social marketing had proved itself capable of soliciting participation and response cost-effectively by focusing on a single-minded proposition.

It also provided a tangible benefit in solving a problem in a community, he said.

In his presentation at the launch, Modise said rapidly escalating costs and the growing need in providing health services to all had affected future plans for health care.

Health care had also been affected by economic and social pressures which had resulted in a tendency for people to be

KATHRYN STRACHAN

more concerned about their own interests than those of others, he said.

"There is an immediate need in SA today to restructure and launch a supportive community programme in order to redirect attitudes and perceptions regarding the health care system."

He said the primary health care programme hoped to strengthen health services particularly in rural and squatter areas, and the advertising campaign intended to focus on issues such as nutrition, hygiene and immunisation.

As well as educating people to take responsibility for their own health and advertising the services of clinics, one of the principal objectives of the campaign was to promote the concept of primary health care to the business sector and to gain business and community leaders' support for the new strategy.

To boost the strategy, a public relations campaign had been formulated with the aim of creating a partnership between government and the private sector.

Cinema Manager
Joubert last year was yesterday sentenced in the Rand Supreme Court to life imprisonment.

Moses Dabula, 24, was also sentenced to 15 years' imprisonment for robbery with aggravating circumstances. His co-accused, David Makena, who was 17 at the time of the killing, was sentenced to 25 years' imprisonment for murder and robbery.

The pair, who were both employed at the cinema, attacked Joubert while he was cashing up. Joubert was stabbed 101 times.

A third man, Percy Tshabalala, who also took part in the robbery, escaped from the scene and did not stand trial.

Judge M J Stegmann, sitting with two assessors, found the fact that the robbery and murder were planned weeks prior to the incident was an aggravating feature of the crime.

Peace accord officer to look into Bopape case

BIDAY 5/2/93
THE case of political detainee Stanza Bopape — who police allege escaped from custody in 1988 and who friends and family believe has been murdered — will be investigated by the newly appointed police reporting officer under the peace accord, Jan Munnik. (329)

And Bopape's father Junius will today brief ANC leaders Nelson Mandela and Walter Sisulu on the circumstances surrounding his son's disappearance. Mandela has taken a personal interest in Bopape's case and is said to be determined to make sure the mystery of his disappearance is solved.

DIRK HARTFORD

Munnik said yesterday he would be approaching the special police unit — set up in terms of the peace accord — to investigate Bopape's disappearance. He would then report back to Bopape's family who requested the investigation.

Bopape's family has also demanded a public inquiry.

Meanwhile, lawyers acting on behalf of the Bopape family claim to have established that two constables at John Vorster Square — Engelbrecht and Mostert — took Bopape out "for the purposes of investigation"

on the day he allegedly escaped. Mostert, together with a Maj van Niekerk, had interrogated Bopape in detention two days before he disappeared, said the lawyers.

They said yesterday it was not clear if these three policemen were the "major who was the authorised appointed investigating officer and two colleagues" said by Lt-Gen Johan van der Merwe to have been with Bopape when he disappeared.

The SAP and Law and Order Minister Adriaan Vlok have so far refused to name the men who were with Bopape when he allegedly escaped.

Family want probe reopened

Star 5/21/93

329



Stanza Bopape . . . disappeared in June 1988.

By Jo-Anne Collinge

Lawyers for the family of missing Mamelodi detainee Stanza Bopape are resorting to the National Peace Accord in a bid to reopen the probe into his disappearance in June 1988.

A dossier was delivered yesterday to advocate Jan Munnik, appointed under the Peace Accord as police reporting officer for the PWV, said attorney Mark Phillips.

The family's request to Munnik was that he instruct "a special unit of the police to reopen the investigation into Stanza's disappearance, ensure that the investigation is a full and proper one, and report back to them on the outcome of the investiga-

tion", Phillips said.

In addition, Matome Bopape, father of the missing activist, is scheduled to meet the ANC's two top office bearers, Nelson Mandela and Walter Sisulu, today. The family is aiming at a full public inquiry in addition to the Peace Accord probe.

Bopape, aged 27 at the time and general secretary of the Mamelodi Civic Association, went missing three days after being detained at Johannesburg's John Vorster Square.

Police said he escaped while his three police escorts were fixing a flat tyre on the vehicle in which they were travelling.

Bopape was handcuffed and in leg-irons at the time. He never surfaced in exile.

Negotiations jeopardised — **Pik** ● ANC denies involvement

Star 5/2/93

MK arms smuggling

also Aug 93

By Peter Fabricius
Political Correspondent

CAPE TOWN — Foreign Minister Pik Botha has warned foreign ambassadors that the negotiation process has been jeopardised by the arrest of two alleged ANC military cadres held while trying to smuggle a large arsenal of weapons from Mozambique to Durban.

Constitutional Development Minister Roelf Meyer and Law and Order Minister Hennis Kriel last night demanded an explanation from the ANC, and said they had laid an official complaint with the National Peace Committee and requested an urgent meeting.

They said they had information that a regional commander of the ANC's military wing, Umkhonto we Sizwe (MK), was allegedly involved in smuggling the

weapons into South Africa.

The Star learnt that the two "MK members" were arrested on the Swaziland-SA border at Golela.

Hidden in the false bottom of their car were 34 hand grenades, 22 pistols, two RPG rocket-grenade launchers and 2 800 rounds of AK-47 ammunition.

According to information which Botha supplied to ambassadors at an urgent briefing, the "MK members" confessed to a magistrate that

they had collected the weapons in Mozambique on instruction of Natal commander and commissar of MK, Sipho Daniel Joel Sithole.

The disclosure came on the day that Meyer and Kriel were involved in discussions with the ANC about the continued existence of MK as well as control of MK arms and training.

Meyer and Kriel said in their statement that the seizure of the arms emphasised the absolute necessity for:

- Proper control over MK arms and caches.
- An immediate moratorium on MK recruitment.
- Establishing structures to control MK cadres.
- Reaching agreement on the final position of MK and other armed formations.

Meyer added that Government's view was that it was still important to ensure the process was kept going "but only on a stable basis". He said that ANC leadership, including secretary-general Cyril Ramaphosa, had insisted that the ANC was not involved in the arms smuggling and had not issued instructions for the supply of the arms.

"But we want written proof of that," said Meyer. Government sources indicated today they expected the Goldstone Commission would examine the incident. The sources differed on the seriousness of the threat to negotiations. Some said it

was "just another incident".

ANC spokesman Carl Niehaus said the shooting on constitutional matters scheduled for Wednesday would continue and that the ANC would conduct its own internal investigation into allegations of arms smuggling.

The ANC delegation had given the immediate assurance to the Government that no members of its National Executive Committee or senior MK figures were involved in this incident.

ROW

Arms cache! more held

Sowetan
10/2/93.

329

Sowetan Correspondent

FOUR MORE African National Congress members have been arrested by police in Durban after an arms cache was found in a car on the Natal-Swaziland border last week.

The arrest of the men in Durban brings to seven the number of ANC members now being held in connection with the finding of the arms cache.

Police spokesman Major Ruben Bloomberg, confirmed that the SAP were holding a further

four suspects in Durban. He could not give further details.

Last week police arrested the three suspects on the South African side of the Golela border and seized a variety of weapons, including rockets, launchers and pistols, found in the boot of a car.

Senior ANC officials travelled to Middelburg in the Transvaal on Monday to interview the three arrested men.

After meeting with the suspects, the ANC confirmed that the men were members of the organisation.

Stanza's case: Lawyers act

Sowetan 10/2/93.
By Abbey Makoe

LAWYERS for the Stanza Bopape family have submitted a dossier to the National Peace Committee to investigate the conduct of the three policemen under whose custody Bopape allegedly escaped five years ago.

According to Mr Mark Phillips, representing the Bopape family, the documents were now in the possession of an advocate who is a police reporting officer in the National Peace Accord.

The advocate confirmed receipt of the documents. He said he would be meet Law and Order Minister Hernus Kriel soon and hoped to raise the matter with him.

Phillips said: "The SAP have not provided Mr Bopape senior nor the family's attorneys with any progress report in the investigations, nor have they contacted the family, whether at the time of the escape or since then."

Meanwhile, Stanza's co-detainee, Mr Bheki Nkosi, has also agreed to make public his affidavit since signing the document in 1988.

Nkosi alleged he was informed by members of the SAP that Stanza had been shot and killed.

Nkosi's allegation was made prior to the

■ A tentative identification of police involved in the disappearance has been made:

SAP's official version regarding Stanza's disappearance on July 4 1988.

New light has also been shed on the possible identities of three police officers in whose custody Stanza disappeared.

According to the Occurrence Book for June 12 1988 at John Voster Square, where Stanza was held under Section 29 of the Internal Security Act, Constables Engelbrecht and Mostert took Stanza away for the purposes of investigations that day.

According to information in possession of Bopape's attorneys, the third police officer could be a Major van Niekerk.

Van Niekerk's name and that of a Constable Mostert are contained in the records of a political trial which was heard between 1989 and 1991.

Bopape's lawyers said they were not yet certain whether the three policemen were the same officers referred to by the SAP Chief General van der Merwe in 1988.

More arrests over arms cache

THE arrest of five more alleged Umkhonto we Sizwe (MK) members in connection with arms smuggling into Natal has put the ANC on the defensive before today's scheduled bilateral talks. **B10AM**

This brings to 10 the number of alleged ANC members arrested in connection with the operation. **10/2/93**

Two of those arrested have subsequently been released.

After the latest arrests, Judge Richard Goldstone postponed his inquiry into the smuggling operation at the request of the Transvaal attorney-general. The inquiry was due to start next Monday.

Yesterday ANC southern Natal regional chairman Jeff Radebe confirmed that at least two of the latest arrests were members of the organisation.

He said the high-level ANC investigation team, led by senior negotiator Matthew Phosa, was in Durban this week to interview those detained. On Monday in Middelburg, the team interviewed the first three, detained last week.

(329)

BILLY PADDOCK

Phosa said the ANC team had established beyond doubt that the organisation's national executive committee and the southern Natal regional executive were not involved. **329**

The team was also satisfied that military headquarters in Johannesburg and the military command in southern Natal had no part in the operation.

Hardline ANC Midlands leader Harry Gwala complicated matters for the organisation's negotiations team when he justified the smuggling of weapons into Natal in contravention of a 1990 agreement.

Gwala was reported as saying: "I don't think we should pretend that we don't try to obtain arms ourselves, or else how can we defend our people?"

Inkatha seized on this to justify its insistence that MK be disbanded before Inkatha entered multiparty talks. Inkatha charged that the ANC was stockpiling arms in Natal

□ To Page 2

Arms cache **B10AM** **10/2/93**

in preparation for elections and destabilising the region further.

Government and Inkatha, in a joint statement on Monday, voiced concern over the smuggling operation and its potential to derail negotiations.

And Sapa reports that CP spokesman Schalk Pienaar said government should break off negotiations with the ANC in the light of "irrefutable evidence" that it was continuing to wage a revolutionary war against political opponents.

A government source said yesterday the goal of setting up a multiparty planning conference before the end of February had receded with the arrests.

Inkatha's insistence on MK's disbandment before it would agree to participate in the planning conference had become a sticking point, he said.

However, government believed that if it and the ANC could clinch a deal on a phased process of achieving joint control of all

armed formations, Inkatha would go along with it.

He added that the two-day talks between the ANC and government would focus on the MK issue.

The government source said mere declarations of innocence on the part of the ANC would not satisfy it or Inkatha.

There had to be assurances that there would be no similar incidents and government would insist on the law taking its course.

It is understood the ANC will argue that the arms smuggling was conducted by a few members on their own initiative.

□ Police supported by soldiers confiscated an arms cache in Dube hostel in Soweto yesterday, Sapa reports. Fifteen AK-47 assault rifles, three Makarov pistols and several other 9mm pistols were found, along with ammunition. Police said four suspects were arrested. No more arrests were expected.

(329)

□ From Page 1

More arrests, but talks on

By Ismail Lagardien
Political Correspondent

NOTHING WOULD STAND in the way of the resumption of talks "however good or bad it may be", Government sources said yesterday after a week in which police

believed they had cracked an arms smuggling network involving ANC members.

The Department of Law and Order yesterday said eight people were now being held in connection with the seizure of an arms cache near the Swaziland border last week.

Seven are being held under Section 29 of the Internal Security Act and two

Sowetan

11/2/93

under Section 50 of the Criminal Procedure Act which allows for a maximum of 48 hours detention. Law and Order spokesman Captain Craig Kotze said.

At the end of a short meeting between the Government and the ANC in Cape Town yesterday, there was a general feeling of achievement after the ANC had absolved itself from complicity in the arms-smuggling incident.

The two parties are expected to meet to trash out the issue today.

Earlier a Government intelligence source said the ANC was "smuggling arms into Natal to strengthen its position in the province".

This has reportedly placed the Government under severe pressure from the Natal branch of the National Party to extract a full explanation from the ANC.

In a statement last night, the executive committee of the NP in Natal said it "notes with total dismay that three MK members were involved in smuggling arms and ammunition into South Africa with the admitted intention to use them in Natal".

Sources said the need for multiparty negotiations was too serious for anything to stand in its way.

329

SECRET

SECRET

Arms suspect held

DURBAN police arrested another suspected ANC member on Tuesday night and are now holding nine people in connection with an arms cache seized on the Swazi border last week. *Sowetan 11/2/93*

Law and Order Ministry spokesman Captain Craig Kotze said yesterday that all the detainees were suspected Umkhonto we Sizwe members. (329)

Another arms cache found

Sowetan 12/2/93

FRAGILE TALKS Latest discovery

THREE PEOPLE, ONE OF THEM an alleged member of the African National Congress, were arrested after an arms cache was found in KwaMashu, near Durban, yesterday.

This brings to 11 the number of people arrested in connection with illegal possession of weapons during the past 10 days.

Eight people were arrested following the seizure of illegal weapons at the Golela border post, near Swaziland, on February 1.

may put negotiations under a strain (329)

The ANC has admitted five of the suspects are its members.

The arms, which included rocket launchers, were apparently destined for strife-torn Natal.

Yesterday's discovery came as the Government and the ANC were locked in intense discussions on constitutional negotiations.

The KwaMashu find was the third in 10 days and could place further strain on the fragile negotiations process.

The ANC has denied that the organisation's leadership had instructed the men to smuggle weapons into Natal or that Umkhonto we Sizwe leaders knew of the cache. The Government immediately called

for urgent talks with the ANC, and after hours of negotiations, the ANC said it would investigate police allegations of MK involvement in arms smuggling.

Fuel was added to the fire when ANC Natal regional leader Mr Harry Gwala said arms were being smuggled into the province to be used in self-defence by ANC supporters.

Yesterday Law and Order Minister Mr Hennis Kriel said the Government intended discussing the matter at its meeting with the IFP on February 17, 18 and 19.

IFP men held for arms smuggling

W/Mail 12/2-18/2/93
Weekly Mail Reporter

POLICE had not publicised the arrest of two Inkatha Freedom Party members suspected of arms smuggling because they were waiting for another arms consignment to cross the Swazi border, Law and Order Minister Hernus Kriel said yesterday. (329)

"Due to untimely publicity, it is now obvious this will not happen," Kriel said.

The African National Congress, reacting to the police disclosure of weapons smuggling into Natal by Umkhonto weSizwe, pointed out to the government yesterday that two of six suspected arms smugglers arrested at the weekend were IFP members. The six suspects, including IFP Emanguzi branch chairman Isaac Ntsele, appeared in court on Monday.

Kriel said the government viewed the Inkatha incident "in a very serious light" and would raise it at bilateral talks later this month. But he suggested that the MK and IFP cases were not comparable because MK arms smuggling contravened ANC-government agreements.

He added that no information had been received to indicate that the Inkatha arms were destined for any structure in which the IFP, as a political organisation, was involved.

13/2/93
(329)

ver detainees Slugging it out o

Star

SECONDS out, round number three ... Pathologist Dr Jonathan Gluckman is currently preparing to square off again with Law and Order Minister Hernus Kriel, armed with fresh charges that the Minister is unwilling to tackle the problem of police assaulting and killing people in custody.

In round one of this slugging match, Kriel was clearly on the ropes. Gluckman's allegations received widespread publicity and a spate of deaths in custody followed — 15 in six weeks.

More damaging for the Minister, it was revealed that Gluckman had met him fully five months previously and presented his allegations.

In December, the Minister hit back with his report, and Gluckman conceded that his claim that 90 percent of the deaths were due to po-

The Minister then hit back and Gluckman conceded that the allegation that 90 percent of the deaths were due to the SAP was 'generalised'.

lice was "generalised" — Kriel said the figure was more like 29 percent. Round two to the Minister.

Round three will hinge on whether Gluckman can prove that the Minister was more concerned about rubbishing his claims than with the more pressing public issue — getting to the bottom of abuse.

Saturday Star has also scrutinised Kriel's report



JONATHAN GLUCKMAN

Battle for the truth about deaths



HERNUS KRIEL

ROUND one to Gluckman. Round two to the Minister. Pathologist Dr Jonathan Gluckman and Law and Order Minister Hernus Kriel are squaring up for the third round in the fight for the truth on deaths in detention. Chief Reporter JOHN PERLMAN takes a ringside seat.

and found significant omissions in the Minister's version of some of the cases at issue:

- In seven cases Kriel merely states that Gluckman performed a skin biopsy on a patient. Six of these biopsies proved torture by electric shock while in the other one this was found to be "probable" — and some led to payment of damages to the patient.

- Some cases where Kriel concludes that "police were not accountable" for death were actually followed by civil claims in which the Minister paid out thousands of rands in damages.

- Some inquests which Kriel says exonerated the police were themselves the subject of controversy, with family lawyers charging that they were held in secret.

In his report Kriel accounted for the death in 1989 of Aaron Dlamini, arrested on suspicion of theft, as follows: "On the way to the storage yard the deceased suddenly fled. The member, accompanying the deceased pushed him down

and a fierce struggle ensued. The deceased lay still and it appeared that he had been seriously injured. The deceased was certified dead on arrival at the hospital."

The inquest magistrate "found that nobody was criminally accountable", Kriel concludes. Yet in 1992, legal counsel for the Minister of Law and Order reached an out-of-court settlement with the Dlamini family, paying out R350 000 as a result of Aaron's death.

Similarly with Mthakaselwa Sangweni, a policeman at Jeppe police station who allegedly fell, hit his head and died after a clash with two other policemen. The two men were found not guilty of culpable homicide, Kriel notes. And yet last year the Minister, in an out-of-court settlement of a civil claim, undertook to support Sangweni's wife and two children — at a cost of thousands of rands.

Hlahla Godfrey Shongwe, arrested for armed robbery, died in the offices of the Benoni Murder and Robbery

Unit in 1989. Kriel reports that an inquest found Shongwe died as a result of "strangulation sustained during a struggle". The magistrate found no one criminally accountable. Lawyers for the Shongwe family say they were not there because they were given the wrong date for the inquest.

Kriel also recorded that the inquest on the death of Nixon Phiri — a 16-year-old youth who "became ill and died" during interrogation — was unable to make a finding as to the cause of death. The Minister also notes "Dr Gluckman did not testify during the inquest" but does not say why. The inquest was held on February 22 1991. A letter informing the lawyers for the Phiri family of the date was dated February 21 and reached them only on March 1.

Kriel dealt with some cases in a single sentence: "On the instruction of an attorney, Dr Gluckman performed a skin biopsy." There was clearly more to these

cases than that, even if Kriel might argue that this was outside the scope of his report.

Gluckman performed a biopsy on Hamilton Dladla, an 18-year-old Maritzburg scholar, and found he had been tortured with electric shocks. Dladla obtained an interim interdict against a certain Detective-Sergeant Chandler and won damages of R8 000 plus costs in a civil claim.

Sidwell Jack, a Cradock teenager also examined by Gluckman for evidence of electrical burns, won damages worth R2 500. Gluckman also found conclusive evidence of electric torture on four other patients. One of them, Percy Khumalo, a traffic officer, laid a charge against the police.

An inquest next week in the Johannesburg Magistrate's Court will see the first judicial test of Gluckman's claims. Bethuel Maphumulo died in the custody of the Soweto Murder and Robbery Unit in December 1990. Police at the time

In seven cases Kriel merely states that Gluckman performed a skin biopsy on a patient. Six of these biopsies proved torture by electric shock.

said he tried to escape and drowned in the Protea police station's swimming pool. Gluckman's post-mortem recorded injuries "highly suggestive of manual strangulation". Kriel, two years later, classified this case as "still being investigated".

The Maphumulo inquest will be a skirmish, though. Real battle will be joined when Gluckman releases his report.

paiga informing people of resenation needs revision, driving force behind the force. Jettis instead of only un- backed the proposed changes. However, the

Test case opens door on police torture

By CARMEL RICKARD

A TEST case earmarked for the country's highest court could end police protection against surprise raids on police premises to search for instruments of torture.

Due to be heard first in the Maritzburg Supreme Court, the case concerns a 17-year-old detainee who alleges police took him to an empty farmhouse outside Estcourt used as a temporary SAP camp, where they tortured him with electric shocks. He wants court authorisation to

search the premises for the machinery and instruments used in the alleged assault — without first informing the police.

Lawyers acting for the detainee, Thulane Shoba, asked the court to order that Mr Shoba be temporarily released from prison into the custody of the deputy sheriff so he could show the way to the farmhouse and lead the search for the instruments he claimed were used to assault him. Normally, anyone bringing an action against the state or a state

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official must give advance notice but, on at least five occasions in the last few years, the courts have agreed to allow unheralded searches to look for instruments allegedly used by police for torture.

In four of these cases, torture equipment was found. So far, however, the highest court, the Appellate Division, has not decided whether the courts are allowed to permit these surprise raids. Two years ago, it turned down an application to carry out

such a search. However, Chief Justice Corbett said he could not rule out the possibility of authorising a search in another "appropriate" case, when both sides could argue the issue.

The Shoba case is expected to give the Appellate Division the chance to consider the matter thoroughly: sacrificing the element of surprise, Mr Shoba's lawyers have decided to ask in open court for the search order so that full argument could be heard on the principle.

Black youths 'at risk in cells'

By Garner Thomson
Star Bureau

LONDON — A British TV documentary team suggests any young black man now faces the risk of death in custody of the South African police — not just those with a political involvement.

Channel 4's *Dispatches* programme has come to that conclusion after an investigation into the work of pathologist Dr Jonathan Gluckman, who has conducted hundreds of autopsies

after deaths in police custody.

The Gluckman Files, broadcast in the UK last night, draws on Gluckman's investigations, repeating his accusation of "uncontrollable savagery" and the claim that his medical findings have been ignored and covered up for years.

Among the accusations highlighted by the programme, directed by John Bridcut, are:

● State medical officials carry out fake post-mortems.

● Police ignore the evidence of crucial witnesses.

The claims are dismissed by Law and Order Minister Hernus Kriel as "bordering on a criminal statement".

Dispatches highlights a number of cases, including those of Simon Mthimkulu, found dead after allegedly being beaten by police, and Edward Malele, officially a victim of bronchial pneumonia, but who, says Gluckman, actually died of a brain haemorrhage.

STAR 25/2/93

(329)

Son was Star 16/2/93 tortured, (329) mom tells inquest

By Abdul Milazi

The mother of a robbery suspect who died in police custody two years ago, Margaret Maphumulo (46), told a Johannesburg Magistrate's Court inquest yesterday that police had assaulted and tortured her and her son before his death.

She said five policemen had given them electric shocks and "suffocated" them with a wet towel in a veld near Louis Trichardt.

Bethuel Maphumulo (31) died on December 13 1990 after handing himself over to the SAP's Soweto Murder and Robbery Unit, which was investigating a robbery charge against him.

Maphumulo said two white and three black policemen had come to fetch her at her house in Venda. They said Bethuel, accompanying the policemen, had told them he had given the stolen money to her.

She said she and Bethuel were then taken to a veld where the policemen tortured them.

Afterwards they were taken to the Protea police station where she was again assaulted before being taken home. Bethuel remained in police custody.

The next day, Protea police told her that Bethuel had drowned in a swimming pool while trying to escape.

The hearing continues.

establishment on the (a) first and (b) last day of the above-mentioned period?

B88E

The MINISTER OF LAW AND ORDER:

(1) (a) 14

(b) 9

(2) Yes.

(2) (a) 46

(b) 37

Note: Four (4) resignations during this period.

Aids: deaths

44. Mr M J ELLIS asked the Minister of National Health:

(1) How many persons died of Aids in the Republic in 1992;

(2) whether she will furnish information on the number of persons who died of Aids in the (a) self-governing territories and (b) TBVC countries in that year; if not, why not; if so, how many in each such territory or country?

B101E

The MINISTER OF NATIONAL HEALTH:

(1) 72 up to 27 October 1992;

(2) (a) and (b) no deaths were reported.

Own Affairs:

Port Elizabeth metropole: renting of houses

4. Mr E W TRENT asked the Minister of Housing and Works:

How many houses being rented in the Port Elizabeth metropole were owned by the (a) Government, (b) Port Elizabeth Municipality, (c) Uitenhage Municipality and (d) Despatch Municipality as at the latest specified date for which information is available?

B75E

The MINISTER OF HOUSING AND WORKS:

(a) Houses 209
Flats 1 332

(b) Houses 346
Flats 615

(c) Houses 100
Flats 36

(d) Nil.

HOUSE OF REPRESENTATIVES

QUESTIONS

†Indicates translated version.

For oral reply:

General Affairs:

†The CHAIRMAN OF THE HOUSE: Order! I put Question No 1.

†The CHAIRMAN OF THE MINISTERS' COUNCIL: Mr Chairman, I have just received a note in which I am informed that the hon the Minister of Defence has been delayed and that he should be here shortly. [Interjections.] I therefore wish to request that his question stand over provisionally.

†The CHAIRMAN OF THE HOUSE: Order! I accordingly put Question No 2.

†The CHAIRMAN OF THE MINISTERS' COUNCIL: Mr Chairman, the same request applies in respect of Question No 2.

†The CHAIRMAN OF THE HOUSE: Order! I consequently put Question No 3.

Arrest of three persons in May 1985

*3. Mr M A HENDRICKSE asked the Minister of Law and Order:

(1) Whether three persons, whose names have been furnished to the South African Police for the purpose of the Minister's reply, were arrested by the Police in Port Elizabeth on or about 8 May 1985; if so, (a) under what circumstances, (b) where were they held, (c) when were they released and (d) what are their names; if not,

(2) whether the Police have any knowledge as to their present whereabouts; if so, what are the relevant details? CAE

The DEPUTY MINISTER OF LAW AND ORDER:

(1) No.

(a), (b), (c) and (d) Fall away.

(2) Falls away.

Mr M A HENDRICKSE: Mr Chairman, arising from the hon the Deputy Minister's reply, may I just ask him...

The CHAIRMAN OF THE HOUSE: Order! Does the hon member want to ask an additional question? Then he will have to get permission first. The hon the Deputy Minister has indicated that he is prepared to take an additional question. The hon member for Schauderville may proceed.

Mr M A HENDRICKSE: Have the names and activities of the three activists, namely comrades Godolozzi, Galela and Hashe, ever been a subject of discussion by the State Security Council, and if so, who were the serving members of the council at the time, and what was said in relation to these comrades?

The DEPUTY MINISTER: Mr Chairman, that is not related to the question on the Question Paper, and I would suggest that the hon member for Schauderville table a question in that regard.

Mr M A HENDRICKSE: Mr Chairman, may I ask the hon the Deputy Minister another question?

The CHAIRMAN OF THE HOUSE: Order! The hon the Deputy Minister is prepared to take another question.

Mr M A HENDRICKSE: Mr Chairman, can the hon the Deputy Minister then give us the assurance, after in-depth investigation by the SA Police, that these three persons are not being detained by any agents of the State, and that they have not been assassinated by any agents of the State, or on the instruction of any State-funded organ or body?

The DEPUTY MINISTER: Mr Chairman, the particular question relates to the SA Police and I have given the answer on behalf of the SAP that we have no record of these persons ever having been detained.

†The CHAIRMAN OF THE HOUSE: Order! Questions 1 and 2 stood over until the hon the Minister of Defence entered the Chamber. I now put Question 1 to the hon the Minister of Defence.

International propaganda network

*1. Mr L T LANDERS asked the Minister of Defence:

(1) Whether he will furnish particulars on whether the Government secretly funded

HOUSE OF REPRESENTATIVES

ANC man tells court of torture

By Tsale Makam

329 Sowetan 18/2/93
■ R500 000 ROBBERY Accused was

forced to incriminate top ANC men:

ONE OF THE THREE ANC MEN charged with murder and robbery involving more than R500 000 yesterday said a policeman forced him to incriminate senior ANC members in the robberies.

Mr Solomon Mnqanqeni, who is appearing in the Rand Supreme Court with Mr William Makhosi and Mr Daniel Motaung, said a Captain Koekoemoer forced him to make a sworn statement saying he had committed the robberies on behalf of the organisation.

The three are charged with robbing the Southdale, Johannesburg, branch of Standard Bank of more than

R500 000 in May 1991 and of stealing a bakkie. They are also charged with a robbery at Corobrick in Nigel on November 25 1991 in which two men were killed.

Traffic officer killed

The three are also accused of stealing a bakkie in Tokoza on March 12 last year and of killing a traffic officer in Alrode on March 27 the same year.

Mnqanqeni told the court that Koekoemoer and other policemen had tortured him. Koekoemoer then gave

him names of people he had to incriminate.

Koekoemoer then said Mnqanqeni should say in his statement to a magistrate "that the robbery money was to be given to (then) ANC chief of staff Chris Hani and Tokyo Sexwale who would then give the money to returned exiles".

Mnqanqeni maintained that what he said in his statement was not true and he had simply repeated to the magistrate what Koekoemoer had instructed him to say. The case continues.

Detainee ³²⁹ 'probably ² strangled'

STRAN 18/2/93.
A State pathologist yesterday told the inquest on the death of Bethuel Maphumulo that it was unlikely the suspected robber had drowned while in police custody in December 1990.

Dr Michelle Vorster testified in the Johannesburg Regional Court that, after examining the body, she had concluded Maphumulo had died as a result of multiple injuries.

It was submitted by police on Tuesday that Maphumulo drowned in a swimming pool after a fierce struggle between himself and a police officer, Lieutenant Henry Beukes.

The Maphumulo family's advocate, Dennis Cuny, put it to Beukes yesterday that his account of what had happened was not credible.

Cuny said it appeared to him the deceased was dead before he had been thrown into the pool and suggested he had probably been strangled during an interrogation session.

Cuny said the deceased had probably been thrown into the pool to make it look as if he had been drowned.

Beukes denied this was the case. — Sapa.

Begin U

Suspect strangled - doctor

By Abdul Milazi

Robbery suspect Bethuel Maphumulo died as a result of "manual strangulation" while in police custody in Soweto, independent pathologist Dr Jonathan Gluckman yesterday told an inquest at the Johannesburg Magistrate's Court.

He said it was unlikely that Maphumulo (31) had drowned as was claimed by police earlier in the inquest.

Maphumulo died on December 13 1990 after handing himself over to the SAP's Soweto murder and robbery unit, which was investigating a robbery charge against him.

Gluckman, who was present when State pathologist Dr Michelle Vorster conducted the post-mortem on Maphumulo's body, said fractures on his neck and haemorrhages on his skin appeared to have been caused by "extensive, substantial force".

He said Maphumulo's body had numerous abrasions and injuries, including marks on his neck and eight broken ribs.

On Wednesday, Vorster told the inquest she had concluded Maphumulo had died as a result of multiple injuries.

Earlier Soweto police captain Henry Beukes told the inquest that he was attacked by Maphumulo after the suspect had escaped during interrogation. Beukes said he had found Maphumulo hiding near a swimming pool. During the ensuing struggle, they both fell into the pool.

Beukes said injuries to Maphumulo's body might have been caused by the "uneven paving" around the pool where they had struggled before falling into the water.

The inquest continues.

Custody deaths: in-depth probe ruled out

STAR 20/2/93
JOHN PERLMAN
Chief Reporter

LAW and Order Minister Hernus Kriel will not be issuing an in-depth report on all deaths in custody over the past two years — and insists that he never gave an undertaking to do so.

The Ministry of Law and Order this week denied that Kriel, in his response to allegations made in July by pathologist Dr Jonathan Gluckman, had ever undertaken to conduct a case-by-case investigation of all custody deaths. Ministry spokesman Captain Craig Kotze said that "would be a mammoth exercise".

Kotze said the investigation promised by Kriel was principally aimed at establishing

● See Page 6

the size of the problem. "The intention was never to conduct an in-depth investigation into every case," he said. He said a number of recommendations for improving the safety of prisoners had, however, resulted from the probe.

The South African Police has furnished Saturday Star with statistical information derived from the probe, including the total number of deaths and a breakdown of causes of death and steps taken as a result. However, the impression that Kriel's probe would

● TO PAGE 2.

No probe

● FROM PAGE 1.

go further than this — gained from both his statements and those of President de Klerk — is widespread, if newspaper reports at the time are anything to go by.

The Sunday Times reported: "In response to Dr Gluckman's claims, Minister of Law and Order Hernus Kriel disclosed yesterday that he had ordered a report on every incident of death in detention over the past two years." Business Day referred to "a report on every death in custody over the past two years". Beeld said Kriel had ordered an investigation into "all deaths in police custody over the past two years". The Star said Kriel had promised "a comprehensive investigation into every death in detention since January 1991".

Kriel did communicate directly with Gluckman on this matter through a letter to the pathologist, who had alleged that 90 percent of custody deaths he had dealt with were the result of police abuse. In it Kriel wrote: "Upon receiving your information, I not only requested the SA Police to immediately investigate the specific cases mentioned but also to launch an extensive probe into the

exact dimensions of the total problem of deaths in custody since January 1 1991."

Democratic Party spokesman on justice Tony Leon said he had expected a "comprehensive investigation. Some cases may be explainable in a plausible or natural way, but those that are not should then each be investigated.

"In any case the police should do that because it is in their interests to do so. Minister Kriel is acting against the best interests of the police to conduct such a narrow probe into a matter of such extreme public interest."

The State President's office was unable to furnish Saturday Star with De Klerk's statements at the time.

Kriel's public wrangle with Gluckman is under public scrutiny again this week, with the inquest in the Johannesburg Magistrate's Court on the death in custody of Bethuel Maphumulo, a Soweto man who died at Protea police station in 1990. Gluckman gave a post-mortem opinion on Maphumulo, recording that the deceased had multiple injuries and a broken hyoid bone in his neck.

Kriel produced a public rebuttal of Gluckman's claims in December. Gluckman has engaged lawyers to help him prepare a response, which is expected some time.

Detainee to remain in custody

329

8 weeks
24/2/93

**By Abbey Makoe, Alinah Dube
and Mathatha Tsedu**

A HAMANSKRAAL FAMILY'S FRANTIC SEARCH for a missing relative ended in despair when they found his body in a Government mortuary. Mr Chris Maseko (27) was shot by a policeman in Pretoria on Friday after being involved in an argument in the city centre, a family spokesman said. Maseko's family identified his body yesterday after a frantic search at the weekend.

Family members and a witness claimed Maseko was shot while lying on the ground where the policeman had thrown him following a minor scuffle.

Police liaison officer for the Northern Transvaal, Major Andrew Lesch, said, however, Maseko was shot in self-defence after he had resisted arrest and strangled the policeman.

Maseko's wife, Mrs Jane Maseko (21), said her husband had left her at one of their three popcorn vending machines in the city to go and fetch a minibus elsewhere.

"Instead of returning, a man who had gone with him came back to tell me he had been arrested. When he did not return home on Friday and Saturday, I went out on Sunday to check where he had been arrested. It was only then I was told he had been shot by a policeman."

The witness said the policeman was in plain clothes and Maseko had refused to accompany him.

"They grabbed each other and after Maseko had shrugged the policeman off, he was thrown to the ground."

"The policeman then drew his gun and shot him twice as he lay on the ground. In my opinion there was no need for the shooting and even a senior police officer who arrived on the scene asked why the policeman had shot to kill," the witness said.

Major Lesch said Maseko had tried to strangle the policeman, who had no option but to shoot him.

The family plans to take legal action against the police.

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Claremont	3	2	56	116	10	83	422	114	103	935
Steenberg	22	7	399	523	62	211	101	72	309	795
Kristenhof	6	7	58	84	2	33	96	65	98	439
										006

Note:
(gi) — Motor vehicles
(gii) — Bicycles

Natal: murders

53. Mr L FLUCHS asked the Minister of Law and Order:

- (1) How many murders were reported in (a) the Natal Midlands and (b) Natal in 1992;
- (2) with reference to the murders reported, (a) how many cases have resulted in (i) an investigation, (ii) prosecution and (iii) conviction and (b) in respect of what date is this information furnished?

B146E

The MINISTER OF LAW AND ORDER:

- (1) (a) 2 175
(b) 3 397

	Natal	Natal Midlands
(2) (a)	3 397	2 175
(i)	1 296	614
(ii)	456	183
(iii)		

- (b) 1 January 1992 to 31 December 1992.

Persons awaiting trial: period of time between arrest/sentencing

54. Mr A J LEON asked the Minister of Correctional Services:

- (a) What, in respect of persons awaiting trial in prisons, was the average period of time that elapsed between arrest and sentencing calculated as at the last day of each month in 1992 and (b) what was the (i) age and (ii) gender distribution of persons awaiting trial in that year?

B147E

The MINISTER OF CORRECTIONAL SERVICES:

- (a) The precise information cannot be provided to the Honourable Member as it is, *inter alia*, not centrally available and

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there are various practical problems with the recording of such statistics. In this regard I refer to my reply of 26 February 1992 in the House of Assembly to question number 87 for written reply (Hansard coll 313-315) and wish to quote the following appropriate section:

"Statistics out of an exercise which was done on 2 January 1991 of all awaiting-trial prisoners who were detained in South African prisons on that day, are as follows:

25,7% — 1 day until 14 days
30,5% — 14 days until 1 month
33% — 1 month until 3 months
8,3% — 3 months until 6 months
2,5% — Longer than 6 months

A further spot check at the Johannesburg, Pretoria, Pollsmoor, Witbank, Durban and Port Elizabeth Prisons on 13 February 1992 where a total of 10 999 awaiting-trial prisoners were in detention on that day, delivered the following statistical data:

26,33% — 1 day until 14 days
22,48% — 14 days until 1 month
32,74% — 1 month until 3 months
2,16% — 3 months until 6 months
16,29% — Longer than 6 months

(i) and (ii)

As on 31 December 1992.

Age	Male	Female
Younger than 20 years	4 522	166
20 years and younger...	5 197	186
than 25 years	9 574	384
25 years and older		
Total	19 293	736

Grand total: 20 029

Section 29 of the Correctional Services Act, 1959 (Act No 8 of 1959) stipulates,

inter alia, that a person under the age of eighteen years who is accused of having committed an offence shall not be detained in a prison prior to his conviction unless his detention is essential and no suitable place of safety as mentioned in the Child Care Act, 1983 (Act No 74 of 1983) is available for his detention. In every such case the particular judicial officer issues a certificate to this effect. In deciding on the suitability of the place of detention, the nature of the offence with which a person is charged is taken into account as well as age, sex, character etc.

A juvenile who is detained in terms of section 29 of the Correctional Services Act, 1959 shall not be permitted to associate with a person over the age of 21 years who is in custody, excluding such a person who was charged jointly with him, provided the Head of the Prison is of the opinion that such association will not be detrimental to him. Juveniles are also separated with regard to age groups where facilities permit.

Discussions take place regularly between the Department of Correctional Services, the local magistrates, prosecutors and the South African Police with a view to keeping awaiting-trial juveniles out of prison.

As the Honourable Member may be aware, the Government has taken the initiative of addressing the problem of juveniles in custody by means of a Working Group with regard to Alternative Centres for Juveniles in Custody under the Chairmanship of the Deputy Minister of National Housing. This Working Group has already made good progress and issued various reports. Should the Honourable Member require more information in this regard, I suggest that he contact the Chairman of the Working Group concerned.

Awaiting-trial/sentenced prisoners: escapes

55. Mr A J LEON asked the Minister of Correctional Services:

Whether any (a) awaiting-trial and (b) sentenced prisoners held in custody escaped from prisons in South Africa in 1992; if so, (i) how many prisoners escaped, (ii) from which prisons did they escape, and (iii) how many were recaptured, in each case?

B148E

The MINISTER OF CORRECTIONAL SERVICES:

- (a) and (b) Yes

(1) During the period 1 January 1992 to 31 December 1992, six hundred and thirty-nine (639) sentenced prisoners and sixty-three (63) awaiting-trial prisoners escaped from South African prisons. Fifty-two (52) of the 639 escapes by sentenced prisoners took place from prison institutions while five hundred and eighty-seven (587) took place from workteams, courts, hospitals, etc. The total number of escapes represent 0,17% of the total number of prisoners admitted to South African prisons from police and courts during the 1992 calendar year. Up to and including 31 December 1992, two hundred and fifty-three (253) sentenced prisoners and thirty-six (36) awaiting-trial prisoners were re-arrested.

The endeavour continually remains to eliminate escapes, hence every escape incident is thoroughly investigated in order to identify shortcomings and introduce preventive measures where necessary.

Appropriate disciplinary steps are taken in cases of negligence whilst in cases where aiding in escaping are suspected, the matter is reported to the SA Police for the necessary judicial process to take its course. Flaws which may be found to exist in directives are rectified while the correct application and fulfilment of directives are regularly brought to the attention of members. Defects to buildings and over-population are also factors attributing to escapes and corrective steps are also taken in this regard although financial implications sometimes play a restrictive role.

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In addition to the aforementioned, the Department of Correctional Services continuously strives to keep abreast of developments in the field of technology through close contact with Government institutions and the private sector in order to better equip its staff for the performance of their custodial function and the protection of society, with due cognisance of the restrictive role of financial implications.

The same security measures are not applied to all prisoners because these are determined by the security risk represented by the prisoners. All sentenced long-term prisoners are classified according to their security risk as soon as possible after admission on the basis of a standardised instrument of measurement. Depending on the results of this measurement, such prisoners are then referred to and detained in a maximum or medium security prison. If a prisoner's conduct and adaptation are such that his security risk is reduced, he may be considered for reclassification to a lower se-

curity classification and considered for a transfer to a prison with a lower security classification. Naturally the opposite also applies, and should a prisoner's conduct, adaptation and co-operation indicate that he is a high security risk, he is dealt with accordingly.

Finally, it should be noted that there is a high degree of stability in South African prisons. Although incidents of disorder, revolt, assault and so forth cannot be prevented entirely in any prison set-up, they are limited to a minimum in comparison with prisons abroad. This situation can be attributed mainly to the military character of the Department of Correctional Services and the resulting firm, yet humane manner in which discipline and order are maintained. Furthermore, a variety of treatment and other programmes have as their object the establishment of a satisfied prison population.

(ii) and (iii) For the Honourable Member's convenience the detail is set out in the enclosed schedule.

Annexure

Prison	Awaiting-Trial Prisoners		Sentenced Prisoners		
	Escaped	Recaptured	Escaped	From Workteams Courts, Hospitals etc.	Recaptured
REGION A: WESTERN CAPE REGION					
Allandale			4	4	3
Calvinia			1	1	1
Klein Drakenstein			3	3	1
Pollsmoor Maximum			1		
Pollsmoor Medium A			3	2	4
Pollsmoor Medium B			3	3	4
Pollsmoor Min. security			3	2	1
Riebeeck West	1		1	1	1

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Hansard

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Prison	Awaiting-Trial Prisoners		Sentenced Prisoners		
	Escaped	Recaptured	Escaped	From Workteams Courts, Hospitals etc.	Recaptured
Springbok				1	1
Staat van Paardeberg				2	2
Victor Verster Maximum				1	1
Victor Verster Medium A				7	7
Victor Verster Medium B				6	6
Voorberg	6	6		2	2
TOTAL	7	6	7	35	22
REGION B: SOUTHERN CAPE REGION					
George Male				1	1
Helderström Medium				1	1
Knysna	6	6		3	2
Mossel Bay			1	2	1
Robertson				2	1
Uniondale				1	1
Worcester Male				3	1*
TOTAL	6	6	1	11	7
REGION C: EASTERN CAPE REGION					
Barkly East				2	2
Cradock				1	1
Graaff-Reinet				1	1
Genl. J C Steyn				6	2
King Williamstown			1	3	1
East London Medium A				6	6
Patensie				4	4
Port Elizabeth Male				2	2
Somerset East			2	3	4
St Albans Maximum				14	1
St Albans Medium B				3	3
TOTAL			3	44	25
REGION D: OFS AND NORTHERN CAPE REGION					
Barkly West				1	1
Boshof			1	1	2
Brandfort				1	1
Christiana				1	1

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Prison	Awaiting-Trial Prisoners		Sentenced Prisoners		
	Escaped	Recaptured	Escaped	From Workteams Courts, Hospitals etc.	Recaptured
Colesberg				4	2
De Aar				2	2
Goedemoed Medium A				14	9
Goedemoed Medium B			5	8	5
Grootvlei Medium				2	3
Kimberley Male				5	2
Kuruman				1	1
Uppington			1	2	2
Winburg					
TOTAL			7	42	31
REGION E: N.O.F.S. AND WESTERN TRANSVAAL REGION					
Bethlehem				1	3
Groenpunt Maximum			2	3	3
Groenpunt Medium				1	6
Harismith				10	19
Klerksdorp				2	2
Kroonstad Medium A				1	10
Kroonstad Medium B				1	1
Parys				1	1
Potchefstroom			1	5	2
Rustenburg			1	3	2
Sasolburg				6	1
Vereeniging Male				4	2
TOTAL			4	58	27
REGION F: CENTRAL TRANSVAAL REGION					
Heidelberg			4	4	3
Johannesburg Medium A	2			1	3
Johannesburg Medium B				17	3
Johannesburg Female				1	3
Krugerdsdorp			1	11	
Leeuwkop Medium A			6	28	
Leeuwkop Medium B				2	
Leeuwkop Medium C				16	
Modderbee	1	1		24	11
Nigel				9	5
TOTAL	3	1	11	113	25

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Prison	Awaiting-Trial Prisoners		Sentenced Prisoners		
	Escaped	Recaptured	Escaped	From Workteams Courts, Hospitals etc.	Recaptured
REGION G: NORTHERN TRANSVAAL REGION					
Baviaanspoort Maximum			6	1	5
Baviaanspoort Medium	15	8	1	27	8
Brits				3	1
Losperfontein				11	4
Louis Trichardt				4	6
Nylstroom	16	6		12	2
Pietersburg			4	17	4
Pretoria Local	1			4	4
Pretoria Central				16	4
Voortrekkerhoogte				4	1
Tzaneen				1	1
Walvis Bay	2		2	1	1
Zonderwater Medium A				12	
Zonderwater Medium B					
TOTAL	34	14	13	118	37
REGION H: EASTERN TRANSVAAL REGION					
Barberton Medium A				2	2
Barberton Medium B				10	6
Barberton Maximum				2	1
Barberton Town				1	1
Belfast				1	1
Carolina				1	1
Geluk				1	1
Nelspruit				11	8
Newcastle				3	3
Piet Retief				1	1
Standerton Medium B				5	1
Volkstrust			3	2	4
Vryheid				1	1
Waterval Medium A				6	3
Waterval Medium B				1	1
Witbank	8	6		9	5
TOTAL	8	6	3	57	39
REGION I: NATAL REGION					
Durban Medium B				3	3
Durban Medium C				21	9

HOUSE OF ASSEMBLY

Prison	Awaiting-Trial Prisoners		Sentenced Prisoners		
	Escaped	Recaptured	Escaped	From Courts, Hospitals etc.	Recaptured
Durban Medium D					
Empangeni				1	1
Eshowe	1			6	3
Estcourt				9	1
Glencoe				1	
Greytown				3	1
Ixopo	1	1		1	
Kranskop				1	1
New Hanover			2	4	4
Pietermaritzburg Med. A	2	1		23	10
Port Shepstone	1	1		2	
Seventon				26	4
Stanger			1	3	1
Verulam				5	2
TOTAL	5	3	3	109	40

* Escapee shot dead during an escape.

Awaiting-trial prisoners in custody

64. Mr D J DALLING asked the Minister of Correctional Services:

What was the average number of awaiting-trial prisoners in custody on the last of each month in 1992?

B115E

The MINISTER OF CORRECTIONAL SERVICES:

The figures with regard to awaiting-trial prisoners who were incarcerated in South African prisons on the last day of each month during 1992, are as follows:

31 January 1992	24 365
29 February 1992	24 326
31 March 1992	23 637
30 April 1992	24 363
31 May 1992	22 736
30 June 1992	21 705
31 July 1992	21 469
31 August 1992	21 948

HOUSE OF ASSEMBLY

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Wynberg/Alexandra	452	12	846	571	182	736	275	438	397	003
Lombardy East	9	7	12	58	9	115	263	167	612	008
Sandton	29	36	100	334	29	224	988	626	1 761	043
Bramley	34	31	106	186	11	326	588	460	642	025

Own Affairs:

White colleges: number of students

9. Mr M J ELLIS asked the Minister of Education and Culture:

How many students were studying at White teacher-training colleges as at (a) the latest specified date for which figures are available and (b) a corresponding date five years ago?

B142E

The MINISTER OF EDUCATION AND CULTURE:

(a) 10 February 1993: 5 411,

(b) 10 February 1988: 8 544.

Hospitals: bed occupancy rate

10. Mr M J ELLIS asked the Minister of Health Services and Welfare:

What was the average bed occupancy rate in 1992 in each specified hospital falling under the control of his Department in (a) Natal, (b) the Orange Free State, (c) the Cape Province and (d) the Transvaal?

B143E

The MINISTER OF HEALTH SERVICES AND WELFARE:

The average rate of bed occupation in each own affairs hospital were as follows:

Average rate of bed occupation: 1992

(a) Natal:	
Greys Hospital, Pietermaritzburg	67,50%
Greytown Hospital	36,88%
Hillcrest Hospital	95,18%
(b) Orange Free State:	
Bethlehem Hospital	60,00%
Jagersfontein Hospital	48,06%
Sasolburg Hospital	48,53%
Voortrekker Hospital, Kroonstad	57,27%

Zastron Hospital 21,33%

(c) Cape Province:

Port Elizabeth Provincial Hospital	54,49%
Volks Hospital, Cape Town	41,38%
Walvisbaai Hospital	47,62%
William Slater Hospital, Cape Town, is only used as an outpatients unit	
Alexandra Hospital, Cape Town	103,60%

(d) Transvaal:

Andrew McCollm Hospital, Pretoria	30,40%
Bernice Samuel Hospital, Delmas	46,20%
Bloemhof Hospital	60,80%
Brits Hospital	66,00%
Cullinan Care and Rehabilitation Centre	93,12%
Delareyville Hospital	47,10%
Duivelskloof Hospital	47,70%
Edenvale Hospital	59,30%
Elsie Ballot Hospital, Amersfoort	83,70%
Evander Hospital	74,10%
F H Odendaal Hospital, Nylostroom	62,80%
Generaal de la Rey Hospital, Lichtenburg	36,40%
Groblersdal Hospital	48,50%
H A Grové Hospital, Belfast	52,20%
Hendrik van der Bijl Hospital, Vanderbijlpark	30,10%
J G Strijdom Hospital, Johannesburg	69,50%
Kemptonpark Hospital	76,20%
Louis Trichard Memorial Hospital	39,50%
Discoverer's Memorial Hospital, Roodepoort	43,10%
Paardekraal Hospital	
Krugersdorp	51,50%
Pretoria West Hospital	69,20%
Phalaborwa Hospital	41,70%

HOUSE OF ASSEMBLY

Awaiting-trial statistics (329)

South African prisons held an average of 22 133 awaiting-trial prisoners each month during 1992, Correctional Services Minister Adriaan Vlok said yesterday. Replying to a question in Parliament, he said the highest figure was 24 365 in January and the lowest 20 029 in December.

Stam 25/2/93.

Police arrest rioting Soshanguve pupils

STAR 25/2/93

By Philip Zito

Lesch said.

(329)

Police yesterday arrested three pupils from a school in Soshanguve outside Pretoria during rioting in which two teachers at the school were assaulted and stoned.

Pretoria police spokesman Major Andrew Lesch said the pupils reacted angrily after the principal of Letabong Secondary School had expelled five pupils.

Police were told at about 10.25 am that pupils were throwing stones at vehicles passing the school.

An angry crowd of pupils then assaulted and stoned two teachers who were admitted to a local clinic with minor injuries, Lesch said.

Another teacher then spoke to the pupils, who afterwards left the school grounds.

But at about 10.50 am a number of pupils returned to the school and began packing stones at the front entrance,

Department of Education and Training regional chief director Job Schoeman said the barricade was aimed at preventing a DET inspector, who had been investigating the problems, from leaving the school grounds.

Lesch said police were again called to the scene. The pupils threw stones at policemen arriving at the school. One of the SAP vehicles was damaged and three pupils were arrested before order was restored, he said.

Schoeman said the school had been tense since Friday, when teachers decided to take steps to combat poor discipline.

The rioting had resulted from a recommendation made by teachers to the principal that several pupils be expelled, Schoeman said.

Pupils at the school blamed matriculants who had failed their final exams last year for the poor discipline.

Breakthrough on detainees

By SHADLEY NASH

A LANDMARK judgment by the Appellate Division provides for unprecedented access to "personal information" about Section 29 detainees.

The judgment, handed down by Mr Justice ME Kumbleben on February 16, allows a magistrate or a district surgeon to disclose "personal information" in court about a detainee held under Section 29. "Security information", however, remains protected.

The judge said the ruling was "confined to the question of the production, for the purposes of a court case, of reports submitted by a magistrate or a district surgeon as a result of visits made by him".

He drew a distinction between security-related information and information of a personal nature, ruling that the for-

mer should remain secret because it "may prove prejudicial to state security generally and, more specifically, to crime detection, crime prevention or the interrogation process".

But, he added, "there can be no sound reason why access to personal information should be banned".

The legislature, he said, did not intend that evidence of unlawful conduct by detainees' custodians or their interrogators should be suppressed.

Appropriate access to personal information arising from visits by a magistrate or district surgeon provided "the most effective assurance that this is obeyed," the judge said.

The applicants were Port Elizabeth residents Nomsa Nkayi and Jim Msizi, represented by the Legal Resources Centre. — Ecna

329
STM 27/2/93

Gluckman: report a distortion

PATHOLOGIST Dr Jonathan Gluckman has taken issue with a report in The Star on Thursday which reports on a TV documentary on his work which was broadcast on Britain's Channel 4 this week.

The Star's report says the programme charges State medical officials with carrying out "fake post-mortems". Gluckman replies: "This report conveys a distortion of what I said in the course of an interview."

Offence

"I stated explicitly and with emphasis that I have never had a problem with a State pathologist with autopsies conducted either after or together with a State pathologist in any of the cities in South Africa. This report must cause the gravest offence to State pathologists for whom I have the highest respect ... Certainly I said there were problems arising out of work done in the countryside."

"At no stage did I say anything which could possibly convey the impression given by The Star's heading of 'Black youths at risk in cells'. In fact, I indicated that cell deaths were rare and, in my view, no more than applied to prisons anywhere in the Western world."

Prison case back in court

By CARMEL RICKARD

UNHAPPY at being told to pay the highest compensation yet for unlawful detention conditions, Justice Minister Kobie Coetsee has asked the Appellate Division to overturn the order.

Prominent Cape Town ANC official Willie Hofmeyr, detained during the emergency in 1988, was held in effective solitary confinement during most of his 158-day detention and suffered severe psychological and physical effects.

He brought an application in the Cape Supreme Court asking that the conditions

of his detention be declared unlawful. Mr Justice King awarded him damages of R50 000 plus interest and costs.

He found that the head of the prison allowed the security police to prescribe the conditions of Hofmeyr's detention.

In his argument to the AD last week, the Minister said the judge made a mistake when he ruled that the security police and not the head of the prison effectively took all the decisions about the conditions of Mr Hofmeyr's detention.

Judgment by the AD is expected within the next few months.

Protesters at TPA offices arrested

Soweto 2/3/93

POLICE last night arrested 22 Soweto municipal workers who were occupying the Johannesburg offices of the Transvaal Provincial Administration.

Police spokesman Colonel Dave Bruce said those arrested were in custody.

Earlier yesterday SA Municipal Workers' Union spokesman Mr Reginald Dubazana said about 50 workers had embarked on the sit-in and would only leave once their demands were met.

These included the lifting of suspension orders against 270 of their colleagues and the reinstatement of three dismissed workers.

Earlier yesterday police had warned the demonstrators to leave the building or face charges of trespassing.

At the time police spokesman Warrent Officer Andy Pieke said about 30 workers were occupying the office of Soweto administrator Mr Sakkie

Workers in sit-in at administrator's office:

Lombard

The workers were suspended on November 2 last year pending the outcome of a disciplinary hearing against them.

This followed a ruling by the Industrial Court that their September 7 dismissal was invalid, Dubazana said.

They were initially dismissed after refusing to work on a property near the Dobsonville hostel, a flashpoint of violence last year and regarded as dangerous.

Lombard said the workers entered the offices with a petition earlier yesterday and attempted to move forward a scheduled March 18 meeting between their lawyers, the council's lawyers and the Municipal Employees Organisation.

This was not possible so they occupied the building. - Sapa.

Police arrest 76 at ANC hearing

Sowetan 2/3/93.

(329)

POLICE arrested 76 singing demonstrators inside the Bethal Magistrate's Court yesterday where ANC members were standing trial in connection with arms smuggling.

Eastern Transvaal police spokesman Warrant Officer Izak van Zyl said the protesters were arrested for being within 500m of a magistrate's court.

The demonstration, which began outside the building, then moved inside where the protesters sang songs and waved flags.

All 76 appeared in court about 7pm

■ No bail for alleged MK gun-runners:

last night and were granted bail of R300 each. The case against them was postponed until March 24. Seven people paid bail immediately, Van Zyl said.

Four men, three of them members of the ANC's military wing Umkhonto we Sizwe, were appearing for allegedly trying to smuggle a large arsenal of weapons across the Swaziland border.

They were remanded in custody until March 29. *Sapa.*

NEWS Fist fight in Bloemfontein court • Natal killers still at large

Fists fly as PAC pair go to jail

By Mphikeleni Duma

Black cops leave courtroom as white officers exchange blows with angry supporters:

A FIST fight broke out in the Bloemfontein Regional Court yesterday when police and Pan Africanist Congress members clashed minutes after two Azanian People's Liberation Army cadres were each jailed for 11 years.

The fight started as JPP Erasmus of the Criminal Intelligence Unit ordered policemen in court to take John May (24) and Vellie Mxhosana (20) to the cells as Pan Africanist Congress supporters were singing and chanting slogans.

A PAC supporter lashed out with his fists at a member of the Riot Unit, who responded by kicking and hitting indiscriminately at some of the court spectators as Erasmus shouted: "Stop it, stop it. This can't be allowed in court."

Black members of the SAP left the courtroom as their white colleagues exchanged blows with PAC supporters. The fighting was stopped by defence counsel Mr Molefi Ditheko, who ordered May and Mxhosana to leave the court.

The two Apla members, both from Mangaung near Bloemfontein, were each sentenced to seven years imprisonment for attempted murder and two years for malicious damage to property to run concurrently with the seven-year sentence.

May and Mxhosana were also each sentenced to 11 years jail for possession of two AK-47 rifles and a 9mm Scorpion pistol, possession of hand grenades and ammunition, which will run concurrently with the four years for possessing the weapons.



NEWS Fist fight in Bloemfontein court • Natal killers still at large

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3 Natal massacre suspects arrested

By Bronwyn Wilkinson
and Own Correspondent

Three men were arrested last night in connection with the murder of six children on their way to school near Maritzburg on Tuesday.

SAP Midlands spokesman Captain Henry Budhram said a full statement would be released later.

The arrests follow the disclosure that the driver of the bakkie, Phikalithetwa Ngubane (25), identified one of the gunmen as someone who had lived in Mboyi, where the massacre occurred, but had recently fled the area.

Budhram confirmed yesterday a gunman had been identified, but said he could not divulge details at this stage as it would hamper investigations.

Law and Order Minister Herrie Kriel on Wednesday offered a R250 000 reward for information leading to the arrest and conviction of the killers. Police continue to comb the mountainous terrain

● To Page 3 ●

Massacre suspects arrested

STAR 5/3/93 -
● From Page 1

around the Table Mountain area and more arrests are expected. Budhram said police were investigating the discovery of an old beret with ANC colours pointed out near the scene by local IFP chairman Bernard Mkhize, who lost three sons in the massacre.

A bloodstained sock and a pair of abandoned shoes were also found, but Budhram would not confirm or deny whether one of the gunmen was wounded in the ambush.

Anglican Archbishop Desmond Tutu, who visited the massacre scene in Mboyi yesterday, reiterated the feeling in political parties across the spectrum that the massacre had been timed to derail today's multiparty planning conference in Kempton Park.

The only one of the four Mkhize children, to survive, 12-year-old Innocent, said yesterday he had jumped out of the bakkie when the shooting started and hid under the vehicle.

He said he was sitting on his school books in the back of the bakkie on the way to school when "we heard gunfire".

"When there was a pause in the gunfire I jumped out of a window and hid under the bakkie until the shooting had stopped," Innocent said.

"I could hear the cries and screams of my friends — but I was too frightened to move. When they stopped shooting, I ran to my school."



GRABBED: Police arrested hundreds of teachers and pupils who participated in a demonstration outside the offices of the Department of Education and Training on the Foreshore

Photo: Yunus Mohamed

Principal arrested during city protest

By Justin Pearce

TWO truckloads of pupils and teachers, including a school principal, were arrested outside the Department of Education and Training's regional office on the Foreshore on Wednesday.

A crowd of about 1000 teachers and pupils demonstrated outside the office after delegations from two schools arrived simultaneously and by coincidence.

Eight riot policemen were already on the scene when a delegation arrived from the Lukhanyo Combined School in Hermanus.

Then the delegation from Ikamva Lethu Finishing School in Langa arrived.

Chants of "we want Brand" rose from the crowd as both schools demanded a meeting with DET regional director Dr Johan Brand.

Security officials at Foretrust House, which houses the offices, responded by locking the doors.

Police reinforcements arrived later and herded demonstrators into vans. Ikamva Lethu principal Mr Ben Tengimfene was among those arrested.

Teachers at Lukhanyo said teenage pupils have to use facilities designed for adults. Although the institution calls itself a combined school, the DET runs it along the lines of a learning centre intended for adults.

"The DET promised on November 25 last year to change the learning centre into a school," teacher Ms Primrose Jimlongo said.

"At the learning centre they only teach three hours of each subject a week. This is not enough for the students."

Lukhanyo is the only DET school in the Overberg region, serving pupils from as far away as Riviersonderend.

Ikamva Lethu, a school for matric pupils, currently has to share premises with Langa Comprehensive School. This means that Ikamva Lethu pupils have only three hours of classes a day, and the school is looking for a

permanent home.

"The DET does not seem interested in looking for premises," accused headmaster Mr Ben Tengimfene.

He said he and Brand had visited premises in Philippi. The buildings, owned by Spoornet, were previously leased by the University of the Western Cape and used as a student hostel.

"I was impressed with the premises which were big enough for our needs," Tengimfene said. "But yesterday the DET told me they were not suitable."

The DET and the SAP had not responded to requests for comment by the time SOUTH went to press.

SOUTH 6/3-10/3/93

Policeman still on duty after suspect dies in his custody

A SOWETO policeman found liable by an inquest court for the death of a prisoner in detention is still on duty.

Johannesburg magistrate Mr C de Lange found on Friday that Lieutenant Henry Beukes had strangled Mr Bethuel Maphumulo to death at the Protea police station in December 1990.

Mr Maphumulo died two days after he had handed himself over to police in connection with an armed robbery. The SAP had claimed that he drowned in the swimming pool at Protea after escaping from the office in which Lieutenant Beukes was interrogating him.

Since Mr Maphumulo's death, the policeman has been promoted from warrant officer to lieutenant.

Yesterday, SAP spokesman Captain B S J van Rooyen said documents from the inquest had been sent to the Attorney-General, but that no action would be taken against Lieutenant Beukes until the Attorney-General had made a decision on whether to prosecute him.

Rejected

"As far as I know, Lieutenant Beukes has not been suspended and is still on duty," said Captain van Rooyen.

The inquest magistrate rejected Lieutenant Beukes's claim that Mr Maphumulo drowned after a "life-or-death struggle" while trying to escape.

Mr de Lange accepted State pathologist Dr Michelle Vorster's evidence that Mr Maphumulo had died of multiple injuries and throttling and found that he had been assaulted after handing himself over to Protea detectives.

Medical evidence substantiated the claim by the victim's mother, Mrs Margaret Maphumulo, that she had also been assaulted by police.

The inquest finding has prompted Lawyers for Human Rights (LHR) to call for the resignation of Law and Order Minister Hernus Kriel and for the establishment of an independent

By KURT SWART

body to investigate allegations against police.

"We urge the Attorney-General to institute a speedy prosecution against Lieutenant Beukes and his colleagues for the murder of Bethuel Maphumulo and for the assault on his mother, Margaret," said LHR's Ahmed Motala.

Law and Order spokesman, Captain Craig Kotze, said yesterday the inquest finding in no way affected the credibility of Mr Kriel or the police.

"It remains government and SAP policy that crimes by policemen will not be tolerated and that all possible steps will be taken against those who do so," he said.

Maphumulo family hails court ruling

Sowetan 8/3/93

329

By Musa Zondi

■ Suspect died after being strangled by policeman, magistrate finds:

THE family of Mr Bethuel Maphumulo, who was strangled by a policeman while in detention, are happy the magistrate proved a policeman killed their son because "most of the time they get away with it".

Mrs Gugu Maphumulo, the deceased's widow, said police had been telling them lies all along and they were grateful that the truth had come out at last.

On Friday magistrate Mr CG de Lange ruled in an inquest court that Maphumulo was strangled by Lieutenant Henrie Beukes at the Protea police station in 1990. The court found the police

version was inconsistent with the medical evidence.

Police had earlier said Maphumulo died after a scuffle with Beukes and had fallen into the pool and drowned.

Maphumulo's aunt, Mrs Petronella Maphumulo, said they were happy that they had been proved right that their son was murdered. "The fact remains that Beukes killed him," she said.

She recounted the ordeal of how he died. She said Maphumulo handed himself over to the police after he was informed police were looking for him on December 11 1990 and because he

was innocent.

"Two days later he was dead."

She said police had taken him to Venda to his mother because they suspected he had left the alleged stolen money with his mother. The mother was staying in the homeland at the time.

When the family went to court on December 13 they waited for him to appear only to be informed later by his lawyer that he was dead.

The African National Congress and Lawyers for Human Rights have called for the suspension and prosecution of Beukes.

- (d) The ECB will consider the comments of Durban and Ballito on 17 March 1993. In terms of Section 13 (5) of the Electricity Act, 1987 the ECB may, at its discretion, hear the objections in public at a time and place of which at least 14 days notice shall be given to the applicant, the transferor or transferee, as the case may be, and every objector.
- (e) The ECB will decide on 17 March 1993 on the next step to be taken in the search for a solution, to ensure that a correct decision is taken which will be in the interest of the efficient supply of electricity, the consumers of electricity and in the public interest, in terms of the provisions of the Electricity Act.

(2) No.

Broadcasting licences: moratorium

*24. Mr R J LORIMER asked the Minister of Home Affairs:

- (1) Whether a moratorium has been placed on the granting of new broadcasting licences and the upgrading of broadcasting facilities; if so, what are the relevant details;
- (2) whether any services of the South African Broadcasting Corporation have been extended and/or upgraded while this moratorium has been in force; if not, why not; if so, what services;
- (3) whether any extension and/or upgrading of services is being envisaged; if not, why not; if so, what is being envisaged;
- (4) whether any permission for new licences or the extension and/or upgrading of facilities has been granted to other radio stations during the moratorium period; if so, what are the relevant details? B340E

The MINISTER OF HOME AFFAIRS:

- (1) The Task Group on Broadcasting in South and Southern Africa recommended that no further broadcasting licences or extensions on existing licences be granted until the recommendations of the Task Group's Report have been evaluated and implemented, but no final

decision has been made to implement a moratorium.

In accordance with policy and the spirit of the task group's recommendations, no further new licences or extension of any existing licence has been issued to the SABC, since the publication of the above-mentioned report.

With regard to the upgrading of broadcasting facilities no moratorium has been recommended by the task group or been implemented.

- (2) Bearing in mind the afore-mentioned approach to honouring a moratorium, no services of the SABC, which would have required supplementary licensing, have been extended. However, various services have been upgraded and/or replaced in the course of the SABC's normal programme of rendering an improved service to listeners.
- (3) The extension, upgrading and improvement of the SABC's services are constantly under review in terms of the corporation's aim to adjust and improve services to listeners.

- (4) Apart from a landline link between Radio Bop's studios at Sandton and their transmitter in GaRankuwa and a few very limited and temporary licences which have, *inter alia*, been granted to Radio Taks, Voice of Wits, Showtime Music Radio and others, no permanent licences or extension and/or upgrading of facilities have been granted to other radio stations.

Police cells: detainees

*25. Mr A J LEON asked the Minister of Law and Order:

- (a) How many persons under the age of 18 years were being detained in police cells as at 31 January 1993 and (b) how many of these persons (i) had been charged and (ii) remained to be charged as at that date? B342E

The MINISTER OF LAW AND ORDER:

- (a) 722
- (b) (i) 611 were charged with a crime at police stations.

- (ii) 75 were not yet charged with a crime at police stations as they were only still suspects. 329

Note: 36 were released on the same day because investigations revealed that they could not be charged.

Department of Forestry: newsletters in English only

*26. Mr A GERBER asked the Minister of Water Affairs and Forestry:

- (1) Whether his Department has distributed a notice entitled: "Rationalization of forestry technology—newsletters" in which it is stated that newsletters will in future be issued in English only; if so, (a) how is this justified and (b) what are the further particulars;
- (2) whether his Department will consider issuing these newsletters either in both official languages or in Afrikaans and English alternately; if not, why not; if so, what are the relevant details;
- (3) whether he will make a statement on the matter? B347E

The MINISTER OF WATER AFFAIRS AND FORESTRY:

- (1) Yes.
- (a) To save costs by means of rationalizing publications, especially where 75 percent of the readership is English speaking and to allow for changing needs and to achieve new goals.
- (b) The Forestry Technology Newsletter is an internal publication to keep the Forestry Extension Officers of the Forestry Branch of the Department of Water Affairs and Forestry up to date with technological developments in commercial forestry and also contains handy information and hints regarding forestry matters. The Newsletter was initially launched as a service between the researchers and the Extension Officers, but in the course of time this publication was

also supplied free of charge to private timber growers.

- (2) Yes, for the time being the publication concerned will still be available in both official languages.

- (3) Yes. There are mainly two aspects which gave rise to this particular decision and on which I would like to elaborate to provide perspective on the decision. Firstly, with the view to the commercialization of the forestry and woodprocessing activities of the State with effect from 1 April 1993 it was necessary to consider the mission of the Chief Directorate: Forestry Development of the Forestry Branch of the Department as this Chief Directorate will not be commercialized and will remain under central Government control, and secondly, it was necessary to look critically at all the facets of the future expenditure of this Chief Directorate due to the fact that only limited funds are available.

The Directorate: Forestry Extension and Conservation of the Chief Directorate: Forestry Development, which is responsible for the distribution of publications such as the one under discussion, will in future focus on the development of agro-forestry and not commercial forestry activities. The reason for this change in accent is firstly to be found in the fact that certain parts of South Africa are degrading to such an extent as the result of over-utilization of vegetation that this has become a menace for the country as a whole and secondly, in the commercialization of the commercial forestry activities of the State.

I have already referred to the question of limited funds and, it having been decided that the Chief Directorate: Forestry Development will rationalize its publications so as to effect savings on direct and indirect expenditure, I can announce today that it is the intention to cease the publication of the Forestry Technology Newsletter with effect from 1 June 1993. This does not mean, however, that the transfer of information will be impeded by such a step. The Extension Leaflet which was distributed separately in the past, will still be published in

THE DEPUTY MINISTER: Mr Chairman, I would humbly request the hon member to table his questions, as they may relate to specific particulars.

SA casino owners: application to Supreme Court

*2. Mr L T LANDERS asked the Minister of Justice:

- (1) Whether he will furnish information on whether any members of Parliament have furnished affidavits in support of an application made by South African casino owners to the Supreme Court recently; if not, why not; if so, (a) how many members were involved, (b) when was each such affidavit furnished and (c) what (i) are the names of these members and (ii) is the content of each such affidavit;
- (2) whether he will make a statement on the matter?

C22E

†THE DEPUTY MINISTER OF JUSTICE:

(1) and (2)
The case referred to is *Florida Road Entertainment (Pty) Ltd and River Palace Leisure Industries (Pty) Ltd versus the Ministers of Justice and of Law and Order*, case number 820/93. Judgment in the case was delivered on 16 February 1993 by the Honourable deputy judge president D J P Broome in the Durban and Coast Local Division. The record of the proceedings is a public document and at the disposal of the hon member.

Mr L T LANDERS: Mr Chairman, arising out of the Hon the Deputy Minister's reply, I want to state that he did not answer the question.

The CHAIRMAN OF THE HOUSE: Order! The hon member must put his question.

Mr L T LANDERS: Mr Chairman, I want to ask the hon the Deputy Minister whether he is aware of the fact that par 13 on page 6 of the court documents reads as follows:

In, or about, October 1992 a meeting was held between the first respondent . . .
And this refers to the hon the Minister of Justice—

. . . and four NP members of the House of Representatives, being Messrs S Fisher, Kruiter, George and Harris. At this meeting it was suggested by the House of Representa-

HOUSE OF REPRESENTATIVES

tives' members to the first respondent and to the chairman of the Justice Standing Committee that the Gambling Amendment Bill, as it then was, be placed into effect, subject to the proviso that a moratorium be included, giving the gambling industry until the end of February 1993 to continue trading. The purpose of this was intended to provide for the said moratorium until after the Howard Commission had reported its findings.

The CHAIRMAN OF THE HOUSE: Order! Has the hon member finished?

Mr L T LANDERS: Not quite, Sir.

The CHAIRMAN OF THE HOUSE: Yes, but the hon member must please put his question.

Mr L T LANDERS: I am coming to that, Sir. This quotation forms part of the question.

The CHAIRMAN OF THE HOUSE: Order! I cannot allow any discussion. The hon member asked my permission to put a question. The hon member must please do so.

Mr L T LANDERS: I crave your indulgence, Mr Chairman. I want to quote further:

The matter was debated between the said members of the House of Representatives and the first respondent. A compromise was reached and the first respondent said the effective date for the moratorium would be until 31 January 1993. Mr Fisher of the House of Representatives insisted that the additional words be inserted, "or such later date as the Minister may determine by notice in the *Gazette*".

And then follows the important fact—
The first respondent agreed to this.

In the light of public statements already made by *inter alia*, the hon members for Newton Park, Algoa, Durban Point and now also the hon members for Manenberg, Mitchells Plain, Strandfontein and Bosmont, I want to ask the hon the Deputy Minister whether, in his opinion, an inference cannot be drawn that the hon Minister concerned went back on his word? Would the hon the Deputy Minister not agree, too, that the hon the Minister acted hastily, given the fact that the SAP in Durban have since announced that because of a flaw in the amending legislation, they may not proceed with prosecutions at the moment?

THE DEPUTY MINISTER: Mr Chairman, this matter was fully canvassed during the legal proceedings. The facts were placed before the court as well. In this particular case the court decided to refuse the application with costs. In view of the fact that Mr Justice Howard, the Judge President of the Natal Provincial Division, who is also the Chairman of this committee, has also indicated certain opinions as far as this matter is concerned, and taking everything else into account, I believe that the hon the Minister involved acted responsibly.

THE DEPUTY MINISTER OF LAW AND ORDER:
(1) No. *329*
No record could be found that his disappearance was reported to the South African Police or that it was investigated by them.
(a) Falls away.
(b) Sphive Mzimkhulu.
(2) Yes, the lawsuit involves allegations of assault committed by the former Security Police. The relevant person was detained from 1 June 1981 until 20 October 1981.
(3) No.
(3) (a) and (b) Fall away.

Mr L T LANDERS: Mr Chairman, further arising out of the hon the Deputy Minister's reply, will he please tell the House whether it is now the intention of the Government, during this session of Parliament, to introduce further amending legislation in order to allow the SA Police to act effectively against what they term illegal casinos?

The DEPUTY MINISTER: Mr Chairman, this matter is awaiting the Howard Commission's report. Once that report is at hand, a decision will be made by the Government as soon as possible.

Certain person: investigation into alleged disappearance

*3. Mr P A C HENDRICKSE asked the Minister of Law and Order: *329*

- (1) Whether any investigation has been conducted into the alleged disappearance of a certain person, whose name has been furnished to the South African Police for the purpose of the Minister's reply; if not, why not; if so, what (a) were the results of the investigation and (b) is the name of the person in question;
- (2) whether the said person had instituted legal proceedings against the Minister at the time of his disappearance; if so, what are the relevant details;
- (3) whether any *ex gratia* or other payments have at any time been made to any relatives of this person; if so, (a) what payments and (b) to whom? C28E

The DEPUTY MINISTER: Mr Chairman, the answer is no. At present there is an investigation in Port Elizabeth regarding the people . . .
Mr P A C HENDRICKSE: We cannot hear you!
The DEPUTY MINISTER: Mr Chairman, an inquest is being held in Port Elizabeth at the moment. May I just remark that information which came into the hands of the SA Police was that during the period 1982 to 1983 this particular gentleman was observed in Swaziland.

Own Affairs:

Teachers' Colleges

*1. Mr J D SWIGELAAR asked the Minister of Education and Culture:†

- (1) Whether he intends closing any of the teachers' colleges under the control of

HOUSE OF REPRESENTATIVES

Star 10/3/93

Man dies in police custody

A man died in police custody in Welkom Hospital on Monday after allegedly being injured by a mine security guard who arrested him for being in possession of stolen copper wire. Police said Siphon Makhamba had allegedly been injured while trying to escape from the guard.

(329)

Suspect dies during police quizzing

By Bronwyn Wilkinson
and Melody McDougall

A Soweto man who was arrested early yesterday in connection with several armed robberies and the murder of an accomplice, collapsed and died during questioning at the Soweto Murder and Robbery Unit, police said.

This brings to three the number of people who have died in police custody this week.

Another man was injured while allegedly trying to escape from custody in the Vaal Triangle on Monday.

Soweto police liaison officer Colonel Tienie

Halgryn said yesterday that one of the robberies for which Kelly Mckwanasi (35) was arrested was at Sun City on January 3.

He also allegedly shot dead an accomplice during an argument in Jabulani last year.

According to Halgryn, Mckwanasi was being questioned at 5.15 am yesterday. His hands and feet were manacled and he "suddenly collapsed".

Halgryn said the policemen tried to revive him but he died on the scene. A post-mortem will be held soon.

On Monday, a suspect in a robbery case in Henley on Klip was wounded

in the head while trying to escape from police custody, Vaal Triangle police spokesman Major Piet van Deventer said.

The 22-year-old man is in a serious condition under police guard in hospital. Police have detained a second suspect.

Van Deventer said the men had held domestic worker Selina Tsoketsi at gunpoint at her employer's home in Cleef Road before taking goods valued at about R5 000. They were arrested and one of the men later accompanied detectives to another house for further investigation of the case.

He said the handcuffed suspect tried to hit one of the policemen. The suspect then produced a gun and fired a shot while trying to escape.

One of the policemen returned fire and the suspect was wounded.

● A theft suspect was found hanging from the neck by his trousers in his cell at the Adriaan Vlok police station in Verwoerdburg, near Pretoria, on Tuesday night, and on Monday, a man arrested in Welkom after being found in possession of stolen copper wire died in hospital under police guard.

Doubts over cell death

By Joe Mdhlela

A SOWETO man who died in police custody less than two hours after his arrest last week did not die of natural causes, lawyers acting for his family said yesterday.

They said this after pathologist Dr Jonathan Gluckman conducted a post-mortem on the body of Mr Zakhele Mkhwanazi, who died in police custody last Wednesday.

A full report of the cause of death would be released within two weeks, the lawyers said.

Police last week claimed that Mkhwanazi had collapsed and died.

FULL REPORT *Sowetan 16/3/93.* Grieving widow says her

husband did not die of natural causes: (329)

Mrs Sibongile Mkhwanazi, whose husband died last Wednesday, said the family pathologist had confirmed that her husband had not died of natural causes.

"The doctors said when my husband died he was in good health. I find the police explanation that my husband simply collapsed ridiculous.

"People in good health don't simply collapse without any good reason," she said.

She said she would not rest until police re-

sponsible for his death were brought to the book.

"I have no doubt that police have killed my husband" she said.

Sources close to the family yesterday confirmed that the lawyers representing the family would press for the State to immediately have an inquest as soon as possible.

Police spokesman Colonel Tienie Halgryn claimed last week that "all attempts by the detectives to revive Mkhwanazi were in vain".

ANC calls for probe into cell deaths

THE African National Congress called yesterday for an immediate investigation into the deaths of detainees in police custody after another suspect was found dead, the ninth this year.

The suspected robber was found dead in a cell on Sunday after being arrested following a beating by security guards at a shopping centre near Johannesburg, police said.

"We are calling for an independent investiga-

Sowetan 11/3/93
■ **ANC's Niehaus accuses Nats of "trying to cover things up"**

tion into what is going on and to know what steps are being taken by the police to prevent deaths in custody," ANC spokesman Mr Carl Niehaus said.

Niehaus accused Law and Order Minister Mr Hernus Kriel of "trying to cover things up".
Law and Order Ministry spokesman Captain

Craig Kotze branded the ANC reaction to the latest cell deaths "political opportunism".

"I think that people who are using deaths in custody as an excuse for police bashing should think again," Kotze said.

He said the Government had done all it could to open its police cells for inspection.

Ex-Minister's case settled

AN application brought by dismissed Ciskei minister of foreign affairs Tamsanqa Linda was settled out of court in Bisho yesterday. *Sowetan 16/3/93*

Linda was demanding that his ministerial home and government vehicle — confiscated after his dismissal — be returned to him. *16/3/93*

An attorney representing him said the conditions of the settlement were confidential and declined to comment further on the issue.

Police probe boy's death

■ A-G to decide on prosecution of cops:

TWO Alberton policemen have been suspended following the fatal shooting of a six-year-old boy in an East Rand squatter camp in February this year.

Constables JM Deysel and SM Nkambule were suspended on Tuesday last week, East Rand police spokesman Major Ida van Zweel announced on Monday.

The two officers were allegedly firing off rounds in an open veld near the Tintwa squatter camp, near Tokoza, Alberton, when the child, Johannes Lebakeng, was struck inside a shack by a stray bullet. The incident happened at 10am on February 26, Van Zweel said.

She said initial reports that a man had got out of a blue Ford Meteor car and had opened fire on the shack had been refuted on investigation.

The police probe was continuing and the case would be referred to the Attorney-General for possible prosecution, Van Zweel said. — *Sapa*.

Cops beat 3 - Cosas

■ Mamelodi pupils allegedly assaulted while in police custody:

Sowetan 16/3/93
By Alinah Dube

THREE Mamelodi pupil leaders were allegedly assaulted while in police custody, the Congress of South African Students claimed yesterday.

Branch secretary of Cosas Mr Michael Nkosi, two other members, Mr Harold Milanzi, and Mr Philemon Mokoena sustained injuries after allegedly being assaulted by police while in custody, Cosas charged.

Police spokesman Colonel Royce Merton could neither confirm nor deny the claims yesterday. He promised to investigate.

The three pupils were allegedly arrested last Thursday night. They were each released on R100 bail at the weekend.

Six other Cosas members were allegedly arrested at the Mamelodi Magistrate's Court yesterday during the brief appearance of the three.

Star 16/3/93
**Mandela's
guards held**

DURBAN — Three bodyguards of ANC president Nelson Mandela were arrested at Umlazi on Friday and have been charged with possession of an AK-47 rifle and three full magazines. (S.A.)

Sifiso Masikane, Chris Lushaba and Mondli Zuma were granted bail of R1 500 each at a special court sitting on Sunday. — Own Correspondent.

Star 16/3/93

Suspect 'did not die of natural causes'

By Brian Sokutu

(329) The widow of a robbery suspect who died during police interrogation at the Soweto police station last week does not believe he died of natural causes.

Pathologist Dr Jonathan Gluckman — who has alleged that police were responsible for many deaths in custody —

performed a post-mortem on Zakhele Mkwana (35) at Diepkloof mortuary yesterday.

Sibongile Mkwana said Gluckman said afterwards: "My husband did not die of natural causes."

But he would have to do more tests and would release a report in two weeks.

Gluckman could not be

reached for comment.

Police said Mkwana collapsed on Wednesday during questioning by the Soweto Murder and Robbery Unit.

Soweto police spokesman Colonel Tienie Halgryn said Mkwana had been arrested in connection with an armed robbery at the Kensington Golf Club in September and another robbery in Wadeville.

Investigate

Star 16/3/93

suspect's

cell death

— ANC (329)

By Anna Louw
East Rand Bureau

The ANC has called for an immediate investigation after a robbery suspect died in the Germiston police cells.

The man was allegedly assaulted on Saturday by security guards at the Golden Walk shopping centre. He was treated in hospital and then taken to the cells, said police.

"We are calling for an independent investigation into what is going on and to know what steps are being taken by the police to prevent deaths in custody," said ANC spokesman Carl Niehaus.

The number of cell deaths in South Africa was among the highest in the world. The appeal was all the more urgent because of the lack of Government response to allegations made eight months ago by pathologist Dr Jonathan Gluckman, who said most of the victims in more than 200 "cell-death inquests" he had carried out over a two-year period did not die naturally.

Law and Order Ministry spokesman Craig Kotze branded the ANC's reaction "political opportunism".

A security officer at the shopping centre yesterday said he could not comment on the assault, but he did know that the suspect had robbed a Katlehong man of R240 after threatening him with a knife.

"I saw the man when he walked towards the ambulance. He looked like he was smiling but then suddenly collapsed. I had smelt liquor on his breath and was told he had resisted arrest," he said.

Lieutenant Wikus Weber said police were called to the scene and sent the suspect to the Willem Cruywagen Hospital and then to the cells, where he was found dead on Sunday.

The doctor who treated the suspect was not on duty yesterday.

Police have opened a murder docket.

Move to curb cell deaths

By DAWN BARKHUIZEN

THE SA Police Board has proposed the formation of a "lay committee" to conduct spot checks on police cells in a bid to curb deaths in detention. (329)

In a document circulated to local regional dispute committees, Major General MJA Bester of the Police Board has proposed a system based on the British Metropolitan Police's "Open Door Method" whereby community leaders form a committee

to make unannounced visits to police cells. (329)

Death in detention came under the spotlight last year with claims by pathologist Jonathan Gluckman that many detainees were dying in cells. The Human Rights Trust noted 123 deaths in police custody in 1992 and nine so far this year.

General Bester recommended that local committees of about 25 people be formed under the chairmanship of a person acceptable to the community

who had no official post.

Visits would be made to cells without prior notice, but according to lists drawn up at committee meetings.

They would focus on the well-being of the detainees and would not get involved in the investigation of charges against them. Queries would be raised with the Ministry of Law and Order.

The proposal has been welcomed by community-based organisations, including the Black Sash.

ANC firms up policy on regional function

THE ANC ended a crucial meeting on regionalism on Saturday night in Johannesburg with a firm commitment that a future constitution should provide for a maximum of 10 regions.

Attended by more than 200 delegates and observers from 14 regions countrywide, the decisions of the ANC national consultative conference on regional policy now becomes part of the organisation's political firmament.

"This is now official ANC policy as this was a special conference called to deal with the issue after we had to postpone several meetings on the matter last year," said Zola Skweyiya, legal and constitutional affairs spokesman.

Noting that regional policy could only be finalised as an integral part of a national democratic constitution, ANC delegates decided that such a constitution would set out the powers, functions, roles and responsibilities for all three tiers of government.

Final and binding decisions on regions, including their powers, functions and boundaries, should be decided upon by the constituent assembly, which draws up the new constitution, the conference decided.

The resolution said a future constitution should provide for a maximum of 10 regions, a compromise for some delegates who wanted eight.

It called for elections for regional representations in a constituent assembly on the basis of electoral regions, "preferably the

four provinces based on the 1910 constitution".

The conference rejected "attempts by the Nationalist government to unilaterally restructure regional and local government policies and administrations".

The 10 regions accepted by the conference, with a rider that they could become eight entities should certain areas wish to join with others, were: the western Cape; eastern Cape; Border/Kei; Natal; Free State; northern Cape; western Transvaal; Pretoria/Witwatersrand/Vaal; eastern Transvaal; and northern Transvaal.

Conference sources said northern Cape and western Transvaal regions might merge, as might Border/Kei and Eastern Cape regions.

ANC secretary general Cyril Ramaphosa said the policy was adopted unanimously.

Meanwhile, more than 50 anti-apartheid movements, development agencies, church bodies and trade unions are to campaign for international supervision, monitoring and verification of elections in SA.

The initiative will be launched today by the UN-designated International Day for the Elimination of Racial Discrimination.

The liaison group of EC Anti-Apartheid Movements said in London the appeal would mobilise opinion in support of a sizeable presence by the UN in conjunction with other intergovernmental bodies. — Sapa.

Stealing a march on opposition

THE ANC was hoping that an early campaign start would give it a decisive advantage in coming elections against opposition that had experience and superior resources, ANC PWV chairman Tokyo Sexwale said yesterday.

The regional election campaign was launched last month and the ANC yesterday unveiled its new regional flag at rallies across the PWV.

Sexwale said in an inter-

RAY HARTLEY

view that the ANC's PWV region would get a "sizeable portion" of the R300m the ANC planned to raise for its election campaign.

"We need as many people as possible to put up money because without a proper constitution, in which everybody has participated, people won't respect the first law of the country. And in that case, they wouldn't respect criminal law either," he said.

The northern Transvaal, eastern Transvaal, Border, Transkei and OFS regions of the ANC would not face much election opposition, but the PWV was where most opposition parties had their headquarters and an organisational presence.

"The NP and other parties are strong on admini-

stration and management, the ANC is strong on support. We would like to transform that political support — with good management — into voter support," Sexwale said.

Sexwale said the election campaign would be the ANC's "biggest mass action ever. This time we are not putting pressure on government; we are removing the government," he said.

He was unambiguous about the ANC's election platform in the region: "It is about winning power — the power that all along they have tried to get through marches, petitions and the armed struggle. We want a transfer of power to a democratic elected government. The election is about commencing the process of reconstructing lives," he said.

'Dismal' human rights year

GAVIN DU VENAGE

THE past year has been gloomy for human rights in SA, the Human Rights Commission says in its annual review.

It said security force covert operations, vigilanteism and repressive state legislation "continued to notch up a litany of human rights violations and abuses".

Retaliatory action compounded the situation, and "attacks on policemen and innocent civilians did nothing to advance the cause of human rights in SA", it said.

These activities led to the deaths of more than 3 500 people, 35% more than during the previous year.

The report noted the deaths of 280 train commuters, 129 policemen and 97 political activists.

More than 120 deaths in police custody were recorded, most taking place before the deceased came to trial.

During the year, 58 magisterial districts were declared unrest areas, more than during the State of Emergency in 1985/6. More than 450 people were detained without trial, the commission said.

Political arrests stemming from democratic protests continued apace. More than 10 000 such arrests took place, accompanied by the deaths of 160 people.

At least 200 political trials involving 4 000 people took place. The review listed 250 political prisoners.

About 300 people were on death row, many of whom had been there since hanging was suspended in 1990. In spite of this, another 34 death sentences had been passed down in the past year, the commission said.

Star 23/3/93
**Two appear
over minibus
massacre**

(329)
Own Correspondent

MARITZBURG — Two men from the Table Mountain area are to be tried in the Supreme Court next month in connection with the massacre of 10 minibus commuters on March 5.

Mabhungu Absalom Dladla (23) of Mboyi and Nkayiso Wilfred Ndlovu (20) of Nkanyezini will face trial on April 22.

Police have arrested a man in connection with the bus attack at Swayimani on March 8, in which four people died and 16 were injured.

The suspect (30), from Swayimani, appeared in the New Hanover Magistrate's Court yesterday and was remanded to April 15.

Welverdiend cell death

ANC youth 'died of brain haemorrhage' (329)

AN ANC Youth League member held for questioning by police died of a brain haemorrhage associated with external injuries, pathologist Dr Jonathan Gluckman told an Oberholtzer Magistrate's Court inquest yesterday.

Gluckman told the court that Nixon Phiri (16) of Khutsong, near Carletonville, did not die of an epileptic attack as police had claimed.

Phiri died on January 16 1990 while he was being interrogated by police at the Welverdiend police station.

Gluckman said when he examined Phiri he found evidence of bleeding in the inner brain. Five abrasions on Phiri's head could have caused the bleeding, he said.

Phiri's body was also covered in multiple minor abrasions and his lungs had been congested with blood, which could have been caused by manual strangulation, Gluckman said.

He also found a "large amount of free blood" in Phiri's stomach, but could not establish its cause.

The inquest continues today - *Sowetan Correspondent.*

Cell deaths must stop - columnist

Sowetan & Radio Metro

By Lulama Luti

Talkback



CONTROVERSIAL columnist and editor of *Tribune* magazine Jon Qwelane told *Sowetan*/Radio Metro Talkback listeners last night that a death in police custody was one too many.

Qwelane, who was a guest of DI Tim Modise's on the show, asked how many more people should die in police custody for the Government to be convinced that cell deaths should stop.

"A death in police custody is one too many. I was in jail myself and I saw people being beaten up by policemen. I came back and wrote about them, but nothing happened," he said.

Police spokesman Colonel Johan Mostert conceded there were too many deaths in police custody.

Mostert said, however, suicides and

deaths in police custody were a worldwide occurrence.

"It happens all over the world. In America, in the Netherlands, everywhere. We are doing everything in our power to deal with the matter," Mostert said.

He said while he could not protect racist policemen or those who committed crimes, policemen were human. He said they were "not produced by machines."

Most of the callers heaped praises on Qwelane and commended him for "telling it like it is."

"I've been to jail and I know what happens there. I was almost murdered in (a police station) in Kroonstad last year."

Qwelane

"Constructive criticism is very good and I think we should learn from your (Jon's) writings. A wrong deed should be looked at for what it is, whether committed by a black or white person."

Molefe, Soweto

"I agree that we are not perfect, but we're the best the country has ever had."

Qwelane

"Jon, we are with you and I'm sure many other people are. But how do we educate whites about the truth in South Africa?" Tony, Daveyton

"I have no confidence in the SAP. They've committed very serious crimes. For Colonel Mostert to come on air and play innocent is really surprising."

Hope, Hillbrow

"I'm not pro-black or anti-white."

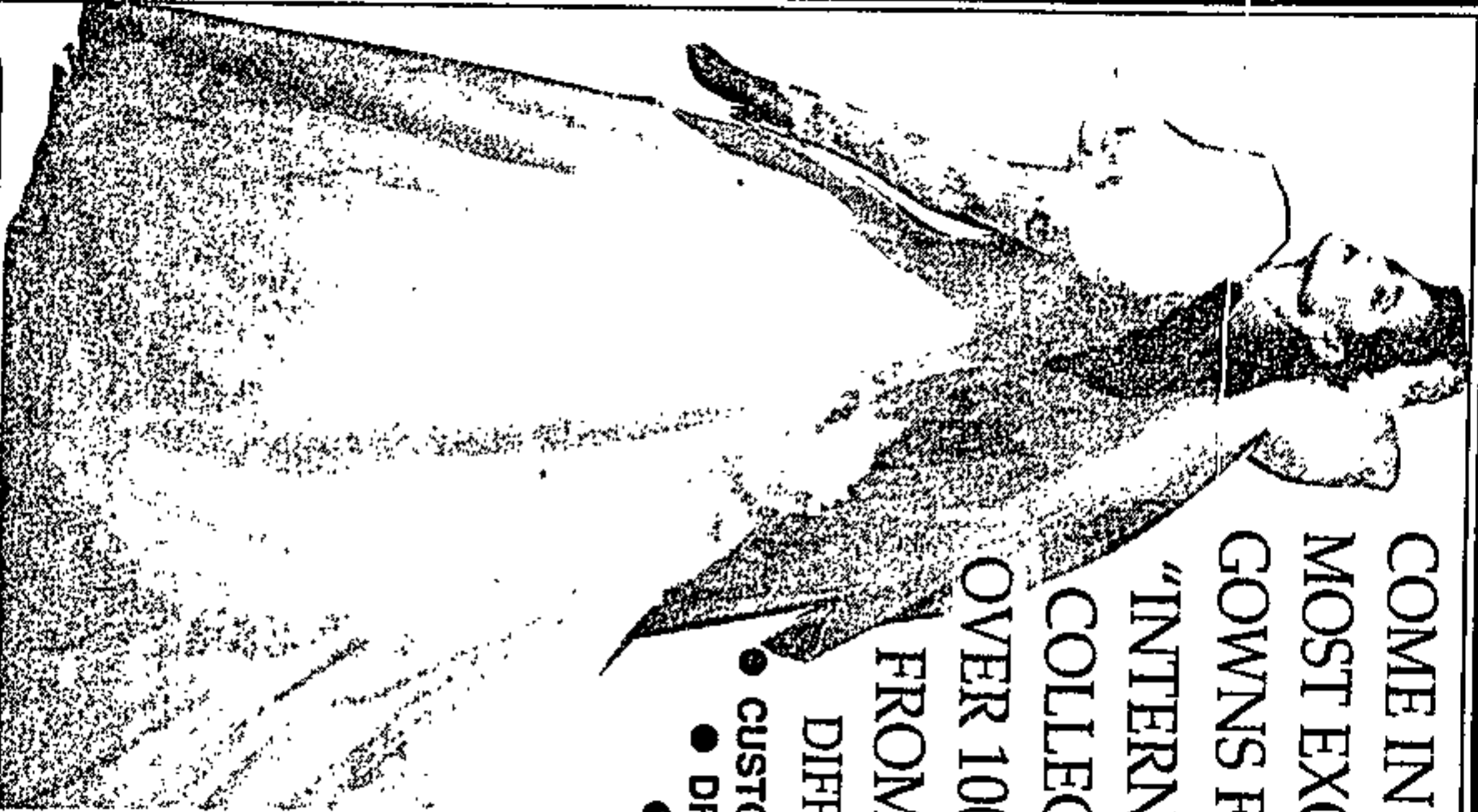
next Talkback topic

THE Azanian People's Liberation Army is once again in the headlines after allegations by the SAP that it was involved in attacks on whites on the Reef. Does it place the PAC in a dilemma? How should the Government handle the issue? Share your view by phoning Tim Modise between 7pm and 8pm tonight.

Dial the hotline (011) 714-8063

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18 held

Swetson 25/3/93

329

EIGHTEEN MEMBERS OF THE Azanian People's Liberation Army were arrested this week for alleged violent attacks on whites, State President FW de Klerk said yesterday.

In an address to Parliament, De Klerk said the Government had decided on a major Defence Force call-up as part of a comprehensive action plan for areas affected by terror attacks.

He said violence would be at the top of the agenda when multiparty negotiations resume on April 1.

De Klerk said 18 identified Apia members had been arrested since Tuesday and were being held for questioning.

Parliament would be asked to consider whether the moratorium on hangings should be scrapped, he added.

The Government would urgently ask for the Transkei government's reaction to the Goldstone Commission's initial report on Apia, De Klerk said.

He said the Government broadly accepted the Commission's recommendations.

Given the serious allegations that certain official Transkeian institutions were engaged in Apia activities, the commission's chairman had specifically invited the Transkei to take part in the commission's activities.

The commission's initial findings gave rise to serious concern and the Government considered these in an extremely serious light, he said. The commission had found that Apia used

the Transkei as a springboard for attacks on South Africa and that Apia's internal South African command was based in Transkei.

The commission also found that the territory was used to stockpile arms and ammunition for Apia units. The SAP was aware that Apia units were present in Transkei and being trained there, and that arms and explosives were being smuggled into South Africa for Apia's use.

"It has been decided that the Transkei government's reaction to the report will be urgently called for, as requested by the commission.

"It has to be stressed that it is no longer just the South African Government that wants the Transkei government's reaction, but the commission itself."

The Government's actions would depend on the reaction of the Transkei government.

The Transkei yesterday rejected the preliminary findings and denied its territory had been used as an Apia springboard.

Military leader Major-General Bantu Holomisa also denied that Apia members were receiving training in the Transkei.

"The Transkei is not being used as an Apia springboard," Holomisa said in a telephonic interview from Umtata yesterday.

He said the Goldstone Commission report, in which only the SADF and SAP accepted invitations to make submissions, was a "one-sided story". — *Sapa*.
● See page 2.

SA's nukes

President FW de Klerk has confirmed that South Africa had developed nuclear bombs.

He said the nuclear devices had been dismantled and the programme ended.

● See page 3.

Wide-ranging responses to FW, Goldstone

By Esther Waugh
and Kaizer Nyatumba

The PAC came under heavy fire yesterday — in the Goldstone Commission's preliminary findings on Apla and President F W de Klerk's address to Parliament — but its leaders would not comment on the charges last night.

PAC sources said the organisation would hold a press conference today after studying the commission's report and De Klerk's speech.

Transkei military ruler Major-General Bantu Holomisa last night rejected the Goldstone Commission's preliminary findings on Apla which implicated his government.

In its response to De Klerk's announcements, the ANC expressed concern over the Government's as yet undisclosed 10-point plan of action to stabilise "problem areas".

The organisation said the arrests of 18 unnamed Apla cadres raised concerns about detention without trial, and said they should be charged or released immediately.

The ANC called on the Government to give public guarantees that no coercive measures would be used to extract information. Their names should be released immediately and their families informed so that they could arrange proper defence for the Apla cadres.

It reiterated its principled opposition to the death penalty.

"President De Klerk could demonstrate his serious intent to make addressing the question of violence the major priority on the agenda by acting against those who were implicated. Despite the recent revelations (Military Intelligence chief) General Joffel van der Westhuizen and (Local Government Minister) Dr Tertius Delport remain in their posts," the ANC said.

Responding to the Goldstone Commission's report, Holomisa said: "The Transkei Government is adamant that there are no Apla bases in Transkei. Since South Africa refused the offer to send a judge to head the

(Transkei Government's proposed) Commission of Inquiry into Apla, we regard the matter as a closed affair."

Referring to 12 secret SADF files he has in his possession, Holomisa said they show that some covert activities have been executed since De Klerk came to power in 1989.

Lawyers for Human Rights director Brian Currin said Parliament as it was presently constituted had no moral right to debate the death penalty and decide on it unilaterally.

"The (execution) of the death sentence in the circumstances will probably be more inflammatory than constructive," Currin said.

(329)

NEWS Holomisa tells of order to 'wipe out' Apla

'18 not Apla cadres'

Sowetan 26/3/93.
By Themba Molefe
Political Reporter

THE Pan Africanist Congress yesterday said the police had arrested 20 of its members and not 18 cadres of the Azanian People's Liberation Army as announced by State President FW de Klerk.

And in another development, *Sapa* quotes Transkei leader Major-General Bantu Holomisa as saying that De Klerk personally gave an order that people identified as Apla members should be "wiped out" as a matter of urgency.

The report said Holomisa was reacting to a diplomatic note from the South African Government yesterday following the Goldstone Commission findings on Apla which point to alleged involvement of Transkei in Apla activities.

"I would like to alert you to the fact that our intelligence is aware of the order personally given by you to the effect that certain persons deemed to be Apla members resident in the Transkei be wiped out as a matter of extreme

■ TWENTY ARRESTED PAC says the detained men are its members:

urgency," Holomisa said in a six-page letter to De Klerk, reports *Sapa*.

Meanwhile, the PAC said the 20 members arrested were all aged between 17 and 24 years. Fourteen were schoolboys from Ficksburg.

Schoolteacher Mr Musa Msulundwana (24), of Sebokeng, is the son of PAC chief of protocol and former PAC United Nations representative Dr Count Pietersen.

One of the two members arrested in Bloemfontein was a construction worker and the other was a full-time PAC regional organiser, Mr C Mbelembele.

Two brothers who are high school pupils, Solomon and Joseph Masango, were arrested in Boipatong the same day as Azanian National Youth Unity member Buti Gilbert Ntuli.

Addressing a Press conference in Johannesburg, PAC president Mr Clarence Makwetu said

it was clear that the 20 people arrested were not Apla members.

"Mr De Klerk is playing cheap political games by harassing schoolboys. We demand the immediate release of all arrested members of the PAC.

"Emotions are running high in Ficksburg in the Free State where the black community is demanding the release of the schoolboys."

In another development, Commissioner of Police General Johan van der Merwe announced an anti-violence plan costing about R10 million and involving at least 21 000 reservists.

This is part of the 10-point plan announced in Parliament by De Klerk on Wednesday.

● The PAC announced yesterday it would not attend the Patriotic Front conference at Lenasia tomorrow because it was a meeting of the ANC-Codesa allies.

I was thrown



Lucky to be alive — Daniel Mojapelo claims police tried to kill him by pushing him out of 4th floor window. He lived to tell the tale.

FIG: LEN KUMALO

from fourth

floor

Soweto 26/3/93

329

When it comes to low prices this Easter, we're fighting for you!

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HAN CLAIMS HE WAS PUSHED OUT OF A

windrow on the fourth floor of police regional headquarters in Braamfontein, Johannesburg — and survived to tell the tale.

Speaking from his hospital bed in Hillbrow, Mr Daniel Mojapelo (27) says the police were trying to kill him.

Mojapelo was arrested for being in possession of a dangerous knife.

Police have denied the allegation. Mojapelo was admitted to hospital within hours of his arrest on Saturday night and was still under police guard when Sowetan interviewed him this week.

"I thank my arseholes that I landed on my legs and arms," Mojapelo said. "I had I hit the ground with my head, I would be a dead man bleeding profusely today."

He broke both legs, his right arm and left elbow and also sustained spinal injuries in the Braamfontein. This week he underwent surgery as doctors battled to save his legs from being amputated.

Witwatersrand police spokesman Warrant Officer Andy Piete gave a different account. He said, however, that the incident was being investigated. He said action would be taken against police who arrested Mojapelo should any irregularities be found.

Mojapelo said he was involved in an argu-

By Sonté Maseko

ment with a security guard at a car park in Braamfontein before his arrest last Saturday. He had threatened the guard.

He then left to park his car nearby and returned to the car park where he met four policemen in uniform.

"They look me to some office in Braamfontein, where they searched me and found a small knife."

"Two of the policemen then look me to the fourth floor by lift and attacked me, demanding that I produce a gun," Mojapelo said.

It was in that fracas, he said, that he was pushed out of the window and fell four storeys. He said he was taken to hospital by ambulance, bleeding profusely.

Police say Mojapelo was arrested for posing as a policeman and taken to the offices in Braamfontein.

Piete said: "Police telephoned the Hillbrow police to fetch Mojapelo to take him to the cells there. While waiting for the Hillbrow police to arrive, Mojapelo went into a lift and disappeared."

"Police called for reinforcements and searched the whole building in vain until they heard screams coming from the courtyard. Mojapelo was found lying there and was taken to hospital," he said.

Star 26/3/93

Arrested 'are schoolboys'

Political Reporter

The Pan Africanist Congress (PAC) said yesterday that police had arrested 20 of its members — 14 of them "schoolboys" from Ficksburg in the Free State.

The PAC's angry claims, made at a media conference in Johannesburg by the organisation's president, Clarence Makwetu, followed Wednesday's announcement in Parliament of the arrest of 18 "Apla members".

Makwetu disputed President de Klerk's announcement, saying that the 14 "schoolboys" arrested in Ficksburg in the early hours of Wednesday, were first de-

tained and then released in October last year after the Free State Attorney General had "found that their arrests were frivolous and unwarranted".

Makwetu said emotions were running high in the area as a result of the arrests and that the local community was planning a mass rally to demand their release.

Soon after Makwetu's briefing, SAP Commissioner General Johan van der Merwe told a press conference in Pretoria that the suspects — who were "not schoolchildren" — had admitted to police that they were Apla cadres.

"As far as I know, they are not schoolchildren, and we have sufficient information at our disposal to legally charge them," Van der Merwe said.

He challenged the PAC to furnish the names of the two additional detainees.

Makwetu had released the names of the 18 people apprehended.

The PAC president said those arrested included Bloemfontein construction worker J Jikila — also detained in October last year for possession of firearms for which he had legal licenses — PAC Bloemfontein

● To Page 3

Star 26/3/93

Detainees are schoolboys from Ficksburg — claim

● From Page 1

regional organiser C Mbelebele, and Sebokeng teacher Musa Msundulwana, son of the organisation's former representative to the United Nations, Dr Count Pietersen.

Makwetu said those arrested were clearly not Apla members and accused De Klerk of "playing cheap political games".

The other names he released at the press conference were Themba Lenyatsa (16), Moshuti Lipadi (15), Desmond Thabiso Mohala (22), Clement Molefi Libada (20), Esia Senapo Maseko (17), Hector Paseka Tsolo (16), Esia Tajane Chaotsane (20), Hendrik Paseka Motsoenyane (23), Charles Biljoen (21), Phats-

wa Mosae (13), Lawrence Sematla (19), George Teatea (21), Gilbert Ntuli, Solomon Masano and Joseph Masano. The ages of the last three were not given.

Commenting on the attacks by whites allegedly by Apla since last Friday, Makwetu said it was not his organisation's policy to kill women and children.

The PAC, he said, was "not involved in a race war against whites." The PAC would only consider suspending the armed struggle once "the ballot is secure". Makwetu was twice asked if he condemned the attacks on whites in Walkerville last week, and twice he responded: "We regret any killing, irrespective of colour."

Phiri's time of death 'not important'

By Gien Elsas
West Rand Bureau



League activist Nickson Phiri that he was the senior officer on duty the day Phiri died.

Phiri died at the Welverdiend Police Station on January 16 1990.

A senior policeman investigating the death of a 16-year-old activist during interrogation did not think it necessary to establish the time of death or speak to the interrogating officer, a Carletonville inquest heard yesterday.

Now retired, Lieutenant-Colonel Lucas Daniel van Heerden said at the inquest into the death of Khutsong Youth

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Van Heerden, who said he was stationed in Potchefstroom at the time, told magistrate Charmaine Potgieter he was called to the Welverdiend station to determine whether police negligence had contributed to Phiri's death.

He spoke to the station's commanding officer who had been called by a Constable van

Jarsveld of the Welverdiend police when Phiri had collapsed during interrogation.

The commanding officer, a Warrant Officer van Graan, said the constable had told him Phiri had started breathing heavily while being questioned. He had started shaking and had fallen, unconscious, from a chair.

Questioned by advocate Stephen Joseph for the family, Van Heerden said his job was to see if the police had acted negligently.

He had not felt it necessary

to speak directly to the constable who was questioning Phiri when he died. He also did not think it was important to ascertain the time of death or to mention, in his statement, that he had examined the body.

Joseph said one would expect the police to speak directly to the people who were present when a person died to ascertain exactly what had happened.

Van Heerden replied: "In this case it was not necessary. The branch commanding officer told me and this is how it happens in practice."

He said he examined the body

and could find no marks to indicate that there had been negligence on the part of the police.

Joseph said that two doctors had found at least 10 external abrasion marks on the body and added that Phiri's right eye had been bruised. "I saw nothing," Van Heerden reiterated.

He also did not see foam and blood around Phiri's mouth. Joseph said that this was strange as there had been testimony that there was foam, mucus and blood coming out of Phiri's mouth.

The hearing continues today.

SAVE UP R500

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Five civic men held for assault

329 By SUE BLAIN

FIVE members of the Macassar District Residents' Association have appeared in court on charges of alleged assault and intimidation after they were held in a dawn raid on Friday.

The arrests follow a complaint by two members of the Macassar Management Committee when crosses were planted and coffins burned outside their home last month to try to force them to resign.

STimes [Cape] 28/3/93

'Little doubt men are ANC members'

POLICE said yesterday they had "little doubt" the two men arrested in the Free State last week in connection with the Eikenhof killings were ANC members.

Police spokesman Gen Leon Mellet said the investigating officers believed the men belonged to the ANC, but until they were absolutely certain there would not be an official statement on the issue.

The men had said they were ANC members, but the possibility still existed that they could be Apla guerrillas, Mellet said, adding that the case was very sensitive.

Speculation has focused on Apla being responsible for the unprovoked killing of a

KATHRYN STRACHAN 329

mother and two children following a call to Sapa from a man claiming responsibility in the name of the PAC's armed wing.

Police confirmed yesterday that two weapons had been recovered.

ANC spokesman Carl Niehaus said earlier in the weekend that until the names of the men were known allegations about ANC membership were unsubstantiated.

Sandra Mitchley, her son Shaun Nel and Claire Silberbauer died in the ambush by gunmen on the Vereeniging highway south of Johannesburg on March 19.

3/13/93
29/3/93
B/DAM

Row over suspects' political links

Star 29/3/93

Net closes on ambush killers

By Peter Fabricius
Kaizer Nyatumba
and Charmeela Bhagwat

Police expect to make more arrests after taking two men into custody over the cold-blooded murder of a woman and two children south of Johannesburg while a new storm has erupted over the identification of the attackers.

Police had initially suggested that the killings were the work of the Azanian People's Liberation Army (Apla), military wing of the Pan Africanist Congress.

But weekend reports said two suspects arrested over the murder of Sandra Mitchell (35), her son Shaun Nell (14) and Clare Silberbauer (13) on the Vereeniging-Johannesburg road 10 days ago had told police they were ANC members.

A source close to the investigation said the two arrested men claimed they were ANC members, but denied being members of the organisation's military wing, Umkhonto we Sizwe.

Brixton Murder and Robbery Squad detectives went to Wesselbron in the Free State on Wednesday after receiving information that two of the killers were in Monyakenkeng township, said the source.

With help from detectives in the area, police swooped on a house in the township at about 10 pm on Wednesday and arrested the suspects, who were brought back to Johannesburg immediately for questioning.

The source said police expected more arrests soon and had worked around the clock since Wednesday to find two other suspects.



Shattering . . . American driver Michael Andretti in his McLaren is sent flying y retaining wall after the start of the Brazilian Formula One Grand Prix in Sao Paulo.

Prost spins, Senna wins

SAO PAULO — Heavy rain caused chaos and a series of accidents during the Brazilian Formula One Grand Prix yesterday as Ayrton Senna

chance of a second successive victory.

Prost, winner of the season's opening race in South Africa two weeks ago, start-

on the first corner after the start of the race. He was flown to hospital by helicopter with back injuries.

Hill, Prost's teammate

organisation's military wing, Umkhonto we Sizwe.

Brixton Murder and Robbery Squad detectives went to Wesselbron in the Free State on Wednesday after receiving information that two of the killers were in Monyakenkeng township, said the source.

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The source said police expected more arrests soon and had worked around the clock since Wednesday to find two other suspects.

Last night, SAP chief media liaison officer General Leon Mellet refused to comment on the suspects' political affiliations.

The ANC would not comment before the suspects' political membership had been proven conclusively.

At a press briefing in Hermanus at the weekend, ANC information chief Dr Pallo Jordan said the ANC viewed the attacks as a sinister attempt to derail negotiations.

Those who stood to gain most by derailing negotiations were not the PAC and Apla, but people who wanted to delay or prevent democracy, he said.

Jordan would not specify exactly whom he suspected. "It could be any number of mischievous forces opposed to democracy."

Mellet would not say when or where the arrests were made, disclosing only that they were not part of a massive anti-crime operation on the Witwatersrand which ended at the weekend.

PAC political affairs secretary Jaki Seroke said that, as far as he knew, no PAC member had been apprehended in connection with the attacks. The 20 PAC members arrested in connection with several eastern Cape attacks had not yet been charged, he added.

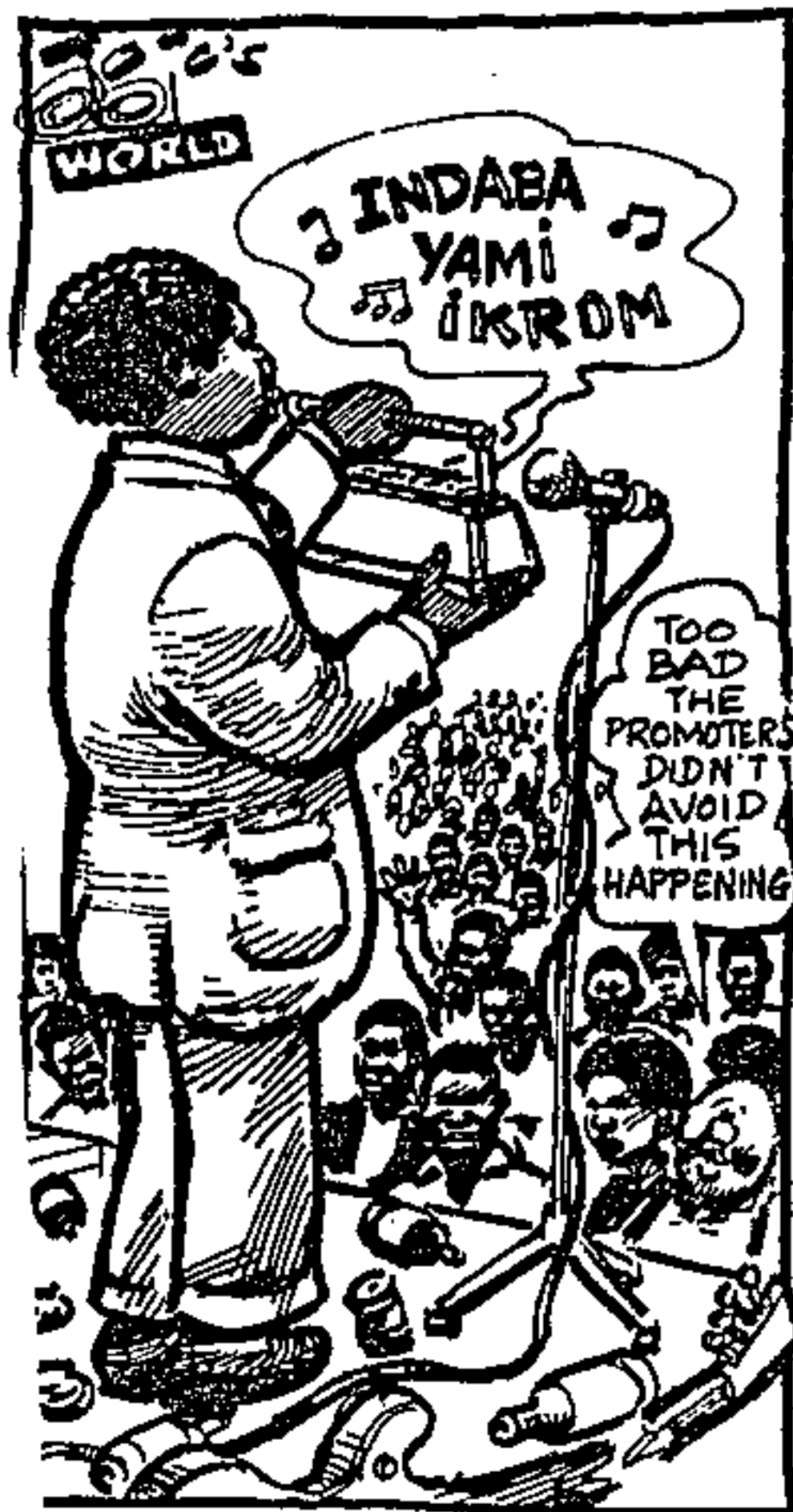
"It is good if the perpetrators of the crime are brought to court because then the truth will out. The names of the PAC and Apla are used by others as a smokescreen to discredit us," he said.

Law and Order Minister Hernus Kriel yesterday commended the police on their speedy investigations.

"The SAP is to be congratulated on the excellent detective work in connection with the Eikenhof murders.

"I once again urge the community, regardless of political affiliation, to give full support to the SAP in the fight against violence."

hers to appeal against arrests



Sadtu is set to intervene

■ Union will discuss warrants with DET:

329
Sowetan 30/3/93

THE South African Democratic Teachers Union will meet the Department of Education and Training today to discuss warrants for the arrest of 20 teachers.

Trespassing charges

The warrants were issued last Thursday when the teachers failed to appear in the Johannesburg Magistrate's Court to face charges of trespassing after staging a sit-in at the local DET regional offices earlier this month.

Sadtu general secretary Mr Randall van Heever said the teachers did not appear because the DET had informed them at a meeting it was unnecessary as they were going to withdraw charges.

Star 30/3/93

Two held on arms charge

Crime Reporter

(329) Two men, one of whom allegedly told police he was an Apla member, were arrested at Witbank in the eastern Transvaal yesterday for possessing illegal weapons.

Eastern Transvaal police spokesman Captain Theo du Bruyn said detectives received information that illegal weapons were being smuggled to a

plot at Jackaroo smallholdings. They staked out the plot and at about 1.30 am yesterday saw two men approaching with a bag. The Internal Stability Unit was called in and the men were arrested. Du Bruyn said one of the men said he was an Apla member.

Police confiscated two AK-47 rifles, a Chinese stick-bomb, a Beretta pistol, three AK-47 magazines and ammunition.

STAR 31/3/93

Police epilepsy death claim untrue — mother

By Abdul Milazi

An ANC Youth League member who allegedly died of an epileptic attack while in police custody, did not suffer from epilepsy, his mother, Maria Phiri (40) told an inquest in the Oberholtzer Magistrate's Court yesterday.

Nixon Phiri (16) of Khusong, Carletonville, died on January 16 1990 while being interrogated at the Welverdiend Police Station.

His mother said a police statement that she had admitted that her son suffered from epilepsy was untrue. She had

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not made any such statement.

A witness arrested with Phiri, Ishmael Booysen (22) told the court he had seen three policemen assaulting Phiri. They had kicked, punched and shocked him.

Pathologist Jonathan Gluckman testified earlier that he found evidence of bleeding in Phiri's inner brain, abrasions on his head, multiple minor abrasions on his body and lungs congested with blood, which could have been caused by manual strangulation.

The inquest continues.

abducted her from her Melrose flat and held her captive for 12 days before giving himself up to the police. Beuthin allegedly Reeves' depression partly to the loss of amenities, co-ordination and independence she had suffered as a

ANC asks to see held men

Business Day Reporter

THE ANC has asked police for access to the alleged killers of a mother and two children who, it is claimed, are members of an Umkhonto we Sizwe trained township defence unit. 81097 31/3/93

Police are investigating the possibility that two suspects arrested in the Free State in connection with the March 19 shooting may be members of a self-defence unit which received training inside SA.

A Law and Order Ministry spokesman yesterday declined to comment, saying police had not established the political affiliations of the men. The men are being held in terms of the Internal Security Act.

An ANC PWV spokesman said the organisation had asked for permission to talk to the two men to establish the truth of claims that one was a lapsed ANC member and the other a supporter. Police had not yet responded to the request.

It was previously claimed that the men who shot and killed the three people while they were travelling by car in Walkerville on the Vereeniging-Johannesburg road were members of the PAC's armed wing Apla.

However, police recently said they had no evidence to link the men to Apla. The claim that they were Apla members was made by an anonymous telephone caller.

Director

INTE

The unaudited results of POIN

FINANCIAL

Capital Employed
Share Capital and Reserves
Long Term Liabilities

EMPLOYMENT OF CAPITAL

Current Assets

Less: Current Liabilities

Fixed Assets

Other Assets

PROFITS

Turnover

Net income before tax
and interest

Interest

Net Income/(Loss) before

Ruling backs inmates' rights

St. Times 4/4/93
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AFTER decades of repressive judgments on the rights of prisoners and detainees, the country's highest court has made a new beginning.

Following a landmark judgment finally overturning harsh decisions of the past, the courts will insist that prison authorities treat inmates as retaining all their rights, except those removed by law.

This sea-change in the law follows an appeal by the government against the R50 000 it was ordered to pay anti-apartheid activist Willie Hofmeyr. Detained during the emergency, Mr Hofmeyr was held in solitary confinement for lengthy periods and as a result his physical and mental health suffered severely.

Key

When he challenged the conditions of his detention, the Cape Supreme Court ruled it was unlawful for the authorities to hold him in solitary, to refuse him reading material apart from study books, to prevent him exercising indoors during bad weather and to refuse him a radio in his cell.

Now the Appellate Division has upheld the ruling of Judge Edwin King, confirming the award of R50 000 damages and costs against the Minister of Justice.

At the heart of the case lies the interpretation of the emergency prison regulations by the jail authorities. The Appellate Division found that many key decisions about the condition of Mr Hofmeyr's detention were taken by the security police and that, in effect, the prison officials had abdicated responsibility.

Following the new judgment, prison officials will no longer be able to do this. Not only will they have to take such decisions themselves independent of the police but, when they do so, they may no longer simply consider the regulations in isolation.

CARMEL RICKARD reports on a landmark judgment for detainees

Instead, they will have to interpret them in a way that takes the health and welfare of the individual detainee or prisoner into account.

The Appellate Division in the Hofmeyr case specifically endorsed a view of the present Chief Justice, Mr Justice Corbett, more than 20 years ago, in another case about the rights of prisoners which reached the AD. The decision went against the applicant, Denis Goldberg. However, Mr Justice Corbett dissented from the rest of the court.

He said, in effect, that a prisoner retained all the basic rights and liberties of an ordinary citizen except those taken away by law. Prisoners denied these rights should be entitled to legal redress.

Judge Corbett also said there was little point in trying to make a distinction between "comforts" and "necessities".

Trespass

Again the AD in the Hofmeyr case specifically endorsed this approach, which means that the prison authorities now have the responsibility of considering each detainee or prisoner as an individual and weighing up that person's needs.

The judge said that individuals had "an absolute right" to bodily integrity which includes the mental element. In this case, the conditions of Mr Hofmeyr's detention amounted to "an aggression upon his absolute right to bodily integrity and in particular it represented a trespass upon and violation of (his) right to mental and intellectual well-being".

● The judgment was written by Mr Justice Hoexter, with Judges Smalberger, Grosskopf, Goldstone and Nicholas in agreement.

urged for Vaal killings ● ANC reacts on TBVC proposal

Eikenhof: two in court

TWO MEN ARRESTED IN CONNECTION WITH last month's Eikenhof attack in which three people were killed and two others injured will appear in the Meyerton Magistrate's Court today, police con-

INDENTIKITS Two more suspects sought in connection with Vaal Triangle attack:

connection with Vaal Triangle attack:

Police said the two men, both originally from the Vaal Triangle, could help in the investigation. They are Vincent Tefo Hlakoane (30), known as Phaphiki in the Welkom area, and Zipo Samuel "Fish" Gavin (29), who was last seen on the Reef.

--Sowetan Correspondent.

--Soviet Correspondent.

Dragnet out for killers of 8

POLICE have launched a huge manhunt for gunmen who killed eight people in the Vaal Triangle.

Five people were shot dead and two injured in Evaton on Friday night when they were attacked by five men armed with pistols.

And on Saturday night, three people were killed and five injured when gunmen stormed into a house in Sebokeng's Zone Three. The killers escaped in a car belonging to one of the injured.

Police spokesman Maj Piet van Deventer said "a lot of detectives" had been deployed in the area to investigate the incidents.

Motives for the attacks were not yet

GAVIN DU VENAGE
and WILSON ZWANE

known and there was no evidence to link the two incidents.

Meanwhile, the two men arrested in connection with last month's attack at Eikenhof, south of Johannesburg, are to appear in the Meyerton Magistrate's Court today on charges of murder and attempted murder. A woman and a boy were killed in the attack and a girl died later in hospital.

A Vaal Triangle ANC spokesman has complained that, despite claims of the two men's alleged ties with the ANC, the organisation had been denied access to them.

To Page 2

Killers

The ANC has accused the police of harassing known Umkhonto we Sizwe members and their families in Sebokeng since the Eikenhof incident.

Van Deventer denied that there was a "witchhunt" for Umkhonto members. Police investigated crime in the area and MK members were sometimes arrested in connection with criminal activities.

Sapa reports ANC regional secretary-general Obed Baphela said it had been established that the men were ANC members, but they did not belong to Umkhonto.

Vaal Triangle Deputy Commissioner of Police Brig Floris Mostert said the suspects' ANC membership had expired.

Van Deventer said the two were being detained under Section 29 of the Security Act which entitled police to detain people for up to 10 days without appearing in court. Investigating officers could deny access to the prisoners if they felt it could jeopardise investigations and if the case was of a sensitive nature.

THEO RAWANA reports that organisations from 19 East Rand townships yesterday committed themselves to working for peace and promoting the spirit of political tolerance.

The organisations, attending the three-day East Rand peace summit in Johannesburg, resolved that the ANC-led alliance should convene a regional summit of "mass democratic movements" to discuss the development of a common programme for the attainment of peace.

ANC international affairs director Thabo Mbeki told the conference regions should embark on actions to assure South Africans that ANC rule would bring about peace and political tolerance.

Mbeki said decisions taken at the end of the conference should be implemented immediately, and urged the ANC PWV regional committee to approach the national executive committee for assistance.

"You have the responsibility to inspire confidence that you can lead the country; to act in a manner that can produce peace and tolerance and empower all the people of SA," he said.

Picture: Page 3

ANALYSIS *SAP with red face after 'Apla' debacle and siege of Transkei*

Seeing the wood for the trees

HIGHWAY AMBUSH *Don't point a* ^{Sowetan 5/4/93} ³²⁹

finger before you have all the facts: ³²⁹

By Mathatha Tsedu

The announcement at the weekend that two men arrested for the Eikenhof killings 16 days ago were linked to the ANC raises many questions about previous police statements.

What had started as a simple criminal action in which several men hijacked a car and went on a shooting spree, leaving three people dead, was turned into a political outrage that led to Transkei being placed under siege.

Typical of this kind of attack, no motive was initially identified. Then came the news that a schoolbus carrying white children had been the initial target and all hell broke loose.

It started with the attack being "probably" the work of "terrorists" of the Azanian People's Liberation Army, the military wing of the PAC.

Within a day, when PAC leaders said they could not comment on the matter, and following a telephone call to a news agency, the PAC leadership was under siege.

Police spokesmen said the attack bore "the hallmarks" of Apla attacks. And as the Afrikaner Weerstandsbeweging manned its roadblock on a national road in the presence of police, Law and Order

Minister Hennis Kriel flew into Eikenhof, firing from the hip.

The PAC leadership should account for the death of the three people, he said. If they did not distance themselves from the attack, they should then be kicked out of talks.

President FW de Klerk convened an emergency special sitting of all houses of Parliament and let go at the PAC for its "terroristic" attacks.

The Goldstone Commission's report on Apla activities, prompted by another

attack on whites in Queenstown, was released on the same day, reinforcing the State President's attack on the PAC and Transkei.

Goldstone, in a report based largely on police and military witnesses, had found that the Transkei was the nerve centre of Apla activities.

The commission also found that Transkei helped Apla. Transkei and PAC leaders, as well as Apla commanders, refused to testify.

The PAC said its military activities could not be the subject of a commission appointed by an illegitimate regime against whom its operations were directed.

As days went by, the noise about PAC involvement in the attack became deafening. The PAC leadership must come clean, Kriel and his spokesman, Captain Craig Kotze, thundered.

But the PAC said it could not confirm nor deny. It however said it was not its policy to attack women and children. This was seen as an egg dance by the media, which, in the heat of the moment, also took the police cue that the attack bore the hallmarks of Apla strategies.

South African Communist Party secretary-general Chris Hani got on to the bandwagon and called on the PAC to stop attacks on civilians, adding that this form of attack was not military action but cowardice.

De Klerk then made his move. Saying Transkei was a haven for terrorists, he descended on Transkei with a ring of iron, blockading the bantustan.

The action, in which vehicles to and from Transkei were thoroughly searched, brought memories of the Lesotho blockade which led to a coup and the downfall of Leabua Jonathan.

Then came the arrests of the two suspects and initial police refusal to confirm rumours that the men were linked to the ANC and not the PAC.

Until this weekend, when police eventually confirmed. And now there is talk that the "Casspir diplomacy" at the river Kei may end.

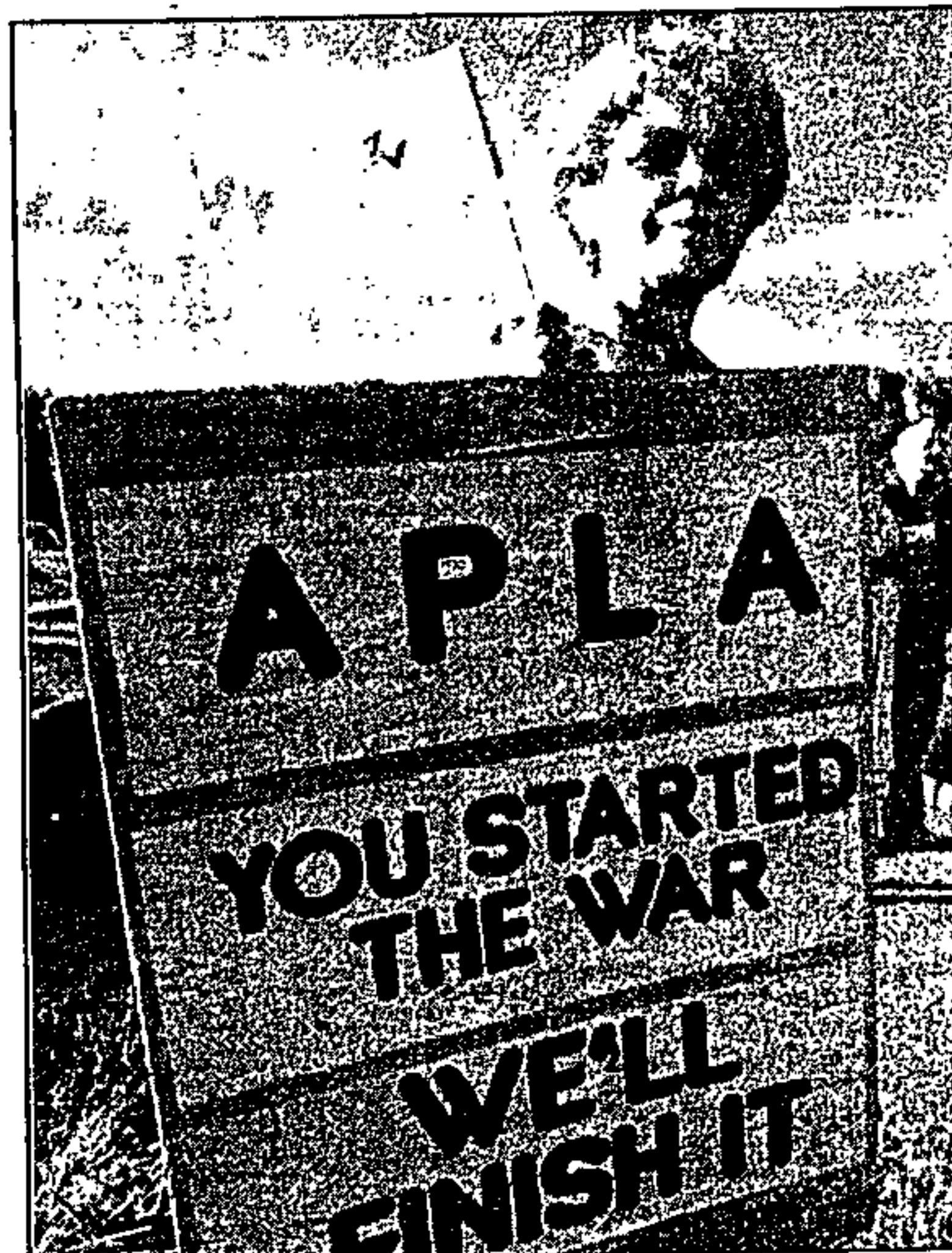
What happened to the Apla hallmarks in this attack as police saw them? The same police force testified before the Goldstone Commission and their evidence was used to reach its conclusions. Conclusions which themselves prompted the gunboat diplomacy in the Eastern Cape.

How reliable was that evidence?

There must be a lesson here for everyone, especially the police and media. And that lesson could be that, until you know who did anything, do not go about accusing people and demanding denunciations.

Because if you do and you are wrong, as police were in this case, you end up with a lot of egg on your face.

But more seriously, you create hardships for innocent people, such as those in Transkei, who suddenly found themselves faced with a border post where none had ever existed before since the birth of the banana republic in 1976.



An AWB protester at the scene of the Eikenhof shootings.

Inkatha men jailed

FOUR Inkatha Freedom Party members and two Mozambicans were sentenced to 12 years imprisonment in the Durban Regional Court on Monday for the possession and smuggling of arms and ammunition from Mozambique into South Africa. *Gwelan*

The six men were arrested on February 7 this year in the Ingwavuma area in northern KwaZulu, near South Africa's border with Mozambique.

The six include IFP Ingwavuma chairman Isaac Godi Nsele (45) and his son Mgadi Nsele (22). *7/4/93*

Others are Harry Zikhali (40), all of KwaNgwanasi in the northern KwaZulu area of Ingwavuma, Peter Ntuli (30), of Umlazi, and two Mozambicans, Mandla Ernest Gumede (26) and Vasco Pardinho (40). *(35) (28) (32)*

Wanted man comes forward

Staff Reporter

One of the suspects in last month's shootings at Eikenhof handed himself over to police yesterday in the presence of representatives from the ANC and monitors from international organisations.

Sipho Gavin (22), known as "Fish", said he was not involved in the shooting, which claimed three lives.

He stated that he was elsewhere at the time.

He said he handed himself over to police in order to clear his name.

Two other suspects — Sphiwe James Bholo (24) and Titi Ndweni (19) — have already appeared in court on murder and

attempted murder charges in connection with the attack in which Clare Silberbauer (13) and Sandra Mitchley (35) and her son Sean Nel (14) died.

While refusing to answer questions about the case, Gavin said he felt "a little bit safer" than if the arrest had taken place in the Vaal Triangle township of Evaton where he lives. ANC PWV regional chairman Tokyo Sexwale was present when he handed himself over.

● The Azanian People's Liberation Army yesterday denied press reports quoting its spokesman in Dar es Salaam as saying white South African children were legitimate targets, Sapa reports.

5/11/93 22:22

(329)

Suspect handed to cops by ANC

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Sowetan 8/4/93

A SUSPECT WANTED IN connection with the Eikenhof shooting on March 19 was handed over to the police by the African National Congress' PWV region yesterday.

Mr Sipho "Fish" Gavin (22) approached the ANC on Tuesday claiming he had not taken part in the shootings and wanted to be handed over to the police to clear his name.

He was afraid to go directly to the police for fear of harassment, ANC PWV region chairman Mr Tokyo Sexwale said at a news conference in Johannesburg.

"Mr Gavin volunteered to hand himself over to the police. He said he was not at the scene of the attack," Sexwale said.

Gavin is a card-carrying ANC Youth League member and a member of the ANC's Evaton self-defence unit.

Three white people, a mother and two children, were killed when gunmen sprayed a car with AK-47 rifle gunfire at Eikenhof, south of Johannesburg.

Sexwale said the ANC had decided to provide a conduit for Gavin's arrest because this was in keeping with the organisation's policy of co-operating with the authorities.

The move came after ANC president Mr Nelson Mandela's goodwill speech in Pretoria on Tuesday.

Law and Order Ministry spokesman Captain Craig Kotze welcomed the move by the ANC.

"It is most encouraging that the ANC has accepted its civic responsibilities. We hope today's

events are indicative of a change in attitude to the South African Police.

He added that the active participation of the community, irrespective of political affiliations, to combat crime was desperately needed.

Sexwale said the Government should reciprocate with similar actions, such as act on corruption in government.

The Goldstone Commission, the National Peace Accord structures and the United Nations were informed of the decision to hand Gavin to the police, Sexwale said.

He said the three structures had assured them everything would be done to protect the suspect during his incarceration and the subsequent investigation.

Gavin was questioned by police soon after his handing over. ANC legal adviser Mr Matthew Phosa was present during the questioning.

The suspect was quiet during the news conference, and declined to answer questions from journalists.

Phosa said he did not want Mr Gavin to incriminate himself "either overtly or by omission".

● Police have offered a reward of R50 000 for information leading to the arrest of the killers of 10 ANC supporters in Murchison, near Port Shepstone, on Monday. Durban police spokesman Captain Bala Naidoo announced the reward offer yesterday. He said informants could telephone Crime Stop on 0800111213 or the investigating officer, W/O Frik Breedt, on (0391) 22524. - Sapa.

Eikenhof suspect gives himself up

8/10/93 8/14/93

LLOYD COUTTS

Name

Sta

Box

Tel

AN ANC member wanted in connection with last month's fatal AK-47 attack on three people at Eikenhof, south of Johannesburg, handed himself over to police at the ANC's PWV headquarters yesterday.

In a deal involving the ANC, police, the Goldstone commission and the UN, Siphon "Fish" Gavin, 22, of Evaton, was taken into custody in Johannesburg after police said he would not be tortured.

ANC PWV chairman Tokyo Sexwale told a news briefing Gavin had approached the organisation two days ago and volunteered to turn himself in. "According to

him, he is innocent... he was not at the scene of the (March 19) attack and would like to clear his name," Sexwale said.

Gavin had feared a direct approach to the police would lead to his torture, and had therefore requested the ANC to facilitate his handing over. (329)

"His parents also approached the ANC. His mother was fearful that if her son was not in the hands of the SAP as soon as possible, he might end up in the mortuary."

To Page 2

Pres

Sec

Eikenhof 8/10/93 8/3/93

(329)

From Page 1

Sexwale said Judge Richard Goldstone had assured the ANC that his commission would provide all the necessary co-operation to ensure Gavin's rights were protected. Goldstone also promised to raise the issue at a meeting with President F W de Klerk today.

The national peace accord had given a similar undertaking, while the UN had agreed to observe Gavin's arrest.

Sexwale said police had agreed to communicate the suspect's arrest to the attorney-general immediately, to provide access to the district surgeon, and to refrain from using torture during investigation into the case.

Gavin said he was a member of the ANC

Youth League and the Evaton self-defence unit. He denied being a member of Umkhonto we Sizwe. Speaking through an interpreter, Gavin said he had been a Std 9 pupil at E D Mashabane Secondary School in Evaton until "police harassment" in January this year interrupted his studies.

Police, led by Brig A I Muller, waited until the news conference ended before interviewing and arresting Gavin.

Two members of the Evaton self-defence unit suspected of the Eikenhof killings of a 35-year-old woman and two teenagers appeared in court on Monday and pleaded not guilty to three charges of murder and six of attempted murder.

Comment: Page 6

Area Mining & Allied Ind

of and ANC executive member Chris Hani lies in a pool of blood after he was gunned down in the driveway of his Boksburg home called for restraint following the assassination.

■ Pict: TLADI KHUELE

Suspect held within minutes

By DESMOND BLOW

JANUSZ Walus, a 40-year-old Polish-born transport worker, was arrested in Boksburg minutes after Chris Hani was shot down in cold blood in front of his Dawn Park home yesterday morning.

The SA Communist Party leader was shot four times, three times in the head, by the waiting gunman at 10.25 am yesterday. He died instantly, a newspaper clutched in his hand.

An alert white woman neighbour in the mostly white neighbourhood of Dawn Park, who saw the killer speeding away in a red Ford Laser, took down the registration number and immediately phoned the Boksburg police.

Walus was apprehended minutes later as he sped through Boksburg.

Two weapons were found in his possession. It is also believed the registration plates on the car were false.

The swift action by the woman prevented the suspect from changing the registration plates, which would have made the task of the police much more difficult.

Walus has been in South Africa 12 years and works for a small transport company in Pretoria.

Mandela calls for calm

ANC president Nelson Mandela yesterday appealed for calm throughout the country.

In his reaction to the assassination of SACP secretary-general Chris Hani, Mandela said: "With all the authority at my command I appeal to all our people to remain calm and to honour the memory of Chris Hani by remaining a disciplined force for peace."

He described the assassination as a heinous crime against not only Hani's person and his family, but also against the people of SA as a whole. "Those responsible for this terrible deed are demented en-

He is unmarried and has a mother and brother in Pretoria. Yesterday his brother was shocked to learn from City Press that Janusz had been arrested.

"I hope he hasn't done it," he said.

He said his brother had promised to phone him over the Easter holidays, but had not done so. He refused to say what his brother's politics were, but implied they were rightwing when he said he did not believe Janusz was a member of the AWB, as "he doesn't speak Afrikaans".

He said his brother had never served in the army - either in Poland or in SA - but knew he carried a gun.

He said he did not know if his brother was a crack shot or not. He said his brother had a girlfriend, but refused to disclose her name or to give the name of

Mandela appealed to South Africans not to be provoked into any acts of violence, even if motivated by a desire to avenge Hani's death. - Sapa

the company where his brother worked, or his brother's telephone number or address.

The woman who tipped off the police disappeared from her home shortly after the arrest and even the police were unable to find her. It is thought she may have gone into hiding for fear of retaliation for giving the police information that led to the arrest of Walus.

According to a witness who was one of the first people on the scene, Hani, who was dressed in a white and blue tracksuit, had just returned from a morning jog. However, Brig Frans Malherbe of the SAP said Hani had visited a local supermarket to buy a newspaper. As he got out of the car a man got out of a red Ford Laser which was parked nearby and fired four shots at Hani, three hitting him in the

head, one behind the ear. The suspected killer denied he was at the scene of Hani's murder, but at the time of going to press he was being intensely interrogated by the East Rand murder and robbery unit.

Capt Craig Kotze, spokesman for Minister of Law and Order Herens Kriel, said the motive for the killing was unknown and they did not know whether the killer acted on his own or was part of a conspiracy.

However, Deputy Minister of Law and Order Gert Myburgh said preliminary investigations indicated that the killing bore the hallmarks of an individual operating on his own.

However, there were feelings in some circles that the killer was a hired assassin. It was claimed the motive was to create anger among blacks and inflame violent unrest in order to abort constitutional talks.

Sources pointed out that certain facts gave the impression that the killing was premeditated and that there was a conspiracy behind it.

■ The killer knew Hani's movements and when he would be without his usual bodyguards.

■ The shooting was so accurate that the killer was obviously a sharpshooter, possibly even a hired killer.

■ This is also supported by the fact that he drove a car and did the killing alone, which is not the way the so-called South African "hit squads" acted. There was always, at least, a second person to drive their cars.

■ See Page 2

By SEKOLA SELLO

Honesty might
C Press 11/4/93
have cost

I could pick up a phone and speak directly to him quicker than I could with any other political leader in the country.

Chris his life

some people up the wrong way, it was tough luck.

trior who was not anti-white.

lieve cost him his life, was his honesty. Hari might

ments about peace and

diplomatie in

prompted swift arrest

By DESMOND BLOOM

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■ PĚT TLADÍ K HUELSE

Appeal for calm as CPress

Press
11/14/92

reaction pours in

**By CP Reporters and
Sapa**

by fellow SACF member
Ronnie Kasils.

"I think it is the most tragic day for SA that someone with such outstanding qualities as a human being should be assassinated. It is the most shattering blow," he said. The PAC, whose slogan

The ANS said it had "no doubt those responsible for the killing would be found among those against current efforts to

“To remain calm” and extended its sympathies to Haiti’s family.

Cosatu spokesman Neil Coleman said: “Chris Hani never took the easy road but always followed his conscience and said what he believed was right.”

"The ANC has no doubt that those responsible for Hani's murder will be found among those elements who have for so long sought his demise by fair means or foul."

The ANC has appealed to its supporters to remain calm and not to be provoked by the "senseless act".

Archbishop Desmond Tutu has appealed for restraint in the wake of the assassination of Chris Hani.

"I want to make a call to our people: Please ... don't let them manipulate us. Don't let this tragic event trigger reprisals. It

"I wish to convey my sincere condolences to the family and friends of Chris Hami. He and I were at op-

is what somebody wants to see happen.

"It's an irony, isn't it, that when he was leading the liberation movement's

armed wing, they didn't kill him, and now when he can speak of Combatants for Peace, urging young people to become Combatants for Peace, when he

Condemnation of the is speaking for peace, speaking for reconciliation, speaking for reconciliation.

... collapsed
outside his
front door

Police hold 'right-wing immigrant'

By DE WET POTGIETER and EDYTH BULBRING

A FORTY-YEAR-OLD man of Polish extraction, allegedly with right-wing sympathies, has been arrested in connection with the killing of ANC Communist Party boss Chris Hani.

Police sources yesterday identified the man as Mr Jan Wallus — a Polish immigrant with violently anti-communist sentiments and close links to the most militant wing of the Afrikaner Weerstandsbeweging.

They said Mr Wallus fled Poland 10 years ago to "get away from the communists".

Meanwhile, a right-wing source said Mr Wallus was unmarried and stayed on a farm outside Pretoria.

He is self-employed, selling glass and pottery.

He was described as a "concerned, active and registered" member of the AWB and the CP.

Extreme

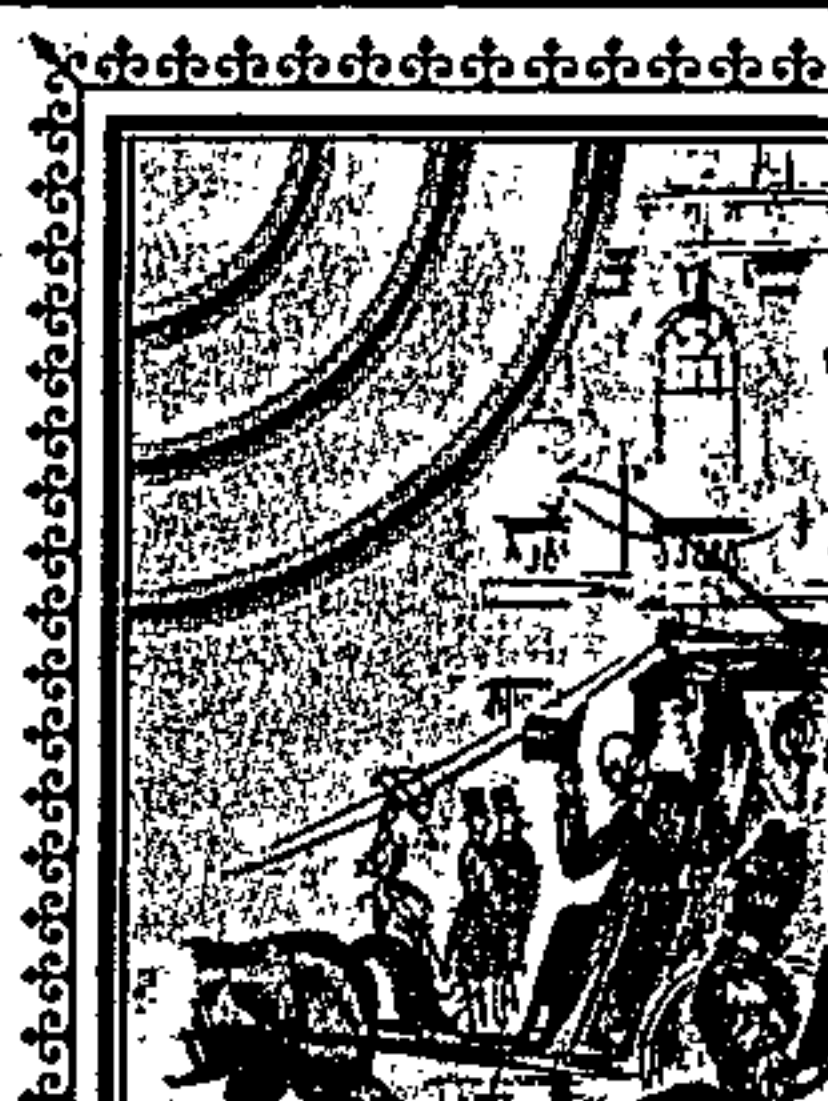
Three weeks ago, in the wake of the shootings of white civilians at Eikenhof, south of Johannesburg, AWB leader Eugene Terre Blanche announced that an extremist white group, unconnected with his organisation, was setting itself up to wage civil war.

It is not clear whether the man being held by the police is connected with this extremist group.

No official confirmation of the man's identity was available yesterday.

The man was arrested by police half an hour after his car was spotted leaving the murder scene. Police, responding to an all-points

□ To Page 2



Suspect held

□ From Page 1

bulletin, spotted the car and its passenger in downtown Boksburg, a comparatively short drive from Dawn Park, where Mr Hani lived.

When the man was arrested on the corner of Trichardt and Mark streets, he allegedly had a 9mm Z88 and a Luger pistol with him.

He denied all knowledge of the killing and was detained for questioning.

Police spokesman Brigadier Frans Malherbe told dozens of journalists gathered at the Hani home that forensic tests were

being done on the firearms.

General Basie Smit, deputy commissioner of the SAP, confirmed last night that the car used by the alleged killer was registered in the name of a Mr WK Morgan, a director of Pretoria company Pyramid Plastics.

The car had not been stolen, General Smit added.

The Sunday Times visited the white office building at 50 Lebombo Road, Ashlea Gardens, Pretoria, yesterday. It still carries the name plate of Pyramid Plastics and the details of its holding company at the front door but, according to Mr H Jacobs, an attorney from the firm Goodman and Jacobs in the same building, the company vacated the premises a year ago for Babelégi, outside Pretoria.

A sign at the entrance of the building — which houses Futurus, one of Pretoria's main home construction companies — says Pyramid Plastics, Injectaplus and Boplas are all part of the holding company, Plasgroup (Pty) Ltd.



Hani murder weapon was stolen from Air Force

Star 12/14/93

Police seize 'hit-list'

Staff Reporters

Police have found a "hit-list" in the home of Janisz Waluz (40), the man accused of assassinating Chris Hani, Police Commissioner General Johan van der Merwe said last night.

The South African Communist Party chief was shot dead on Saturday with a firearm stolen from the SA Air Force, said Van der Merwe.

He alleged the weapon, among a consignment stolen from SAAF headquarters in Pretoria on April 14 1990, was found in Waluz's car when he was arrested about 10 km from the scene of the murder.

Earlier, police alleged that forensic tests on the weapon and on Waluz's

hands had shown the weapon was the one used to gun down Hani in his driveway, and that Waluz had fired a firearm on the morning of the killing.

Last night the police claims drew relieved reactions from political figures, who said it was essential, in the current volatile political climate,

that whoever was responsible for Hani's death be brought to book as soon as possible.

In a statement, Van der Merwe said that during a search of Waluz's Pretoria home "a name list, suspected to be a murder or so-called hit-list, was seized.

"The name and address of Hani, and other people, appeared on this list."

He said those on the list included political leaders as well as people not active in politics. He did not release their names, but said they had been warned and offered police protection.

A special police team of 14 is investigating and is probing whether Hani's killer acted alone or not.

Witwatersrand police spokesman Brigadier Frans Malherbe said ballistic tests on the two firearms allegedly confiscated from Waluz had shown that one of the weapons fired the fatal shots. It was found in the red Ford Laser, registration number PBX231T, which was driven by Waluz, according to police.

Waluz is a South African citizen of Polish descent.

It was also claimed that residue tests on the hands of the suspect indicated he had fired shots on Saturday morning.

Malherbe said a court hearing had been set down for 9 am tomorrow at the Boksburg Magistrate's Court.

Malherbe confirmed that an identification parade had been held yesterday, but the result would not be disclosed until the court hearing.

Yesterday political leaders from all major parties moved to calm emotions in the wake of the killing, which has caused shock in South Africa and around the world.

The ANC-SACP-Cosatu alliance, which met in urgent session in Johannesburg yesterday, called for calm and recommitted itself to a peaceful, negotiated solution. ANC secretary-general Cyril Ramaphosa said Hani's tragic death meant that the transition to democracy should be speeded up.

The Government echoed the ANC's sentiments, stressing the negotiations process had to survive this crisis.

Similar statements came from the Inkatha Freedom Party, the Democratic Party and other groups. All emphasised that retribution would lead to another dangerous cycle of

violence. SACP chairman Joe Slovo said there were "sinister forces intent on derailing the (democracy) process."

Hani (50), a former chief of staff of the armed wing of the ANC, was deeply hated by rightwingers. Political analysts said his death removed the man best able to persuade young black militants to accept peaceful efforts at political reform.

Mandela said: "With all the authority at my command, I appeal to all our people to remain calm and to honour the memory of Chris Hani by remaining a disciplined force for peace."

President de Klerk described Hani's killing as tragic and said: "Now is the time for all South Africans to stand firm against radicalism, from whatever source."

Speaking on SABC-TV last night, De Klerk said the Government was not underestimating the risks to public order which Hani's murder had produced.

He agreed that Hani's death threatened negotiations. There was a risk that emotions might flare and run out of control.

This risk posed a challenge to the security forces and the judiciary to be seen to be effective.



Chris Hani ... his name and address, and those of other people, found on a list at suspect's home.



Day of Infamy ... a grieving Nelson Mandela yesterday told a press conference in Johannesburg that Chris Hani's assassination should not be allowed to derail the negotiations process. Picture: Ken Oosterbroek

More reports — Pages 3 and 9.
Pictures — Page 18. Comment — Page 8.

Hani murder weapon was stolen from Air Force

Star 12/4/93

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329

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Day of Infamy ... a grieving Nelson Mandela yesterday told a press conference in Johannesburg that Chris Hani's assassination should not be allowed to derail the negotiations process. Picture: Ken Oosterbroek

More reports — Pages 3 and 9.
Pictures — Page 18. Comment — Page 8.



A huge crowd of mourners surrounds ANC national chairman Oliver Tambo's car on his arrival at slain SACP general secretary Chris Hani's home in Boksburg yesterday.

Picture: BRIAN HENDLER

No foreign investigators 'to probe Hani murder'

STEPHANE BOTHMA

THE police team investigating Chris Hani's assassination was working around the clock to solve the crime and was in constant contact with the ANC, an SAP spokesman said yesterday.

However, the ANC called for a full investigation by an independent commission. It said an open and fair investigation could not be conducted by the same corrupt forces against which Hani had fought.

SAP spokesman Capt Burger van Rooyen said the killing was regarded by police as a normal criminal investigation and therefore no foreign investigators would be involved at this stage.

Fourteen experienced policemen were following up all clues in connection with the murder and several right-wingers had already been questioned.

It is believed that three witnesses to the slaying on Saturday morning had, at a police identification parade on Sunday, positively identified the suspect Janusz Walus — currently held in terms of Section 29 of the Internal Security Act.

The result of the identification parade could not be confirmed by police.

Investigations have focused on a possible conspiracy and in particular the 1990 theft of weapons from the SA Air Force headquarters in Pretoria, of which one was the murder weapon.

Police said forensic tests showed a 9mm Z88 pistol found in Walus's possession had been used to kill Hani. The weapon was part of the cache stolen from the SAAF.

Right-winger Piet "Skiet" Rudolph had been arrested in connection with the theft at the time, but was granted indemnity.

Several of the stolen weapons had not

been recovered.

"We cannot at this stage say who is being questioned, but it is logical to assume that Rudolph will be asked some questions in connection with the stolen weapons," Van Rooyen said.

At a news conference in Johannesburg yesterday, the ANC said the fact that the gun used in the killing had been stolen from the SADF was a matter of deep concern.

"The use of a silencer together with a stolen Air Force pistol raises the question about Walus's links with those people involved in the armoury theft," ANC PWV chairman Tokyo Sexwale said.

He said at the time of the theft, Hani publicly questioned the apparent ease with which the guns had been taken. "He (Hani) believed that these weapons and others stolen from the Defence Force were in fact being removed for covert operations."

He said police were handling Walus with kid gloves and therefore the suspect was "not giving his co-operation".

Sexwale called for the immediate joint control of the security forces and a full investigation by the international community into the assassination.

□ SUSAN RUSSELL reports that the Afrikaans Sunday newspaper Rapport could face prosecution for publishing a photograph of Walus before police had held an identification parade on Sunday.

Witwatersrand SAP spokesman Brig Frans Malherbe said yesterday police would wait to see if publication of the photograph prejudiced the identity parade evidence in court before taking any steps.

Protests

A crowd of about 6 000 AN marched from Vosloorus to th in Boksburg's Dawn Park yes their respects to the family.

ANC Youth League pre Mokaba told the mourners a response to the killing would be but militant. "We came here bers to show the enemy the l on no matter how many of us Wednesday we must hit th stayaway. They must know th provoked the people and back."

Mokaba called for the res defence units. "(We must) mal ever they take action like this to regret it... We must b plined, cool, but hit back. Chri not die in vain."

ANC PWV peace desk of Gungulele had to restrain a large crowd from setting al near the Hani home. "We ar deal with racial wars. We ar our last respects," he said.

The ANC Youth League e for arms to be taken up agai retaliation, Sapa reports. S rally attended by 3 500 peop lodi, near Pretoria, also call cott of businesses in Pretori government for the killing.

About 2 000 people marche Park squatter camp to the T station where they handed o randum blaming police for

The ANC, meanwhile, yest to defuse tensions, saying it l for any "armed activities" whites. "While the ANC un

Reserves

stantially. However, it was Bank rate would rise becau to confidence.

Nedcor Bank chief econ

ANC alliance threatens 'rolling mass action'

Star 13/4/93

Court remands Waluz

Staff Reporters

An impeccably dressed Janus Jakub Waluz (40) of Pretoria appeared in court today, amid stringent security measures, in connection with the killing of SACP leader Chris Hani on Saturday.

Hundreds of heavily armed policemen surrounded the Boksburg Magistrate's Court and police marksmen took up positions before Waluz's appearance at 8.30.

Waluz, who slept in the holding cells last night to avoid any contact with the public, appeared before magistrate Peet Swanepoel.

He was dressed in a fawn and green checked suit with a pale green shirt and green, blue and cream striped tie.

Waluz, a slender figure with a straight back, stood in the dock and the clenching of his jaw was the only sign of tension.

Boksburg senior public prosecutor Jan Ferreira requested the case be postponed to May 12 for further police investigation.

No formal charges were put to Waluz.

The magistrate postponed the case and asked Waluz, of 105 Milewanda Flats, Bourke Street, Muckleneuk, if he understood the proceedings.

He answered: "Yes, your magistrate."

The alleged assassin's legal team said the accused had not told them much but would have further consultations later today.

They said no bail application would be made "at this stage".

A small crowd gathered outside the court.

Thousands of demonstrators were set to march on Boksburg's CBD in protest at the killing of Hani who was gunned down outside his Dawn Park home on Saturday.

In the wake of Hani's murder, the ANC-led tripartite alliance in the PWV region yesterday warned that it would embark on "rolling mass action" if a date for elections were not set and a



Volatile farewell . . . thousands took part in a memorial march at Katlehong on the East Rand yesterday to commemorate the death of slain ANC and SACP leader Chris Hani.
Picture: Mykel Nicolaou

transitional executive council (TEC) established as soon as possible.

The alliance also called for a stayaway in the region tomorrow and day-long picket demonstrations at all major routes to towns, cities and townships in the area today.

● More reports — Pages 3 and 6

Speaking at the end of a meeting of the ANC-SACP-Cosatu alliance yesterday, ANC PWV regional chairman Tokyo Sexwale said any further delay in announcing the election date and establishing a TEC would "unleash an unprecedented wave of anger".

He said demonstrations in the PWV were due to begin at 6 am today and continue throughout the day; memorial services would be held for Hani during the stayaway tomorrow; and "a massive protest march" would be held in Johannesburg on Saturday.

The Law and Order Ministry yesterday said the planned protests were a recipe for confrontation, and called for calm.

Sexwale said the international community had to be involved in the investigation of Hani's murder.

He said the use of a silencer with a pistol stolen from the South African Air Force in 1990 raised questions about Waluz's links with the people involved in the theft.

Sexwale also appealed for

calm and restraint, and said his region backed the decision of the alliance's national leadership that negotiations should be speeded up.

He said the call by the ANC's Natal Midlands and western Cape regions for a suspension of negotiations were expressions of anger which did not challenge the national leadership.

Constitutional Development Ministry liaison officer Marius Kleynhans said it would be impossible to comment fully on the demand for an election date, Brendan Templeton reports.

He said the extent of the ANC national executive committee's involvement in the decision had to be clarified first.

Sixteen deaths still unsolved

CAPE TOWN — The police had still not detained, arrested, charged or convicted anyone in connection with the assassination of 16 anti-apartheid campaigners, Law and Order Minister Hennis Kriel told Parliament yesterday. *BOM*

These unsolved cases included the murders of Natal University academic Richard Turner, Cradock community leader Matthew Goniwe and Wits University academic David Webster. *14/4/93*

Police had also not arrested or charged anyone in connection with the bombing of 12 buildings which housed anti-apartheid organisations in different parts of SA.

Kriel was responding to questions tabled by Peter Soal (DP, Johannesburg North) in the fourth consecutive year Soal has raised the issue in Parliament. On each occasion he has been told police have not made any progress in their investigations.

"Nobody has as yet been charged or convicted in connection with these murders as there is no evidence to implicate any person," Kriel said.

He also said no one had been detained,

Political Staff

arrested, charged or convicted in connection with the 12 bombings. *(32)*

Soal also tabled questions about the fatal stabbing of Durban attorney Griffiths Mxenge outside his home in 1981 and the murder of his wife, Victoria Mxenge, who was hacked to death outside the same home in 1985. *(32)*

He also asked about the murder of Goniwe's three Cradock colleagues — Sparrow Mkhonto, Fort Calata and Sicelo Mlawuli — who were abducted and killed on the Grahamstown-Port Elizabeth road in 1985.

Kriel was questioned about the bombing of Cosatu House in Johannesburg in May 1987; Khotso House, the headquarters of the SA Council of Churches, in Johannesburg in August 1988; Khanya House, the headquarters of Southern Africa Catholic Bishops Conference, in Pretoria in October 1988; Community House in Cape Town in August 1987; the offices of Grassroots newspaper in Cape Town in October 1985; and various other buildings.

Former detainees owe State R200 000

CAPE TOWN — Former detainees owed the State more than R200 000 for the costs of unsuccessful court applications, Law and Order Minister Hennis Kriel said yesterday. *BOM 14/4/93*

The total outstanding value in 15 cases was R204 522,21.

Kriel, who was replying to a question tabled in Parliament by Hennie Bester

Political Staff

(DP, Green Point), did not give details of which former detainees or former banned people still owed money to the State. *(32)*

Kriel said that in five cases civil proceedings had been instituted by the state attorney, and the writing off of the debt was being considered in five cases

where the debtors had not been traced. *(32)*

In four other cases, the debtors were already paying without any steps being taken, while in one case the debtor had requested the writing-off of the debt. Although this request had been referred to the Treasury, its decision was not yet known, Kriel said.

'Deplorable' murder — us

KATHRYN STRACHAN

US Secretary of State Warren Christopher yesterday issued a statement condemning the "deplorable and terrible event" of SACP general secretary Chris Hani's assassination. "The brutal murder will sadden all who are working for peace, democracy and justice in SA," said Christopher. "It underscores the urgent need to end violence in the country and to push ahead with negotiations."

He added that Hani had actively supported negotiations, and in the past week had called for an end to violence. In an open letter of condolence to Hani's wife Linpho, Christopher said: "This act of senseless violence cannot dim the memory that the world will carry of him as a man committed to justice and equality."

In a letter to ANC president Nelson Mandela he said he hoped Hani's commitment and dynamism would encourage South Africans to work for peace.

Police 'cannot get Hani murder suspect to talk'

THE alleged assassin of SACP chief Chris Hani, Janus Waluz, was being uncooperative and refusing to answer questions about the murder, police spokesman Brig Frans Malherbe said yesterday.

Malherbe told journalists outside the Boksburg Magistrate's Court — where Waluz made a brief appearance yesterday — that police were still attempting to establish a motive for the killing, but that Waluz would answer questions only on "circumstantial stuff".

"He has been totally uncooperative up to now. He is answering all questions not about the case. When he is asked questions about the case he shuts up," Malherbe said.

The brigadier said while there was a strong suspicion the murder was politically motivated, the establishment of a motive could "open up" the investigation.

He confirmed police were investigating the possibility that others had been involved in the killing.

STEPHANE BÔTHMA and LLOYD COULTS

Malherbe said police had questioned AWB leader Eugene Terre-Blanche, who this week said Waluz was a member of his organisation. He refused to answer questions on an alleged "hit list" found by police, but said everyone on the list had been offered police protection.

Meanwhile, Law and Order Ministry spokesman Capt Craig Kotze said yesterday the focus of the police investigation was on whether Waluz had acted on his own.

Kotze was unable to say who had been questioned in connection with the killing. It was up to the investigating team to decide who would be questioned, and added that he could not say if right-winger Piet "Skiet" Rudolph would be questioned.

Rudolph was arrested in 1990 in connection with the theft of weapons from SA Air Force headquarters, one of which was allegedly used to shoot

Hani. Rudolph was later released under an amnesty but several of the weapons have not been recovered.

Yesterday police spokesman Capt Nina Barkhuizen declined to comment on rumours that Waluz had bought an overseas airline ticket before his arrest.

The hit list found at Waluz's home, containing the names of eight prominent leaders from the ANC, SACP and NP would not be made available to the media, she said.

Our political staff reports Police Commissioner Gen Johan van der Merwe told a Cape Town news conference yesterday that police had "more than sufficient" evidence to convict Waluz for Hani's killing.

But he acknowledged that the assassination could have involved other players and that police had not ruled out the possibility of a conspiracy.

He said the fact that the suspect was in possession of stolen weapons and that a hit list had been found in his flat "might be an indication that others were involved".

Real out of celler need

mutual but not

information

SAVVOLO

More Boipatong arrests expected

Star 15/4/93
By Esther Waugh
Political Correspondent

More arrests will follow in the investigation into the Boipatong massacre, says Transvaal Attorney-General Dr Jan D'Oliviera.

He said more "main players" were identified during preparations for the trial of 74 people accused of carrying out the Boipatong massacre of July 17 1992 when KwaMadala Hostel residents attacked township residents, killing more than 40 people. (329)

Charges of murder against 27 of the 74 Boipatong massacre accused were withdrawn in the Delmas Circuit Court on Tuesday. No reasons for the withdrawal were given in court.

However, D'Oliviera yesterday told The Star that "practicalities of conducting a court case of such magnitude" necessitated focusing on the "main players". (2058)

Those against whom charges had been withdrawn had, however, not been given "a clean bill of health". The State could prosecute them in a separate trial or add them to the existing trial, he said.



Thousands of people make their way to the Boksburg Magistrate's Court on Tuesday before the alleged assassin of SA Communist Party leader Mr Chris Hani was due to appear. After Mr Janus Walus was whisked away in a police armoured vehicle, the crowd marched to Hani's home in Dawn Park, Boksburg.

PIC: MBUZENI ZULU

Walus: Swift trip to court foils public

Sowetan

15/4/93

329

329

By Abbey Makoe

GUN SCARE Drama during public protest as armed whites intervene.

THE ALLEGED ASSASSIN of South African Communist Party chief Mr Chris Hani has been remanded in police custody after appearing in the Boksburg Magistrate's Court on Tuesday.

No charges were put to Mr Janus Walus (40). The case was postponed to May 12. No bail application was filed.

According to Brigadier Frans Malherbe, Walus was taken before the magistrate half an hour earlier for security reasons.

By the time hundreds of ANC and SACP supporters converged on the

Boksburg city centre to get a glimpse of Walus, whose appearance lasted for about three minutes, he had long been whisked away in a police van amid tight security.

ANC PWV regional chairman Mr Tokyo Sexwale later led a one-hour demonstration outside the court building. The peaceful protest was nearly spoiled by two armed white men. In the first incident a man aged about 80 was involved in a quarrel with a black photographer and suddenly drew a revolver.

Swift intervention by members of the riot squad saved the situation. In the second incident another middle-aged white man walked past a contingent of heavily armed police with his dog.

He slowly walked towards Sexwale and ANC media spokesman Mr Carl Niehaus before some marshals confronted him. He, too, drew a firearm and police rushed in to stop what could have resulted in a nasty incident.

The two whites were later taken into police custody.

Waluz linked to three SA neo-Nazi groups

By Jacques Pauw

The alleged assassin of Chris Hani, Polish-born Janus Waluz, is linked to three neo-Nazi organisations in South Africa and to two right-wing extremists wanted for murder and attempted murder for two bomb explosions.

Waluz was regularly seen at small cell meetings of the fascist Wêreld Apartheidsbeweging (WAB) and the Afrikaner-Nasionaal Sosialiste (ANS).

Both are pro-Nazi, fiercely anti-communist and at one stage attracted a large number of Eastern Europeans. Both operate in small, independent

cells, and have been linked to right-wing violence, including murder and sabotage.

The Star also established a link between rightwinger Piet "Skiet" Rudolph and Waluz when it emerged that the alleged assassin had strong ties with fugitive rightwingers and alleged bombers Adrian Maritz and Henry Martin.

Both were members of the Orde-Boerevolk (OB), another right-wing organisation involved in violence, of which Rudolph was leader.

According to police, Waluz committed the alleged crime with a 9 mm Z88 pistol stolen by Rudolph from Air Force head-

quarters in April 1990.

The full arsenal of weapons was never recovered. Rudolph was indemnified for the theft.

He has said he did not know Waluz and did not give him the pistol, but he might have had dealings with him before.

WAB and ANS leader Koos Vermeulen, who was also detained in connection with right-wing violence two years ago, refused to confirm or deny Waluz's membership of any of his organisations. But he said the WAB would pay the accused's legal fees.

It has been established that Waluz was introduced at an

ANS meeting to Maritz and Martin, wanted for two bomb explosions in 1990, one in Pretoria and one in Durban. Martin and Maritz fled South Africa in 1991 while on bail. Their co-accused, Lood van Schalkwyk, was sentenced to death.

Martin and Maritz now live in London and have since claimed they were Military Intelligence agents.

The WAB and the ANS meet regularly at the German Club (Deutsche Verein) and the Dietse Club in Pretoria and Waluz has been seen there with, among others, Vermeulen, Maritz and Martin.

Top CP man to appear in court after questioning of Waluz

DERBY-LEWIS IS HUNG OVER HANI

S1 Times 1814493

By KURT SMART and GAB ST LEGER

TOP Conservative Party member Clive Derby-Lewis was detained by police last night in connection with the assassination of SA Communist Party leader Chris Hani.

Mr Derby-Lewis, a member of the President's Council and close confidante of Conservative Party leader Dr Andries Treurnicht, is one of the leading English-speaking members of the CP.

Law and Order Minister Hennis Kriel confirmed last night that Mr Derby-Lewis had been detained by police.

Police spokesman Brigadier Frans Malherbe said Mr Derby-Lewis would probably appear in court tomorrow.

Mr Kriel said the arrest followed intensive questioning of Polish immigrant Janus Waluz, who was arrested within minutes of the assassination of Mr Hani last week.

"Because this matter is in the hands of the Attorney-General of the Witwatersrand (Mr Klaus von Lieres und Wilkau) no further details can be made known," the Minister's statement ended.

Dr Pieter Mulder, MP for Schweizer-Reineke and official CP spokesman, said he was not in a position to respond as he did not know whether Mr Derby-Lewis had been arrested on a charge or just taken in for questioning.

He said he had asked Mr Derby-Lewis about alleged connections with the Waluz brothers and had got the clear impression from him that it was a distant contact some time

March arrest drama in pictures



POLICE SWOOP AFTER SHOTS

KILL PICTURE POWER BY JOE SEFALE

A BEARDED white man with Conservative Party and AWB connections was arrested yesterday seconds after two black marchers were shot dead from a passing vehicle during a protest march in Vanderbijlpark in the Vaal Triangle. (Report SHARON



nation of SA Communist Party leader Chris Hani.

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Dr Pieter Mulder, MP for Schweizer-Reineke and official CP spokesman, said he was not in a position to respond as he did not know whether Mr Derby-Lewis had been arrested on a charge or just taken in for questioning.

He said he had asked Mr Derby-Lewis about alleged connections with the Waluz brothers and had got the clear impression from him that it was a distant contact some time ago.

"I got the clear impression from Clive that he did not know them well," Dr Mulder said.

Supporter

The most public connection between Mr Waluz and Mr Derby-Lewis is their involvement in the Stallard Foundation, ostensibly a body catering to the interests of English-speaking CP members, but also a known honey-pot for right-wing European emigres.

Mr Derby-Lewis is a director of the foundation; Mr Waluz a strong — and one-time financial — supporter.

Mr Derby-Lewis's association with the Waluz brothers was first noted by CP MP Cehill Pienaar at a by-election in Harrismith in 1985.

Mr Pienaar, now Free State leader of the Afrikaner Volkspanie, said last night that Mr Derby-Lewis and the two Polish brothers had come to assist in the CP campaign.

The arrest has revived theories of a conspiracy among the network of "cultural" organisations which attract mainly East European emigres who share a passionate hatred of communism.

These include the ultra-right World Apartheid Movement, whose leader Koos Vermeulen said last night he was surprised by Mr Derby-Lewis's arrest.

"I expect I will also be



CLIVE DERBY-LEWIS ... detained by the police

questioned about this," he said last night. "Probably because WAM has a Polish chapter."

Arch-conservative Mr Derby-Lewis, 57, was born in Cape Town and brought up in Kimberley. A long-serving soldier, he was in the Citizen Force from 1959 to 1973, ending his military career as commanding officer of the Witwatersrand Regiment.

He is a former Bedfordview mayor and ex-Nat MPC for Edenvale. After defecting to the CP in 1982 he lost both a provincial by-election in Rosettenville in 1984 and parliamentary election in Krugersdorp in 1987 by 55 votes. His opponent was Leon Wessels, now Manpower minister.

Despite the defeat he was appointed a nominated MP.

He fought the Krugersdorp seat again in the 1989 general election but lost by a wider margin.

The CP then nominated him to serve on the President's Council.

□ To Page 2

THE
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P.T.O.

Clive Derby-Lewis arrested

From Page 1

He has made news with alleged links to the AWB and the Ku Klux Klan and often blatantly racist remarks about black people.

In 1989 he lost a defamation suit against Mr Wesels who used an election poster quoting a newspaper report in which Mr Derby-Lewis said the housing shortage was caused by the black population explosion and that the only solution was to introduce compulsory sterilisation.

In Parliament in 1989, hearing a minister say an aircraft at Jan Smuts had

braked to avoid a black man on the runway, he said: "What a pity."

He later said the comment had been distorted.

His wife, Australian-born Gabrielle, is also a CP member.

Elizabeth Derby-Lewis, the 85-year-old mother of Mr Clive Derby-Lewis, was last night shocked and bewildered by her son's detention in connection with the assassination of Chris Hani.

"He would never do anything to hurt anyone," she said. "He is a kindly man."

She had heard the news

on the radio. "It was quite unexpected. The family has been keeping it away from me because of my age. I think Clive has got into the habit of some of the black rebels."

"He's usually so polite. What's gone wrong now?"

She said she last saw her son a week ago and he was his usual cheerful self.

He had lied to her, though, she said.

"He told me a fib. I asked him if he was a member of the AWB and he said no. Now it appears he is a member."

She said her son's wife was "more conservative than her son."

Mrs Derby-Lewis served as a staff member of the Rand Daily Mail 20 years ago and one of those who called for Nelson Mandela's release, knits for black children through Rotary-Anns and said her son gave her wool for the blacks.

"You never know your children. I don't know what got into him. Still, you can't be responsible for your children," she said.

Rightist in court

By Abbey Makoe and
Kenosi Modisane

AN AFRIKANER Weerstandsbeweging supporter arrested in connection with the fatal shooting of two ANC marchers at the weekend is expected to appear in the Vanderbijlpark Magistrate's Court today.

Police yesterday identified the suspect as rightwinger Mr Mike Odendaal, a builder with Conservative Party and AWB connections.

The two ANC marchers, Mr Jabu Linda and Mr Thabo Madayi, were killed and two other people injured when an armed man, said to be a member of the CP, shot at demonstrators during a protest march in Vanderbijlpark on Saturday.

In the only ugly incident during the marches in the PWV area, police arrested Odendaal on the scene after he had allegedly opened fire at the 3 000

Sowetan 19/4/93
■ AWB supporter arrested after two marchers shot dead:

marchers.

Witnesses said Odendaal had driven through a convoy of police vehicles alongside the crowd marching through Vanderbijlpark.

ANC PWV region spokesman Mr Obed Bapela, who narrowly escaped death during the shooting, said: "The AWB has declared war on the ANC." Bapela was not injured.

In the incident-free march in Johannesburg, South African Communist Party executive committee member Mr Ronnie Kasrils led about 15 000 ANC and SACP supporters to John Vorster Square police headquarters.

Addressing the marchers, Kasrils warned the Government that the pace of negotiations for a democratic country was a constant frustration to the majority of the people.

"The people's patience is not endless," Kasrils said.

He also attacked Inkatha Freedom Party leader Chief Mangosuthu Buthelezi, Bophuthatswana's Chief Lucas Mangope and Ciskei's Brigadier Oupa Gqozo.

He called Gqozo a "donkey from Ciskei", saying he and Buthelezi had a tendency to stall things at the negotiating table.

"That must stop, we want an election day now," Kasrils said.

The march was also led by the ANC's Steve Tshwete and Tokyo Sexwale as well as Cosatu's Sam Shilowa.

Speakers described the march as "not one of those marches", some saying it was hopefully the last on John Vorster Square before the ANC took power at the polls.

Title	Production cost (per year)	Print order (per year)
RSA-Belidscoorsig/RSA Policy Review [from Sept '92]	R 96 207	17 140
Beleidsgrids/Policy Guide	R 80 000	182 600
Amptelike Jaarboek	R 4 246	2 500
Official Yearbook	R 3 480*	3 000
Pulsano [till Dec '92]	R 152 790	803 000
Umsco [till Dec '92]	R 229 445	1 430 000
Light/Khanya [till Dec '92]	R 430 545	2 080 000
Karet [till Dec '92]	R 372 111	1 450 000
Vision [till Dec '92]	R 162 354	325 000
Izindaba [till Dec '92]	R 94 663	325 000
Metropolitan Digest [till Dec '92]	R 195 637	990 000
This is South Africa	R 392 000*	98 000
Desk Calendar '93	R 119 000	7 000
Annual report '91	R 10 500	750
SA Profile	R 31 250	25 000
Tuynhuys [E/A reprint]	R 30 000	5 000
Muslims of SA	Financed by Foreign Affairs	10 000
SA—Invest in mineral industry	R 30 130	10 000
Conservation in SA	Financed by Foreign Affairs	10 000
The Old Raadsaal [E/A] [brochure and pamphlet]	Financed by Education and Culture	4 000
Groote Schuur [E/A]	Financed by the Office of the State President [purchased by SACS]	5 000
	R 9 750	1 500
Discover SA's Wild Flowers and the National Botanical Gardens	Financed by Foreign Affairs	30 000
SA—A country of contrasts	Financed by Foreign Affairs	10 000
The SA Nurserymen's Association	Financed by Foreign Affairs	10 000
Countdown to elections [E/A]	Financed by Constitutional Development Service	25 000
Women reach out in SA	R 3 060	1 000
SA Government's approach to the constitutional process [E/A]	R 7 950	25 000
National Communication Policy and Strategy	R 6 000	6 000
Equality for women [11 languages]	Financed by Justice	108 700
Fundamental rights for all [11 languages]	Financed by Justice	239 850
SA—A Glimpse	R 600	6 000
Vroue Insig	R 14 701	4 000
Lux Femina	R 19 743	12 000
Soshanguve News	Financed by TPA	120 000
Mouse News	Financed by TPA	48 000
Refilwe News	Financed by TPA	18 000
Orange Farm	R 3 415	15 000

Title	Production cost (per year)	Print order (per year)
Kwa-Thema	R 777	11 400
Duduzani Nvus	R 3 207	15 200
Evaton News	R 3 884	20 000
* The print order for Foreign Affairs of 7 600 copies of the Official Yearbook and 102 000 copies of This is SA reduced the unit cost.		
(d) All publications are funded by SACS unless otherwise indicated.		
(2) (a) About half of the publications reflects the views and policies of the Government as it is basically the mission of SACS and other civil service departments to communicate the policy of the government of the day.		
(b) SACS acts as official mouthpiece of the government of the day and assists other civil service departments when publications are produced at their request.		
(3) No.		
Complaints against policemen/women		
149. Mr L. FUCHS asked the Minister of Law and Order:		
(1) How many (a) complaints were laid against policemen and policewomen arising out of incidents that occurred while they were on duty, and (b) policemen and policewomen (i) were prosecuted for crimes committed whilst on duty, and (ii) faced disciplinary hearings, in 1992;		
(2) how many policemen and policewomen who faced such hearings were dismissed from the Police Force in that year?		
B290E		
The MINISTER OF LAW AND ORDER:		
(1) (a) 12 631		
(b) (i) 2 177		
(ii) 2 916		
(2) 151		
Civil actions by detainees/banned persons: costs		
150. Mr H J BESTER asked the Minister of Law and Order:		
(1) Whether any amounts are currently owing to the State in respect of costs awarded to the State or any state official in any unsuccessful court applications or any other civil actions brought by persons, or on behalf of persons, who were detained, banned or otherwise acted against in terms of the provisions of the Internal Security Act, 1982 (Act No 74 of 1982), or any regulations promulgated in terms of section 3 and/or section 5A of the Public Safety Act, 1953 (Act No 3 of 1953); if so, (a) what amounts and (b) in respect of what date is this information furnished;		
(2) whether he intends to institute civil proceedings for the recovery of these amounts; if so, what are the relevant details?		
B359E		
The MINISTER OF LAW AND ORDER:		
(1) Yes.		
15 cases with the total outstanding value of R204 522,21 which is made up as follows:		
(a) R 3 825,15	R 20 738,50	
R 19 944,92	R 24 718,58	
R 13 648,52	R 14 448,73	
R 13 047,08	R 15 279,16	
R 3 364,00	R 7 656,48	
R 4 000,00	R 25 645,06	
R 19 920,67	R 11 000,00	
R 7 285,36		
Five cases have not yet been appraised and the costs are therefore not known.		
(b) 1 January 1986 until 28 February 1993.		

329

Hansard

(2) No.

(329)

With reference to the cases mentioned in paragraph (1) (a), the situation is as follows:

- In five cases civil proceedings have been instituted by the State Attorney.
- The writing-off of the debts is being considered in five cases as the debtors have not been traced.
- In four cases the debtors are already paying without any steps being taken.
- In one case the debtor requested the writing-off of the debt. It has been referred to the Treasury and its decision is not yet known.

Tokoza: prosecutions instituted in respect of violence

158. Mr L FUCHS asked the Minister of Law and Order:

- (1) Whether any prosecutions have been instituted in respect of each of the following incidents at Tokoza listed in a report of the Commission of Inquiry regarding the Prevention of Public Violence and Intimidation (Goldstone Commission) presented to the State President on 17 November 1992, viz, the (a) attack on hostel dwellers launched from house No 2044, Khumalo Street, Tokoza, on 8 September 1991, (b) murder of Mr Sam Ntuli on 29 September 1991, (c) attack on taxis, taxi drivers and taxi passengers near Natalspruit Hospital on 7 October 1991, (d) attack on a Rand Water Board minibus on 26 February 1992, (e) Crossroads massacre of 3 to 4 April 1992 and (f) Zonkeziwe massacre of 6 April 1992; if not, why not; if so, (i) when, and (ii) what are the other relevant details in each case;
- (2) whether he will make a statement on the matter? B371E

THE MINISTER OF LAW AND ORDER:

- (1) (a) Yes.
- (i) One person has been charged, but a trial date for the Supreme

HOUSE OF ASSEMBLY

Hansard

Court is not yet known. A search for two suspects is continuing.

- (ii) Whilst hostel dwellers were en route to a meeting in the Tokoza Stadium on 8 September 1991, shots were fired with an AK47-rifle on them from a house in Khumalo Street. Sixteen persons were killed and 13 injured.
- (b) No, no person has as yet been arrested in connection with the incident.
- (i) Falls away.
- (ii) Mr Sam Ntuli, a general secretary of the Southern Transvaal "Civic Association" was shot dead on 29 September 1991 whilst driving his car in Khumalo Street, Tokoza.
- (c) No, one suspect was arrested, but the case was withdrawn as a result of insufficient evidence. An inquest must still be held, but the date has not, as yet, been determined.
- (i) Falls away.
- (ii) On 1 October 1991, the day of Mr Sam Ntuli's funeral (paragraph (b) (ii) *supra*), 18 taxi drivers and passengers were shot dead near the Natalspruit hospital.
- (d) Yes.
- (i) Two persons have been charged and are being detained whilst awaiting a trial date in the Supreme Court.
- (ii) Employees of the Rand Water Board, who were on their way to work in a minibus on 26 February 1992, were attacked with AK47-rifles on the Old Vereeniging Road. Four passengers were killed and several wounded.
- (e) No, no arrests have as yet been made. An inquest must still be held, but the date has, as yet, not been determined.

Hansard

(i) Falls away.

- (ii) During the night of 3-4 April 1992, three groups of persons armed with firearms, axes and pangas attacked the Crossroads squatter camp at Kathlehong and 19 persons were killed, 12 injured and 45 squatter houses destroyed.

(f) No, no-one has as yet been arrested in connection with the incident. An inquest must still be held, but the date has not, as yet, been determined.

(i) Falls away.

- (ii) The Zonkeziwe squatter camp was attacked on 6 April 1992 by a group of persons whilst the occupants were sleeping. Four persons were killed and 10 injured. Scores of squatters huts and vehicles were destroyed.

Ministers/Deputy Ministers/Directors-General: overseas trips

159. Mr L FUCHS asked the State President:

- (1) (a) How many overseas trips were undertaken by each (i) Minister, (ii) Deputy Minister and (iii) Director-General of each Department during the period 1 March 1992 up to and including 28 February 1993, (b) what, in respect of each such trip, was the total cost incurred in respect of (i) travel, (ii) hotel accommodation and (iii) allowances and (c) what was the purpose of each such trip:

- (2) whether any of these persons were accompanied by their spouses; if so, what are their names? B372E

THE STATE PRESIDENT:

The details requested are attached as an annex.

cont. ->

HOUSE OF ASSEMBLY

CP man 'under section 29'

Sowetan 19/4/93.

329

30/4/93

PROMINENT Conservative Party member Mr Clive Derby-Lewis who was arrested at the weekend as a suspect in the killing of South African Communist Party leader Mr Chris Hani, is being held under Section 29 of the Internal Security Act.

This was confirmed by Law and Order spokesman Captain Craig Kotze who said Derby-Lewis could be held for 10 days in terms of the Act.

He was expected to appear in court today.

In its reaction, the ANC said the arrest might be the first strand in unravelling a conspiracy to destabilise the country and undermine multiparty talks.

"We expect the SAP to pursue every lead with vigour," ANC information head Dr Pallo Jordan said at a Press conference at the weekend.

"We would like the matter to come before the courts as soon as possible so that all South Africans and the world should know who is

■ Outspoken Clive Derby-Lewis held after questioning of Waluz:

plotting war, murder and mayhem in this country.

"It is a matter of great concern that the South African Government has dealt so gingerly with the right-wing, allowing them to publish - and clearly act upon - hit lists with impunity," Jordan said.

The police spokesman for the Witwatersrand Brigadier Frans Malherbe said earlier that Derby-Lewis would appear in court today.

Derby-Lewis, a former nominated MP and CP member of the President's Council, was

arrested following "intensive questioning" of Janus Waluz, a Polish immigrant suspected of shooting Hani last Saturday, Law and Order Minister Hernus Kriel said.

"The South African Police arrested Mr Clive Derby-Lewis on Saturday as a suspect in the murder case of Mr Chris Hani," Kriel said on Saturday night. Kriel said he found it unacceptable that there had been speculation that Waluz's refusal to co-operate with the police in their investigations was a pretext by the police to hide the truth.

CP man an Star 19/4/93 'ordinary suspect' (329)

Staff Reporters

Conservative Party member of the President's Council Clive Derby-Lewis was being held as an "ordinary suspect" and not under security legislation, police spokesman Brigadier Frans Malherbe said last night.

An earlier statement by Law and Order Ministry spokesman Captain Craig Kotze that Derby-Lewis was being held under section 29 legislation was incorrect, he said. Malherbe said police would have "a better picture" of the situation today.

Derby-Lewis was taken into custody on Saturday in connection with the murder of Chris Hani after questioning of alleged assassin Janus Walusz, police said.

The Derby-Lewis home was guarded yesterday when The Star tried to visit and talk to the suspect's wife Gaye. A large but polite man refused reporters entry to the Krugersdorp house.

A policeman asked Derby-Lewis whether she was prepared to talk to the press but she shouted "no".

The ANC said yesterday "We expect the SAP to pursue every lead with vigour. We would like the matter to come before the courts soon, so that all South Africans and the world know who is plotting war, murder and mayhem in this country."

CP suspect held under Section 29

CT 19/4/92
329
SENIOR CP member Mr Clive Derby-Lewis, arrested as a suspect in the murder of SACP secretary-general Mr Chris Hani, is being held under Section 29 of the Internal Security Act, Law and Order spokesman Captain Craig Kotze said last night.

In terms of the Act Mr Derby-Lewis could be held for 10 days before appearing in court and would not necessarily appear in court today, Captain Kotze said.

A senior police spokesman said however that Mr Derby-Lewis was an "ordinary criminal" at this stage and police would have "a better picture" today.

He emphatically denied he was being held under Section 29 of the Internal Security Act.

Transvaal Attorney-General Mr Klaus von Lieres and Wilkau said a decision on whether the President's Councillor would be charged and appear in court would "probably" only be taken today.

'Connection'

As mourners from across the country attend the slain SACP leader's funeral in Germiston today, a stunned Conservative Party is to hold a special damage-control meeting in Cape Town to discuss ways of dealing with the party crisis.

CP sources said a connection between Mr Derby-Lewis and the other man being held for the murder of Mr Hani — Mr Janusz Walus — could be traced to the formation of the Stallard Foundation, a body established originally by Mr Derby-Lewis to meet the interests of conservative English-speakers.

The foundation has become defunct.

Former CP executive member Mr Cehill Pienaar said yesterday the CP had become "increasingly militant over the past few months, circulating circulars that talk about attacks at dawn and attacks at dusk".

He said Mr Walus and his brother had both been members of the Stallard Foundation at least as far back as 1985. — Political Staff

Hopes that Derby-Lewis's arrest may 'unravel web of

8/Day 19/4/93

Business Day Reporters

CP members remained tight-lipped yesterday about the detention on Saturday of prominent CP member Clive Derby-Lewis in connection with the assassination of SACP leader Chris Hani.

The party plans to hold a special damage control meeting in Cape Town today to discuss ways of dealing with the crisis.

Derby-Lewis's wife Gaye, an active CP member and contributor to the CP's official mouthpiece Die Patriot, was not available to take calls.

ANC publicity and information director Pallo Jordan said government had been

too lenient on the right wing and now that Derby-Lewis had been arrested, "the web of a conspiracy to destabilise SA" would perhaps begin to be unravelled.

Official CP spokesman Pieter Mulder said he did not know whether Derby-Lewis had been arrested or detained despite the SAP's statement that he had been arrested.

Other CP members contacted said they knew nothing of the Stallard Foundation, which Derby-Lewis is said to have founded in 1963 during the referendum, or his connections with the Waluz brothers, one of whom is being held in connection with the

Hani murder and who was also ostensibly linked to the Stallard Foundation.

CP deputy leader Ferdi Hartzenberg said he could not believe Derby-Lewis was involved in the Hani assassination. Hartzenberg also denied that there were any formal ties between the CP and the Stallard Foundation. Sources said the foundation was defunct and had been replaced with the Republic Union Movement of SA. Former CP executive member Cehill Pienaar claimed the CP had become "in-

creasingly militant over the past few months, circulating circulars which talk about attacks at dawn and at dusk".

Pienaar said that as far as he knew Derby-Lewis was the Stallard Foundation. Both Waluz brothers were members of the organisation from as far back as 1985 when they assisted him in his campaign to win the Harrismith by-election, he said.

AWB leader Eugene Terre-Blanche said all he knew of the foundation was that it was mainly for English-speakers. Boersaast-Party leader Robert van Tonger also knew very little about it, but he hailed

Derby-Lewis as a hero of the folk and said he set an "excellent example". Witwatersrand Attorney-General Klaus von Lieres und Wilkau said a decision on whether to charge Derby-Lewis "probably" would be taken today once he had reviewed the available evidence.

Sapa reports that Law and Order spokesman Capt Craig Kotze said Derby-Lewis was being held under Section 29 of the Internal Security Act and would not necessarily appear in court today. Kotze said that in terms of the Act Derby-Lewis could be held for 10 days.

conspiracy.

concerned refused to prosecute members following the opening or referral of the said dockets; if so, (a) which attorneys-general and (b) in (i) how many and (ii) what matters? B490E

The MINISTER OF LAW AND ORDER:

(1) No.

(a), (b), (c), (d), (2), (3) and (4) Fall away.

Space industry: investigation into commercial feasibility

235. Mr C W EGLIN asked the Minister for Public Enterprises:

(1) Whether, with reference to the reply to Question No 298 on 19 June 1992, the investigation into the commercial feasibility of establishing a space industry in the Republic has been concluded; if not, why not; if so, what were the findings;

(2) whether he will make a statement on the matter? B534E

The MINISTER FOR PUBLIC ENTERPRISES:

(1) The investigation into the market opportunities, the competition in the market, the RSA's potential for a winning advantage and the risk factors, is already in an advanced stage.

The investigation focuses on practical commercial opportunities for a low earth-orbit satellite vehicle, services and launching facilities. Because parties from various countries are involved, and the best technical partners must be brought together, the investigation is taking a substantial amount of time. The analysis of the market and the profitability of each project is time consuming.

(2) A statement will be made if the report is made known, and a statement is justified.

Hillbrow/Berea area: crime statistics

235. Mr L FUCHS asked the Minister of Law and Order:

How many cases of (a) murder, (b) culpable homicide, (c) assault with intent to do grievous bodily harm, (d) common assault, (e)

HOUSE OF ASSEMBLY

rape, (f) robbery, (g) theft of vehicles and cycles, (h) theft of other items, (i) damage to property, (j) housebreaking with intent to steal and theft, (k) possession of drugs, (l) drunken driving, (m) vagrancy and (n) prostitution were reported in 1992 at police stations serving the Hillbrow/Berea area in Johannesburg? B536E

The MINISTER OF LAW AND ORDER:

(a)	111	(h)	2 875
(b)	51	(i)	1 377
(c)	601	(j)	1 604
(d)	1 350	(k)	173
(e)	168	(l)	375
(f)	735	(m)	0
(g)	2 507	(n)	5

Note: Hillbrow and Berea are being served by the Hillbrow police station.

Taxation Laws Amendment Act

238. Mr R R HULLEY asked the Minister of Finance:

Whether sections 12(1)(b), 13(1)(c), 15(1)(h) and 16(1)(a), respectively, of the Taxation Laws Amendment Act, 1992 (Act No 136 of 1992), have come into operation; if so, when, in each case; if not, (a) why not, and (b) when will they come into operation, in each case? B541E

The MINISTER OF FINANCE:

No. The relevant sections of the Taxation Laws Amendment Act, 1992 (Act No 136 of 1992), are amendments with regard to share-block schemes to the Value-Added Tax Act, 1991 (Act No 89 of 1991), and have not yet come into operation. Following that announcement of the relevant amendments, practical problems were experienced with the implementation thereof and it has been decided to propose a further amendment in this regard. The relevant section will come into operation on the date on which the proposed amendments come into operation.

Detentions/arrests/charges for bombing

239. Mr P G SOAL asked the Minister of Law and Order:

Whether, with reference to the replies to Question No 28 on 27 March 1990, Question No 14 on 14 May 1991 and Question No 210

on 5 May 1992, any persons have been (a) detained, (b) arrested, (c) charged and/or (d) convicted in connection with the bombing of certain premises, particulars of which have been furnished to the South African Police for the purpose of the Minister's reply; if so, (i) what are the relevant details in regard to each of the bombings and (ii) in respect of what date is this information furnished? B543E

The MINISTER OF LAW AND ORDER:

(a), (b), (c) and (d) No.

(i) Falls away.

(ii) 31 March 1993

SAP: deaths in custody

247. Mr P G SOAL asked the Minister of Law and Order:

How many persons died in police custody in (a) 1991 and (b) each specified month of 1992 for which statistics are available? B544E

The MINISTER OF LAW AND ORDER:

(a) 153	
(b)	
January.....	18
February.....	13
March.....	14
April.....	16
May.....	19
June.....	15
July.....	15
August.....	21
September.....	19
October.....	23
November.....	15
December.....	22
Total.....	210

Murders of 16 persons

248. Mr P G SOAL asked the Minister of Law and Order:

Whether, with reference to the replies to Question No 27 on 27 March 1990, Question No 55 on 15 March 1991 and Question No 131 on 18 March 1992, any persons have been detained, arrested, charged and/or convicted in connection with the alleged murders of 16 persons, whose names have been furnished to the South African Police for the purpose of the Minister's reply; if not, why

not; if so, (a) what are the names of the persons (i) detained, (ii) arrested, (iii) charged and/or (iv) convicted in connection with each of these alleged murders and (b) in respect of what date is this information furnished? B545E

The MINISTER OF LAW AND ORDER:

No, nobody has as yet been charged or convicted in connection with these murders as there is no evidence to implicate any person.

(a) (i-iv) Fall away.

(b) 31 March 1993.

SAP: criminal conduct/civil damages

249. Mr K M ANDREW asked the Minister of Law and Order:

(1) Whether any dockets were opened in 1987, 1988, 1989, 1990, 1991 and 1992, respectively, with a view to investigating alleged criminal conduct on the part of members of the South African Police in cases in which civil damages were paid by the Minister of Law and Order following a pre-trial settlement or a trial judgment; if so, how many were so opened in each of these years;

(2) whether any of the dockets so opened resulted in the successful prosecution of members of the Police; if so, how many in each of these years;

(3) whether the Attorney-General of the Transvaal refused to prosecute any members of the Police in respect of any dockets so opened; if so, in respect of how many such dockets? B517E

The MINISTER OF LAW AND ORDER:

(1), (2) and (3) Fall away.

Note: As a result of the magnitude of the administrative processes involved in order to determine the information, the information cannot, unfortunately, be made available at short notice.

Railway stations open for passenger/goods traffic

250. Mr R V CARLISLE asked the Minister for Public Enterprises:

How many railway stations in the Republic

HOUSE OF ASSEMBLY

CP man in court on two murder charges

Sowetan Correspondent

MR Ignatius Michael Kruger Odendaal (51) appeared before a Vanderbijlpark magistrate yesterday following the fatal shooting of two ANC marchers and the wounding of two others in Vanderbijlpark on Saturday.

Odendaal was sent for 30 days psychiatric observation at the request of his defence.

He was arrested by police in terms of Section 29 of the Security Act after protesters pointed him out as the gunman. Odendaal was in a bakkie and allegedly fired shots into the crowd near the end of the march route. Police recovered the murder weapon, a .357 Mag-

Suspect killer sent for mental observation:

num, at the scene.

The prosecutor, Mr P du Plessis, asked for a 30-day postponement, which was granted by magistrate Mr GJ Reynders.

Odendaal, who faces two charges of murder and two of attempted murder, was not asked to plead.

An unidentified member of the AWB was briefly detained with Odendaal on Saturday but was later released when police found no evidence linking him to the shooting.

Odendaal is expected to appear in court again on May 19.

NEWS Politician held under Section 29 • Youths torch houses around stadium

2 whites die near FNB

By Sowetan Correspondent

Sowetan 20/4/93
Burnt to death in their houses after the Hani service:

TWO white men — one of whom has been identified — were burnt to death yesterday after they were trapped in their houses near the FNB Stadium when youths went on the rampage at the funeral of slain SACP general secretary Chris Hani.

One of the dead was identified by a neighbour as Rudolf Botes. The neighbour, Mr Elias Moloi, whose house was also destroyed in the attack, described Botes as a peace-loving man and a supporter of the ANC.

At least two more people are believed to have been shot dead and more than 50 others injured after police opened fire

during running battles with youths.

Moloi, a Lesotho citizen and an employee at the FNB Stadium, claimed to have once saved Hani's life when an attempt was made on him in Lesotho in the 1980s.

Lesotho raid

Moloi said: "When the Boers tried to kill Hani, I protected him. Now, look."

He said he protected several ANC leaders during the Lesotho raid by the SADF in December 1982.

Moloi said when the attack was launched on Maseru on December 9, he had hidden Hani in his house.

"I have lost everything, TV set, blankets and my two-month disability grant which amounted to R1 600," said Moloi.

He said his son Charles (7) was shot by police in the hand and leg during the running battles with the youths.

The trouble started as early as 6am, following the night vigil at the stadium, when a group of youths started stoning police vehicles.

At least six vehicles were set alight and gutted.

Long grass and a line of trees as well as the houses caught fire and a pall of smoke filled the air.

CP leader Derby-Lewis to appear in court today

Sowetan 20/4/93
MR CLIVE Derby-Lewis, arrested on Saturday in connection with the assassination of Mr Chris Hani, was being held in Benoni under Section 29 of the Internal Security Act, his wife Gaye confirmed yesterday.

He is due to appear in court today.

Television report

Mrs Derby-Lewis said she was outraged by the way in which her husband had been detained. The officer in charge had watched the television report of the arrest in her lounge while Mr Derby-Lewis had not yet left the house and while police were still searching the premises.

Arrest is linked to Chris

Hani's death:

She had received over 600 phone calls from all over the world since his arrest and has two helpers manning the telephones.

Police had removed their computers and typewriters, which was why she did not yet have the means to type out a statement. She had been promised police would return them soon.

Mrs Derby-Lewis also confirmed that she had visited her husband at the Benoni police station on Sunday. — *Sapa.*

Me'or / OVER-REACTING FANCY

More arrests likely in assassination probe

CAPE TOWN — More arrests are imminent in the police investigations into the assassination of Chris Hani.

Senior CP members and parliamentarians may be among those facing arrest, according to parliamentary sources.

Police confirmed yesterday that CP President's Council member Clive Derby-Lewis, arrested at the weekend, was being held in terms of Section 29 of the Internal Security Act in a Benoni police cell.

Police did not officially confirm the speculation, but President F W de Klerk is expected to make an announcement on the

TIM COHEN and
BILLY PADDOCK

issue today or tomorrow.

CP deputy leader Ferdi Hartzenberg said in Parliament yesterday that Derby-Lewis's arrest was a "government smoke-screen" to damage the CP.

However, there was mounting speculation that senior CP members could be arrested following the questioning of Derby-Lewis.

A source close to the family said yesterday Derby-Lewis was being held in a cell adjacent to one occupied by noisy Apla

members, who kept him awake at night. A police spokesman said Derby-Lewis was being given "the best care" and denied his sleep was being disturbed.

Derby-Lewis's wife Gaye said she was outraged at the way her husband had been arrested. She said before police took him away, they watched the TV report of his arrest. During an intensive search of their home, a computer and typewriters were seized.

Recounting the arrest, the source, who refused to be named, said about 15 Benoni

□ To Page 2

Arrests

policemen had arrived at their home at about 6pm on Saturday. The source said their opening words were: "We are here to arrest you for conspiracy to murder."

Derby-Lewis's advocate and his wife have not been told what evidence police have against him.

The source said a picture of Derby-Lewis with the alleged assassin, Janus Waluz, had been taken in 1985 in connection with the Stallard Foundation. "Many people believe (the arrest) is a conspiracy

to satisfy the black community and the ANC specifically who have put pressure on government. Clive is the only prominent political figure they could find to associate Waluz with..."

SAP spokesman Brig Frans Malherbe said yesterday Waluz had made a statement implicating Derby-Lewis. But the family and conservatives rejected this, saying Waluz's girlfriend had contacted Gaye Derby-Lewis to tell her Waluz had not named anyone.

□ From Page 1

ing representatives from the US Departments of Commerce, Defence and of State as well as the Arms Control and Disarmament Agency held discussions on these subjects with a South African delegation in Pretoria on 2 and 3 December 1992. The South African delegation included representatives from the Department of Foreign Affairs and Denel (Pty) Ltd.

(iii) Discussions on these issues are continuing.

Increase in number of policemen

*13. Mr P G SOAL asked the Minister of Law and Order:

(1) (a) What was the total net increase in the number of policemen in the South African Police Force in 1992 and (b) (i) how many are still in training and (ii) in respect of what date is this information furnished;

(2) whether he will make a statement on the matter? B644E

THE MINISTER OF LAW AND ORDER:

(1) (a) 2 237

(b) (i) 2 337

(ii) 2 April 1993.

(2) No.

Post Office: advertising campaign

*14. Mr P G SOAL asked the Minister of Post and Telecommunications:

(1) Whether the Post Office launched an advertising campaign recently; if so, (a) when and (b) what (i) are the details relating to, and (ii) was the cost of each aspect of, this campaign;

(2) whether he will make a statement on the matter? B645E

THE MINISTER OF POSTS AND TELECOMMUNICATIONS:

The Managing Director of SA Post Office Limited replied as follows to the hon member's question:

(1) Yes, information programmes are being

HOUSE OF ASSEMBLY

launched to communicate to clients the Post Office's future plans in regard to the rendering of postal services which will meet the needs of the total community.

(a) During February, March and April 1993.

(b) (i)

(aa) An advertisement in eight magazines to encourage people to post a letter or a card to a loved one before Valentine's Day. This formed part of a planned campaign to remind people that a written message, through the post is still the most lasting form of personal communication. Underlying this approach is to motivate people to send messages by mail for all special occasions and thereby increasing mail volumes.

(bb) An advertisement in 15 Sunday and daily newspapers (3 placements) propagating the competitive interest rate of 11% currently paid on investments in savings bank certificates to encourage new investments.

(cc) News clock before the 18:00 and 20:00 TV news bulletins promoting visibility of the Post Office.

(dd) An advertisement in newspapers countrywide (3 placements) explaining the reasoning behind and benefit for the client of the recently announced tariff increases.

(ee) An advertisement in newspapers countrywide (3 placements) as well as a radio information campaign explaining the correct use of the new no face value postage stamp—a new concept in South Africa.

(ff) Some six million information pamphlets in six languages to especially rural communities explaining the new concept of

cluster postboxes and inviting inputs.

(b)(ii)

(aa) R 145 000 (production cost enclosed)

(bb) R 269 000 (production cost enclosed)

(cc) R 94 000

(dd) R 300 000

(ee) R 450 000

(ff) R 280 000

R1 538 000

(2) In order to gain greater visibility as a client-oriented company and to promote our image among the public, further information programmes will be launched during the course of the year. Apart from this campaign, information sessions are being held with major clients, consumer bodies and parliamentary and extra-parliamentary groups, while efforts are also being made to obtain positive media coverage and favourable editorial comment on a large scale.

Cape Town police station: charges against two persons

*15. Adv J J S PRINSLOO asked the Minister of Law and Order:†

(1) Whether any criminal charges were laid at the Cape Town Police Station on or about 4 May 1992 against two persons, whose names have been furnished to the South African Police for the purpose of the Minister's reply; if so, what (a) was the nature of these charges and (b) are the names of the persons concerned;

(2) whether any action has been taken as a result of these charges; if not, why not; if so, what action;

(3) whether he will make a statement on the matter? B648E

THE MINISTER OF LAW AND ORDER:

(1) Yes.

(a) and (b)

Contravention of section 54(1)(a) and/or

54(1)(b)(ii) and/or (iv) of the Internal Security Act, 1982 (Act No 74 of 1982).

Mr Benny Alexander

Contravention of section 54(1)(b) read with 54(2)(b) and 54(2)(k) as well as 54(3)(c)(iv) of the Internal Security Act, 1982 (Act No 74 of 1982).

Mr Jay Naidoo.

(2) No.

Upon completion of the investigation, the case dockets were referred to the various Attorneys-General who subsequently refused to prosecute in both cases.

(3) No.

Record of Understanding: prisoners released

*16. Adv J J S PRINSLOO asked the Minister of Correctional Services:†

Whether, with reference to the reply to Question No 16 on 17 February 1993, he will furnish information on the convictions for which prisoners who have been released in terms of the Record of Understanding were serving prison sentences; if not, why not; if so, what are the relevant details? B647E

THE MINISTER OF CORRECTIONAL SERVICES:

No, as already mentioned in my reply in the House of Assembly on 17 February 1993 to Question No 16 for written reply, it is departmental policy not to disclose personal particulars pertaining to individuals. For obvious reasons such as *inter alia* the interests of the released prisoner's family, his reintegration into society, etc it is not considered expedient to publicly disclose the information as requested. However, I would like to repeat my invitation to the hon member that should he be interested in further detailed information (including information on convictions), he is welcome to approach me whereupon I will consider making the information available to him on a personal basis.

Hemophilus b: deaths

*17. Mr M J ELLIS asked the Minister for National Health and Welfare:

(1) How many children died of the disease

HOUSE OF ASSEMBLY

Gaye Derby-Lewis a suspect

More held in swoop on Right

Star 21/4/93

By Bronwyn Wilkinson,
Colleen Ryan
and Kaizer Nyatumba

The wife of former CP MP Clive Derby-Lewis, Gaye, and four other people believed to have right-wing leanings were arrested in a pre-dawn swoop today in connection with the assassination of slain SACP and ANC leader Chris Hani.

Clive Derby-Lewis, a CP-nominated MP and member of the President's Council, was arrested on Saturday.

SAP spokesman Brigadier Frans Malherbe confirmed that five people had been arrested, but would not issue their names. Senior police sources said the arrests were connected not only to the Hani investigation, but "to something much wider".

The Star has learnt that the other four people arrested were former Citizen journalist Arthur Kemp, Krugersdorp estate agent Faan Venter, computer specialist Edwin Clark and Krugersdorp property speculator Lionel du Randt.

Malherbe said only that five people had been detained as suspects in terms of the Criminal Procedure Act regarding the investigation which followed from questioning of Polish immi-



Gaye Derby-Lewis ... held after dawn swoop.

grant Janus Waluz and Clive Derby-Lewis.

The crackdown appears to be a major breakthrough for the police.

When The Star called the Derby-Lewis home in Noordheuwel, Krugersdorp, this morning a friend of the family, who identified himself only as Kevin, confirmed the arrest of Gaye Derby-Lewis.

He said he had heard that many more people were about to be arrested. "They just walked in at five this morning, got her up and arrested her," said Kevin.

Kevin said he had been staying at the Derby-Lewis home since the arrest of Clive on Saturday night.

"I was not there at the moment of her arrest. I was still sleeping."

He said he woke up a few minutes later and spoke to her before police took her away. "She is fine for the moment," he said.

Police had no problem gaining entry since the house has been under police guard since the weekend.

Kevin said he had been told four other people had been held this morning. He did not know if they were CP members. "If you know the Derby-Lewises it is crime enough," he said.

Dr Wim Booysse, political analyst and expert on right-wing matters, told The Star police have been finding it increasingly difficult to crack right-wing crime because members were operating in small cells and not necessarily reporting to their party hierarchies.

Waluz was arrested shortly after Hani was gunned down at his Dawn Park, Boksburg, home on April 10.

The Star has been able to link Waluz to three neo-Nazi organisations and to two right-wing extremists, Adriaan Maritz and Henry Martin, who are wanted for alleged murder and attempted murder in bomb blasts.

Waluz had regularly been seen at small cell meetings of the Wereld Apartheidsbeweging (WAB) and the Afrikaaner-Nasionaal Sosia-
liste (ANS).

● To Page 3

More detained in Swoop on Right

Star 21/4/93
(329)

From Page 1

They are both fiercely anti-communist and pro-Nazi. WAB leader Koos Vermeulen has offered to pay Waluz's legal fees.

The Hooftkommandant (head commander) of the AWB, A J Oosthuizen, told The Star today he had no knowledge of the swoop and that those picked up by police were unknown to him.

Oosthuizen said AWB leader Eugene TerreBlanche was travelling in the eastern Cape and would be speaking at an AWB rally in Uitenhage tonight.

A switchboard operator at The Citizen said this morning that photo-journalist Arthur

Kemp had left the paper a few months ago, and was apparently planning to go overseas.

The editor of The Citizen, M A Johnson, was unavailable.

Some key political players today welcomed the news of the arrests and expressed the hope that the new development could help advance investigations into Chris Han's murder.

However, Conservative Party (CP) deputy leader Dr Ferdinand Hartzenberg declined to comment "at this moment", telling The Star he did not have enough information to do so.

Speaking from his parliamentary office in Cape Town, Hartzenberg said he would make a statement later.

Han's lawyer, Fink Hayson,

said today. "The police have been keeping us pretty well up to date on the investigation into the murder of Chris."

"Matthew Phosa and myself are ANC lawyers appointed to monitor the investigation into the murder."

"At this stage we have nothing to complain about in terms of liaison with the police."

Boerestaat Party leader Robert van Tonder said rightwingers had been arrested in the past and they had not been charged for lack of evidence, and he was confident the same would happen with the people concerned.

ANC spokesman and national executive committee member Gill Marcus said her organisa-

tion would like to know what the Derby-Lewis' alleged involvement was in the assassination and wanted information released to the public.

Marcus welcomed the involvement of Scotland Yard experts in the investigation, but said the ANC wanted the people arrested to be brought to court as soon as possible.

"It shows how ill-timed (Law and Order Ministry spokesman) Craig Kotze's statement was that the assassination was the work of a lone individual," Marcus said.

Contacted in Cape Town, Kotze declined to comment on the arrests, but said he had at no stage "excluded any possibility in the investigations".

International plot suspected

SP Grills

Star 22/4/93

CP couple detained

Staff Reporters

Former Conservative Party MP Clive Derby-Lewis and his wife Gaye are being held in solitary confinement and are being questioned by experienced former Security Police interrogators, police sources said today.

Both are being held under section 29 of the Internal Security Act, allowing police to detain them in solitary confinement without trial for 10 days instead of the 48-hour detention period permitted by the Criminal Procedure Act. The 10-day period can be extended.

The questioning yesterday of five more people in connection with the killing of Chris Hani was part of an investigation into a right-wing conspiracy — probably with international links — police

'Nothing to hide in Hani probe' — Page 3
SA owes thanks to ANC — Page 12

said late yesterday.

More arrests could be expected after the interrogation.

Late yesterday, two of the five picked up in the pre-dawn swoop by police were released.

The five picked up yesterday were Gaye Derby-Lewis, who was arrested at her Noordheuwel, Krugersdorp, home; former Citizen journalist Arthur Kemp; Delarey estate agent Faan Venter; Krugersdorp property speculator Lionel du Rant; and self-employed computer specialist Edwin Clark.

Witwatersrand police liaison officer Brigadier Frans Malherbe said last night Du

Rant and Clark had been released. Earlier, he told a Johannesburg press conference the SAP was investigating a conspiracy.

He confirmed police were investigating possible international links in the assassination plot.

The "hit list" of nine political leaders and journalists found in the flat of Polish immigrant Janus Waluz after his arrest in connection with the Hani murder formed a crucial part of the conspiracy investigation, Malherbe said.

He said the five were being held in terms of Section 51 of the Criminal Procedures Act.

But last night, Malherbe announced that Mrs. Derby-Lewis was now being held in terms of Section 29 of the Internal Security Act for further questioning. Her hus-

● To Page 3

CP pair in solitary confinement

● From Page 1

band is also being held under Section 29 of the Act.

Asked whether the CP official was expected to be released soon, Malherbe replied: "On bail, maybe," adding it was likely he would be charged.

The five were picked up after police questioned Clive Derby-Lewis, who was arrested on Saturday and was co-operating with police, and the alleged assassin, Waluz, who had "eventually begun to co-operate", Malherbe said.

He told the press conference the five were held as suspects as a result of the investigation

into the conspiracy to assassinate Hani. He said they were not being held in connection with the actual murder.

Action

A furious Clark said last night his advocate had advised him not to talk about the details of his arrest or detention, but he said he intended taking legal action against the police for wrongful arrest.

"I can also say that I expect more people will be released soon," he added.

Du Rant could not be contacted.

Mrs Derby-Lewis reported

for the CP mouthpiece Die Patriot, and was a fervent campaigner for the party.

Kemp, a former policeman, also worked for Die Patriot before joining The Citizen. He left the newspaper for a brief stint as a CP spokesman before returning to The Citizen.

After leaving the paper a few months ago, he went to Germany, returning to South Africa recently to freelance. In 1987 he wrote a book entitled *Victory or Violence: The Story of the AWB*.

Venter's son Jan said his father was a staunch CP supporter who had been affiliated to the AWB about 12 years ago.

Gaye an outspoken rightwinger

By Shirley Woodgate

(329)

Gabriella Mayoerna "Gaye" Derby-Lewis, arrested yesterday by police investigating the Chris Hani murder, campaigned relentlessly for right-wing causes for the past seven years.

Originally from Australia, she married Conservative Party President's Councillor Clive Derby-Lewis shortly before the 1987 general election, when she stood as an unsuccessful CP candidate in Hillbrow.

She became an outspoken advocate of the right wing's "keep Hillbrow white" policy.

Her thrust into CP politics in Johannesburg's highrise suburb was a far cry from her previous pursuit in Hillbrow, running a gay bar for several years.

Derby-Lewis, who is in her early 50s, was said by an acquaintance to have at one stage been married to an officer in the SADF. The couple had one son, named Anton.

Derby-Lewis worked for the Department of Information, where she is said to have become friendly with Dr Connie Mulder, but left the department after the Information Scandal.

Admirers have described her as extremely intelligent and passionate about her cause.



Derby-Lewis . . . crossed swords with Actstop regularly.

Critics have labelled her volatile, talkative and at times forceful.

CP MP for Losberg, Fanie Jacobs, described her as "an extremely competent woman with a strong personality".

In 1987, after fighting a campaign focused largely on the Group Areas Act, Derby-Lewis polled 1 190 votes to the 3 457 of the NP's Leon de Beer.

She specifically promised backing for the white occupants of Highpoint flats who intended bringing legal action against Anglo American Properties

which, she claimed, was renting more than 80 percent of the block to blacks.

During the election, she entered into a running battle with Actstop (Action to Stop Evictions), regularly crossing swords with Mohammed Dangor who headed the organisation at that time.

She was closely involved in several of her husband's election campaigns.

A regular letter writer to The Star, her last letter in February 1990 argued that the swastika was not part of the CP image.

- anti murderer -



British police detective Commander George Churchill-Coleman (right) talks to the Press in Johannesburg yesterday after arriving to assist in the probe into the killing of Chris Hani. Beside him is Mr Matthew Phoso of the ANC's legal department.

plot by Right

Probed

By Mathina Tsedu
and Joe Mkhela

The five arrested yesterday morning include

Levi's wife, Mrs Gabriella Derby-Lewis, who is

a journalist with *Die Persier*.

The others are former Citizen journalist Mr

Arthur Kemp, who was arrested in Beconi, estate

agents Mr Fann Venter and Mr Lionel Du Rand

and a self-employed "computer expert" Mr Edwin

Clark. They are all from Krugersdorp.

They are all members of rightwing groupings.

The arrests and revelations contradict earlier

police assertions that the assassination of Hani

was a one-man act with no political connections.

Malherbe said the five arrested yesterday were

being held under Section 51 of the Criminal

Procedure Act, which provides for detention for

up to 48 hours before charges are laid. Derby-

Lewis was being held under Section 29 of the

Internal Security Act.

The estate agents were believed to have used

their access to information of home buyers

through the deeds office to trace likely targets for

the rightwing syndicate.

Malherbe said the detentions were based on

information obtained from a "co-operative"

Derby-Lewis. Police had seized "many items",

including computers and typewriters.

By Mathina Tsedu
and Joe Mkhela

The five arrested yesterday morning include

Levi's wife, Mrs Gabriella Derby-Lewis, who is

a journalist with *Die Persier*.

The others are former Citizen journalist Mr

Arthur Kemp, who was arrested in Beconi, estate

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Internal Security Act.

The estate agents were believed to have used

their access to information of home buyers

through the deeds office to trace likely targets for

the rightwing syndicate.

Malherbe said the detentions were based on

information obtained from a "co-operative"

Derby-Lewis. Police had seized "many items",

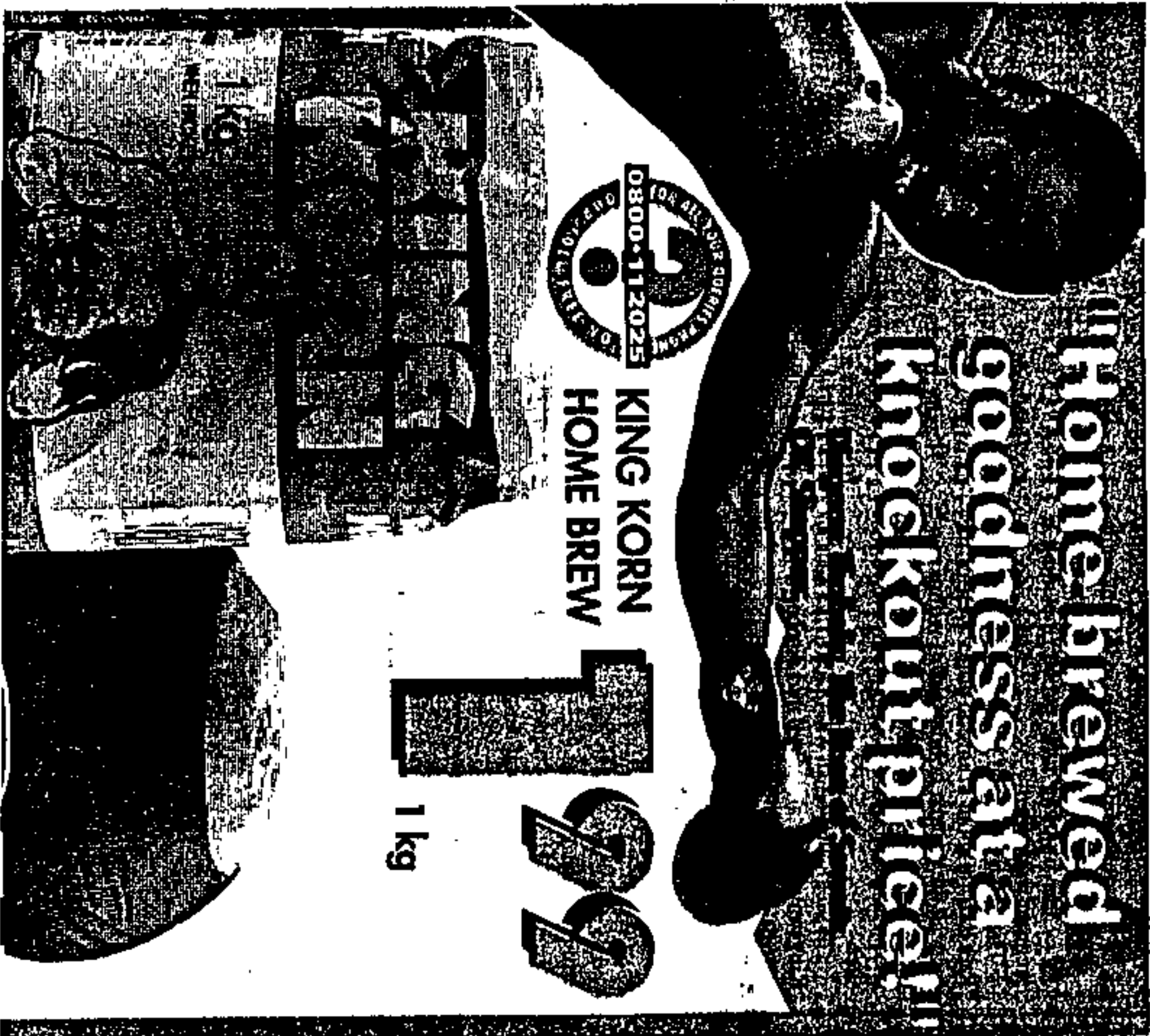
including computers and typewriters.

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goodness at a
knockout price!"



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HOME BREW

1 kg





Witwatersrand police spokesman Brig Frans Malherbe told a media conference in Johannesburg yesterday it had been established that a conspiracy had existed to kill SACP general secretary Chris Hani and that more arrests could follow.

Picture: BRIAN HENDLER

Hani 8/07/22/493 329 324 321 From Page 1

The British embassy said Churchill-Coleman was appointed head of the anti-terrorist branch in 1985 and served as an adviser to British government departments and the military on terrorism.

He was accompanied by Detective Inspector Michael Jones, who is also experienced in anti-terrorism work. They will be joined tomorrow by German terrorism specialist Ralf Kruger.

The German embassy described Kruger, who has served as a prosecutor and judge in Germany, as "one of Germany's outstanding criminal investigators, with a long experience in the fighting of extremist and terrorist activities".

DIRK VAN EEDEN reports that rumours about an international conspiracy were rife in right-wing circles yesterday following the latest arrests. Sources indicated that at least some of those held had neo-Nazi links.

Kemp, a former policeman, wrote a book on the AWB which was found in Walus's possession. Sources said he had visited Germany several times, sometimes in Derby-Lewis's company.

Family friends confirmed that Gaye Derby-Lewis, official English reporter for Die Patriot, had been a nun in Australia.

● Comment: Page 6

RAY HARTLEY reports that Com George Churchill-Coleman, who will advise local police in the investigation, arrived in SA yesterday. Churchill-Coleman, who will report directly to Attorney-General Klaus von Lieres and Wilkan, said he would begin his work immediately. Malherbe said a false impression had been created that Churchill-Coleman would "take over" the investigation. "He will monitor the investigation with other policemen and will be in constant contact with the SAP investigating team."

□ To Page 2

How wide the conspiracy was. Regarding yesterday's arrests, Malherbe said: "I must emphasise that they are not necessarily accused of any criminal act and it must not automatically be accepted that they are co-accused." Malherbe said the first phase of the investigation — the physical shooting of Hani — had been completed; it found that only one man had been involved. The second phase — the conspiracy to have Hani killed — was being led by a team of 17 top crime intelligence investigators under Maj-Gen Piet du Toit. Malherbe said investigations into the 1990 weapons theft from the SA Air Force headquarters in Pretoria had not unearthed any direct links. RAY HARTLEY reports that Com George Churchill-Coleman, who will advise local police in the investigation, arrived in SA yesterday. Churchill-Coleman, who will report directly to Attorney-General Klaus von Lieres and Wilkan, said he would begin his work immediately. Malherbe said a false impression had been created that Churchill-Coleman would "take over" the investigation. "He will monitor the investigation with other policemen and will be in constant contact with the SAP investigating team."

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Hani killing, a conspiracy, police suspect

Clive Derby-Lewis 'will be charged'

8/07/22/493 329 324 321

STEFHANE BOTHA



Hani B/DAM 32/493 . 324 ~~324~~ ~~324~~ From Page 1

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Trial for 10 days.
Two of the men taken in for questioning, property speculator Lionel du Rant and self-employed computer expert Edwin

They were detained for questioning early yesterday. Malherbe said last night she was now being held under Section 29 of the Internal Security Act for further questioning. The Act allows for detention without

would be released only on bail. Derby-Lewis's wife Gaye and four men

Witwatersrand police spokesman Brig Frans Malherbe said yesterday that CP member Clive Derby-Lewis, arrested at the weekend in connection with the April 10 killing, would be charged for involvement in the suspected conspiracy and be investigated.

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POLICE investigating the assassination of SACP general secretary Chris Hani believe they have uncovered a

Clive Derby-Lewis, 'will be charged
Hani killing
a conspiracy,
police suspect

8/01/93
22/4/93

STEFHANE BATHMAN

Troublesome their white

W/may
23/4-29/4/93
329
By JAN TALJAARD and
ARTHUR GAVSHON

IN some circles, Clive Derby-Lewis, the senior Conservative Party member being held in connection with the assassination of Chris Hani, is better known as the husband of prolific letter writer Gaye Derby-Lewis.

The latter was also arrested on Wednesday morning, together with several rightwingers from the West and East Rand. In recent years she has inundated the *Citizen* newspaper with letters expressing her rightwing views, and she has also been responsible for the English-language section of the CP's official mouthpiece, *Die Patriot*.

But the male half of the troublesome twosome is definitely a luminary in his own right. He is, among other things, a member of the President's Council, a former commandant in the Witwatersrand Rifles Regiment, director of the Stallard Foundation, chairman of the Republican Unity Movement of South Africa (Rumosa) and president of the Western Goals Institute (WGI).

When he became president of WGI in 1992, he followed in the footsteps of Major Roberto d'Aubuisson, whose leadership of El Salvador's infamous death squads is widely acknowledged.

Derby-Lewis' name also appears on the two-year-old list of the World Apartheid Movement (Wam) — together with the names of Arthur Kemp, the ex-journalist arrested this week in connection with the Hani murder; convicted German neo-Nazi Manfred Roeder; proven saboteurs Fabio Miriello, Adrian Maritz and Henry Martin; and confirmed South African neo-Nazis Dr Pol Doussy and Dr Walter Helm.

The Stallard Foundation is also to be found among "contact organisations" of Wam. Other organisations on the list include the Australian Nationalists' Movement, L'Empire Invisible, the International White Power Network in Germany, the SS Action Group in the United States and various chapters of the agnostic and white supremacist Church of the Creator.

The South African-based Rumosa movement was established in August 1991 and, according to Derby-Lewis, was part of a conservative white Volksfront made up of 66 different organisations. In an interview last year, Derby-Lewis said Rumosa was established to accommodate "English-speaking patriots". He said it consisted of 40 branches, with newsletters sent to more than 5 000 interested parties each month.

Rumosa soon developed into an organisation which held classes in "self-protection". According to Derby-Lewis, this was done because of the high crime rate in predominantly English-speaking communities. Criminals saw these areas as "soft targets", he reasoned.

The WGI is ostensibly an organisation "to conserve Western ideas, culture and civilisation", with the cause of nationalism as one of its cornerstones.

Derby-Lewis has been quoted as saying the WGI is committed to unifying rightwing move-

Assassin wasn't meant

U/M and 23/4 - 29/4/93.

POLICE investigating Chris Hani's assassination believe former Conservative Party MP Clive Derby-Lewis supplied the gun used in the killing. And they are working on the assumption that he was the mastermind behind the hit list discovered in the flat of Hani's alleged murderer, Janus Waluz.

But police also believe that Waluz unwittingly sabotaged the conspirators' broader plans by acting impulsively when he shot Hani on Easter Saturday, against orders. They believe that he was in fact on a reconnaissance mission, familiarising himself with the area around Hani's Dawn Park home and gathering information on the South African Communist Party general secretary's security arrangements.

Hani was in fact only number three on the hit list, after African National Congress president Nelson Mandela and SACP chairman Joe Slovo.

"Waluz did not go to kill Hani that day," said police spokesman Brigadier Frans Malherbe. "He was on a recon, as he had been before. The

Chris Hani's alleged assassin was not meant to kill him that day — and

Janus Waluz may have sabotaged rightwing conspirators' broader plans

by his impulsive act, police believe.

By STEPHEN LAUFER and

JAN TALJAARD

witness to the killing, Mrs Haremsse, had seen him in his car in Dawn Park previously. He obviously just saw Hani alone, without bodyguards, and seized the opportunity."

The circumstances of Waluz's arrest support this version of events, say international terrorism experts.

In a carefully planned assassination, the killer would have worn clothing to protect himself from the residue emitted when a gun is fired. He would have worn a glove in order not to leave fingerprints on the weapon, which he would

have dropped at the site of the killing or jettisoned quickly thereafter.

Most importantly, a well-prepared professional killer would have had a second and possibly a third getaway vehicle waiting, changing once within a couple of hundred metres of the shooting, and again some kilometres away.

Waluz had no escape route planned and no getaway vehicles waiting. And he was still in the car seen by the witness to the killing when he was arrested some time later. Police are convinced that there was no second car in the vicinity, as had been rumoured.

Former *Citizen* journalist and security branch sergeant Arthur Kemp has also been arrested in connection with the Hani killing. He accompanied police to the *Citizen* library on Wednesday to show them clippings reporting on Mandela and Slovo moving into their new homes.

Police forensic experts have infallibly identified the bullets which killed Hani as having been fired by the gun found in Waluz' car. And residue tests on Waluz's hand and arm show

to strike — yet

U/M and 23/4 - 29/4/93.

conclusively that he fired a gun in the period around the killing.

The weapon, a Z88 pistol manufactured by Armscor, was stolen from the South African Air Force three years ago in a raid by Piet "Skiet" Rudolph.

Rudolph yesterday went to the offices of the *Citizen* in Pretoria, where he was involved in fistfights with a journalist on the newspaper. He was apparently displeased at an article suggesting he may have been linked to the Hani killing via Derby-Lewis.

Police are puzzling over the link between Rudolph and Derby-Lewis. Rudolph is believed to have jettisoned weapons stolen from the Air Force while on the run, and it is proving extremely difficult at this stage to reconstruct the path taken by individual weapons since they left Rudolph's possession.



Piet 'Skiet' Rudolph

only bring charges once we are sure that we have a case which can stand up in a court of law. It is clearly in the national interest to get to the bottom of this killing."

A special investigation squad comprising 17 experienced detectives led by a general is conducting the investigation. Three senior foreign investigators will also be involved in the search for the truth behind the Hani assassination.

Meanwhile, Derby-Lewis is said to be "singing" in police custody. But he is unlikely to appear in court within the next few days, according to Witwatersrand attorney general Klaus von Lieres und Wilkau.

"Section 29 allows us to hold him for 10 days, and the detention order is of course renewable, if the investigating officer believes it is necessary. We will

Derby-Lewis linked to world extremism

One of the most prominent international right-wing organisations to which Clive Derby-Lewis is linked is the World Anti-Communist League (WACL), of which he is the South African representative.

A position in such an extremist organisation would have put him in the forefront of the international far-right struggle against communism.

WACL, founded in 1966 by the dictatorship regimes of South Korea and Taiwan, has been exposed in a book, *Inside the League*, written by John Lee and Scott Anderson, as the foremost umbrella organisation bringing together unrepentant "terrorists, Nazis and Latin American squad leaders".

Among the most notorious Nazis and death squad leaders connected to WACL were Klaus Barbie, the Butcher of Lyon, and Major Roberto D'Aubuisson, leader of the Alianza Republicana Nacionalista (ARENA) party in El Salvador.

Sponsored

Derby-Lewis himself has said that South Africa has a fully fledged chapter of WACL and as such would have been entitled to financial support from the organisation.

According to *Inside the League*, the WACL is at least partly sponsored by the Rev Sun Myung Moon's controversial Unification Church and is known to have financed extremist organisations and right-wing guerilla movements, throughout the world.

The Moonies also fund Jean-Marie Le Pen's neo-fascist French National Front. Derby-Lewis has

Detained Clive Derby-Lewis is not only a leading figure in the Conservative Party, he also has extensive international links with neofascist organisations. JACQUES PAUW reports.

met Le Pen on various occasions.

WACL activities in South Africa can be traced back to the 1960s when it had Ivor Benson — formerly chief press censor for Rhodesian Prime Minister Ian Smith — as head of its South African chapter.

Other South Africans closely associated with WACL's activities in the country were the former editor of the South African Observer, S E D Brown, and former NGK leader Dr Koot Vorster, brother of former Prime Minister John Vorster.

Arthur Kemp, who was detained, but then released yesterday, is also known to have links with WACL.

WACL has since 1990 changed its name to the World League for Freedom and Democracy (WLFD), although it is still referred to as the Anti-Communist League.

Derby-Lewis is also vice-president of Western Goal (UK) and has links with other extremist elements in British conservative politics.

Western Goal, founded in May 1985, described itself in one of its own press releases as "a London-based right-wing organisation devoted to the preservation of Western values and European culture, opposed to communism, liberalism, internationalism and the multicultural society".

Western Goal is affiliated to WACL. It handled the public relations exercise of the visit of the late CP leader Dr Andries Treurnicht and Derby-Lewis to Europe in June 1989.

The organisation has recently been described as an unofficial ambassador for the South African Conservative Party, the German Republics (a far-right political party), the French National Front and the El Salvadorian ARENA party.

WACL has close ties with the extreme right-wing National Students Federation (NSF). Kemp is also known to have links with the NSF.

In June 1985 the NSF held an international conference of right-wing forces, with the co-operation with the SA Defence Force, at Unita's Jamba headquarters in southern Angola.

The conference was attended by representatives of the Nicaraguan Contras and the Afghan Mujahidin. It accepted a motion to fight communism to the bitter end.

Neofascist

Derby-Lewis is also known to be a member of the conservative Heritage Foundation, a powerful American right-wing organisation whose members have been linked to financial support for the Contras.

He is on the address list of the World Apartheid Movement (WAB), a neo-fascist South African organisation which has links worldwide.

It is known that Polish-born Janus Waluz, alleged assassin of Chris Hani, was regularly seen at meetings of WAB, an organisation which has always attracted large numbers of foreigners.

Walus to face rap alone?

By DESMOND BLOW

POLICE this week confirmed that they had evidence CP President's Councillor Clive Derby-Lewis had given alleged Chris Hani assassin Janusz Walus the stolen Z-88 pistol with which the murder was committed.

However, they were still investigating how the pistol - stolen by Piet "Skiet" Rudolph from the SA Airforce in April 1990 - came to be in the possession of Derby-Lewis. They are also anxious to trace about 20 other weapons stolen at the time.

Derby-Lewis and his Australian-born wife, Gaye, are being held Under Section 29 of the Internal Security Act.

Although police have established there was a rightwing conspiracy to murder leading politicians, it would appear that Walus may face the charge for the assassination alone because police maintain he acted on his own in deciding to kill Hani.

Police say they have evidence that Walus's brief was only to keep watch on the SACP chief's security arrangements, and that he seized the opportunity to kill Hani on the spur of the moment when he realised his body-

guard was not present.

Apparently Walus' girlfriend told police he had not given any indication of anything untoward when he left his flat that fateful morning.

Brig Frans Malherbe told City Press that Walus was not supposed to kill Hani that day, but was on a reconnaissance as he had been several times before.

He said that a Mrs Harmse, who had witnessed the killing, had seen him in his car in Dawn Park previously.

It would appear there could be two trials: One for the murder of Hani at which Walus will be the only accused, and a second for conspiracy to murder.

Apparently the murder docket has been completed, but police are still completing investigations into the conspiracy case.

A computer printer, on which a hit-list found in Walus's flat is alleged to have been printed, has been seized.

An important witness is believed to be a missing 33-year-old Cape Town man, Keith Howard Darroll, but police refuse to say how he is connected.

Malherbe said the release of some suspects did not mean they would not be charged.

WORLD RIGHT-WING NETWORK

A BRITISH activist has been identified as the kingpin in an international right-wing organisation headed by Clive Derby-Lewis, now being held in connection with the Chris Hani assassination.

Andrew Smith, chairman of the extremist London-based Western Goals Institute, was the go-between in setting up a network of international contacts for right-wingers in South Africa.

Last year Smith, 29, spent several weeks in South Africa taking part in an AWB-organised protest march at the SABC and campaigning for the No vote in the referendum.

In June, following the referendum defeat, Mr Smith and Mr Derby-Lewis set up a scheme to train white South Africans in the use of firearms to counter a perceived "terrorist onslaught" from the ANC. It involved the use of mercenaries from the SADF, the former Rhodesian army and Britain's crack SAS.

"Only a well-armed, well-trained white community can resist this horrendous violence," wrote Mr Smith in a document launching the programme. The project was under

UK activist is linked to Derby-Lewis's rightist group

By PETER MALHERBE in London and JOHN FRASER in Brussels

the "overall direction" of "commandant" Derby-Lewis, a former commanding officer of the Witwatersrand Rifles, who took over as president of Western Goals in February last year. He succeeded the notorious Salvadorean right-wing death squad

leader, Major Roberto D'Abuissou.

As the European Parliament came under pressure this week to investigate the links between right-wing groups in Europe and their South African counterparts, the vital role played by the Western Goals Institute has emerged.

Founded in the 80s to "promote the goals and values of Western civilisation", the institute forged links with right-wing groups in Europe, southern Africa and the US.

Western Goals openly embraced European leaders such as the neo-fascist Italian Social Movement (MSI) MP, Alessandro Mussolini and France's National Front Party leader Jean-Marie Le Pen.

FRAUD

Late last year the organisation was thrust into the limelight after its vice-president, Greg Lauder-Frost, was linked to international arms deals.

It was reported that Lauder-Frost, now jailed for fraud in Britain, had offered Russian arms for sale to an American businessman in October last year. He was allegedly put in touch with the American by Mr Smith.

Mr Smith has been instrumental in arranging access for Mr Derby-Lewis to top right-wing circles. In 1990 Mr Derby-Lewis not only met Jean-Marie Le Pen, but was Western Goals' delegate to the World Anti-Communist League conference in Brussels.

In 1989, Western Goals hosted the visit to Britain

of Conservative Party leader Dr Andries Treurnicht.

Mr Smith later wrote to Dr Treurnicht offering his "international network of friends and allies" to promote the South African conservative cause.

It is not known if any deal was struck between Dr Treurnicht and Mr Smith. It was clear that Western Goals was seeking financial support. In a letter to Mr Smith in May last year, Mrs Gaye Derby-Lewis wrote: "As far as your problem is concerned, Clive is discussing it with Treurnicht at the moment, but as you know I don't have much faith in any of them to get anything off the ground."

"Everything is in the doldrums here — the people are demoralised, there is no real leadership and frankly I feel very downhearted. I cannot see much hope with the leadership material at the moment. Things may change, however, so all is not lost."

Right-wingers face extradition to SA

EXTREME right-wingers in Europe could face extradition to SA after a European Parliament probe into outside involvement in the killing of Chris Hani.

The EC Assembly's Committee on Civil Liberties has been asked to draw up a report on links between those believed to be behind the murderer and far-right groups in Europe.

The demand follows the arrest of CP MP Clive Derby-Lewis for assisting last week.

"There is growing evidence of small groups of people inside political parties in Europe which may be sponsoring violence in SA," said Glyn Ford, leader of the British Labour Party's European MPs.

CONCERNED

Mr Ford said there was strong evidence to suggest links between Mr Derby-Lewis, the Western Goals Institute and the Conservative Party's Monday Club.

"Clive Derby-Lewis is also linked to French National Front leader Jean-Marie Le Pen and has appeared with him at meetings, but I am also concerned about links with similar groups in Spain, Germany, Italy and other EC countries."

Mr Ford, who is a long-time campaigner against racism, and fascism, hopes the European Parliament inquiry will uncover evidence of support by European groups for South African right-wingers.

"This might include details of funding and technical know-how for the activities of these South African extremists in their attempts to undermine progress towards majority rule," said Mr Ford.

He is also seeking a public hearing, in which evidence can be aired on links between European and SA right-wing groups.

"If we do find such evidence, it would amount to proof of illegal behaviour. This would open the way for the South African authorities to seek the extradition of European sympathisers who may have been involved in the assassination of Chris Hani."

On Thursday, the European Parliament passed a motion condemning the Hani killing and calling for a public inquiry in SA into the activities of the AWB, and for "effective and strict control" of the security forces.

European MPs called for free elections to be held in SA as soon as possible.



SILENT PROTEST ... Andrew Smith of the extremist London-based Western Goals Institute, during a protest at the SABC in March last year

Move to th of the world's Virginia ci

Wits students held over bomb blast at CP office

Sowetan 27/4/93.
By Sipho Mthembu

TWO Wits University students have been arrested under Section 29 of the Internal Security Act in connection with handgrenade attacks on Conservative Party offices in Roodepoort last week.

The arrests, which were carried out on campus without any notification to the administration, drew strong criticism from the university community.

Speaking at a Press conference yesterday, SRC President Mrs Linda Vilakazi-Tselane named the students as BA Sociology student Mr Tefo Kelebonye (25) and BA Honours student Mr Heinrich Bohmke (22).

South African Students Congress Wits branch chairman Mr Makhukhu Mampuru said the two were registered members.

West Rand police yesterday confirmed that two

■ Anger at campus arrest by cops:

students had been arrested last week in connection with the handgrenade attack on the CP offices last week.

Police liaison officer Major Henriette Bester said the students, both members of the ANC Youth League, were being held in terms of Section 29 of the Internal Security Act.

Vilakazi-Tselane said they were particularly worried by the police silence on the detentions and expressed fears that their colleagues may disappear like many other detainees in recent months.

She said it took the SRC almost the whole day on Friday to trace the two to the Krugersdorp police station.

Mr Kenneth Creamer of the SRC condemned the police for failing to identify themselves to security staff.

Pleas to detain, release CP man

Star 28/4/93
324
329
By Bronwyn Wilkinson
and Anna Louw

The immediate fate of Clive Derby-Lewis lies with the Pretoria Supreme Court following an urgent application lodged by the police to have a Section 29 Internal Security Act detention order extended.

At the same time as the police application tomorrow, and in the same building, Derby-Lewis's stepson, Andre Herman Glaser, will urgently apply for separate interdicts for the release of his stepfather and his mother, Gaye.

The police application will be heard in camera because of sensitive information.

It comes after a fruitless search for Keith Howard Darroll (33), whom police believe could provide vital information about the assassination of SACP leader Chris Hani.

Police liaison officer Brigadier Frans Malherbe said yesterday that Darroll was believed to be in Cape Town, and police suspected he had disguised himself.

Darroll's wife, a Cape Town nursery school teacher, and his parents said they did not know his whereabouts.

At this stage, evidence led at Glaser's two applications will be open to the public. Should sensitive information be presented before that court, an application for an in camera hearing will also be brought by the SAP.

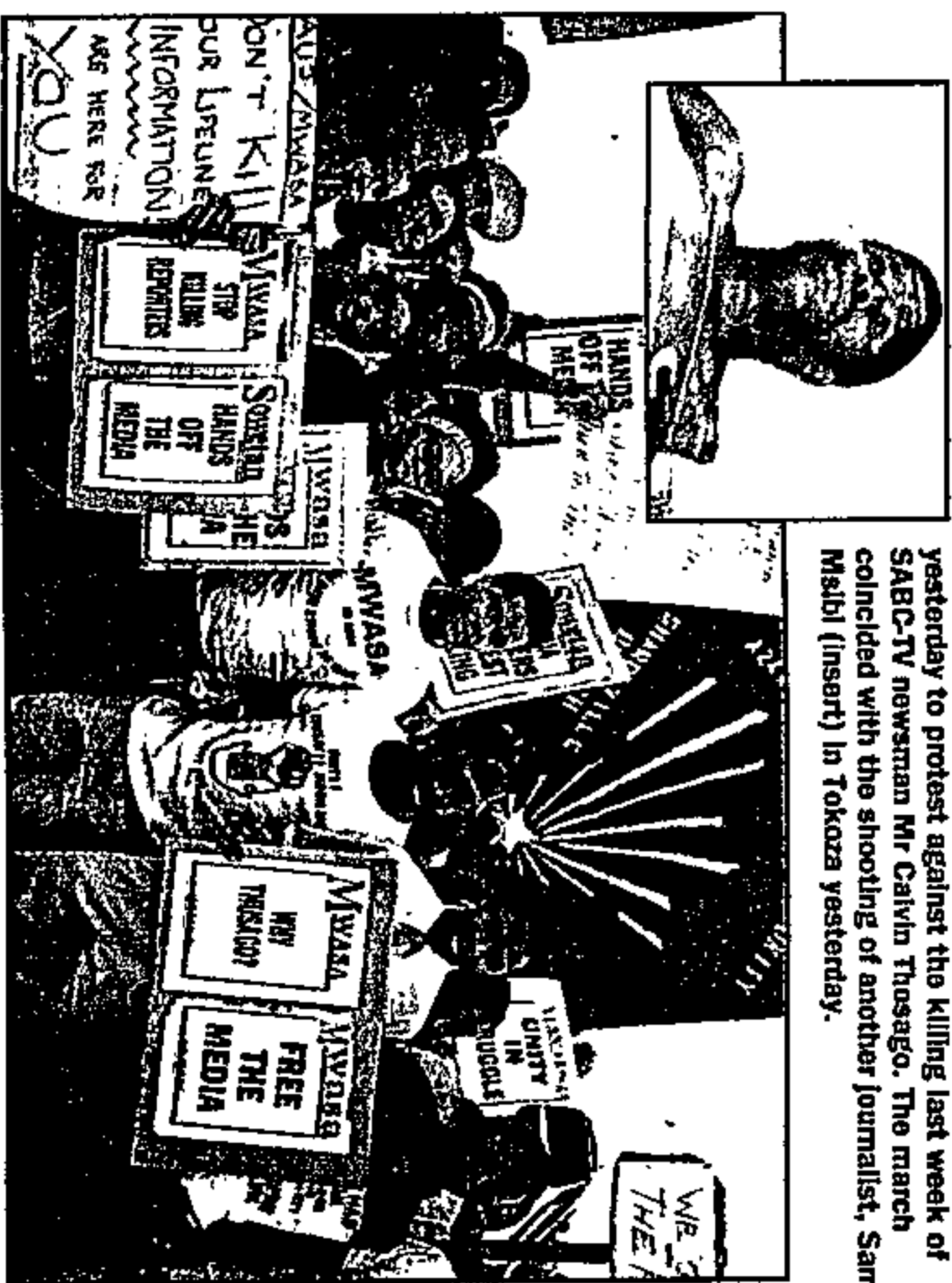
Witwatersrand Attorney-General Klaus von Lieres und Wilkau said last night that Derby-Lewis must either be released or charged if the SAP application failed.

If he was charged, this would be done immediately, he said.

Malherbe said the success of the SAP application could mean a further 10-day period of solitary confinement for Derby-Lewis, whose 10-day detention expires tomorrow.

Malherbe has confirmed that police believe Derby-Lewis supplied alleged assassin Janus with the gun that killed

Journalists converged on Sharpeville in the Vaal Triangle yesterday to protest against the killing last week of SABC-TV newsmen Mr Calvin Thosago. The march coincided with the shooting of another journalist, Sam Mshini (insert) in Tokoza yesterday.



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March

Goosefau 28 | 4 | 93

SIX PEOPLE HAVE BEEN arrested in Pretoria and two firearms confiscated in connection with the attack on Worldwide Television. News journalist Sam Mshini

Police spokeswoman Major Ida Van Zweek said the six, whose names she did not disclose, would probably appear in the Benoni Magistrate's Court on Friday.

Msibi (32) was attacked in Tlokoza on the East Rand on Monday night when his car was hijacked. He was shot five times and is in a serious condition at Natalspuit Hospital.

The attack follows shortly on that of SABC-TV journalist Calvin Thosago, who was killed in Sharpeville in the Vaul Triangle last Friday. Three men will appear in court on May 3 in connection with his killing.

Attacks on media workers

Meanwhile, about 300 journalists joined by hundreds of Sharpeville residents marched through the township yesterday to protest against the intimidation of and attacks on media workers.

Attacks on journalists since the beginning of the year have been on the increase, with 43 recorded since the death of SA Communist Party chief M. Chris Hanf 18 days ago.

SABC journalist Dudley Saunders is in hospital with severe injuries sustained during the same attack on Thosaga.

**By Joshua Raboroko
and Mzimasi Ngudle**

The march was addressed by leaders of Mwasia, the South African Union of Journalists, National Council of Trade Unions, Campaign for Open Media and a representative of the Sharpeville community, the Reverend David Keteboogloe.

Keteboogloe said the Sharpeville community was ashamed of what had happened and would embark on a programme to ensure that similar attacks did not occur again.

Bullet wounds in chest

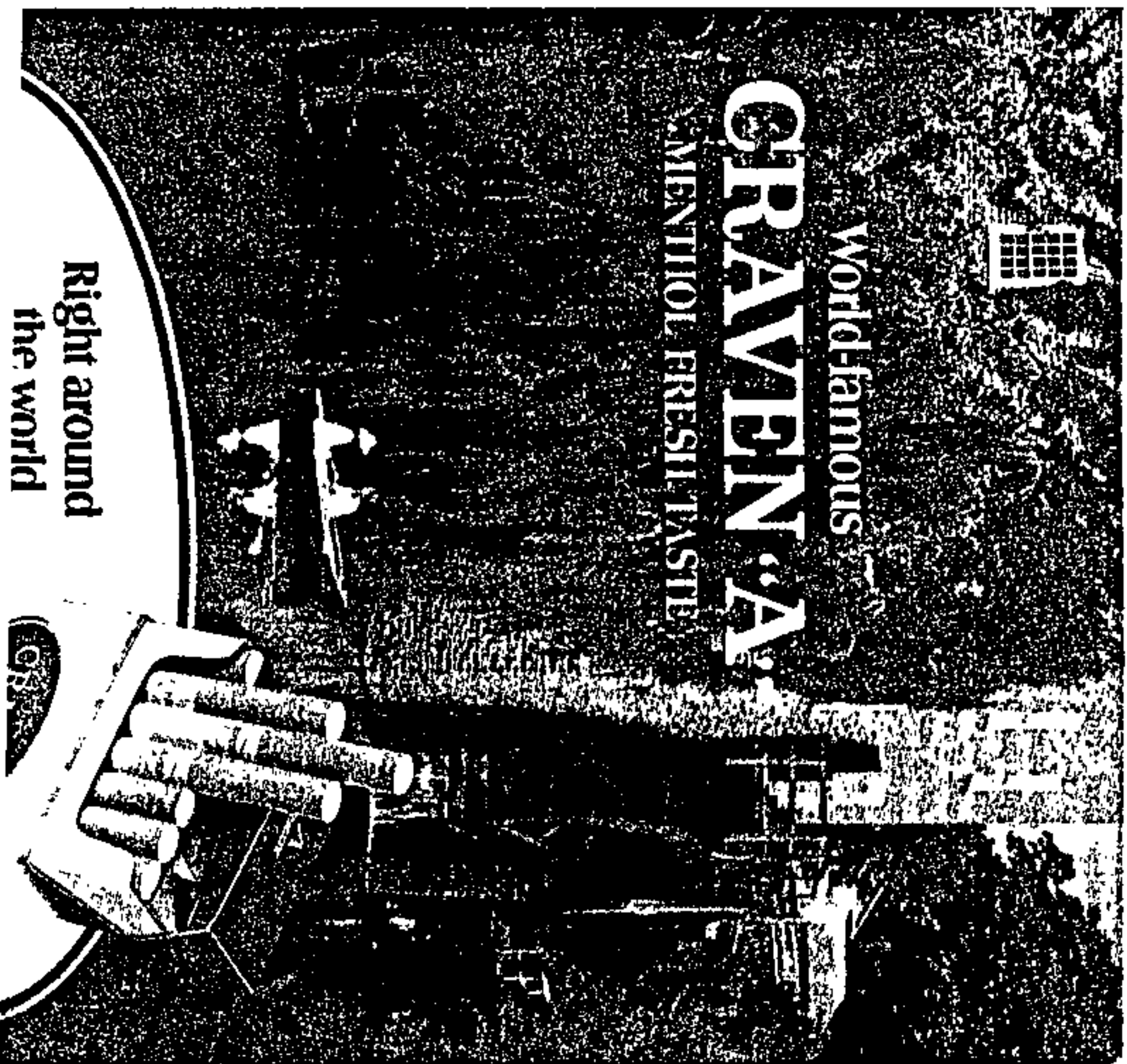
Speaking from the intensive care unit at Natsipunit Hospital yesterday, Maiti said: "I was driving through Tokoza about 7pm on Monday when four men opened the door of my car and ordered me at gunpoint to get out or they would shoot.

"I jumped out and punched one of the men. The others ran away while I wrestled with the one who was apparently bleeding."

"One of them fired a shot and I was hit in the chest. Shots were then fired at me as a I ran towards nearby houses," he said.

The gunmen later drove off in Msibi's car with his video camera and other equipment. The car was later found in Pretoria.

He was helped to the Nalaspur Hospital, where he was admitted with bullet wounds in the chest and shoulder.



**Right around
the world**

Six held after shooting of TV man

POLICE arrested six people in connection with the shooting of Worldwide Television News cameraman Sam Msibi on Monday night, reports Sapa.

Police also recovered Msibi's vehicle and confiscated two firearms.

The men, held after the stolen car was involved in an accident in Pretoria, are expected to appear in the Benoni Magistrate's Court on Friday.

Msibi was shot five times in Katlehong on the East Rand, and is in a serious but stable condition in Natal-spruit Hospital.

MARIANNE MERTEN reports that Sharpeville residents yesterday spontaneously joined a journalists' march in the township commemorating the killing of SABC reporter Calvin Thusago last week and other attacks on journalists.

About 100 journalists were joined by Sharpeville residents. Media Workers' Association of SA spokesman Mathatha Tsedu reminded marchers it had been journalists who had spread the news about the Sharpeville killings in 1960.

"Today we have OAU monitors to make sure you

do not kill us," he said, warning that if attacks continued, journalists would not go into the community.

SAUJ president Dirk Hartford said yesterday more than 40 journalists had been attacked since SACP general secretary Chris Hani's assassination 16 days ago. "The only people we can rely on to stop the killing is the community," he said. (329)

Nactu general secretary Cunningham Ngckana said that killing journalists was "going against the grain of the struggle".

Police bid to extend Derby-Lewis detention

POLICE are seeking to detain CP member Clive Derby-Lewis for a further 10 days in terms of Section 29 of the Internal Security Act after his current detention period expires tomorrow.

Derby-Lewis was arrested on April 17 in connection with the assassination of SACP chief Chris Hani.

Police spokesman Brig Frans Malherbe said yesterday police would bring an application before the Supreme Court in Pretoria tomorrow to extend the detention. In terms of the Act, the detainee must be

WILSON ZWANE

charged or released after 10 days.

Malherbe said Derby-Lewis's stepson Herman Graser had brought two applications in the Supreme Court against the further detentions of Derby-Lewis and Derby-Lewis's wife Gaye, also held in connection with the Hani killing. Graser's applications would also be heard tomorrow.

Malherbe would not give reasons for the police application, saying they were con-

tained in the application, which would be heard in camera.

"Police will not detain anyone unnecessarily," he said, adding that investigations into the killing had not been concluded.

Lawyers for Human Rights said it was not unusual for police to seek an extension of a person's detention period if they felt they still lacked information.

"In that case, police have to bring an application before a Supreme Court judge. The application can be opposed by the detainee," the organisation said.

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Natal cops find arms cache in swoop

TEN men have been arrested and a large cache of firearms and ammunition confiscated during police operations at Mchomnyama in Port Shepstone on the Natal South Coast, SABC radio news reported yesterday.

■ **Peace meeting planned for Port Shepstone in wake of violence:**

Police said four AK-47 rifles, eight revolvers, a 303 rifle, a shotgun, 57 SSG shotgun cartridges and a variety of other ammunition were confiscated. Meanwhile, police say the situation is calm at Murchison near Port Shepstone. Sapa.

Police oppose bail move

Southern 28/4/93

By Themba Molefe
Political Reporter

POLICE ARE to apply for an order in the Pretoria Supreme Court tomorrow to further detain senior Conservative Party member Mr Clive Derby-Lewis under Section 29 of the Internal Security Act.

Derby-Lewis was detained at his Krugersdorp home on April 17 in connection with the assassination of South African Communist Party general secretary Mr Chris Hani.

Derby-Lewis' wife Gaye was also detained in terms of the same Act on April 21.

According to Witwatersrand regional police commissioner Brigadier Frans Malherbe, Gaye Derby-Lewis' son, Mr Herman Graser, has made two urgent applications to stop the detention of the couple.

"We are obviously opposing the application as we believe the couple is still needed for further

FURTHER INVESTIGATION Police want

Supreme Court order to extend detention of CP

executive member Clive Derby-Lewis:

(329)

investigation, Malherbe said. He would not elaborate. Mrs Derby-Lewis' 10-day detention in terms of the Act will expire on Saturday.

Malherbe said one option was to charge the Derby-Lewises but investigations were at a critical and "sensitive" stage. Again, he would not elaborate.

Mr Derby-Lewis was arrested after prime suspect Polish immigrant Janus Walusz "eventually co-operated" with the police. Walusz was arrested minutes after he allegedly shot Hani at his Dawn Park, Boksburg, home on April 10. Malherbe confirmed the firearm which killed

Hani was allegedly supplied by Derby-Lewis.

The investigation into Hani's assassination is being closely monitored by former head of Scotland Yard's anti-terrorist branch, Commander George Churchill-Coleman, and Dr Ralf Kruger, former head of the State Bureau for Criminal Investigation of Baden-Wuerttemberg in Stuttgart, Germany.

Witwatersrand Attorney-General Mr Klaus von Lieres and Wilkau said this week that he was studying documents supplied by the police and would decide later whether to charge Derby-Lewis and his wife.

news in brief

Massacre: Seven held

SEVEN men have been arrested in connection with the massacre of 21 people — including women and children — in Sebokeng on the eve of Chris Hani's funeral.

Police announced yesterday that a man was arrested yesterday after police received information. The other six were detained for questioning on Tuesday.

Save for 29/4/93

Key Hani witness held by police

■ Keith Darrell surrenders in Cape:

POLICE have detained Mr Keith Darrel in connection with the assassination of SA Communist Party leader Mr Chris Hani.

"Mr Darrel surrendered by reporting to the police," police spokesman Brigadier Frans Malherbe said yesterday.

Malherbe said Darrel was being detained in a Cape Peninsula prison.

Police had earlier said Darrel was not a suspect but could help with the investigation.

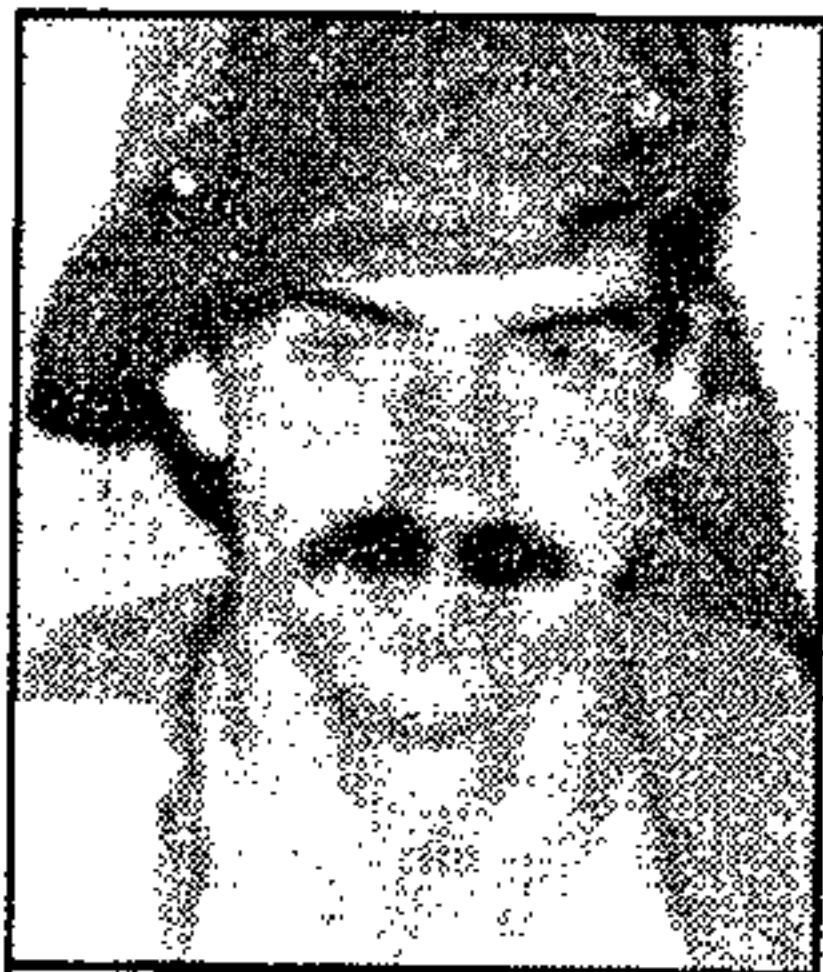
Polish immigrant Mr Janus Waluz was arrested in Boksburg minutes after Hani was shot dead. Top Conservative Party official Mr Clive Derby-Lewis and his wife Gaye are also being held in connection with the killing.

Meanwhile, police will today apply for an order in the Pretoria Supreme Court to further detain Mr Derby-Lewis under Section 29 of the Internal Security Act. His wife is also held under the same section.

Witwatersrand Attorney-General Mr Klaus von Lieres und Wilkau said earlier this week he would decide later whether to charge Derby-Lewis and his wife.

— Sapa.

29/4/93



Keith Darroll . . . held in
Cape Town.

Hani: man held, freed

Keith Darroll, held for questioning in connection with the assassination of South African Communist Party general secretary Chris Hani, was freed yesterday.

Witwatersrand police liaison officer Brigadier Frans Malherbe said Darroll, who surrendered to the police on Tuesday evening, was released at 6 pm yesterday in Cape Town.

Hani was assassinated in

Star 29/4/93
(329)
the driveway of his East Rand home on April 10.

Police earlier said Darroll was not a suspect but could help in the investigation.

Polish immigrant Janus Waluz was arrested in Boksburg minutes after Hani was shot dead. Conservative Party official Clive Derby-Lewis and his wife Gaye are also being held in connection with the killing. — Sapa.

Hani: wanted man surrenders to police

KEITH Darrel, described by police as an important link in their investigations into SACP general secretary Chris Hani's killing, has handed himself over to police.

Police said on Friday they were looking for Darrel, who could provide information that could assist the investigation. They stressed that he was not a suspect.

Yesterday police spokesman Brig Frans Malherbe said Darrel was being held for questioning in a Cape Peninsula prison. He refused to give further details.

DIRK VAN EEDEN

329

Today the Supreme Court in Pretoria will hear a police application to detain CP member Clive Derby-Lewis — arrested on April 17 — for a further 10 days in terms of Section 29 of the Internal Security Act. The application will be heard in camera.

Derby-Lewis's stepson André Herman Glaser will also bring a court application for the release of his stepfather and his mother Gaye.

● Comment: Page 12

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Sebokeng massacre: police hold 7

By Charmela Bhagwat
Crime Reporter

Seven men are being held in connection with the massacre of 21 people — including women and children — that occurred in Sebokeng on the eve of Chris Han's funeral.

As Sebokeng residents filled the stadium yesterday to pay their last respects to 12 victims of the April 18 slaughter, police announced that one man was arrested on Tuesday after police received information.

The other six were detained for questioning yesterday. SAP deputy regional commis-

sioner in the Vaal Triangle, Brigadier Floris Mostert, said the seven ranged in age from 20 to their late thirties.

The mass funeral began peacefully with busloads of mourners and groups of toying youths making their way to the stadium. One at a time, hearses pulled into the stadium with sirens blaring.

Coffins were placed in a straight line on the dusty stadium grounds, surrounded by the grieving families and friends of Edward Maseko (8), Paul Moshodi (42), Johannes Motsei (52), Johannes Malope (26), Dolly Magoda, Maria Baas

(23), Paulus Pholo (24), Lucas Mshibi (24), William Mshlimbe (24), Isaac Lehuthile (35), Jacob Rashiane (35) and Oupa Molo.

In the centre was young Edward's coffin, a white one less than half the size of the others.

On Johannes Malope's coffin was placed a gold and green soccer uniform. Members in the full kit of his team, the Eleven Ideas, formed a guard of honour.

Speakers appealed for calm in the violence-ravaged township. Most stressed that journalists were not the "people's enemies".

PWV ANC deputy chairman Mathole Motshekga told mourners it was not the ANC's policy to attack journalists.

ANC national executive member Patrick Lekota said anyone wanting to loot shops, burn houses, murder people and attack journalists should first "take off the colours of the ANC, SACP and Cosatu".

In an attempt to prevent attacks on journalists yesterday, the ANC provided marshals to escort the media into the township. They had to intervene quickly on one occasion when a youth threatened a journalist with a knife.

Derby-Lewis aware of a plot police

ADRIAN HADLAND

PRETORIA — Police interrogators were convinced CP member Clive Derby-Lewis was withholding information concerning a wide right-wing conspiracy to assassinate political leaders, the Supreme Court in Pretoria heard yesterday.

Police thus sought to extend his detention under Section 29 of the Internal Security Act for a further 10 days.

In papers before the court, it was alleged that Derby-Lewis and Janusz Walus, a suspect in the murder of SACP leader Chris Hani, had become concerned by the direction of SA politics since February 1990. People who opposed their political aims were identified and it was decided to eliminate them, the court heard.

SAP counsel Mac van der Merwe said Walus's certainty — even after his arrest — that further political murders would be carried out pointed to a wider conspiracy which threatened the security of the state and the current political process.

Information being collected by SAP investigators, including that supplied by Keith Darrel (released after questioning on Wednesday), would be put to Derby-Lewis over the next 10 days to ascertain the scale of the conspiracy, Van der Merwe said.

Judge T J Curlewis, who adjourned the police application until today, stressed that Derby-Lewis had categorically denied he had had anything to do with the murder. He said he was astounded and horrified by

□ To Page 2

Derby-Lewis

Derby-Lewis's trial by media.

Derby-Lewis was in a very difficult situation; he had been deprived of the right to remain silent and yet an extension was being sought by police on the grounds that he was withholding information.

"Here is a person against whom there are serious allegations, but how does he deal with it?"

The judge said he was puzzled that no application to hold the hearing in camera

had been requested. It was very upsetting that information contained in court documents would go out to the public.

The court was told that an extension of Gaye Derby-Lewis's detention order would not be sought and that she would be released by tomorrow.

Two urgent interdicts, brought by Derby-Lewis's stepson Andre Glaser for their release, were postponed until today.

□ From Page 1

'Hani was slain to stop talks'

By Bronwyn Wilkinson

CP President's Council member Clive Derby-Lewis and Polish immigrant Janus Waluz plotted the assassination of SACP chief Chris Hani because they were worried about the direction of South African politics after February 1990, it was claimed in the Pretoria Supreme Court yesterday.

Hani and eight other prominent South Africans, whose names appeared on a "hit list" found in the flat of alleged assassin Waluz, were identified as enemies of Derby-Lewis's own political aims, SAP advocate Mac van der Merwe said.

He was arguing during an urgent SAP application for the detention of Derby-Lewis for another 10 days under section 29 of the Internal Security Act.

Derby-Lewis did not appear in court, the hearing was adjourned until today and Derby-Lewis will stay in detention pending the court's decision.

He wanted to bring about political change by halting negotiations, and killing Hani was one way to do this, Van der Merwe told Mr Justice Curlewis.

According to affidavits, Derby-Lewis told police investigators he had not seen Waluz since 1990, but later he said this was untrue and he had seen him recently.

The pair had planned the Hani assassination together, and Derby-Lewis had instructed Waluz to carry out the assassination, supplying him with a weapon to do so, the court was told.

Waluz was arrested soon after Hani was assassinated on April 10 and Derby-Lewis was arrested last Saturday.

Advocate Hennie de Vos, appearing for Derby-Lewis, said he had denied telling police he had either plotted the Hani killing or instructed Waluz to carry it out.

Arguing that police needed to detain Derby-Lewis for an-

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'Hani slain to stop talks'

● From Page 1

other 10 days, Van der Merwe said he was withholding information on the conspiracy surrounding the Hani assassination and the planned killings of other people he had identified as his political enemies.

De Vos argued that it was impossible for police to say Derby-Lewis had more information.

But the judge pointed out that in his affidavit, Derby-Lewis had said he was prepared to give the police more information if his own rights were guaranteed and he was assured that his information would not incriminate him.

"This can only mean that he has more information to give," Curlewis said.

Van der Merwe said that police had also questioned Keith Darroll, who was held for questioning on Wednesday, and they wanted to put to Derby-Lewis

some of the information Darroll had given them.

He said Derby-Lewis had also refused to tell police where the Hani murder weapon had come from.

De Vos argued that the police simply wanted to detain Derby-Lewis further in the hope that he would incriminate his wife, Gaye, who is also being detained under section 29 of the Internal Security Act.

He said there was no proven link between Derby-Lewis obtaining the gun and the assassination, and the fact that he refused to say where the gun had come from could not be grounds for further detention.

The judge said it was impossible to believe that one person would have carried out all the planned assassinations on the hit list, and that the full ambit of the conspiracy would be revealed sooner or later.

The court heard Waluz had

told police under questioning that, despite his arrest, the assassinations would continue.

De Vos argued that for Derby-Lewis to be detained under section 29, the SAP had to show that the motive of the murder was political and that the alleged assassins intended to effect political change.

The judge said Hani's assassination could not be considered an "ordinary crime", and although section 29 detention was unfair and stringent, the police were worried about a conspiracy that could affect the stability of the State — not just the present Government as such.

The hearing continues today, as will two applications for the Derby-Lewis' release, although Gaye Derby-Lewis must be released or charged tomorrow morning since the SAP would have had to bring an application yesterday for her continued detention.

Police in breakthrough

Sowetan 30/4/93 **■ Cops make arrests over killings near FNB Stadium:** *329*

SEVERAL arrests have been made in connection with the murders of Mr Rudolf Botes and Mr Alfred Dreyer near the FNB Stadium, outside Soweto, on April 19 - the day South African Communist Party leader Mr Chris Hani was buried.

A brief statement issued yesterday by the SAP public relations division in Pretoria said police last Friday received a call on their Crime Stop toll-free number from a person who said he knew

the identities of the killers. *228*

The caller supplied the police with six names and three addresses and, acting on this information, made "a number of arrests".

"The matter is still under investigation and the names of the suspects cannot yet be made known," the police statement said.

On the day of Hani's funeral service, youths torched five houses and Botes and Dreyer were killed. - Sapa.

NEWS Alleged assassin on Hani killing • Tip-off led police to search for explosives

CP man 'gave me gun to shoot Hani'

THE ALLEGED ASSASSIN of Mr Chris Hani has claimed that top Conservative Party member Mr Clive Derby-Lewis gave him a gun and a silencer to shoot the South African Communist Party chief.

This is what Mr Janus Waluz, the man accused of assassinating Hani, allegedly told police, according to documents filed in the Pretoria Supreme Court yesterday.

Legal counsel for the police were applying for an extension of the 10-day limit on Derby-Lewis' detention under Section 29 of the Internal Security Act

makes startling claims in court papers:

CP CONNECTION Janus Waluz

in connection with the assassination. Reference was also made in the documents to an affidavit in which Derby-Lewis admitted he had identified certain "enemies".

He said in the affidavit that he had decided that Hani and these "enemies" should be killed.

Affidavits made to and by police conducting the investigation were

handed in the application before Mr Justice Curlewis.

Derby-Lewis will know today whether he is to remain in detention.

Justice Curlewis withheld judgment in yesterday's application by General L.P. du Toit that the detention period be extended for another 10 days.

Derby-Lewis' wife, Gaye, is expected to be released today. - Sapa.

Sowetan 30/4/93.

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CP's Gaye faces murder charge

**NORMAN CHANDLER
and SAPA**

GAYE Derby-Lewis, wife of Conservative Party member Clive Derby-Lewis, had been charged with the murder of SACP general secretary Chris Hani, a senior police spokesman said last night.

After hours of confusion following her appearance in the Boksburg Magistrate's Court, Brigadier Frans Malherbe said Gaye Derby-Lewis had been charged with murder, even though no formal charge had been presented in court.

"She appeared on an indictment as a second accused after Janus Waluz, who appeared previously in connection with the same case," Malherbe said.

No bail application was lodged and the case was postponed to May 12, when Waluz would also appear in court.

Earlier Boksburg chief prosecutor Jan Ferreira said he had asked the court for her name to be added to the murder charge sheet drawn up for Waluz.

Police yesterday won an application before Mr Justice Curlewis to hold Clive Derby-Lewis in terms of the Internal Security Act until May 8.

Hit list

The Derby-Lewis were detained in the week after Hani's assassination. Polish immigrant Waluz was arrested in connection with the murder several hours after the event, and is being held in terms of section 29 of the Internal Security Act.

Waluz, in whose Pretoria flat police allegedly found a hit list naming nine prominent South African politicians and journalists, has not yet been charged.

Dismissing an application for damages resulting from wrongful arrest, the judge said he did not see anything sinister in Gaye Derby-Lewis having been held in terms of the Act. He did, however, agree with counsel for Clive Derby-Lewis, Hannes de Vos SC, who argued on Thursday for his release, that legislation such as the Act was unfair because it deprived detainees of freedom and access to others. However, when it came to the interests and integrity of the State, such legisla-

● TO PAGE 2.

Hani

FROM PAGE 1.

tion... justifiable. According to affidavits submitted to the court, police officer Captain Nic Deetlefs said Waluz had told him that Clive Derby-Lewis had given him a gun and silencer and had told him to shoot Hani during the Easter weekend.

Waluz told Deetlefs he had made five reconnaissance trips to Hani's house before seeing him there on April 10 and seizing the opportunity to kill him.

Meanwhile, people on the hit list allegedly found in Waluz's flat could still be at risk, according to an affidavit by SAP Colonel Adriaan van Niekerk handed to the Pretoria Supreme Court this week.

Supporting the application for the continued detention of Clive Derby-Lewis, van Niekerk said he suspected that more people were involved in a plot to kill those on the list — one of whom had been Hani.

Waluz had said after his arrest that more people would be assassinated despite his detention.

Walus and Derby-Lewis complain of long grillings and sleep denial

21/5/93

By NICK OLIVARI

THE man accused of assassinating Chris Hani and the former Conservative Party MP who allegedly supplied him with the murder weapon claim they are being interrogated day and night.

The claim was made this week in affidavits filed with the Pretoria Supreme Court during an application for the release of right-winger Clive Derby-Lewis.

Alleged assassin Janusz Walus and Mr Derby-Lewis is claimed in the affidavits that they were being subjected to extended periods of interrogation after first being deprived of sleep.

In a handwritten affidavit, Mr Walus vehemently denies that any statements the police claim he has made to them about his — or anyone else's — involvement in the murder have been made "willingly or whilst I had been by my full conscience".

Death

He says he is "in a healthy and fit condition", and that he has "no intention to make any statement whatsoever in regard to this matter".

But he adds that since his detention, he has been interrogated for "lengthy periods" and "denied sleep for very lengthy periods before such interrogation".

In an affidavit made to attorney Henrie du Plessis, Mr Derby-Lewis, 57, says: "I have already been threatened with death three times while I have been in detention."

He claimed that one night when he was asleep, unknown people had entered the holding area outside his cell and stood outside his door. He had heard voices saying: "We will come and get you ... we will kill you."

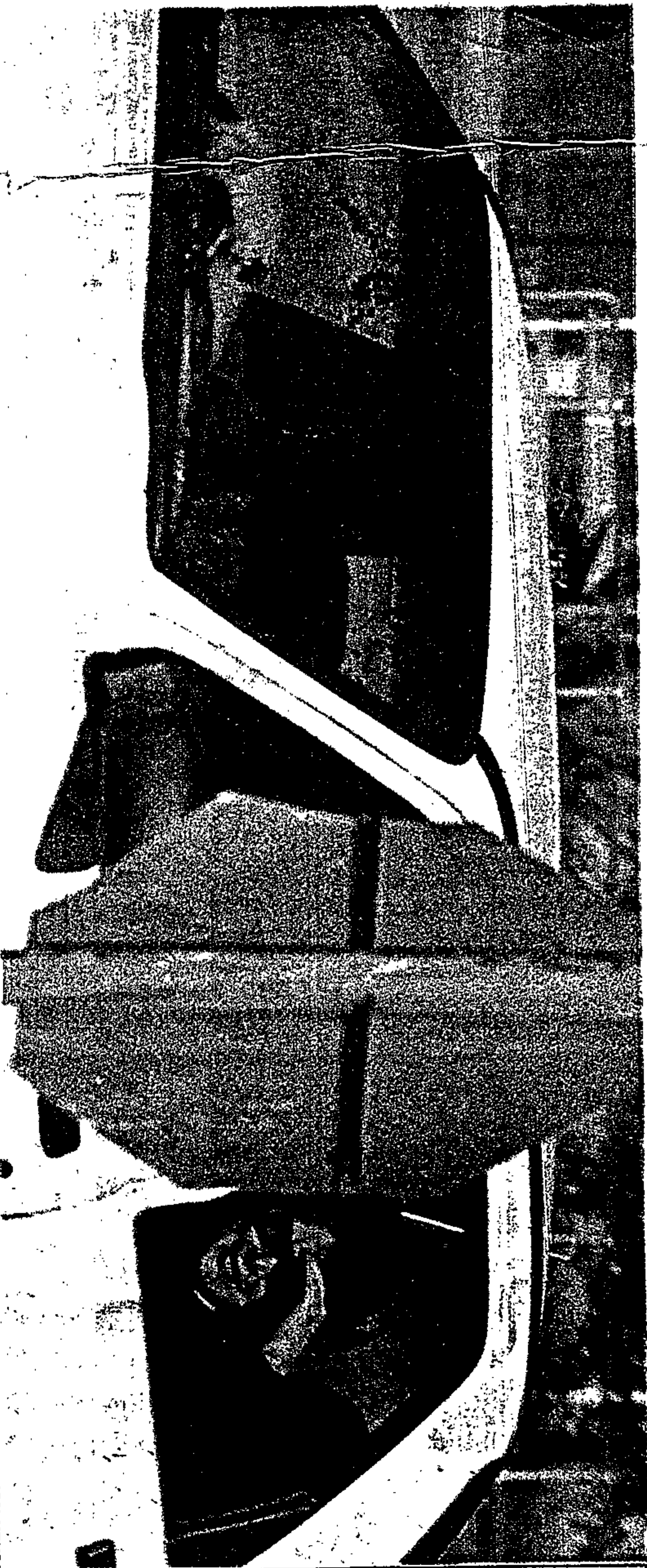
Since the public did not have access to his cell, Mr Derby-Lewis said he presumed the threats were "made by members of the police".

He complained of being taken for interrogation the minute his evening meal

□ To Page 2

NEXT STOP PRETORIA, CENTRAL PRISON: Police speed away from the Boksburg magistrate's court with Mrs Gaye Derby-Lewis after she was named as co-accused in the Hani murder

Picture: JON HRUSA



GENERAL RAULS PILOT WITH THE RIGHT

21/5/93

PLANS for a right-wing power bloc led by retired police and army generals will be disclosed at a mass meeting in Potcheitroom on Thursday.

The generals were asked by Conservative Party politicians to forge an alliance between the squabbling right-wing splinter groups to oppose a future ANC government.

One of their first objectives is the formation of a "White People's Army" drawn from traditionally conservative white quarters — farmers, miners and railway workers.

The "army" is part of a renewed stirring of the right-wing forces after the tensions caused by the assassination of SA Communist Party leader Chris Hani and a burst of apparently racially inspired attacks on white farmers.

By JOCELYN M. M. R.

New law nails
SA tax dodger



Walus complains of sleep denial

51 Times 215193

□ From Page 1

arrived and only being returned to his cell at midnight. "I am being psychologically broken down."

He added he was being "virtually forced to answer questions and thus denied my right to silence".

In his affidavit, the SAP's Colonel Ivor Human confirmed Mr Derby-Lewis was being questioned intensively. (32A)

Denying an urgent application for Mr Derby-Lewis's release, Mr Justice Curlewis agreed with Mr Hennie de Vos, counsel for Mr Derby-Lewis, that the Internal Security Act was unfair as it denied a detainee access to legal representatives and visitors.

But, he said, such legislation was the same the world over, and was intended to uphold the integrity of the state.

He granted the police request for Mr Derby-Lewis to be held for another 10 days under the Internal

Security Act for further questioning.

In affidavits before the court, investigating officers said Mr Walus had told them he had been given a gun and a silencer by Mr Derby-Lewis, and told to shoot Mr Hani during the Easter weekend.

They said Mr Walus had also revealed that Mr Derby-Lewis had given him a "hit list" of nine people who were to be killed, and that he had shot Mr Hani after five reconnaissance trips.

The addresses of those on the list had been supplied to Mr Derby-Lewis's wife, Gaye, by former journalist Arthur Kemp, the court heard.

In his affidavit, Mr Derby-Lewis denied he had ever given orders for Mr Hani or anyone else to be murdered, that he had provided Mr Walus with a pistol and silencer or that his wife had received a hit list from anyone.

State prosecutor Mac van der Merwe told the

court it appeared Mr Derby-Lewis had been involved in the planning of several killings besides that of Mr Hani, and that he was believed to be withholding information about the weapon used to kill Mr Hani. (32B)

Less than three hours after Mr Derby-Lewis's application for release was turned down, his wife appeared in the Boksburg magistrate's court in connection with the assassination of Mr Hani.

Mrs Derby-Lewis, 54, listened impassively and declared she had nothing to say after being told she was a co-accused in the Hani murder. (32C)

Her surprise court appearance came less than 18 hours before the expiry of her 10-day detention period under section 29 of the Internal Security Act.

She was remanded, and will be held in Pretoria Central Prison until her next court appearance — with Mr Walus — on May 12.

'Charge or release MP' - Institute

THE South African Institute of Race Relations on Friday called for the immediate scrapping of the 10-day detention provisions of the Internal Security Act. *C Press 2/5/93*

In a statement on Friday, the institute said a full and complete return by SA's security legislation to the principle of *habeas corpus* was long overdue.

Referring to police attempts to extend the 10-day detention of Conservative Party member and MP Clive Derby-Lewis, the institute said he should "simply be charged or released". (329)

Derby-Lewis detention necessary, court rules

8pm 3/5/93

329

PRETORIA — Continued detention of CP member Clive Derby-Lewis under Section 29 of the Internal Security Act was justified, Judge T J Curlewis ruled in the Pretoria Supreme Court last week.

Derby-Lewis, arrested last month in connection with the assassination of SACP leader Chris Hani, will be due for release on May 9 if a further extension is not sought by police.

Curlewis said the use of "drastic" legislation to detain Derby-Lewis — Section 29 allows for solitary confinement and no access to lawyers or family — was justified as activities he was allegedly involved in could be seen as a threat to the integrity of the state.

The 10-day extension was granted by Curlewis on the basis that Derby-Lewis was withholding information regarding a right-wing "conspiracy" to murder political opponents.

Papers and affidavits before the court alleged Derby-Lewis and Janusz Walus, also in custody, had

ADRIAN HADLAND

drawn up a list of political opponents to be assassinated. These opponents were identified due to their participation in political developments contrary to the beliefs of Derby-Lewis and Walus.

Police documents also indicated that Derby-Lewis had given Walus a gun and silencer with which to kill Hani over Easter.

Curlewis expressed surprise during the application last week that proceedings were not held in camera. Information made available to the public could prove contrary to Derby-Lewis's legal interests.

By the time Derby-Lewis appeared in court, if this happened, he would already have been tried and hanged by the media, he said.

Two further applications, brought by Derby-Lewis's stepson Andre Graser for the release of his parents on grounds of unlawful arrest, were dismissed with costs.

In turning down the application for the release of Gaye Derby-Lewis, Curlewis said she had not been detained simply on the grounds that she was married to Clive, as argued by her counsel Hennie de Vos.

The police had every reason to believe that she was "involved in the matter and was reluctant to talk", Curlewis said.

It was alleged in court documents that Gaye Derby-Lewis had asked (Citizen reporter) Arthur Kemp to provide her with the addresses of people on the "hit list" in order that they could be murdered, Curlewis said.

"If one reads the affidavits fairly it is perfectly clear the facts, if correct, demonstrate that she was involved whether directly or indirectly".

Should police require a further extension of Derby-Lewis's detention and interrogation under the Internal Security Act, a new application would have to be submitted before midnight on May 9.

Star 4/5/93
Tvl woman dies in custody

An eastern Transvaal woman died in police custody on Friday, regional commissioner of police Major-General C L Smith announced yesterday. Sellinah Tsotetsi of the farm Hartbeeskulval was detained in terms of the Mental Disorder Act. She was detained alone, and was found dead at 9 pm on Friday, Smith said. She died of natural causes, and foul play was not suspected.

(329)

Death in custody

Sowetan 4/5/93
AN Eastern Transvaal woman died in police custody on Friday, regional commissioner of police Major General CL Smith said yesterday. (329) (253)

Ms Sellinah Tsotetsi, of the farm Hartbeeskuil Val, was detained in terms of the Mental Disorders Act.

She was detained alone and was

Sowetan 4/5/93
Found dead at 9pm on Friday, Smith said. She died of natural causes and foul play was not suspected, he said.

A law in need of review

BRIAN CURRIN says the detention of right-wingers in connection with the killing of Chris Hani highlights shortcomings in our law

329
Times
9/5/93

WITH the recent detention of Clive Derby-Lewis, his wife and other right-wingers suspected of involvement in the Chris Hani assassination, the provisions of the 1982 Internal Security Act and, in particular, those relating to detention without trial are once again the focus of public attention.

Thousands of people were detained without trial during the last decade, and this violation of fundamental human rights was often on the receiving end of intensive lobbying and litigation by human rights lawyers.

About a year after South Africa entered its new era under President de Klerk, the Minister of Justice spearheaded a number of amendments to the Internal Security Act, some aimed at detention without trial.

Despite criticism from human rights activists, the impression was created that our detention laws were now in line with international norms and standards. That, of course, is totally untrue.

Although the notorious Section 29 was amended and "improved", other detention provisions remain unchanged. Section 31, for example, still provides for detention without trial of an

individual who is likely to give material evidence for the state in any criminal proceedings which may serve as a basis for an offence, or any individual who may be tampered with or intimidated or may abscond, or wherever the Minister deems it in the interests of such person or the administration of justice.

The person arrested will be imprisoned without trial until criminal proceedings are concluded. No time limits are specified for this detention. Section 31 also denies any court jurisdiction to order the release of the detainee. This section begs to be abused.

If a court orders the release of the Section 29 detainee, how easy it would be for the state to convert a Section 29 detention to a Section 31 detention by claiming that the detainee is likely to be a state witness or that he/she may be tampered with, intimidated or may abscond.

But what about the enlightened amendments to the notorious Section 29?

Although there are improvements, the amended section does have several serious flaws. For example, a commissioned officer above the rank of Lieutenant Colonel is responsible for notifying a relative of the detainee

of his/her arrest and the place of detention. However, the relative need not be notified if the Commissioner has reason to believe it will hamper the police investigation.

Surely, parents, wives and husbands have a right to know when a loved one has been arrested. A competent police investigation cannot possibly be hampered by such knowledge.

Furthermore, the detainee has no automatic right to a legal visit during the initial 10-day period.

The right to consult a lawyer is limited for the purpose of preparing opposition to an application by the state extending the period of detention. A legal representative can be notified only when the commissioned officer files an application with a judge in chambers to extend the initial 10-day detention. It is not clear whether the officer is obliged to inform the detainee that there is a right to legal representation.

Finally, the procedures involved in extending the initial 10-day detention period present additional problems.

An application by the state to extend the detention period must be made to a judge in chambers at least 48 hours before the 10-day

period expires. One would presume that the detainee would also be given 48 hours' notice. However, the law states that the detainee need only be notified about the application before it is heard.

Such short notice would certainly hinder the detainee and his/her lawyer in preparation. By tilting the playing fields of justice so unfairly, the Act treats with contempt the concept of fundamental fairness and due process of law.

Besides the spate of recent detentions of anti-reform right-wingers, arrests and detentions in terms of the Internal Security Act have continued during the past three years, albeit far fewer than before. Negotiations and related political events have overshadowed these violations of due process.

It's about time that the Minister of Justice took the initiative and made some contribution towards promoting a human rights culture in South Africa. A good starting point would be a serious revision of the Internal Security Act which should, in our view, include the total scrapping of detention without trial.

□ Brian Currin is national director of Lawyers for Human Rights.

Police held after raid

STEPHANE BOTHMA

TWENTY-two people, including five policemen and two traffic officers, have been arrested for their alleged involvement in an international car smuggling racket involving millions of rand. (329)

Pretoria police had already confiscated 36 expensive vehicles and were investigating the smuggling of more cars across SA's borders, Col Johan Mostert confirmed yesterday. B/DAY

He said it was likely that more property would be confiscated as investigations continued. 11/5/93

The names of those arrested, including well-known Mamelodi and Eersterus businessmen, would be released when they appeared in court later this week.

Mostert said three pistols had also been seized and police were investigating the link to several car hijackings.

It is believed the cars were exchanged for drugs, gold and diamonds which were sold and profits split among members of the syndicate, but Mostert could not confirm this.

It is further believed that several well-known sports personalities were involved in the syndicate.

Medicine prices are 'far too high'

B/DAY 11/5/93
KATHRYN STRACHAN

THE price of medicines in SA was inordinately high, but very little had been done to rectify the situation in recent years, ANC health spokesman Manoranjenni Chetty said yesterday.

Addressing the Pharmaceutical Society of SA's national conference in Durban, Chetty said pharmacists were currently entangled in a system which included discounts to third party funders, wholesalers, pharmaceutical houses and levies on prescriptions. All these factors contributed to artificial pricing structures and needed to be corrected.

SA's poor synthesising capability had resulted in the majority of medicines or raw materials having to be imported at great cost, she added.

The development of a strong local manufacturing industry, as well as the use of cost-effective high-quality generic medicines, would be encouraged to reduce the exorbitant costs.

The high cost of medicines, coupled with the concentration of pharmacies in urban areas, meant pharmacists had failed to provide accessible and affordable health care, she said.

National Health director-general Dr Coen Slabber said that of the almost 9 000 pharmacists in SA, 82,5% were in private practice. There were only 36 pharmacists in the six self-governing territories.

The figures dispelled the myth of the dispensing doctor intruding on the role of pharmacists, Slabber said, adding it was the unwillingness of pharmacists to work in the public sector and in deprived areas

that had precipitated their problems.

Our Durban correspondent reports that SA Association of Hospital and Institutional Pharmacists president Sue Putter said there were numerous reasons why pharmacists chose not to work in the public sector. Remuneration and lack of career prospects featured prominently.

Putter suggested greater management autonomy for hospital pharmacists as well as improved systems of stock control and computerisation of dispensaries.

Putter also told the conference that recommendations contained in the Du Toit report commissioned by National Health Minister Rina Venter in 1990 should be instituted and not sink into oblivion as other reports had.

The Du Toit report highlighted severe shortcomings in the provision of cost-effective pharmaceutical services in the public sector and recommended their restructuring.

Putter said that in one week alone, five wards at Baragwanath Hospital were unable to account for nearly R5 000 worth of injectable drugs because of outdated stock control systems. Extrapolated over a year the loss would amount to R250 000.

Putter attributed massive financial losses such as these to inadequate stock control — based on the old ward stock system.

She pointed out that only 20% of all hospitals in SA made use of computerised stock control in spite of the proven benefits of such a system.

special provision of the Criminal Procedure Act, but also according to the inherent jurisdiction of the Supreme Court, approach a court or the State President for final reconsideration. That is the situation.

In answer to the question whether those people would then qualify for immediate execution, let me say that they would still, up to the last moment, be able to approach the State for a reprieve. Unless something extraordinary happened, they would be placed in a position in which they were at risk.

†Adv C H PIENAR: Mr Chairman, further arising out of the hon the Minister's reply, I should like to know whether he, in preparing the reply to this question, made use of the expert advice of an hon member of his caucus who had already been found guilty of murder.

†The MINISTER: Mr Chairman, I think the hon member for Heilbron will understand that I greatly appreciate his intervention. However, I do not think that very relevant to the matter, because we are talking about another legal system.

Mr D J DALLING: Mr Chairman, further arising from the hon the Minister's answer, and in the light of the fact that this Parliament will probably be phased out to become a new parliament in the next year, does he not think it is wrong, that it is incorrect, for the lives of these people, who have been on death row for some six or seven years, to hinge upon a decision of a political debate by a Parliament which is being phased out anyway?

The MINISTER: Mr Chairman, if I may suggest, I think that this debate is now almost pre-empting the debate to come. I suggest that the hon member save his arguments for that debate.

The CHAIRMAN OF THE HOUSE: Order! I regret that the maximum number of supplementary questions have now been put.

Mr P G SOAL: Yes, but the maximum number of answers have not been given.

The CHAIRMAN OF THE HOUSE: Order!

*3. Mr A GERBER—Water Affairs.† [Question standing over.]

HOUSE OF ASSEMBLY

Education renewal strategy: documentation

*4. Mr A GERBER asked the Minister of National Education:†

(1) Whether any philosophical points of departure are set out in the documentation on the education renewal strategy; if so,

(2) whether White teachers who are not prepared to subscribe to these points of departure will be allowed to retire from the service of the Department without losing any benefits; if not, why not; if so, what are the relevant details? B763E

†The MINISTER OF NATIONAL EDUCATION:

(1) Yes.

(2) No. The early retirement of CS educators is regulated by legislation which is administered by the various Ministers of Departments of education. Current legislation in this regard does not provide for early retirement on these grounds.

Civil actions by detainees/banned persons: costs

*5. Mr H J BESTER asked the Minister of Law and Order:

(1) Whether, with reference to the outstanding amounts owing to the State as referred to in the reply to Question No 150 on 19 April 1993, he intends (a) writing off all the outstanding amounts, including those in respect of which civil proceedings have already been instituted or in respect of which the debtors are making regular payments, and (b) recommending to the Treasury accordingly; if not, why not; if so, what are the relevant details;

(2) whether he will make a statement on the matter? B764E

The MINISTER OF LAW AND ORDER:

(1) (a) If it appears from the final reports of the various Regional Commissioners that continued attempts to trace the debtors are unsuccessful and will only incur further unnecessary costs to the State, then the costs

will indeed be written off, subject to the writing-off powers which are delegated to the South African Police in accordance with Treasury Instructions. It must be emphasized that such writing-off is not carried out lightly.

(b) The request by the debtor, Miss J M Cherry, to have her legal costs of approximately R25 000 written off, was referred to the Treasury for consideration. Her request was not approved as a result of the fact that the Supreme Court had already found against her and had issued an order for costs, and the Treasury found no reason to deviate from the court's order for costs.

(2) No.

†Mr H J BESTER: Mr Chairman, arising out of the hon the Minister's reply, I want to say the issue here is that of persons who were charged in terms of emergency measures and the Internal Security Act. This matter therefore relates to political prisoners. In view of the fact that we released political prisoners in South Africa, and a whole lot of others went out along with them under cover of this process, I want to know whether the hon the Minister does not want to apply that general principle to these specific cases as well, where the issue is precisely people who were charged with so-called political crimes?

†The MINISTER: Mr Chairman, I am not insensitive about the matter, but I have a problem with practical implementation. What is the cut-off date? Does it also include people who have already paid their costs? Must those costs be paid back? There are a multitude of problems in trying to determine the cut-off date for such a situation. It is not as in the case of people who have been in prison for a while and who are released in terms of the test of whether they committed a political crime or not.

I therefore sympathize with what the hon member is asking me, but he will realize that I really have problems in trying to deal with the matter. Should we start at the Rivonia trial? Where must we begin? We have problems with what the hon member is suggesting.

†Mr H J BESTER: Mr Chairman, further arising

ing out of the hon the Minister's reply, I want to say that we are about to discuss the Indemnity Act, Act 35 of 1990, in which a specific date is mentioned. I think it is October 1990. I do not want the hon the Minister to go back to Rivonia, as those people have died or been released long ago. Will the hon the Minister be prepared to consider writing off debts with this cut-off date in these 20 cases under discussion?

†The MINISTER: Mr Chairman, the hon member is trying to lure me into a trap by referring to the Indemnity Act again. We determined a cut-off date that was not retrospective. We determined a cut-off date and people were released from that date. Therefore we cannot use it as an analogy. [Interjections.] We cannot just go back into history because then the hon member must deal with the problem of people who have already paid, and then the question arises, why only the 20? Why not the previous 40? I think that we must now start closing the book and take the matter further from the date on which the Act was repealed.

Business interrupted in accordance with Rule 180C (3) of the Standing Rules of Parliament.

Records of CCB/M/other security services preserved

*6. Mr R M BURROWS asked the Minister of National Education:

Whether his Department has taken any steps in terms of the Archives Act, 1962 (Act No 6 of 1962), to preserve the records of (a) the Civil Co-operation Bureau, (b) Military Intelligence and (c) other security services; if not, why not; if so, what steps? B765E

The MINISTER OF NATIONAL EDUCATION:

No special steps have been taken by my Department since this has not yet been required by law.

Documentation of the bodies mentioned in the question is of a sensitive nature in respect of which secrecy is required. Therefore such documents are not archives in the sense in which the word is defined in the Archives Act, 1962 (Act No 6 of 1962) and are consequently excluded from the provisions of the Act.

HOUSE OF ASSEMBLY

Slovo was not in danger — informer

ADRIAN HADLAND
329 and STEPHANE BOTHMA

PRETORIA — The police informer who uncovered a plot to assassinate SACP chairman Joe Slovo this month said yesterday Slovo had not been in danger.

Police presented the 33-year-old informer — who wore a balaclava to preserve his anonymity — at a news conference.

Also yesterday, the row over police actions regarding the plot continued, with the ANC accusing police of a deliberate misinformation campaign and denying earlier police claims that Slovo had been informed of the threat to his life. *BLOM*

The informer, who said he had infiltrated the group of plotters, told the news conference that on April 28 he had been recruited in a Berea nightclub to drive the assassin's getaway car. He had been "trusted" to do the job for no payment "because I was from eastern Europe". *13/5/93*

He said police were poised to swoop on the conspirators and discover "the people in the shadows" when a Press report about the plot appeared. "We were so close, only a couple of hours divided us from uncovering the truth." The report, he claimed, foiled his infiltration of the group.

The informer said he had been duped into leaking news of the assassination attempt. He had been encouraged to do so by "well known informer" Danie Odendaal. Odendaal had introduced him to a "security police captain" who he now believed to be a journalist posing as a policeman.

Asked whether police had told Slovo of the plot, the informer said there had been "no necessity" as the attempt would have been foiled before the intended assassination, between May 15 and 21. SAP spokes-

□ To Page 2

Slovo

BLOM 13/5/93
man Col Johan Mostert, who vouched for the informer's authenticity, added that police "had things under control".

A police spokesman said a full investigation into the matter was continuing and a docket was expected to be handed to the attorney-general's office in due course.

Earlier, a police spokesman maintained Slovo had been informed about the threat to his life and said that police had a written statement, dated April 22, from Slovo to prove this. Slovo said on Tuesday the first he had heard of the plot was when a Star reporter contacted him on Monday.

Mostert was adamant Slovo had twice been contacted and had twice refused offers of police protection.

Mostert also said premature publication of the existence of a plot had ruined any chance of the successful prosecution of those allegedly involved. Currently, no concrete evidence of the plot existed.

"What we have at this stage is one person's word against that of another person

and this is obviously not enough to bring guilty parties to court," Mostert said.

Mostert said claims of a threat against the life of Winnie Mandela had also come to the knowledge of the SAP several months ago.

"At the time, we informed her about the threat and investigated it," he said.

An SAP statement said discrepancies in dates supplied by police spokesmen about when Slovo had been informed of the plot were the result of the urgency with which both police and the Law and Order Ministry had to react to media inquiries.

The ANC rejected the police claims and said that it had consulted its lawyers "about this blatant misrepresentation of the facts".

According to the ANC, a number of its leading officials have received death threats, including president Nelson Mandela, PWV regional chairman Tokyo Sexwale and spokesman Carl Niehaus.

● Comment: Page 10

□ From Page 1

AK-47s confiscated

SIX AK-47 rifles and ammunition were confiscated and nine illegal Mozambican immigrants have been detained since Wednesday when police began intensifying security action in the Eastern Transvaal. *Sowetan*

Police have erected roadblocks in the region. About 100 members of the police Internal Stability Unit have been deployed in the Ermelo and Nelspruit districts.

202 228 329 14/5/93 239

PLOT 'MASTERMIND'

HIT

Man to face murder conspiracy charge after informer talks

By DE WET POTGIETER, NICK OLIVARI and BRIAN SOKUTU

POLICE are holding the alleged mastermind of a plot to assassinate SA Communist Party national chairman Joe Slovo.

Mr John Beck, 37, was arrested at his home in Parktown North, Johannesburg, in the early hours of Thursday. An SAP spokesman confirmed yesterday that Mr Beck was being held for questioning under section 50 of the Criminal Procedure Act — the section which allows for detention during questioning.

He will appear in court early this week on a charge of conspiracy to commit murder. The plot entailed shooting Mr Slovo with a high-powered rifle from a tower near his Johannesburg home.

Mr Beck was arrested after a police informant known as Peter Slovak but who is, in fact, Peter Psenak, 33, blew the whistle on the alleged plot. Mr Psenak emigrated to South Africa from Hungary 10 years ago.

Mr Beck, described as a computer fundi by people who know him, was recruited several months ago by an electronics company where he was employed to build personal-computer boards.

For the past two months he has worked for Meteor Fire and Security, based in Westdene, Johannesburg.

Unaware

Yesterday, the company hunkie he received as one of his perks was parked next to a white Alfa Giulietta in the parking area of the block of flats where he has lived for the past five years.

A spokesman for the company said he had not seen Mr Beck "for a day or two", but did not know he was in custody.



Mandela and FW to share US medal of freedom

PRESIDENT FW de Klerk and ANC president Nelson Mandela will hold a historic joint meeting with President Bill Clinton when they visit the US to receive a joint honour on American Independence Day, July 4.

The two South Africans will stand together before Philadelphia's famed Liberty Bell to receive gold medals struck in honour of leaders and organisations deemed to have followed in the traditions of America's founding fathers.

The ceremony — near the spot where America declared its independence in 1776 and where its founding Fathers gathered to write its constitution in

By SIMON BARBER
Washington

election date that will have enabled Mr Mandela to call for the removal of remaining sanctions.

The Philadelphia ceremony and the meeting with Mr Clinton will focus American attention on South Africa and could be a powerful vehicle for



LOVELY TV newscaster Ellen Erasmus married Kooziedust businessman Ralph Morton, 44, at the Linden Presbyterian Church in Johannesburg yesterday. Ellen, 35, looked radiant in an ivory satin dress designed by Paris-based Andre Vermeulen. After the ceremony and reception with 100 family and friends, the couple left for a 10-day honeymoon at a secret venue in the mountains.



Pictorial: CHRISTINE NESBITT



TARGET: The view of the tower from Joe Slovo's gate

Picture: JOHN HOGG

329-1417 Mossburn Road, Port of Spain

played to build personal computer boards.

For the past two months, he has worked for Meteor Fire and Security, based in Westdene, Johannesburg.

Unaware

Yesterday, the company bakkie he received as one of his perks was parked next to a white Alfa Giulietta in the parking area of the block of flats where he has lived for the past five years.

A spokesman for the company said he had not seen Mr Beck "for a day or two", but did not know he was in custody.

Mr Beck's neighbours said they had not seen him around either, but were also unaware of his arrest.

Mr Beck — who has a ruddy complexion, thinning blond hair and wears glasses — has no known right-wing connections.

One resident of Park North Heights, Fourth Avenue, said Mr Beck "seemed very liberal".

"I don't see him as a right-winger, and can't understand why he would live here if he is. The entire top floor of this block is occupied by blacks," said the man.

Though a number of residents in the block said they knew Mr Beck, none seemed to know him well.

Divorced

One described him as having a "quiet lifestyle" and giving the impression that he was "effeminate".

In striking contrast, a shopkeeper on the ground floor of the building said he had "a violent temper".

A neighbour said he had occasionally seen Mr Beck — who is divorced — with women, and described him as "very English... I always thought he was an ex-Rhodesian".

The Sunday Times tracked down members of Mr Beck's family yesterday, but they refused to speak about him.

Regular patrons of the Berea bar where he and Mr Psenak met were also reluctant to discuss Mr Beck — though happy to talk about Mr Psenak, whom many recognised from his voice on TV on Wednesday night, even though he hid his face with a balaclava.

The bar — tucked away

□ To Page 2

**HOW THEY
KILL JOE SLOVO**

Slovo 'mastermind' detained

□ From Page 1

behind a veterinary surgery — has an unmarked door, and patrons have to ring a bell to gain admission.

It is frequented by working-class East European, German and British immigrants. (329)

While police insist that Mr Slovo was informed of the plot against him, Mr Slovo is adamant that he was not. (330)

He confirmed that on

April 22 he was visited in his office at Shell House by Captain Chris Wilken of the police community-relations section and Warrant Officer JL du Preez.

They warned Mr Slovo that a white Toyota Cressida had been seen in the vicinity of his house in suspicious circumstances, and that his life could be in danger. (331)

Mr Slovo told the police he did not expect them to guard him "24 hours a day".

and would take the necessary precautions to ensure his own safety.

However, Mr Slovo denies that he received a phone call from Captain Wilken on Tuesday, May 4, and was told that the police had uncovered a plot to assassinate him.

"I heard for the first time of the plot to murder me when I was phoned by a reporter last Sunday," he said.

Cops accused of targeting PAC

By MOSES MAMALA

AN Apla guerrilla has allegedly died in police custody while more than 40 PAC members have been detained under security legislation in what appears to be a low-intensity warfare by the security operatives on the PAC's military wing.

According to Pretoria-based lawyer Moss Mavundla, 30-year-old Apla operative Peter Ismael Mabina, also known as Sabat Matiwane, died in Odi prison in Bophuthatswana on May 6.

Mavundla said the Apla cadre was detained in Moretele by the Bop police on April 6 and was subjected to severe torture while in police custody which led to his death a month later.

Bop police spokesman Col Dave George declined to

comment on the issue and referred City Press to the prison authorities. However the spokesman for Bop prison services could not be reached after several attempts.

Mavundla also released the names of five alleged Apla members who have been held under Section 29 of the Internal Security Act.

'Sheltering cadres'

Among the five was former Apla cadre Simon Ncime, who was released from Robben Island in 1991.

Ncime was detained in Paarl on April 30.

Mavundla added that Tzaneen PAC organiser James Boko Baloi was arrested by the SAP after he had been accused of sheltering four Apla members.

The four alleged Apla members, who include a 17-

year-old youth, were detained on April 28 after they were linked to an attack on a farm near Tzaneen.

A white farmer is believed to have been killed in the attack.

Police spokesman in Pretoria, Lt Frans Mojapelo, confirmed that since February 46 PAC members, including Apla and Paso members, have been detained under Section 29.

He said he could not comment further because the suspects were detained under the Internal Security Act.

PAC secretary for political affairs, Jaki Seroke, accused the police of harassing PAC members.

"As a result of this harassment, a 16-year-old PAC member was gunned down in Soweto this week simply because he was wearing a PAC T-shirt," he charged.

16/5/93

Slovo: Suspect Detained

By DESMOND BLOW

Police last night confirmed they have detained the suspected mastermind behind the plot to assassinate SACP leader Joe Slovo.

A police spokesperson said that John Beck, 37, was taken into custody at his flat in Parktown North, Johannesburg, in the early hours of Thursday morning.

Captain Nina Barkhuizen said that Beck was held under Section 50 of the Criminal Procedure Act which entitles the police to hold a person for 48 hours.

She said Beck would either be charged on Monday or would be held under Section 27 which allows a detainee to be held for 10 days.

Mr Beck is believed to be a computer expert.

The plot to murder Slovo was planned to occur between May 15 and May 20, and he was to be killed with a high-powered rifle from a tower near his home.

By CARMEL RICKARD

FAMILIES of people who die in politically suspicious circumstances will soon have an additional champion to ensure the truth emerges.

In a new scheme, the first of its kind, an independent forensic pathologist is due to start working full-time on such cases from September.

The doctor, who is still to be appointed, will be employed by a new Natal-based organisation, with R500 000 from the Danish government for a 12-month trial period.

The organisation wants to make an expert pathologist available to families and lawyers of people who

Special doctor to seek truth on suspect deaths

S. Times 16/5/93

have died while in custody; at the hands of the security forces; or "in suspicious circumstances which may be contrary to the public interest or the interests of justice".

The organisation will also provide medical expertise to people alleging they have been assaulted or tortured.

Durban Legal Resources Centre director Mr Richard Lyster said the doctor would help relatives of people who died in political conflict, even if the security forces were not involved.

The idea was suggested by a Danish observer from the international Ecumenical Monitoring Programme of South

Africa, which realised the post mortems of people dying in detention or at the hands of the security forces were being carried out before relatives were able to arrange for a private doctor.

Independent Johannesburg pathologist Dr Jonathan Gluckman said the scheme was an extremely good idea.

The burden of such work had fallen largely on himself and two doctors in the Cape, but if they were unavailable, it was difficult to find someone else.

Mr Lyster said he was still negotiating with the South African Medical and Dental Council about the arrangement.

1577

Hansard

MONDAY, 17 MAY 1993

Hansard

1578

HOUSE OF ASSEMBLY

QUESTIONS

Indicates translated version.

For written reply:

General Affairs:

Hospitals: patients turned away

278. Mr M J ELLIS asked the Minister for National Health and Welfare:

Whether, during the latest specified 12-month period for which information is available, any hospitals under her control turned patients away because they were members of a race group other than White; if so, (a) which hospitals and (b) for what reasons?

B607E

THE MINISTER FOR NATIONAL HEALTH AND WELFARE:

The provincial administrations report that according to their knowledge there are no such cases.

Deaths of persons in detention

282. Mr P G SOAL asked the Minister of Correctional Services:

How many persons died while being held by the prison authorities in each month of 1992 for which statistics are available? B685E

THE MINISTER OF CORRECTIONAL SERVICES:

Statistics regarding deaths for the period 1 January 1992 until 31 December 1992 are as follows:

January.....	14
February.....	11
March.....	11
April.....	16
May.....	21
June.....	21
July.....	15
August.....	31
September.....	15
October.....	19
November.....	13
December.....	15
Total.....	202

The causes of deaths are as follows:

Natural causes: 140

Suicide: 36

Assault by fellow prisoners: 13

Other: 13 (See annexure A)

For the sake of perspective it must be mentioned that during the period 1 January 1992 to 31 December 1992, 405 061 persons were admitted to South African prisons. On 31 December 1992 there were 108 698 persons in South African prisons.

Deaths which occur in South African prisons are regarded in a very serious light and are investigated thoroughly.

All deaths in prisons in respect of which a medical practitioner is unable to certify that the prisoner died as a result of natural causes, are dealt with in terms of section 86 of the Correctional Services Act, 1959 (Act No 8 of 1959). Independent public inquests into every case where death is ascribed to unknown or unnatural causes, are instituted in terms of the stipulations of the Inquest Act, 1959 (Act 58 of 1959) and at the same time departmental investigations are also undertaken. Apart from this, the South African Police also conducts independent investigations in cases where the medical officer (under control of the Department of National Health and Population Development) ascribes the death to unknown or unnatural causes.

It must be confirmed that South African legislation makes it possible for the relatives of a person who has died in prison, to be represented during the post-mortem and during the subsequent inquest.

Annexure A

- (1) An awaiting-trial prisoner from the East London Medium B Prison died on 24 June 1992. Evidently the prisoner died from wounds which he had sustained before his arrest and admission to prison. The result of the inquest is not yet available.

- (2) An awaiting-trial prisoner from the East London Medium B Prison died on 11 August 1992 of gangrene probably as a result of a bullet wound in his stomach which he sustained during the commitment.

HOUSE OF ASSEMBLY

ting of his crime. The result of the inquest is being awaited.

- (3) A sentenced prisoner from the Nylostroom Prison died on 6 August 1992. The prisoner was sitting in the back of a pick-up on which cargo was transported. During the trip the prisoner fell from the pick-up and he was fatally injured. The result of the inquest has not yet been received.

- (4) A prisoner from the Fort Beaufort Prison was part of a team who was working in town at the Agricultural School on 8 December 1992. Apparently the prisoner fell from the pick-up on which he was transported and died the following day in Hospital. The outcome of the inquest has not yet been received.

- (5) Three sentenced prisoners from the Victor Verster Medium A Prison were part of a team of eight prisoners who were moving furniture of a retired member with a ten ton truck and trailer to Struis Bay on 30 November 1992. Apparently the truck's engine stalled and the truck left the road. Two prisoners died instantly while the third was certified dead on his arrival at the hospital. The result of the inquest is not yet available.

- (6) Three sentenced prisoners from the Modderbee Prison died on 4 June 1992. These prisoners were held at the Boksburg Magistrate's Court for further charges and as witnesses. The prisoners attempted to escape and were involved in a shooting incident. All three prisoners were shot dead. The result of the inquest is not yet available.

- (7) A sentenced prisoner from the Obiqua Prison was part of a team which was working on a river bank on 7 September 1992. A fellow prisoner's shovel fell into the river. Evidently against orders the deceased jumped into the river to retrieve the shovel and presumably drowned. The outcome of the inquest has not yet been received.

- (8) A sentenced prisoner from the Groenpunt Medium Prison escaped from prison on 5 November 1992. On 10 November 1992 his body was found in the river. His death was presumably

(329)

caused by drowning. The outcome of the inquest has not yet been received.

- (9) A sentenced prisoner from the Dwaarsrivier Prison died on 4 August 1992 while moving an irrigation pipe. The pipe accidentally touched an electrical wire which electrocuted the prisoner. The outcome of the inquest has not yet been received.

Schools without electricity

287. Mr R M BURROWS asked the Minister of Education and Training:

- (a) What (i) number and (ii) percentage of (aa) public, (bb) Government, (cc) community and (dd) State-aided schools falling under his Department does not have electricity at present and (b) in respect of what date is this information furnished? B670E

The MINISTER OF EDUCATION AND TRAINING:

- (aa) (dd)
(a) (i) 1 208 5 011
(ii) 52% 87%

All Government and community schools have been converted into public schools. Therefore (bb) and (cc) fall away.

- (b) 3 March 1992.

Note: The Department installs electricity at all new schools and schools that are being renovated, provided electricity supply is available on the boundary of the school site.

Retired/retrrenched public servants re-employment

317. Mr B-B GOODALL asked the Minister of Education and Training and of National Housing (Minister responsible for the Commission for Administration):

- (a) How many (i) retrained and (ii) retired public servants were re-employed during the latest specified period of 12 months for which information is available and (b) (i) in what capacities and (ii) by which Departments were they so re-employed? B732E

The MINISTER OF EDUCATION AND TRAINING AND OF NATIONAL HOUSING (Minister responsible for the Commission for Administration):

- (a) (i) 1 075 retrained and (ii) 367 retired

public servants were re-employed by departments and organisational components during the period 1 April 1992 to 31 March 1993 and the period 1 April 1992 to 31 March 1993 and (b) (i) and (ii) see attached Annexure with information as furnished by the various departments and organisational components.



ANNEXURE

Details of retrained and retired public servants who were re-employed by departments and organisational components during the period 1 April 1992 to 31 March 1993

Administration: House of Representatives

Capacity	Number of retrained public servants	Number of retired public servants
Administration Clerk		1
Assistant Director		1
Total		2

Administration: House of Assembly

Capacity	Number of retrained public servants	Number of retired public servants
Administration Clerk		2
Administrative Officer	1	1
General Assistant	30	
General Foreman		1
Assistant Director		1
Principal Architect		1
Principal Agricultural Adviser		1
Matron		2
CS Educator (Post level 1)	1 014	123
CS Educator (Post level 2)	4	
CS Educator (Post level 4)	1	
CS Educator (Post level 5)	1	
Operator	1	
Security Officer	1	1
Senior Administration Clerk	1	2
Senior Engineer		1
Senior Agricultural Advisor		2
Senior Storekeeper		1
Senior State Accountant		1
Senior Works Inspector		1
Total	1 053	141

(329)

Man held over alleged plot

A MAN has been arrested in connection with the alleged plot to assassinate SA Communist Party chairman Mr Joe Slovo, police said at the weekend.

Newspaper reports identified the man as being electronics expert Mr John Beck (37), who will appear on a conspiracy to murder charge soon. An Eastern European police informant, "Slovak", has alleged that Beck approached him on April 28 to participate in an alleged conspiracy as a getaway car driver.

Slovo was supposed to have been shot from a tower near his Observatory, Johannesburg, home.

— Sapa-Reuter-AFP.

Swetlan 1715793

NEWS Three die in minibus attack • ANC wants new army



A man bearing a Turkish flag is attacked by pro-Armenian demonstrators on Madison Avenue in New York on Saturday. Participants in the Turkish Day parade clashed briefly with Armenians before the start of the parade. PIC: AP.

3 soldiers held over minibus taxi killings

Sowetan 17/5/93

By Ruth Bhengu and Sapa

■ WHITE MEN Three passengers, including a five-year-old girl, die as armed men open fire:

THREE WHITE OFF-DUTY soldiers have been arrested after they opened fire on a minibus taxi between Graskop and Bushbuckridge at the weekend, killing three passengers including a five-year-old girl.

Eastern Transvaal police spokesman Warrant-Officer Izak van Zyl yesterday confirmed the arrests but would not give the names of the dead before their next of kin had been informed.

The driver of the taxi, Mr Kenneth Ntswane, escaped unhurt. One of the 16 passengers, Mr David Mayisane (25), who was shot twice in the shoulder, yesterday told how three white men in a car drove towards the minibus and started shooting at it with rifles.

"I was sitting in the front seat next to the driver

when I saw a blue and white mini driving towards us," Mayisane said from the Mapulaneng Hospital in Bushbuckridge.

"As it approached us, two white men started shooting. A woman who was sitting behind the driver was shot in the neck and a little girl of about eight years was shot in the head.

"After it had passed us, the mini made a U-turn and followed our taxi. By this time the passengers were screaming and the taxi driver had increased speed while the gunmen followed and shot at us, smashing windows.

"I was shot twice in the shoulder. The driver managed to get to a roadside shop at Inyaka and

ask for help.

"We were taken to hospital by soldiers from the nearby camp. They are the ones who told us that our attackers were also soldiers," he said.

The ANC's media liaison officer in the Eastern Transvaal, Mr Jackson Mthembu, condemned the shootings and said: "We demand the removal of soldiers from the villages of Bushbuckridge and KaNgwane.

"We further demand that the soldiers be removed from guarding the Mapulaneng Hospital and be confined to their base until joint control of the security forces can be established."

Suspect in court today

LLOYD COUTTS

MAN suspected of masterminding a plot to assassinate SACP chairman Joe Slovo is expected to appear in the Johannesburg Magistrate's Court this morning.

Police spokesman Capt Nina Barkhuizen confirmed yesterday that John Beck, a 38-year-old former SA Air Force radio technician, would be charged with conspiracy to murder.

According to reports, Beck was arrested at his flat in the Johannesburg suburb of Parktown North on Thursday following claims by a Hungarian immigrant, John Psenak, that Beck had tried to recruit him as a getaway driver.

Psenak, a police informer, alleged the plot involved shooting Slovo from an Air Force communications tower in Observatory, Johannesburg, as Slovo emerged from his home.

The assassination was to have been carried out between May 15 and 21.

Parties to debate concrete proposals

FUNDAMENTAL progress can be made at tomorrow's negotiations council meeting because parties will have before them a comprehensive document on the future form of state and constitutional principles to be included in a transitional constitution.

A source in the 10-man planning committee said the technical committee dealing with the myriad of proposals on constitutional matters had been able to get straight down to work and "they really produced something substantial that the council can discuss fruitfully and systematically".

The other committees had not made as much progress because they had not had enough input from parties to fully exercise their briefs.

Apparently the committee dealing with the transitional structures will submit a fairly substantial report recommending that a transitional executive council and sub-councils be established.

This is likely to result in censure from the Concerned SA Group, and possibly the negotiations council as a whole, because it

BILLY PADDOCK

is not part of the committee's business to make such recommendations.

The committee on constitutional principles also believes it has made such good progress that it could draft an interim constitution right away. The committee includes Unisa's Marinus Weichers and advocate Arthur Chaskalson who both were involved in drafting Namibia's first constitution — Weichers on the side of the DTA and Chaskalson for Swapo.

This committee has also put forward a recommendation that the sensitive issue of drafting regional boundaries be sorted out by a regional demarcation commission.

Negotiators said yesterday they were impressed by the progress made in the constitutional committee, where the members managed to piece together an outline and a foundation document to be used by politicians as a basis to negotiate.

The committee had considered a variety of proposals from different parties and looked to find where compromises were possible and drafted these into its report.

PRINCE

Profit after tax

NEWS Marches staged all over Natal

Beck remanded to May 23

Sowetan 18/5/93
■ No charges put and suspect is not asked to plead: (329)

MR John Beck, arrested last week, appeared in the Johannesburg Magistrate's Court yesterday in connection with the alleged plot to assassinate SA Communist Party national chairman Mr Joe Slovo.

Beck (38), was not asked to plead and no charges were put to him.

He was remanded to Pretoria Central Prison's maximum security section until May 23.

Beck was arrested at his Parktown North, Johannesburg, flat last Thursday in connection with the plot, exposed last Tuesday. — *Sowetan Correspondent.*

the rival organisations who clashed outside the court building.

Four women were stabbed in the incident and taken to hospital.

There was a heavy police presence outside the building yesterday and in the

February 20 last year, and fired on a group of traffic officers the following month after going through a speed trap.

The trial is being heard by Judge M C de Klerk and two assessors.

● Picture: Page 3

Young Boipatong survivor identifies alleged attacker

BIDAY 18/5/93
DELMAS — A matriculant, who lost three family members and narrowly escaped death himself during last year's massacre in Boipatong, yesterday identified one of the KwaMadala Hostel residents as his attacker.

The young man, who may not be named following a court ruling that residents of Boipatong testifying in the trial may not be identified, was the first of eight witnesses the State has called so far.

The youth said he was stabbed in his side with a spear, but managed to escape to safety. When he returned home later, he found his sister, brother and another family member dead.

He pointed out Mncediseni Sibongeleni Mkhize as the man who had stabbed him.

The youth, a Zulu, said he had no idea why they were attacked and said his family had no political affiliations.

When one of the attackers dragged his younger sister out of the house, he (the attacker) shouted "come dog", but said nothing else, the court heard.

Thirty-two former residents of the Kwa-Madala Hostel near Boipatong, in the Vaal Triangle, have pleaded not guilty to 45 charges of murder, attempted murder and malicious damage to property.



STEPHANE BOTHMA

Earlier, the State withdrew murder charges against 15 other hostel dwellers, bringing the number of suspects freed since the massacre to 42.

The witness, cross-examined by two advocates for several hours on the identity of Mkhize, said he had no doubt in his mind as to the identity of the alleged murderer.

"If somebody does something bad to you, you never forget his face," he told defence advocates Vic Botha and Rian Strydom.

Another witness, who suffered no injuries but witnessed the large group of attackers roaming the Boipatong streets, said he saw a group of men entering the house of Paulina Dlamini, where the old lady lived with her grandchildren.

The group later left the house and when the witness investigated, he had found a very young girl, Maria, dead in the living room and Paulina severely injured in her bedroom. She was stabbed in her upper leg, the court heard.

At another house, he found a young boy with half his face hacked away and the boy's mother stabbed in the back and shot in the neck.

His evidence continues today.

Slovo plot: man in court

MARIANNE MERTENS

FORMER SA Air Force radio technician John Beck will be held in Pretoria Central maximum security prison until he appears in court next week in connection with a plot to kill SACP chairman Joe Slovo.

Beck appeared in the Johannesburg Magistrate's Court for the first time yesterday. He was unrepresented and was not asked to plead. The case was postponed to May 25. *(329)*

Senior prosecutor Hans Wolfaardt asked for the postponement, and requested that Beck be remanded in custody in maximum security. *BIDAY 18/5/93*

Investigating officer Sgt Chris Lombard of the Crime Intelligence Service said yesterday it was "a very difficult case in the sense that there were many little points to prove".

The police had to act quickly after Beck was named by an informer in connection with a plot to kill SACP chairman Joe Slovo last week, he said.

Beck is being held under section 50 of the Criminal Procedure Act.

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(4661)

No bitterness after stint in detention camp - Jordan

Star 20/5/93

By Mokone Moletse

Despite being held for six weeks in solitary confinement — four weeks without a change of clothes — the ANC's information chief Dr Pallo Jordan said yesterday that he was not bitter about his arrest.

(329)
Testifying before the Motsuenyane Commission in Johannesburg about alleged human rights abuses in ANC camps, Jordan recalled his arrest in Angola in 1983. He said he was arrested for criticising the activities of the department of security and intelligence.

He was told he had been arrested for alleging that the department of security had acted "in a fascist manner".

Sketching the background to his arrest, Jordan said he was not bitter because at the time

the movement was under much pressure due to infiltration by South African agents.

It was during a time when an entire camp had been poisoned and another camp almost bombed apart by the South African Government.

A number of attacks had also been carried out against ANC members in exile.

He said he had been well treated in detention, given three meals a day and allowed walks.

Asked whether he was ever tortured, he replied: "No. There was not even a suggestion (of torture) physically or emotionally." In answer to another question, he said a lesson learnt from his detention was that human rights could not be taken for granted.

"Respect for human rights is not a luxury you

adopt when times are good and discard when times are bad," he said.

To redress the situation, the ANC later established an office of justice as well as a tribunal through which people could address their complaints.

Later, Ronnie Kasrils told the commission that he had informed the organisation that he was unhappy about conditions at Quatro camp in Angola.

Although the camp looked neat, ventilation in the cells was inadequate, he said. He was also unhappy about the relative youth of the commanders in charge of the camp, who did not have the "maturity" to handle the type of responsibility they were charged with.

His visits to the camp's inmates had elicited no reports of maltreatment.

8 Apla suspects held over killing

Star 20/5/93

329

By Chris Whitfield
Political Correspondent

CAPE TOWN — Police claim to have made a major breakthrough by arresting eight members of an Apla task force in connection with the killing of a farmer's wife near Tzaneen last month.

Another suspect and member of the group, named as Mbengeni Modau, was shot dead after the April 28 murder, Law and Order Ministry spokesman Captain Craig Kotze said yesterday.

He said the arrests amounted to the biggest breakthrough in investigations since Apla's terror campaign began in earnest in December.

Trained

He said Modau, and a 17-year-old youth being held by police, were Apla members trained outside South Africa. Four others were members trained inside the country and three were PAC members "thought to have acted in concert with this unit".

The arrests follow the killing of Sandra Swanepoel (37) as she tried to save her husband from armed attackers on their smallholding at Letsitele, near Tzaneen.

Police said at the time that Johannes Swanepoel had been confronted by two armed men at 6.15 am when he went to investigate why his dogs were barking. His wife subsequently fired a shot at the men and was then hit by a hail of bullets.

A variety of weapons have also been seized.

The eight men expected to appear in court in Tzaneen tomorrow are Donald Mukhawana (23), Khalifani Nukeri (40), Jameson Baloyi (41), Thomas Ngubeni (19), Luck Mhlongo (20), Moses Malésa (36), Mahumi Malatji (35) and the youth.

Last night a PAC spokesman could not confirm whether the men were members of Apla and said a statement would be issued later.

Spokesmen for Apla in Dar es Salaam could not be reached for comment last night.

ANC 4 held over Eikenhof killings

Star 21/5/93

By Bronwyn Wilkinson

Four ANC members, including the Vaal chairman of the Congress of South African Students (Cosas), have been arrested in Sebokeng in connection with the murder of three people in Eikenhof in March.

SAP spokesman Lieutenant-Colonel Dave Bruce said Brixton Murder and Robbery Squad detectives arrested one man in Sebokeng on Wednesday night who was in possession of an unlicensed 9 mm pistol.

The other three men were arrested in the township early yesterday.

A statement from the ANC's PWV region yesterday identi-

fied the four as Vaal Cosas chairman and Umkhonto we-Sizwe (MK) member Paul Malokoane, MK member Moses Ramifikeng, Ben Mvundlela and David Mohlahleng.

The ANC charged that Ramifikeng had been assaulted during his arrest.

329 Resisted
The men are being held in connection with the murder of Sandra Mitchley (35), her son Shaun Nell (14) and a friend, Clare Silberbauer (13).

The three were gunned down in an ambush on their car on the Vereeniging-Johannesburg road in Eikenhof.

Commenting on the allegations of assault, Bruce said the

man who was arrested on Wednesday night resisted arrest and was in possession of an unlicensed pistol.

"The man resisted arrest and force had to be used to effect the arrest. The suspect sustained minor injuries, as did a number of our policemen," Bruce said.

He added that the man was treated for his injuries, but stressed that police had not used "undue force".

ANC PWV officials and lawyers are to try to see the four today for consultation.

Three other suspects arrested last month are to be tried in Vereeniging in July in connection with the murders. The charges against a fourth suspect were withdrawn owing to lack of evidence.

NEWS IN BRIEF

B/D/M 2/5/93 - (329)
ANC members held

FOUR ANC members were arrested on Wednesday in connection with the killing of whites at Eikenhof, in the Vaal Triangle, in March. The ANC's PWV region alleged yesterday that one of the detainees had been assaulted. But police denied that "undue force" had been used.

Police claim breakthrough on Apla

CAPE TOWN — The police claimed on Wednesday to have made "a major breakthrough" against the PAC's armed wing Apla, following eight arrests in the northern Transvaal.

The eight were arrested in connection with the murder of a farmer's wife, Sandra Swanepoel, in Letsitele near Tzaneen on April 28. The men are to appear in court today.

Law and Order spokesman Craig Kotze said the eight — and Fanuel Mbengeni Modau who was shot dead by police — were members of an Apla task force.

Kotze said Modau, and a 17-year-old youth, had been trained outside SA, while four others had been trained in the country. He said the others were members of the PAC. One of them, Jameson Baloyi, was branch chairman in Tzaneen.

"This is a breakthrough against

Political Staff

Apla since it resumed its armed struggle in earnest in December," he said. The possibility that the eight were connected to other attacks, including those in the eastern Cape and Border, was being investigated.

Kotze said government remained opposed to all forms of extremism and terrorism, and would continue fighting it "with all the resources at its disposal".

He said the PAC's claim that Modau had been killed in a "military-style skirmish" had to be dismissed as "ludicrous hypocrisy, and an attempt to glorify what can only be described as a cold-blooded murder of an innocent woman".

Earlier Law and Order Minister Hernus Kriel told Parliament that the fact that Apla and MK had been

unbanned did not mean the police were turning a blind eye to any illegal actions by them.

Kriel dismissed suggestions that government had given an instruction that no action should be taken against Apla or MK when these organisations broke the law.

Banning such organisations, as the CP demanded, would simply drive them underground, he said.

Opening the debate, CP deputy leader Willie Snyman said a police spokesman had acknowledged that the security forces had been unable to act against Apla and MK since February 1990.

He asked how government could go on negotiating with "terrorists and murderers, while at the same time they go on murdering and mowing down our people".

Arrests link Apla to attacks

W/maul
21/5 - 27/5/93
Weekly Mail Reporter

THE first evidence that the Azanian People's Liberation Army (Apla) is behind the recent spate of armed attacks on whites may have emerged yesterday when police confirmed they had arrested eight members of the Pan Africanist Congress and its armed wing in connection with an attack on a farm near Tzaneen, in the northern Transvaal.

A farmer's wife, Sandra Swanepoel, was killed in the attack, which took place on a smallholding on April 28.

Apla's claims that it has been responsible for the armed campaign against whites, which began in King William's Town last December, have been questioned by the police as well as some of the liberation movements and the media, who have remained sceptical of Apla's ability to carry out military operations.

Police representative Captain Nina Barkhuizen said the arrests were the first to prove a link between Apla and the attacks on whites, and that most of Apla's past claims to have undertaken attacks had been proved false.

Among those arrested are the organiser of the Tzaneen branch of the PAC, Jameson Valoyi, and two other PAC members, Khalifani Mukhawana and Mahume Malaty.

The Ministry of Law and Order said the five others are Apla members, one of whom, a 17-year-old youth, received military training outside South Africa. The other four were trained inside the country.

Apla headquarters in Dar-es-Salaam was unable to confirm that the arrested men belonged to the organisation.

However, in a statement, the head of the PAC's information department, Waters Toboti, admitted that a man

shot dead after the attack was a PAC member. The statement said Fanuel Mudau "fell in the field performing his duties in Tzaneen".

The Ministry of Law and Order dismissed the PAC's claim that Mudau was killed in a military skirmish as "an attempt to glorify ... a cold-blooded murder of an innocent woman".

Barkhuizen said possible links between the unit arrested in the northern Transvaal and attacks in the eastern Cape, where most of the killings have occurred, are still being investigated.

●Police have confirmed the arrest of four Sebokeng residents in connection with the Eikenhof shootings in March this year. They include Paul Molokoane, Congress of South African Students chairman in the Vaal, and Umkhonto weSizwe member Ben Mavundlela.

3 Boipatong accused arrested

Savellam 25/5/93
By Tsale Makam

THREE of the accused in the Boipatong massacre trial were arrested on criminal charges at the weekend, the Delmas Circuit Court heard yesterday.

The three accused, who cannot be named because of a court ruling, were absent at the trial yesterday and were

■ Trio on criminal charges:

said to have appeared in the Sebokeng Magistrate's Court yesterday morning. Mr Justice AJ Smit said the trial could not go on in their absence and postponed the case.

The three are among 32 men who have pleaded not guilty to murdering 45

329
Boipatong residents on June 17 last year.

Another accused in the case is serving a six-year jail term for kidnapping and assault. Two prison warders escort him daily and guard him throughout the proceedings. The accused are taken to court and back to the KwaMadala Hostel near Vanderbijlpark every day.

Executive members among those held

Countrywide Star 25/5/93 swoop on PAC

(329) (E) (H)

By Esther Waugh
Political Correspondent

At least 19 Pan Africanist Congress members were detained at their homes in an early-morning countrywide swoop today.

NEC members Mike Matsobane, Jaki Seroke, Dr Solly Skosana and Maxwell Nematshivanani and Nactu secretary-general Cunningham Ngcukana are among those arrested.

Secretary-general Benny Alexander was also detained, but told The Star he had escaped from police custody.

Two security guards at PAC president Clarence Makwet's Daveyton home were taken in as well as Skobie Dube, who is responsible for PAC VIP security.

Alexander said police arrived at his Ennerdale home in a car and a Casspir. He was put into the car with the "baby locks" on but someone opened the door from the outside and he ran away.

Alexander said he was not in hiding. He was not yet sure whether he would be attending today's meeting of the negotiating council.

He said police arrived at the PAC head office with Jaki Seroke. They left with Seroke and several administrative clerks.

All the regional leaders had been arrested in a swoop on more than 200 homes. He said "more than 200" people had been arrested.

PAC negotiator and NEC member Gora Ebrahim said police came to the Johannesburg hotel where he and Johnson Mlambo are staying but Mlambo was out of town.

Speaking from the PAC head office, Ebrahim said his office was a "mess" and police had broken into his briefcase.

PAC sources said others arrested were the organisation's northern Transvaal organiser, Phillip Mudau, three members in Soshanguve, four in Pieterburg and three in the far northern Transvaal.

Confirming the swoop on PAC leaders and senior officials of the Azanian People's Liberation Army (Apla), Law and Order Minister Hernus Kriel said more arrests were expected.

Parliament

He said the arrests took place after the completion of extensive investigations by the South African Police.

Details would be given in Parliament this afternoon.

National executive committee (NEC) member Patricia de Lille termed the swoop "intimidation".

She accused the Government of "wanting to show their own constituency that they are still in power".

She said it was possible that an emergency NEC meeting would be convened in the wake of the arrests.

On the organisation's continued participation in negotiations, Ebrahim said: "We'll have to talk about it."

However, it was his view that the PAC should not pull out of negotiations.

"We will not pull out, because that will give them more leverage, but we will raise the matter very strongly," Ebrahim said.

The MINISTER: Mr Speaker, once again I regret that I do not have those specific details with me. Perhaps it would be advisable for the hon member or the hon member for Port Elizabeth Central to put another question on the Question Paper.

Mr E W TRENT: Mr Speaker, further arising out of the hon the Minister's reply, I would like him to give us an assurance that he will investigate the whole system of cadet camps, the authority pertaining to such camps and how these camps are conducted so that something like this does not recur in the future. Can he give us the assurance that the Department will investigate this issue?

The MINISTER: Mr Speaker, the matter is already the subject of an investigation.

Medihelp: teachers on early retirement

*2. Mr R M BURROWS asked the Minister of Education and Culture:

- (1) Whether he or his Department have had or are engaged in discussions with Medihelp and/or any teachers' organizations regarding the funding of the State portion of contributions to Medihelp in respect of teachers on early retirement who have reached the age of 60 years; if not, why not; if so, what is the (a) nature and (b) purport of these discussions;
- (2) whether such teachers were informed that the State portion in respect of con-

tributions to Medihelp would cease after their reaching the age of 60 years; if so,

- (3) whether this information was subsequently repudiated by Medihelp; if not, what is the position in this regard; if so,

- (4) whether he intends taking any steps in this regard; if not, why not; if so, what steps? B842E

The MINISTER OF EDUCATION AND CULTURE:

- (1) Yes,

- (a) officials from the Department and the Department of National Education held discussions with Medihelp and the Commission for Administration. The matter was also raised in talks I held with teachers' organizations. I am still in discussion on the matter with the Chairman of the Commission for Administration,
- (b) to establish what the State's future subsidization policy regarding Medihelp will be;

- (2) I do not have knowledge of any such information having been given to teachers;

- (3) falls away;

- (4) as already stated, I am in discussion with the Commission for Administration which, as I have been told, will take matters relating to Medihelp further.

HOUSE OF REPRESENTATIVES

QUESTIONS

Indicates translated version.

For oral reply:

General Affairs:

Certain person arrested in Hankey

*1. Rev A D GOOSEN asked the Minister of Law and Order:†

- (1) Whether a certain person, whose name has been furnished to the South African Police for the purpose of the Minister's reply, was arrested in Hankey on or about 9 May 1993; if so, on what charge;
- (2) whether this person has appeared in court; if not, why not; if so, when;
- (3) whether the said person was released on bail; if not, why not; if so, what was the amount of the bail;
- (4) whether he will make a statement on the matter? C108E

The MINISTER OF LAW AND ORDER:

- (1) Yes. Murder.

- (2) Yes. 10 May 1993.

- (3) No. The person was released on his own recognisances.

- (4) No.

Mr M A HENDRICKSE: Mr Chairman, arising out from the hon the Minister's reply, can he tell us why the local police or the investigating officer delayed the search for the victim of this gruesome murder after it was reported? I believe that some time elapsed before an investigation was launched into this disappearance.

The MINISTER: Mr Chairman, I do not believe I have that information available. The hon member will appreciate the fact that it happened far away from Cape Town and that I was not present. There was no suggestion in the question whatsoever that a delay took place.

I was under the impression that the question was asked specifically to talk about whether bail should be granted or not. I therefore apologise to the hon member for not having the answer to that question available. If the hon member insists on a reply, however, the information can be made available.

†Mr J C OOSTHUIZEN: Mr Chairman, further arising out of the hon the Minister's reply, for what reasons was this person who is charged with murder released on his own recognisance?

The MINISTER: Mr Chairman, neither the Minister of Law and Order, nor the police, nor the Minister of Justice has any say whatsoever over whether a magistrate grants bail or not. It is judged by the magistrate in every case and therefore it is not within my jurisdiction to react to it.

The LEADER OF THE OFFICIAL OPPOSITION: Is that the normal procedure?

The MINISTER: Yes. The hon the Leader of the Official Opposition may believe it or not, but I was also a prosecutor in my younger days. The test is really whether an accused will stand trial or not. On numerous occasions, when I was still a prosecutor and was certain that somebody would stand trial, I did not apply for bail to be posted.

Mr M A HENDRICKSE: Mr Chairman, I do grant the hon the Minister that the final decision does rest with the court and the magistrate in question, but further arising out of his reply I would like to know whether the SA Police, and specifically the investigating officer, opposed any application for bail or opposed the fact that the murderer was to be released on his own recognisance?

The MINISTER: Mr Chairman, that happens after evidence is led. In other words, it is at the discretion of the magistrate. It is not at the discretion of the SA Police.

Mr M A HENDRICKSE: Mr Chairman, further arising out of the hon the Minister's reply, we know that the final decision rests with the magistrate, but did the police and the prosecutor in the particular case lodge their opposition?

to the granting of bail or to the fact that somebody must be released on his own recognisance?

THE MINISTER: Mr Chairman, I do not have that information available. However, as I say, whatever they do, the final decision rests with the magistrate. It is therefore really academic whether they did so or not. [Interjections.]

†Mr J C OOSTHUIZEN: Mr Chairman, further arising from the hon the Minister's reply, will he conduct an inquiry into why the police did not want to accept a charge from these people in the first place?

†The MINISTER: Mr Speaker, if that is so, I will most certainly have enquiries made. I have already said to the hon member who asked about this earlier on, that if he experiences any problems in this regard and there are such allegations, I am quite prepared to have it investigated. There will not only be a commission of enquiry, we will investigate it thoroughly.

INTERPELLATION

The sign * indicates a translation. The sign †, used subsequently in the same interpellation, indicates the original language.

Own Affairs:

Purchase of piece of land at Kirkwood

*1. Mr N M ISAACS asked the Minister of Housing:

- (1) Whether the former Department of Local Government, Housing and Agriculture in the Administration: House of Representatives purchased a piece of land at Kirkwood for housing purposes; if so, what are the relevant details in respect of this purchase transaction;
- (2) whether there has been any development on this land since the date of purchase; if not, why not; if so, what development?

C96E.INT

The MINISTER OF HOUSING: Mr Chairman, the Development Board, House of Representatives, acquired eight portions of land with a total

HOUSE OF REPRESENTATIVES

extent of 134,0513 ha directly from five different owners during 1989 and 1990 for an amount of R649 600.

Development will only take place once the planning which is at present undertaken has been finalised and funds can be made available.

May I just add that this matter dates back to 1984 when, because of the dire housing need in Kirkwood at the time, they looked at the possibility of proclaiming Aquapark as a group area and relocating the people to that area.

On 15 February 1989 the erstwhile Group Areas Board launched an investigation to identify the necessary land. A Coloured group area was proclaimed on 3 November 1989, an area which included certain properties. Hon members were supplied with the names of those properties. After the proclamation of the group area, the Development Board, House of Representatives, was obliged to acquire the land from the disaffected people.

*Mr N M ISAACS: Mr Chairman, I want to state unequivocally today that it was a waste of money. That money was spent on an area of which only 80 ha could be used for housing. Nothing could be done with 49 ha, because it was mountainous terrain.

Something else that was not clear to me, is that the hon member for Addo lodged an objection to the proclamation of the area. When one goes through the documents one finds that when the Development Council purchased this land, they did not even submit the objections that had been recorded to the Minister concerned.

This land was bought quite a few years ago and at the time the development of one plot would have cost R12 000. At present prices it would cost R23 000 to provide services in that rock-hard soil. I assume that that land was purchased for low-cost housing. Can anyone be so stupid as to think that one can construct a house today, the services for which alone cost R20 000, while the house costs R30 000. Then the other costs must still be added to this. What people in that area can afford a house costing between R60 000 and R70 000?

I maintain that the hon the Minister knows that it is a fact that the purchase of that land was a disgraceful waste of money, and that it had to be resold.

The background to this transaction was that this land was bought from farmers who were eking out a precarious existence. They could do absolutely nothing with it. Who came along and took these farmers out of their quagmire of poverty? The taxpayers' money was used for that purpose.

I can go even further. We could ask who the Minister concerned was at the time. The Minister at the time did not even know that that land had been purchased. He delegated all his powers to the Development Council. Every time one asked that Minister what was happening, he said, "Go to my officials". As far as this land is concerned, it was all of R700 000 of the taxpayers' hard-earned money that was wasted. No decent development for those people will ever come from this.

I want to make a plea here today for no further money to be wasted in this way. That land must be sold, because the farmers were unable to make a living there... [Time expired.]

Mr M A HENDRICKSE: Mr Chairman, I want to quote the following statement by the hon member for Addo who unfortunately cannot be here today. He says:

I have in my possession letters from the Regional Director, House of Representatives, Port Elizabeth, and from the Department of Regional and Land Affairs, Port Elizabeth, that state very clearly that I opposed the purchase of this ground.

What I did lobby for was the purchase of Aquapark from the Department of Water Affairs on which there were already houses standing... and the workers of that department were moving on.

This was opposed by the NP Town Council of Kirkwood as well as the NP-controlled Department of Community Development.

They wanted to save this land for the future extension of the White area. As we all know, with the NP policy White interests come before anybody or anything else.

The people who supported the purchase of this land were the following NP-controlled structures: The Regional Director, Department of Public Works, Port Elizabeth; the Cape Provincial Administration; the Regional

Director, Administration: House of Assembly and Dr T Delpoit, the NP MP for the area.

Dr Delpoit is today the hon the Minister of Local Government and is also known to some as the person who almost single-handedly caused the breakdown of Codesa 2, and therefore is responsible for the loss of life since then as well as the economic backslide. He is also known as one of the advisers to the killers of Comrade Goniwe and others.

We have here today again seen the Brown-nosers of the NP trying to justify or blame the victims of apartheid for the immoral, evil and vicious effects of NP policies.

This question originates from the hon member for Bishop Lavis, who has publicly been accused of threatening people that if they do not join the NP they will be evicted from their houses. [Interjections.] Hon members can look at *South* of 1 May to 5 May 1993.

This question was posed because the hon member for Belhar insinuated that certain financial benefits were involved. [Interjections.] That accusation must be refuted and denied and treated with the contempt that it deserves. [Time expired.]

*Mr S SIMMONS: Mr Chairman, what is before this House today is irrefutable proof of the absolutely hopeless administration of the LPSA while they were in power. [Interjections.] The hon member for Addo should be the last one to try and exonerate himself in this House, since he does not care a fig for the people of Kirkwood. What is very important, however, is the fact that he was the Chairman of the Ministers' Council. He is still taking decisions for the LPSA. [Interjections.] Has he ever risen in this House and objected to the purchase of the mountain? [Interjections.] No, he could not do so, because he was part of the decision that was taken.

*Mr M A HENDRICKSE: You remain stupid. [Interjections.]

*Mr S SIMMONS: According to my information R700 000 was paid for the mountain. What worries one, however, is that R9,6 million is required to provide the services for the envisaged 800 plots on that land. It amounts to R12 000 per plot. Can the poor people of Kirkwood afford it? In the end they will have to pay

HOUSE OF REPRESENTATIVES

Kriel expected to face special session of negotiating council

Govt told: Explain PAC crackdown

Star 26/5/93



Roelf Meyer ... apparently heard about the swoop as he arrived for talks.

By Esther Waugh
Paul Bell
and Philip Zolo

South Africa's delicately poised negotiations at the World Trade Centre may have survived yesterday's furore over the nationwide police crackdown on the Pan Africanist Congress, but the Government is under pressure to explain why the action was taken at this critical time and who knew about it beforehand.

The crackdown on the PAC is expected to lead to a heated debate in the weekly Cabinet meeting today.

PAC gears up for D-Day - Page 19

The Government came under pressure yesterday in the negotiating council for swooping on one of the negotiating partners.

But Cabinet Ministers at the negotiating table — Roelf Meyer, Leon Wessels, Tertius Delpont and Dawie de Villiers — apparently did not know of the PAC raid. They only heard about it when they arrived yesterday morning at the World Trade Centre.

Law and Order Minister Herman Ferreira said he was briefed by two generals of the impending raid on Monday afternoon.

This development placed the Government and National Party negotiators in an awkward situation and led several negotiators to question whether President de Klerk or the securocrats were running the country.

Kriel is expected to face a special session of the negotiating council tomorrow evening to explain the tim-

ing of the raid. Kriel would not say last night whether he would attend the session.

Negotiators said elements in Government were "wreckers" who deliberately wanted to derail the process.

The damage to the negotiations process was temporarily limited by the commitment of all the groups to negotiations.

Although the PAC suspended its participation in yesterday's meeting, it has not pulled out of talks.

PAC sources said today the organisation's president Clarence Makwetu would call a meeting of national executive members in Johannesburg to set a date for a full NEC meeting within the next few days. The PAC will then decide on its participation in negotiations.

The organisation has, however, clearly stated that its presence at tomorrow's meeting will depend on the Government's action within the next 48 hours.

The basic demands — supported by the Patriotic Front members at the negotiating table — are for arrested PAC members to be immediately charged or released and for confiscated documents to be returned.

Earlier Kriel told Parliament that 73 PAC and Apla cadres, including seven "top structure" members, had been held, and unlicensed automatic rifles, pistols and ammunition seized.

The arrests had been linked to crimes of murder and attempted murder, petrol-bomb and other attacks on the police, complicity in attacks on civilians, illegal possession of firearms and hand grenades, and the planning of further attacks on the police and civilians.

Questions are now being asked about how the decision to act was taken, and which Cabinet Ministers knew of the raid beforehand.



Displeased . . . PAC president Clarence Makwetu, who flew from Transkei to Johannesburg yesterday after receiving news of the arrest of senior colleagues, arrives at Jan Smuts Airport. Picture: Jacob Rykkliff

In a statement last night, Law and Order Ministry spokesman Captain Craig Kotze said that contrary to media reports, key Cabinet Ministers did not attend a meeting on Sunday where police reportedly briefed them on the raids.

"This is simply not true,"

Kotze said. "These arrests were not a Government decision. They were made by the South African Police in the normal course of their duties."

Kotze told Sapa today 11 of the 73 people held on Tuesday had been released after questioning.

Fire Kriel, says Ramaphosa

PAC arrests place talks in jeopardy

THE negotiations process was rocked yesterday by the announcement that 49 PAC members had been arrested in countrywide raids.

ANC secretary-general Cyril Ramaphosa said negotiations were hanging by a thread.

The PAC walked out of talks at the World Trade Centre in protest, and president Clarence Makwetu said last night the PAC would not take part in negotiations while its members remained in jail, Reuter reports.

Ramaphosa called for Law and Order Minister Herens Kriel to be sacked, saying he had "wrecked the process".

But Kriel defended his department's actions, saying the negotiations process gave no one the right to commit a crime.

The SAP had been investigating crimes to which PAC and Apla members were allegedly linked and believed there was sufficient prima facie evidence to arrest suspects. The arrests were made in connection with murder, attempted murder, petrol bomb and other attacks on the SAP, complicity in attacks on civilians, illegal possession of firearms and hand grenades and planning of further attacks on SAP members and civilians.

"Every suspect is being questioned in connection with a specific crime, or complicity with regard to such crimes or because he may be in possession of information on criminal acts," Kriel said.

The PAC and Apla members were arrested in terms of the Criminal Procedure Act and the Internal Security Act. Kriel

Business Day Reporters

said he had asked the SAP to bring the suspects before court or to release them as soon as possible.

The 26-party negotiations council — which postponed its business yesterday to Friday — passed a resolution condemning the "insensitive manner in which the recent actions and arrests against the leadership of the PAC were undertaken".

The resolution, which was not endorsed by government, the NP, Bophuthatswana and the Afrikaner Volksunie, said the council was "appalled" by the effect of police actions on the peace process and by the unnecessary delays caused.

A special council session tomorrow night will debate the implications of the action against the PAC.

Among those detained are top PAC officials Enoch Zulu, Jackie Seroke, Thomas Likotsi, Walter Toboti, Maxwell Nmadzihivani, Abel Dube and Raymond Fihla. PAC secretary-general Benny Alexander said the clampdown amounted to banning: "The PAC has effectively been rendered unworkable."

He claimed he had escaped from police custody when a neighbour let him out of a police vehicle outside his Ennerdale home yesterday morning. However, police claimed he had been released after questioning about a firearm in his possession.

Alexander said the arrests were calculated to remove the PAC from talks during the week in which dates for elections and

To Page 2

PAC arrests

the implementation of transitional executive councils would be decided.

Ramaphosa, referring to Constitutional Development Minister Roelf Meyer, said: "The Minister here says they (government's negotiations team) did not know of the action until after it had happened. I am also told that President F W de Klerk did not know. Who is running the country? Here they sit unashamedly and say they are negotiating in good faith."

Meyer said government would wait until tomorrow's debate, where the full facts would be presented, before reaching. However, he noted that Nmadzihivani had said all farmers were legitimate targets for Apla attacks.

In reaction to the Ramaphosa's comments that the President had not known about the arrests, a government spokes-

man said the President did not comment on communications between himself and Ministers. It has emerged, however, that Meyer, government's chief negotiator, did not know the arrests were imminent and was seriously embarrassed by the incident. Police sources said there was no obligation on the part of the police to inform all Ministers of impending actions.

The CP welcomed the police action, and DP law and order spokesman Peter Garrow said while police had a duty to act on good information linking individuals to a crime, the timing of the arrests seemed "expedient" and the onus was on police to bring charges as a matter of urgency.

Report by: Tim Cohen, Billy Paddock, Ray Hartley and Wilson Zwane.

Comment Page 10

NEWS Detention of PAC leaders was apparently sparked by militant speech

Govt 'planned PAC raid'

THE nationwide police raids on the Pan Africanist Congress and its armed wing, the Azanian Peoples Liberation Army, was planned at Cabinet level at the weekend.

Reliable Government sources said key Ministers taking part in the negotiating process were involved in an urgent police briefing and planning session on Sunday when the political risks of the PAC raid were meticulously examined and evaluated.

Sources confirmed yesterday the Policy Group on Reform, which includes Minister of Public Enterprises Dr Dawide Viliers, Minister of Constitutional Development Roelf Meyer, Minister of Local Government Dr Tertius Delpoit and Minister of Law and Order Henrus Kriel had held urgent discussions on Sunday.

Decision to swoop on activists 'taken by Cabinet':

Spokesman for the Department of Law and Order Captain Craig Kotze denied, however, that key Ministers were involved in the discussions.

The decision to go ahead was apparently fanned by a public statement by PAC national organiser Mr Maxwell Nemadzivhanani when he said on Monday that the killing of white farmers by Apla was "legitimate" and the PAC had no reason to distance itself from it.

"Apla is a disciplined organ of the PAC. All Apla members are also members of the PAC. We have no reason to distance ourselves from it," he said.

His exact words were quoted again by Meyer at a brief and stormy session of the multiparty negotiating council yesterday.

● The following is a list of PAC members known to have been arrested yesterday.

Kriel named seven top PAC officials in Parliament. They are Enoch Zulu, Jaki Seroke, Thomas Likotsi, Waters Toboli, Maxwell Nemadzivhanani, Abel Dube and Raymond Fihla.

According to the PAC and the National Council of Trade Unions, the following 15 people were detained yesterday:

Dr Solly S'kosana, Mike Matsubane, Rebecca Kalegetho, S'thenbele Khala, Elias Maile, Percy Mosala, Andrew Molata and Phillip Mndau, Serame Molefi, Mofihli Likotsi, Michael Siyolo, Sizakele Mahluthana, Nkosenjulu Naki and Sipiliwe Mkweso, Mduduzi Ngema. — *Sapa*.

● Talks 'on track' - Page 14



STOP HERE ... Angry youths set up barricades in the violence-torn Katlehong on the East Rand yesterday. PIC: SELLO MOTSEPE

Slovo plot suspect sent for observation

Blom 26/5/93
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LLOYD-EDWARDS

A MAN suspected of conspiring to assassinate SACP chairman Joe Slovo suffered from a personality disorder which caused him to fantasise and boast of grandiose achievements, a psychiatrist told the Johannesburg Magistrate's Court yesterday.

A dishevelled John Beck, 38, of Parktown North, made his second appearance in court yesterday since his arrest two weeks ago and was referred to the Weskoppies hospital for psychiatric observation after evidence by TPA community psychiatrist Isaac Berman.

Beck, a former SAAF radio technician, was arrested after a police informer told reporters of a plot to shoot Slovo from a tower in Observatory, Johannesburg.

Berman, who interviewed Beck in the court cells yesterday, said the accused's personality disorder could, for want of a better description, be termed a "Walter Mitty-type syndrome".

Beck had urges to boast of grandiose achievements "in a fantasising way", Berman said.

"In this particular case the accused tells me that the fantasies often originate during a drinking

spell. But they then overlap into his sober state, at which time the masquerade, or fantasy, may be carried on."

Berman said Beck had seen a neurologist "where the question of brain damage was raised" in 1989.

Beck had suffered a number of "concussive episodes", including one during a rugby match where he lost consciousness for 15 minutes.

The accused also had a drinking problem which could contribute to brain damage.

"These details raise doubts about his full ability to act in accordance with an appreciation of wrongfulness," Berman said, and suggested Beck be sent for 30 days' mental observation.

He added that Beck appeared suicidal, and needed to be observed diligently.

Beck, who conducted his own defence, declined to cross examine Berman.

Magistrate C van Heerden ordered that Beck be sent to Weskoppies and postponed the trial to June 24.

Police action normal, says FW

Kriel to be grilled on PAC arrests

CAPE TOWN — Ministers emerged from a reportedly tense Cabinet meeting yesterday staunchly defending the police decision to arrest members of the PAC and Apla.

And negotiating parties readied themselves to take Law and Order Minister Hernus Kriel to task tonight when he explains to a special session of the negotiating council why he ordered the arrest of PAC members, putting talks at risk.

Despite the tensions caused by "the insensitive actions of the SAP", negotiators were optimistic that the June 3 deadline to set an election date could still be met.

Government's decision to send Kriel to the World Trade Centre followed a Cabinet session dealing exclusively with the issue. Afterwards, President F W de Klerk said the arrest had been "normal police action".

During the President's question time, De Klerk said he had been informed that the raid would take place late on Monday evening, but that his approval had not been sought, nor was it required.

He did not answer a question from DP MP Peter Soal about why chief government negotiator Roelf Meyer had not been informed of the imminent raid.

De Klerk said it was as important for negotiations to continue as for criminals to be apprehended.

It is understood that government will not simply take all the criticism at tonight's meeting. A senior government source said government planned to try to force the PAC either to suspend the armed struggle and negotiate peacefully, or to expect "no more gentle treatment".

The PAC's leadership, depleted by the arrest of national executive committee

members, met yesterday and vowed to take a tough line with Kriel tonight. The ANC/SACP/Cosatu alliance also met to discuss strategy, setting up a peace corps and "the situation at the World Trade Centre talks".

A government source said that regardless of whether police action was justified or the motive correct, it had laid the PAC's dualism on the table.

He said government had been "gentle" with the PAC to ensure its participation, "but you cannot keep throwing your old empty tin cans into your neighbour's garden without expecting him to retaliate".

He said he was confident the June 3 deadline would be met, and added that the talks would have to continue even if the PAC did not attend tomorrow's council meeting.

At a media conference yesterday, PAC president Clarence Makwetu said while the PAC would take part in tonight's debate, the ball was in government's court as far as PAC participation tomorrow went.

Unless government met PAC demands within the next 48 hours, his organisation would not continue constitutional talks. He said the armed struggle would be suspended when the PAC's demands were met "and we start discussing the future of the country".

Makwetu said the PAC demands included the immediate and unconditional release of all its members and the return of all confiscated computers, documents and other equipment.

It also demanded that government re-

To Page 2

PAC arrests

pair damage to property caused during the raids, that it indicate which PAC documents had been photocopied and that it apologise publicly for its actions.

He said the PAC national executive committee would meet soon, possibly at the weekend, to decide on its future in negotiations. Should the demands be met in the interim, the organisation would return to the negotiating table.

At a photo call yesterday ANC president Nelson Mandela injected a note of optimism on the prospects for talks, saying the arrests were a hiccup and would not derail the peace process.

However, DP negotiator Ken Andrew said there was little, if any, hope of meeting the deadline.

Police Commissioner Gen Johan van der

Merwe said on SABC's Agenda programme last night that four of the 73 arrested had been charged with the illegal possession of firearms and ammunition. He said 19 people had been released. Of those in custody, 29 (including the remaining five national executive committee members) were being held in terms of Section 29 of the Internal Security Act and the rest in terms of the Criminal Procedure Act.

Police spokesman Capt Wikus Weber said 45 PAC members were arrested after demonstrating outside the organisation's headquarters yesterday. He said they had violated a municipal by-law and had ignored warnings to disperse. They appeared in the Johannesburg Magistrate's Court last night and the case was remanded.

Comment: Page 6

NEWS FW says swoop was a normal police action ● S

Cops charge PAC men

Sowetan 27/5/93

By Themba Molefe, Ismail Lagardien and Sapa

FOUR of the 73 Pan Africanist Congress leaders arrested on Tuesday had been charged with illegal possession of ammunition, Police Commissioner General Johan van der Merwe said last night.

Speaking on SABC's *Agenda* programme, Van der Merwe also said five members of the PAC's national executive council were still in custody.

He said of the 73, 19 had been released by last night.

Meanwhile, a special debate among negotiators at the World Trade Centre tonight will decide the future of the talks following the police crackdown.

The session of the 26-party negotiat-

■ Hernus Kriel expected to explain Tuesday's crackdown:

ing council is expected to hear an explanation by Law and Order Minister Mr Hernus Kriel after Government negotiators had denied any prior knowledge of the PAC raid.

The meeting coincides with PAC president Mr Clarence Makwetu's announcement yesterday that the organisation would not continue to participate in the talks until 73 PAC members, including seven national leaders, had been released and the "regime" had apologised publicly for its actions.

Addressing a Press conference in Johannesburg, Makwetu also demanded the return of confiscated PAC property.

Makwetu said the PAC national ex-

ecutive committee would meet to decide on the PAC's future in negotiations.

"Should the demands be met, the organisation would return to the negotiation table. Until a decision was reached by the NEC or until the demands were met, the PAC would not be returning to the talks," he said.

In Cape Town, President FW de Klerk told Parliament: "My approval (of the arrests) was not sought, because it was a normal police action."

"I have since been informed that the police have apprehended people because of *prima facie* evidence and because of reliable information which tie up the whole effort to specific crimes."

Shangaans and Xhosas battle it out

Cops charge PAC men
Savethan 27/5/93

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■ **Hernus Kriel expected to explain Tuesday's crackdown:**

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The meeting coincides with PAC

Addressing a Press conference in Johannesburg, Makweu also demanded the return of confiscated PAC property. Makweu said the PAC national ex-

"Should the demands be met, the

returning to the talks," he said.

I was a normal police action.

up the whole effort to specific crimes."

■ Claim — management won't integrate ethnic groups:

Faction fighting
Sowetan 2/15/93
claims seven lives

2/15/93
Southeastern

The management of Anglovaal, who own the mine, was locked in a meeting yesterday with officials of the National Union of Mine Workers. They will issue a statement later.

He said the Num had fought hard to have miners of different ethnic groups integrated in the hostels but management refused.

"We pointed out to management that miners worked harmoniously underground and said this showed that they would live in peace on the surface."

"We pointed out to management that miners worked harmoniously underground and said this showed that they would live in peace on the surface."

PAC DETENTIONS FM 28/5/93.

329

The limits of tolerance

The arrest of several senior PAC officials and members of its armed wing, Apla, threatened to delay if not derail a critical session of the negotiations council this week. For its part, the PAC pulled out of Tuesday's talks and said it would review its stance. As the FM went to press, it looked as though the meeting would adjourn early as a mark of protest (insisted upon by the PAC and ANC), with the time scheduled to be made up on Friday (see Negotiations).

The arrests, which appear also to include senior members of the Africanist trade union federation, Nactu, came a day after PAC national organiser Maxwell Nmadzivhanani had reportedly said that the killing of white farmers by Apla men was a legitimate political campaign from which the PAC had no reason to distance itself.

PAC deputy president Johnson Mlambo is reported as having rhetorically said at the funeral of an Apla member last weekend: "Should we talk to the regime when it's dragging its feet? Shall we abandon the bullets before the ballot is secured? We shall never do that, as that will be suicide."

These statements are seen not only by the white Right as confirmation that the PAC, Apla and others have declared war on farmers. Even though the PAC is not a signatory to the National Peace Accord, Nmadzivhanani's and Mlambo's utterances were contemptible, given that their organisation is a participant in the negotiations.

So far this year 35 white farmers have been killed in attacks that police blame largely on Apla — which early this month claimed responsibility for the murder of five whites in an attack on an East London hotel, as well as the ambush in Soweto in which four black policemen were killed.

Law & Order Minister Hernus Kriel said in a short statement that "investigative teams of the SA Police, in completion of extensive investigations, have since early (Tuesday) morning arrested several people countrywide connected to the PAC's management as well as members of Apla. The investigations are continuing and further arrests are possible."

PAC secretary-general Benny Alexander — who heads the PAC negotiating team at the World Trade Centre in Kempton Park —

claimed the arrests were aimed at driving the organisation out of constitutional negotiations at a crucial time. It appears that Alexander escaped from a police vehicle after being detained in a dawn raid on his Ennerdale home.

"The regime has decided to arrest all PAC negotiators and leaders in order to force the PAC to withdraw from negotiations during the crucial coming week when the most important decisions on the future of our country are about to be taken," Alexander charged. "They further want to push through a decision on the Transitional Executive Council which will legitimate the current regime and reduce the African majority to advisers of (President) De Klerk."

The PAC southern Free State region condemned the "harassment" of its members by the security forces, warning government that no pressure would make them surrender their demand for the return of "stolen land" and majority rule.

PAC foreign relations chief and a delegate at the negotiations, Gora Ebrahim, who called for the talks to be suspended,

described the arrests as "Gestapo-like action" which proved that apartheid was still alive. According to Ebrahim, six executive members of the PAC and at least three of their bodyguards had been arrested. Computer discs and documents at the PAC's Johannesburg headquarters had also been taken when security force members "smashed the front door." He said the police action was unjustified as the doors of the PAC were open to government to discuss any issue. PAC regional and branch offices had also been raided. The PAC is demanding the immediate and unconditional release of those detained and a firm undertaking that such police action would not occur again.

ANC secretary-general Cyril Ramaphosa was blistering in his attack on government in the wake of the PAC arrests. Speaking at the negotiating venue he demanded Kriel's dismissal. "We say Kriel is not fit to be a Minister and must be fired," said Ramaphosa, describing the arrests as a travesty of justice, which "reminds one of the old apartheid days of Gestapo tactics, jackboot activity and wholesale detentions."

Ramaphosa said the ANC was "outraged

that the leaders of a national liberation movement and a negotiating partner at this council are detained and harassed, their offices are smashed into, their property stolen and the home of the PAC president Mr Clarence Makwetu is raided." Government had seriously jeopardised the negotiations process, he went on, saying that it was unacceptable that the government should be sitting at the negotiating table, acting as a negotiator, but also as "our jailers." He wondered whether the ANC and ANC president Nelson Mandela were next in line.

According to Ramaphosa there appeared to be deep divisions in the government. "We have been told that the Ministers here did not know about the decision. We were even told that the State President did not know about the impending action. Who is in control?"

He claimed that no security force action had been taken against white rightwing groups which flouted the law by publicly carrying weapons and pledging treason. "The secretary-general of the PAC, Benny Alexander, a negotiator here, had to escape from a police vehicle. In the light of these developments, we demand that all the stolen property be returned immediately, the immediate and unconditional release of the PAC leadership and we demand that Kriel appears here and gives an explanation."

SA Communist Party chief Joe Slovo — who had earlier this month, in *Vrye Weekblad*, likened the East London murders to those committed by rightwinger Barend Strydom — and Ramaphosa supported an adjournment of Tuesday's proceedings so that the issue could be dealt with at a special meeting of the negotiating council.

The Afrikaner Volksunie said police had no option but to act against members of the PAC and Apla as their irresponsible statements and actions were "probably the greatest single threat to law and order in SA."

The CP welcomed the arrests, which it saw as being a result of CP pressure on government to act against "terrorist organisations." It was concerned, however, that action had not been taken against ANC and Umkhonto we Sizwe members as well. ■

NEGOTIATIONS FM 28/5/93.

Hard labour

Given the will and the recent rate of progress (and other things being equal), multiparty negotiators may just complete their agenda by Tuesday — in time for the Negotiating Forum on June 3 to announce a date for the first nonracial election.

Raids 'helped protect public'

Kriel: more PAC arrests could follow

GOVERNMENT last night took an uncompromising stand on the clamp-down on the PAC, with Law and Order Minister Hernus Kriel warning that more arrests could follow.

Kriel, explaining the actions of the SA Police to a special session of the negotiating council, said police were still sifting through masses of documents seized and "it is quite likely that PAC top structure personnel could be further implicated".

He said: "I wish to say that a seat around the negotiating table does not give any person or political party/organisation the right to commit murder and other crimes."

Kriel said that at the heart of the issue was the fact that no one could be allowed to continue with a policy of violence while negotiating for a peaceful solution.

To show the arrests were justified, Kriel submitted extensive documentation compiled by the SAP.

Saying the PAC's armed struggle was "nothing but a glorification of murder and crime in support of political objectives", he said the police had direct evidence of Apla involvement in a wide range of crimes. "It was therefore unavoidable and inevitable that the SAP would at some stage be forced to take action."

The police had had no choice but to act as they had this week. They would have failed in their duty had they not.

"The action was taken after extensive and exhaustive investigation which reached the stage last week where arrests were necessary," Kriel said.

He said valuable information obtained during the raids would assist police to protect the public against a wide range of crimes. He said a detained Apla member

BIDM 28/5/93 (329) ~~44~~
BILLY PADDOCK

had admitted he was instructed to observe bars where whites gathered, with the purpose of attacking and murdering them. The member had admitted to killing a man to obtain his vehicle for Apla's use. The member had also kept a police station under observation, with the objective of attacking it and officers on duty.

Kriel said five top PAC officials were in detention because of their possible involvement in several of the crimes or possession of information regarding crimes.

He said national executive committee member Enoch Zulu was being held in connection with an alleged 1977 murder, as well as on charges of illegal possession of a firearm and ammunition. National organiser Maxwell Nemadzivhanani was being held on charges of illegal possession of a firearm and ammunition, and was being investigated for possible links to the murder of Sandra Swanepoel in Letsitele on April 28.

He said economic affairs head Solly Skosana was allegedly involved in co-ordinating Apla task forces on the East Rand. Documentation had been found detailing activities of these forces, including the planned murder of seven SAP members and six SADF members.

With regard to the manner and timing of police actions, Kriel said it had been unavoidable that they act in the early hours of the morning. "This is the only time that persons are normally at home; it prevents persons from being arrested at work and then being transported to their homes; it prevents such actions from taking place in

To Page 2

BIDM 28/5/93
Kriel

public and it prevents suspects from fleeing or destroying evidence."

He said all allegations that police had acted in an uncontrolled fashion would be fully investigated; if proved, action would be taken.

Kriel said that to date, 42 of those arrested in Tuesday's raids had been released and four had appeared in court. The remaining 28 were being held under Section 29 of the Internal Security Act, which allows for their detention for up to 14 days before appearing in court.

PAC delegate to the talks Gora Ebrahim challenged Kriel to explain why, if extensive and exhaustive investigations had been conducted for months, only four people had been charged on minor counts of illegal possession of firearms and ammunition. Why, he asked, were the others being detained "under a tool used for govern-

ment's political opponents".

Ebrahim said: "Minister Kriel has not produced a single bit of criminal evidence against anyone."

He raised the case of PAC official Louis Moloi, seriously injured in a car accident last year. "He was only released (from hospital) after more than a year on Friday. He was released in a wheelchair, yet he was detained," said Ebrahim.

In response, Kriel said Moloi had been released from custody on Wednesday morning "after he (Moloi) had a problem".

Laughter greeted his explanation.

President F W de Klerk told a news conference in Cape Town yesterday he was informed that dozens of PAC members would be arrested only after the operation was under way. He denied that the number of arrests and subsequent releases implied the SAP had gone on a "fishing expedition".

(329) From Page 1

NEWS Azapo lauds dead pathologist • Weeding out the nation's smokers

Tributes pour in for Jonathan Gluckman

■ Fearless doctor revealed details of police brutality to a shocked SA:

By Ruth Bhengu

THE death of pathologist Dr Jonathan Gluckman on Tuesday night in Johannesburg should have a different effect on different people.

Those in the police force must be sighing with relief, while the dispossessed, whose hopes were pinned on Gluckman and courageous medical professionals like him, are distressed, to say the least.

The 75-year-old Gluckman, who died after a back operation, commanded great respect in the black community.

Tributes from political and professional organisations have been pouring in for the pathologist who earned himself the label "controversial".

A fellow doctor and admirer, Dr Gomolemo Mokahe, who is also publicity secretary for the Azanian People's Organisation, referred to Gluckman as "a man of very high principles".

"He was a credit not only to the medical profession but to the South African nation in general. Just recently he gave the world an insight into the torture going on in South African prisons.

"It is ironic that up to his death the SAP had not as yet provided satisfactory answers to questions he raised," Mokahe said.

Gluckman caused a furor last July when he revealed that police had murdered about 90 percent of the 200 people whose bodies he had examined after their deaths in custody.

He said: "The police are out of control and are murdering prisoners in custody."

He also claimed to have evidence of "police handling people in a vicious manner". But the police denied it.

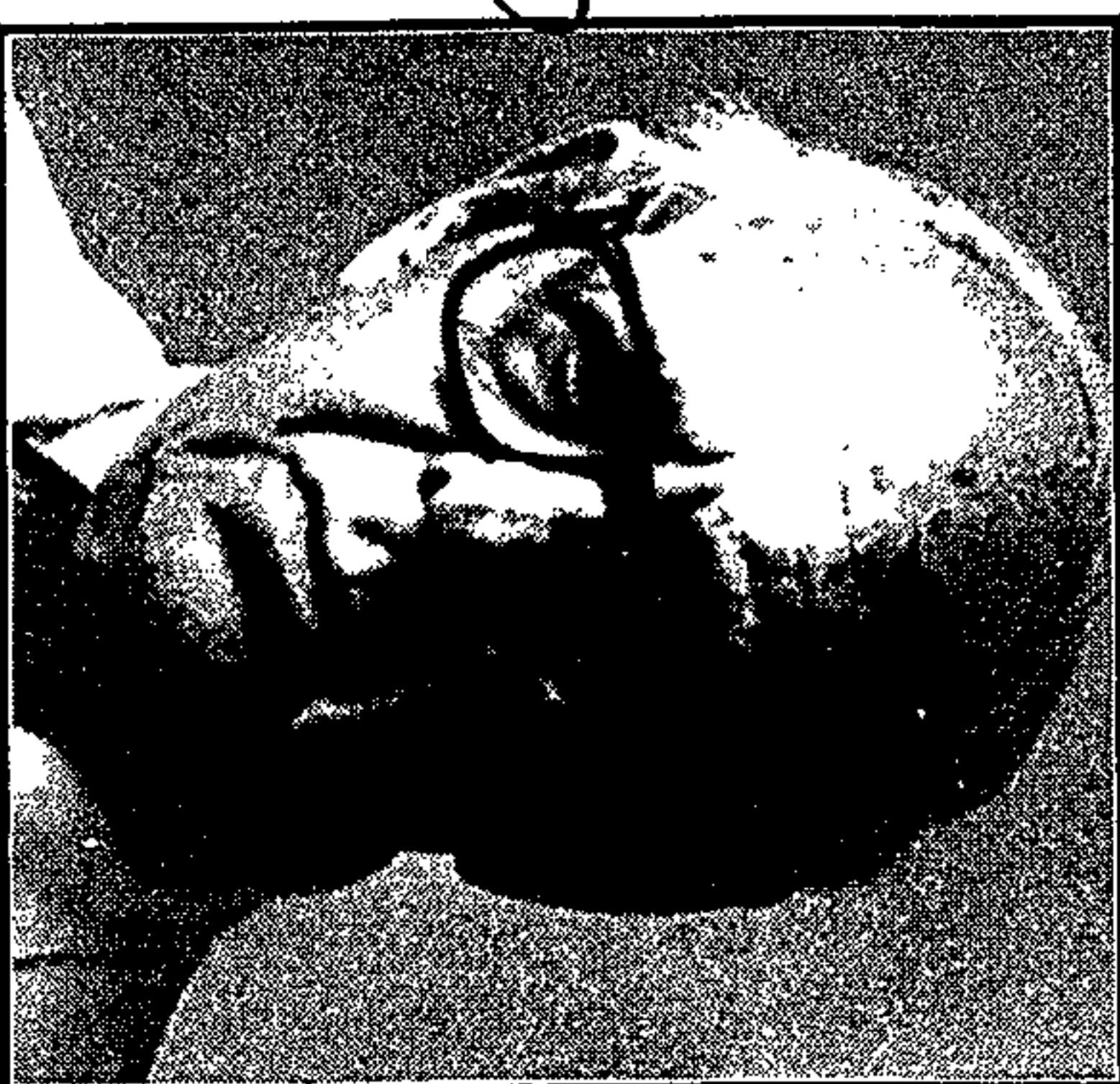
Minister of Law and Order Mr Hennus Kriel, after investigating the police, said only 29 percent of 200 deaths had occurred while the prisoners were in custody.

The SAP report on the investigations on its own people said of 118 people on its list 14, were still alive, seven killed in the TBVC states and Lesotho, 29 died "not in police detention or due to police action", 26 died "during police action" and in eight the SAP "could not legally be accountable".

The police report showed that 34 people had died while in detention, six were suicides, while in 14 cases police were not accountable. Eight were under investigation and in six police were prosecuted for murder, six died while in the care of the Department of Correctional Services and two died "as a result of SADP action".

In three cases, the SAP were prosecuted for murder and culpable homicide.

Gluckman's response to the police claim that some of the people were still alive was that he was "stupified". But



Jonathan Gluckman ... died after a back operation.

so was the entire country, which had expected the Government to set up an independent commission of inquiry.

Instead, police treated Gluckman as a thorn in the flesh and called him a liar.

Spokesman for the Law and Order Ministry Captain Craig Kotze said: "Based on the information at our disposal, including information given to us by Dr Gluckman, the original allegations that police were out of control and were murdering prisoners in custody, left right and centre, cannot be substantiated."

Whether the police have managed to convince themselves that they are innocent, the reality of the situation is that people are still dying in police custody.

Reports show that up to 119 people have died this year only. Is there anyone out there willing to fill Jonathan Gluckman's shoes?

To Pa

Kriel in the dock

Sowetan 28/5/93

By Themba Molefe
Political Reporter

THE NEGOTIATIONS PROCESS was early this MORNING saved from the brink of collapse when the Pan Africanist Congress and the Government agreed to meet urgently to resolve their differences.

At the end of a special session of negotiators at the World Trade Centre, the 26 parties agreed that the Government was not justified to detain the national leadership of the PAC and 75 of its members.

In a resolution adopted the council reaffirmed its commitment to the negotiation process and that the PAC should remain in the talks.

Most of the negotiators called for Kriel to resign after ordering the arrest of 75 PAC members, including members of its national executive council, in pre-dawn raids on Tuesday.

But a defiant Kriel told the 104 negotiators that even the PAC president Mr Clarence Makwetu and other top leaders could be further implicated and detained.

He tried to substantiate reasons for the massive crackdown by saying there was prima facie evidence which preceded the action.

Referring to the timing of the arrests, Kriel denied they were aimed at derailing negotiations but at preventing the suspects from going away as there was going to be a long weekend.

In his address to the negotiating council, PAC general secretary Mr Benny Alexander had earlier turned down a request by the Government for an urgent bilateral meeting.

Other leading participants at the negotiating council meeting called for Kriel's head because

of the swoop on the PAC.

ANC general secretary Mr Cyril Ramaphosa demanded Kriel either resign or be dismissed immediately.

"He (Mr Kriel) is the one single Government minister who does not want the PAC at the negotiating table," claimed Ramaphosa.

"You (Mr Kriel) are becoming a danger to this negotiating process. Therefore, you must resign or be dismissed immediately."

Pravin Gordhan, of the Natal Indian Congress, also said Kriel must be relieved of his duties, and the South African Communist Party, the Intando YeSizwe Party and the Inkatha Freedom Party also criticised the police action against the PAC.

Leon Wessels, of the National Party, strongly defended the police swoop.

"The National Party is engaged in bringing about a just and fair dispensation for all South Africans. We are unequivocally committed to this process. But no one should be above the law, both now and in the future.

"The National Party firmly believes the SAP acted against the PAC in pursuance of its mission. The law must now take its course," he said.

●Meanwhile, the police yesterday released 43 of the 75 PAC members who were detained in the swoop. Four members of the PAC appeared in the Soweto Magistrate's Court yesterday on charges of illegal possession of ammunition.

Police yesterday said 28 "suspects" were remaining in detention under Section 29 of the Internal Security Act, which provides for 10 days' detention without trial.

●Meanwhile, 38 PAC supporters, chanting "every policeman, every farmer deserves a bullet" and "one grenade, 10 settlers", were arrested during a demonstration Pretoria yesterday. They were later released and warned to appear in court.

DOCTOR COURAGE

5 Times 30/5/93
 'The challenge of just one more case was one Dr Gluckman seemed unable to resist'

ALONE in the silence of a detention cell or torture chamber, few detainees in South Africa's dark past had many sources of hope — but Dr Jonathan Gluckman cared and never hesitated to expose barbarism.

Dr Gluckman, 78, who died in Johannesburg this week after cardiac complications following a spinal operation, never supported any of the liberation movements.

He was part of a near-extinct order, a doctor absolutely dedicated to the principles of the Hippocratic Oath.

Speaking at a graduation ceremony at the University of the Witwatersrand in 1975, he expressed the view that medical aid schemes had helped to create doctors more interested in their balance sheets than their patients' diagnostic charts. "We have lost our collective soul," he said. But he never did.

Threats

In a rare tribute, Azapo's Dr Gomolemo Mokoae said Dr Gluckman had "won martyrdom in the hearts of the oppressed with his commitment to human dignity and justice".

He said that in 1977, Dr Gluckman "virtually cocked a snook at the white minority regime and its police when he exposed the brutality to which the police must have subjected Black Consciousness leader Steve Biko before his death".

His testimony at the Biko inquest made international headlines and raised questions about medical ethics in South Africa.

By CHARLENE SMITH

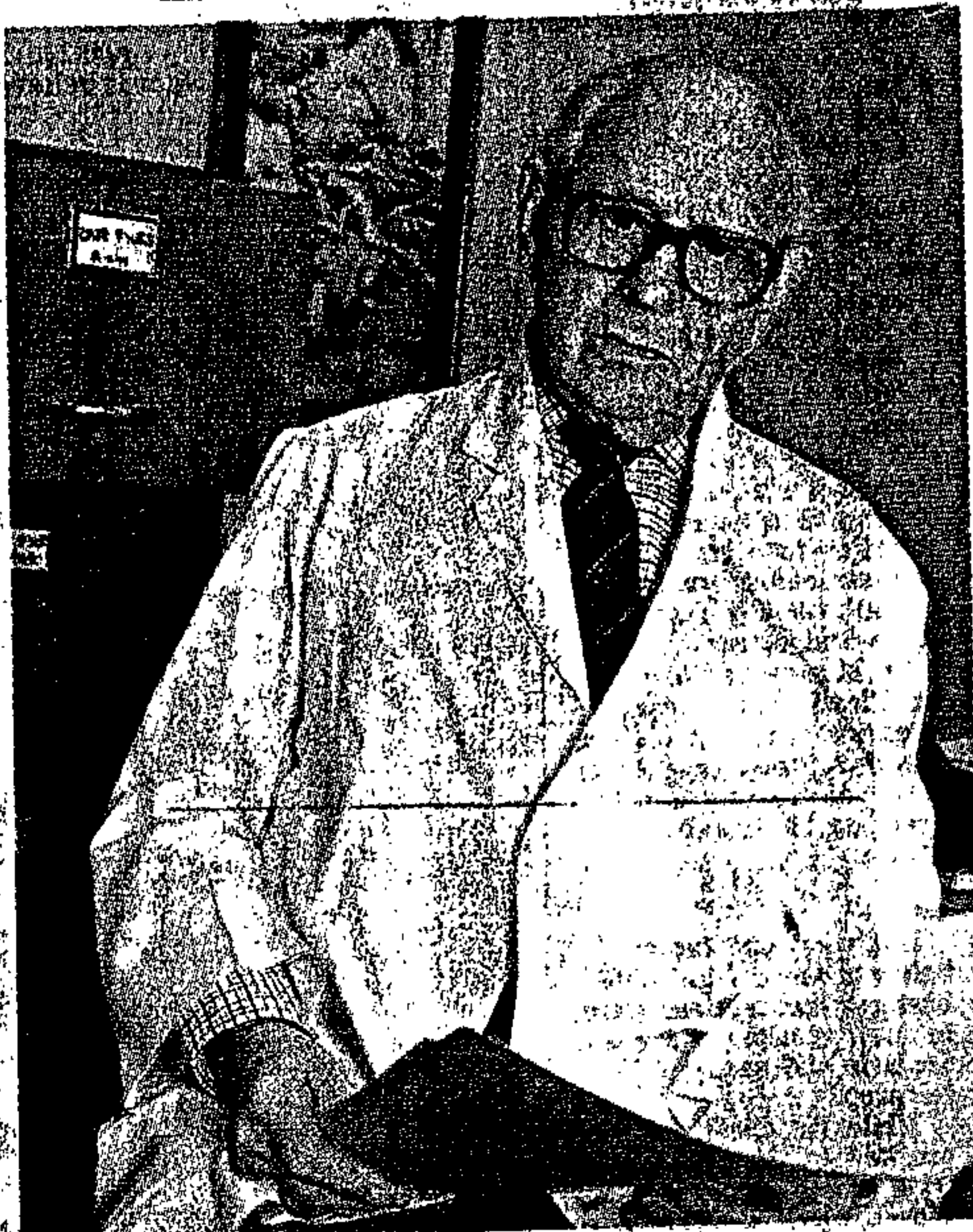
Last year — after failing to get a response from President de Klerk — he made public allegations that police had killed about 90 percent of the 200 people whose bodies he examined after they had died in police custody.

He received a string of death threats after this, but his testimony focused attention once again on deaths in police custody.

Law and Order Minister Hernus Kriel issued a report that said only 29 percent of those examined by Dr Gluckman had died as a result of police maltreatment. But criticism followed that the police spent more time trying to disprove Dr Gluckman's findings than seeking ways to redress the problem.

It was revealed that the police had bugged Dr Gluckman's telephones and his office. He remained unperturbed.

He was fascinated by pathology. He talked of re-



DEDICATED ... Dr Jonathan Gluckman 'lived for his work'

tiring to Provence in France, where he owned a villa, to write his memoirs but the challenge of just one more case was one Dr Gluckman seemed unable to resist.

Johannesburg advocate Denis Kuny, SC, said: "He lived for his work."

He became so engrossed in cases that he charged very little or nothing.

Dr Paul Davis, of Medical Rescue International, of which Dr Gluckman was executive director, said: "He believed he could make a difference. He was an example of how much one man can achieve for the betterment of humanity."

Born in Johannesburg, he was educated at the University of the Witwatersrand and St Bartholomew's hospital, London. He served as a pathologist during World War Two before doing post-graduate work in the United States.

Dr Gluckman leaves his wife, Lois, and children Michael, Paul and Mary.

'A doctor who took on the state's might ... for truth'

Cypress 30/5/93

By OBED MUSI

THE doyen of South African pathologists, Dr Jonathan Gluckman, 78, this week died after a back operation.

He attracted international attention recently when he alleged that in many cases of death in detention he strongly believed the SAP to have been involved.

This opened a can of worms culminating in widespread rumours that a "hit squad" would remove him because he would reveal that "dirty tricks" had been used on those who had allegedly committed suicide in detention or while in the hands of the police.

At the time a friend of his was reported as saying that the pathologist had sent copies of his reports to a country abroad to be published "in case anything happened to him".

The hefty manuscript also contained his unedited memoirs which now sadly may never be published.

It will be recalled that he was the family pathologist in the Steve Biko inquest and that he was later the consultant for other families whose next-of-kin had died in similar circumstances.

After being involved in dozens of forensic consultations his sense of justice could stand no more, said an old-time colleague.

"He took on the might of the mighty South African government and was prepared to be pilloried by anyone for what he believed to be the truth – and he stuck to his ethical guns throughout," he said.

A product of elite institutions like Parktown Prep, Houghton College and Wits, where he later taught, he was nevertheless a man of the people, said a black medico who declined to be named.

His friend and colleague, Soweto leader Dr Ntatho Motlana, said: "He showed all SA that no one in authority can continue to kill people willy-nilly – as in the Lenkoe case – when he showed that electric shocks were used by the security police to extract what was to be later presented in court as truth.

"He was courageous, friendly, intelligent and had a full commitment to his calling."

In a statement, Azapo's Dr Gomolemo Mokae paid tribute to Dr Gluckman: "He was a pathologist with a difference and his death must have touched the hearts of many members of the medical profes-



REMEMBERED! ... Dr Gluckman's evidence caused a sensation at the Steve Biko inquest.

sion.

"In his commitment to the Hippocratic oath he was head and shoulders above us all and did us proud.

"Respect for him extended beyond the borders of medicine to the rest of the world, and to the inhabitants of this embattled land he was a hero.

"This dates back to 1977 when he cocked a snoot at the government and its police force – giving an insight into the wanton brutality to which Biko must have been subjected to before his death.

"Recently he once again ruffled the government's feathers when he suggested that the "new SA" detainee's lot still leaves a lot to be desired. In short it is still horrible.

"He suggested that the SAP still took liberties with those detained in the country's prisons."

May his soul rest in peace.

PAC man released

PAC national organiser
Maxwell Nemadziyhanani was
released from custody
yesterday after appearing in
the Johannesburg Regional
Court on charges of (329)
contravening the Firearms
Act. He was released on
warning and is to appear in
court again on June 14.

Base add 216193

Link investigated

Kriel shoots himself in the foot

Wim and 46-10/6/93.

In a conference room dominated by eloquent and independently minded black people, the tricameral parliament's "Mr Tough" was like a fish out of water.

Law and Order Minister Hennus Kriel fumbled; mispronounced black delegates' names; kept — in parliamentary fashion — referring to delegates as "the honourable member"; tried to out-stare journalists in the press gallery. He even attempted to win sympathy through feeble and self-effacing jokes: "Mr chairman, I write so badly I can't even make it out myself..."

Never in the National Party's history has a cabinet minister been publicly humiliated as Kriel was at the World Trade Centre last week.

He nervously sipped water from his glass, leaving the room from time to time either to smoke or to pee, hands in his trouser pockets, looking studiously at the ceiling, trying to project an aura of nonchalance while resembling a man whistling as he passes the graveyard.

Behind him, unobtrusive and like someone's poor and slightly embarrassing uncle, sat the man who officially ordered the raids on the Pan Africanist Congress which touched off the controversy and landed Kriel in the dock: police commissioner Johan van der Merwe.

Van der Merwe had been sent out like a dutiful errand boy to collect documents, facts and figures on the PAC when the NP politicians needed them

The day Hennus Kriel was

summoned to account for the police raids on the PAC, the

negotiating forum at the World Trade Centre resembled

something from the Theatre of the Absurd. By CHRIS LOUW

— despite their claims that the police had acted independently on a criminal matter.

Right at the end of the evening, like a naughty and nervous schoolboy, Kriel secretly lit a cigarette which he hid in his palm between thumb and forefinger, waving his hand under the desk to hide the smoke, taking a quick draw every now and then when he thought no one was looking. (The banning of smoking in the negotiation hall was one of the first issues decided on through "sufficient consensus". Smoking is also not allowed in parliament.)

Kriel needed the fag, because he lost the argument.

How do you explain to representatives of liberation movements that the arrest of 73 of their colleagues followed thorough police investigations when, in the end, only four are brought to court?

Even delegates who would have preferred to give Kriel the benefit of the doubt were forced to conclude that the arrests were politically motivated and had little to do with crime prevention.



Mr Tough ... Hennus Kriel struggles to change his style

They included the talkative Amichand Rajbansi, as well as — surprisingly — the Bophuthatswana government and the kwaZulu representatives.

From the press gallery, the scene on the floor resembled something from the Theatre of the Absurd.

There was the Consultative Business Movement's Theuns Eloff, organiser of the forum, walking up and down like a Doppele koster (church warden), making sure that everything was in order.

And there was the PAC's Benny Alexander, taking notes, hardly looking up while Kriel defended the police action. Two nights before, Alexander's house had been ransacked in the early

Kriel's usual appreciative audience — formed a very small band at the World Trade Centre, consisting mainly of members the Afrikaner Volksunie (AVU) and the CP. For those who were looking for a real tough guy, an alternative to the blustering Kriel, there was the AVU's hawk-like Moolman Mentz, the real McCoy, talking tough with confidence.

"What we have seen demonstrated tonight," said the South African Communist Party's Joe Slovo after Kriel's fluffed efforts to justify the police actions, "was a demonstration of how difficult it is for those brought up under apartheid to adjust to civilised values."

Kriel was in the front-row seat normally used by Roelf Meyer, the gov-

nours of the morning by police men. Other PAC members reportedly had their doors kicked open.

In the stilted atmosphere, the brutalities became abstractions as chairman Rowan Cronje gently chided participants, cracked jokes and hurried on speakers.

When Alexander, in true parliamentary debating style, launched an attack on Kriel, he was stopped in mid-sentence by Cronje, who insisted on formalities: "Mr Alexander, you have now had seven minutes ..."

Replied Alexander, slightly embarrassed: "The 'house' has been gracious ... Unfortunately, I do not have the time to correct all the misrepresentations of this illegitimate regime."

The debating style might have resembled parliament, but it quickly became clear that Kriel was out of his depth in the negotiating forum, where representatives of opposing parties have learnt by experience to find common ground.

Rather, Kriel was an obvious and anachronistic product of the tricameral parliament, accustomed to justifying his actions to the disproportionately represented Conservative Party and his own restless caucus.

There is little doubt that the actions taken against the PAC were an effort to pacify the increasingly nervous NP caucus.

But it is easy to play "Mr Tough" in parliament, where the majority will applaud; it is rather different when you have to justify yourself to the victims of those actions, and to people who have no interest in NP *kragdadigheid*. And when you are someone who so obviously craves popularity, it becomes a nightmare.

Conservative Afrikaners —

ernment's chief negotiator, who had been kept in the dark when police launched their raid.

In the end the two men swapped, so that Meyer was back in the negotiating seat. But throughout the night he said nothing, looking withdrawn and only showing interest when either Alexander or the African National Congress' Cyril Ramaphosa had something to say.

It was Ramaphosa who had the last word. Things were changing in this country, he said. It had been the first time a minister of police had been summoned to account for his actions.

"You are," he added in winding up the debate, addressing Kriel directly, "becoming a danger to this negotiating process ... We say you must resign ... This country does not need a minister who is as abrasive as you are."

Kriel was clearly unhappy with the planning committee's decision that the government and the PAC meet the next morning to sort out their differences, and report back to the negotiating council. Receiving no assistance from Meyer, he started remonstrating with Local Government and Planning Minister Tertius Delport, only stopping when he realised media representatives were watching.

Afterwards, he complained bitterly about the way he was criticised by Ramaphosa. "I have never been told to resign in such a low way (*op so 'n lae vlak*) ... I think the atmosphere at Thursday's meeting was aimed at my person ... I had to be destroyed, because I was seen as the biggest opponent," he told an Afrikaans Sunday newspaper. "To be minister of law and order during these times means that you have a high profile. That is not quite my style."

Locking up people — preferably unobtrusively — apparently is his style.

What he must realise, however, is that power is unstoppably moving away from parliament to "the people" — and that the posturing of yesteryear has little value in the South Africa of today.

I am a changed man, says Biko doctor Lang

By CARMEL RICKARD

PORT Elizabeth chief district surgeon Dr Ivor Lang says he is a changed man.

Still disparaged in some circles as one of the "Biko doctors", he told the Sunday Times this week that he had spent the last few years trying to make sure that no detainee in his region would ever suffer as Steve Biko did.

Black consciousness leader Mr Biko died in police custody in 1977.

Dr Lang was the district surgeon who issued what he later admitted was a "highly incorrect" certificate saying there was nothing wrong with Mr Biko when he was first called to examine him.

He says that, since taking over as chief district surgeon for Port Elizabeth eight years ago, he had

strengthened the role of his staff to ensure that everyone in prison or in custody was protected against police maltreatment. He believes the system now operating in Port Elizabeth could be an example to the rest of the country.

He admits he has come a long way in the past 16 years. "In those days, 1976-1978, we were totally under the influence of the security police. They were virtually almighty. We felt that what the security police said was an instruction and had to be obeyed."

Dr Lang says he has learnt from this mistake, and will not allow it to be repeated by his staff. He insists that members of his

department — and the police — understand that the interests of the patient, whether a detainee, an awaiting-trial prisoner or a sentenced convict, must always come first.

"The police know we will not cover up any misdemeanour and that we will not stand for any nonsense."

His department now employs three highly qualified nursing sisters who visit people daily in police cells in the Port Elizabeth metropolitan area.

They consult Dr Lang directly, and their notes are computerised, forming a permanent record of every detained person who reports a medical problem. His staff members also visit police cells in outlying areas once a week.

Improved

They are trained to ask detainees detailed questions about whether they have been assaulted, and if so, by whom. Dr Lang says the assault rate on detainees and other prisoners has dropped dramatically.

He puts it down to a combination of factors, including a new police attitude. For example, his staff is often asked by the police to examine detainees before and after statements or confessions are taken.

Senior Cape colleagues say Dr Lang's initiatives have improved the health of detainees and given them added protection against the police.

He has also insisted on proper examination rooms in police stations and other detention centres "so that we can examine patients in a proper place and not in a dark corner".

29/6/93
Sapa 29/6/93

Cops hold 21 rightwingers

TEN more rightwingers have been arrested, bringing to 21 the number of people detained in connection with Friday's siege of the World Trade Centre in Kempton Park.

Police spokesman Major Ruben Bloomberg said yesterday the arrested rightwingers were being held under Section 50 of the Criminal Procedures Act, which meant they had to appear in court within 48 hours or be released.

AWB spokesman "Colonel" I. van der Merwe accused police of intimidation. (329)

"There were parents who were taken into custody during the night while no provision was made for their children who were left behind."

The AWB leader (Mr Eugene Terre-Blanche) warns that an explosive situation is being created by these contemptuous methods.

"Thousands of angry commando officers are watching the situation. The AWB leader predicts big problems if the situation continues," he said.

In its reaction, the ANC said police were not doing enough. (254)

ANC spokesman Mr Ronnie Mamoepa said the leaders of Friday's protest — Terre-Blanche, the Afrikaner Volksfront's General Constand Viljoen and Conservative Party head Dr Ferdi Hartzenberg — should have been arrested on the spot along with all the demonstrators.

"If they had been 2 000 ANC demonstrators they would all be in jail." — Sapa.

Hints at retaliation for arrests

Police act to avert jailbreak by right wing

B/Dag 29/6/93

(329) (329)

DIRK VAN EEDEN

RIGHT-WINGERS held in Soweto police cells were being moved to "a place of maximum security" because of the threat of an armed attempt to free them, police said last night.

By yesterday, 21 people had been detained in connection with Friday's siege of the World Trade Centre in Kempton Park.

Maj Ruben Bloomberg could not say if all 21 were being held in Soweto, nor would he elaborate on the nature of the threat.

Spokesman Col Johan Mostert said the detainees were moved after a tip-off from a member of the public that armed right-wingers planned to remove them forcibly from custody. He said police were forced to take these steps to ensure the safety of the suspects and police, Sapa reports.

The detainees reportedly include six members of the AWB's elite Ystergarde, who handed themselves over to Vereeniging police yesterday.

Earlier Bloomberg said Soweto cells were being used because they had been specifically adapted to accommodate political detainees. They were designed to prevent detainees from harming themselves. District surgeons and the Red Cross had access to the detainees at all times.

The detainees were being held under Section 50 of the Criminal Procedure Act, which provides for 48 hours' detention without charge. Bloomberg refused to dis-

close their identities.

In a statement on behalf of AWB leader Eugene Terre'Blanche, "Col" L van der Merwe said thousands of outraged Wenkommando officers were watching the situation and that Terre'Blanche foresaw "serious problems" if the situation continued.

Van der Merwe said senior officers of the AWB Wenkommando had been arrested in a "humiliating" fashion and that numerous cases of assault had been reported to the organisation. "According to information female officers are arrested and then detained in Soweto. The AWB leader has warned that an explosive situation is being created by these despicable methods. Parents were arrested during the night without any arrangements for care of the children left behind," he claimed.

Bloomberg denied the allegations.

Terre'Blanche demanded that Law and Order Minister Hernus Kriel act immediately against the "the grim abuses of power and intimidation" by policemen.

At the weekend senior right-wingers warned of retaliation for arrests of their members.

An estimated 300 people might still be arrested, police said yesterday.

● Comment: Page 8

Soft target trend disturbing — SAP

By RAY HARTLEY 11/6/93

THE trend of Apla attacks aimed at "soft targets" was disturbing, police said yesterday.

On Saturday police arrested four Apla members for allegedly planning to bomb two Yeoville, Johannesburg, restaurants. Police spokesman Col Reg Crewe said another Apla group, allegedly planning attacks at bars and restaurants in Natal, had been arrested after an Apla member detained last week had made a confession.

Crewe said police were receiving "cooperation" from several Apla members, and more arrests were possible this week.

Three suspects, in possession of a stick grenade, plastic explosives and TNT, were arrested in connection with the Yeoville incident, in which a Chinese restaurant and a pavement cafe were allegedly targeted.

A fourth suspect was later arrested in Soweto in possession of assault rifles, hand grenades and ammunition. He was wounded in an exchange of gunfire.

Last week a man purporting to represent Apla claimed the safety of soft targets could not be guaranteed after the swoop on the PAC.

Sapa-AFP reports from Sydney that SA ambassador Naude Steyn was summoned to a meeting yesterday with Australian Foreign Affairs Africa section head Michael Landale, who urged SA to charge or release detained PAC member Maxwell Nemadzivhanani — an Australian citizen. It was not clear whether Nemadzivhanani held dual citizenship.

Nemadzivhanani went to Australia as a student in 1978. He returned to SA more than a year ago, but his Australian wife and two children remained in Canberra because of safety concerns.



Sundowns supporters dash for cover on the eastern stand of the HM Pitje Stadium during a scuffle with AmaZulu fans on Saturday. PIC:MATSHUBE MFOLOE

Government, PAC hold talks on Apla

Sowetan 11/6/93

By Themba Molefe and Sapa

TALKS BETWEEN THE Pan Africanist Congress and the Government continue this morning to solve differences following last week's police swoop on members of the organisation.

Police unconditionally released three PAC leaders after an emergency meeting on Friday. (329)

PAC political affairs secretary Mr Jaki Seroke was released on bail on Friday after being charged with the illegal possession of firearms.

National organiser Mr Maxwell Nemadzivhanani is still in detention.

The PAC leadership, led by general secretary Mr Benny Alexander and the organisation's chief negotiator, Mr Gora Ebrahim, will meet again today with Constitutional Affairs Minister Roelf Meyer and Law and Order Minister Hernus Kriel.

■ CRISIS MEETING Political chief

released on bail after being charged:

Yesterday, President FW de Klerk, ANC leader Mr Nelson Mandela, Roelf Meyer and ANC general secretary Mr Cyril Ramaphosa held talks in Pretoria.

The office of the State President said in a statement that De Klerk and Mandela had met "as a continuation of their previous meetings. Outstanding matters from these meetings were attended to".

An election date is believed to have been one of the items at the top of the agenda at the Pretoria meeting.

Certain constitutional issues essential to the announcement of an election date had not been resolved, negotiators have said.

It is expected that an election date and its announcement will be decided

on at today's negotiating council meeting at the World Trade Centre in Kempton Park.

However, negotiators are divided over whether South Africa will know on Thursday when its first democratic elections are to be held.

But Meyer and Ramaphosa are confident that the election date can be set at Thursday's negotiating forum meeting. Both men cautioned that much work lay ahead in the next 48 hours. Inkatha Freedom Party chairman Dr Frank Mdlalose said he was concerned at the "galloping" pace of negotiations.

Several delegates complained at Friday's meeting of the negotiating council that not enough time was being spent to debate vital issues.

Star 116193
**Warrant out for
former policeman**

Johnny Mokaleng, the former policeman who last year alleged that police had killed political detainees and buried them in secret graves in the western Transvaal, is to be charged soon with fraud and defeating the ends of justice.

A warrant for Mokaleng's arrest was issued on May 12, but he has not yet been found, police said. They believe he has left the country. — Crime Reporter.

(329)

news in brief

Sowetan 2/6/93 Schools set alight

EXTENSIVE damage was caused to two schools that were set alight on Monday night. Seven classrooms and the administration block of the Eloff Primary School near Delmas in the Eastern Transvaal were destroyed.

Only two classrooms could be saved. The second school, near Port Alfred in the Eastern Cape, was extensively damaged after three classrooms were set on fire.

Chilly night in OFS

SUB-ZERO temperatures were recorded in some Free State towns on Monday.

Temperatures dropped to minus 11 degrees outside Clarens. At Harrismith, the mercury dropped to -6 degrees. Bethlehem, Ficksburg, Wepener, Memel, Verwoerd Dam and Smithfield recorded -4 degrees.

Couple murdered

ANOTHER white couple have been murdered on their smallholding. The bodies of 56-year-old Mr Francis Roos and his 53-year-old wife Gertrude were found in a store-room on their Suikerboskop smallholding near Withank on Monday night. Both were shot in the head.

Two shot dead

THE badly charred bodies of two men in their early 20s, both with a single bullet wound to the head, were found at Westridge in Mitchell's Plain on the Cape Peninsula on Monday.

Residents in the area told police they heard two shots and on investigation saw three men run to a kombi and drive off. Police found two 9mm bullets and a spent 7,65 case at the scene as well as a bottle which could have contained petrol. — Sapa.

R15 000 for Mcerwa

Sowetan 2/6/93.329
■ Minister Kriel makes out-of-court settlement:

By Abbey Makoe

FORMER president of the Azanian Youth Organisation Mr Thami Mcerwa has been awarded R15 000 in an out-of-court settlement in an action against Law and Order Minister Hernus Kriel.

The settlement followed Mcerwa's acquittal on charges of allegedly resisting arrest and of assaulting policemen at his Dlamini, Soweto, home in February last year.

Mcerwa later laid charges against the police for unlawful arrest and assault. He had to suspend his studies in Britain to attend to the case. He is due to fly back later this week to write examinations.

The matter was settled last Friday.

PAC youth shot in jail

Sowetan 2/6/93.

By Bongani Mavuso

A POLICEMAN allegedly shot dead a youth "by mistake" at the Houtkop police station in Sebokeng on Sunday.

Mr Lucas Mohapi said he last saw his son Edgar (19), a Standard 9 pupil at the Raphele Secondary School at Orange Farm, alive last Friday morning.

Edgar, who is said to be a PAC activist, was arrested on Friday with his friends Bheki Malevu and two others identified as Bakeng and Veli at Orange Farm.

"Police informed me on Sunday evening that my son had been shot in the head by mistake," Mohapi said yesterday. "They told me to go to the police station and inquire.

"When I went there, a police officer told me Edgar was sitting with his friends smoking in an office when he was shot in the head. He asked if police could do anything to help."

Vaal police spokesman Major Piel van

Deventer yesterday confirmed the shooting.

"It seems it (the shooting) was an accident. The matter is under investigation."

Van Deventer said the policeman involved had not been arrested. "We can't reveal his identity."

Mrs Rita Malevu said her son Bheki was seriously assaulted.

"His face was badly swollen. Initially, police told me he was not being held there. When I went to inquire again on Sunday, I saw him being fingerprinted.

"I was informed that Bheki tried to commit suicide by cutting his stomach with a sharp object. I don't understand why police initially said he was not being held there."

Mohapi said police informed him that the boys were arrested for illegal possession of two 9mm pistols.

He could not confirm that

his son was a member of the PAC. "I am baffled by the police contention that my son was shot by mistake. They told me he was co-operative. I can't understand the circumstances under which my son was killed. I feel the police are hiding something about the way he was killed," he said.



Edgar Mohapi (19) was last seen alive last Friday morning.

Arms: four held

Star 2/6/93
Four Mozambicans have been arrested after traffic inspectors found five AK-47 rifles, five Makarov pistols and ammunition in their car. (224)

The illegal immigrants are being detained at Machadodorp in the eastern Transvaal.

— Sapa. (329) (28)

Star 216193

Detainees' deaths claim: ex-policeman held

Former Potchefstroom constable Johnny Mokaeleng, who alleged that he was part of a group of policemen who assaulted, killed and buried detainees on a farm outside

Rustenburg, has been arrested.

He was detained yesterday after police confirmed that a warrant of arrest was issued on March 12. (329)

He denied statements by the SAP's chief liaison officer, Colonel Johan Mostert, that he was believed to have fled to Bophuthatswana. — Own Correspondent.

CLAMPDOWN ON PAC ^{FM 4/6/93} General mistake ³²⁹

As if by magic the multiparty talks in Kempton Park seem to have survived last week's ham-handed police action against the PAC. Bilateral discussions on Tuesday between government chief negotiator Roelf Meyer and PAC secretary-general Bennie Alex-
Cont'd

CURRENT AFFAIRS

FM 4/6/93

329

ander were apparently progressing well as the FM went to press.

They followed a bilateral agreement between the two last week that some of the senior PAC officials arrested in the nation-

farm murders and attacks on policemen that were the implied justification for the crack-down.

In the absence of high-profile trials of PAC leaders, Law & Order Minister Hernus

Kriel and his police generals are left with egg on their faces. The *kragdadige* action against the PAC apparently included smashing down doors, ransacking houses and detaining a wheelchair-bound official, clearly a serious setback to SAP efforts to improve its public image, particularly among blacks.

The reason for the action remains unclear. It was probably a combination of police frustration at their inability to end the killings, irritation at the manner in which politicians seem

negotiator Dawie de Villiers should have been fully briefed before the action was taken. In varying degrees, all three were embarrassed by the way in which the swoop was conducted.

Police claims that it was a normal law and order function that did not need to be cleared with other Ministers is a dangerously naive view of the political process and brings into question the free rein the generals enjoy. Kriel denies that the action was a deliberate attempt to bolster his Cabinet status or undermine De Villiers's position as Cape NP leader or Meyer's position in the negotiations. This is probably correct.

The incident has reportedly severely dented Kriel's standing in the Cabinet and, in the absence of serious charges being successfully pressed against PAC leaders, his political career could be far shorter than he had hoped.

His dismal performance in last week's debate at the World Trade Centre added to his problems and portrayed him as a spoiler.

Whatever credibility gains the SAP and Kriel hoped to make among whites have probably been neutralised by Meyer's deal with Alexander to release some of the arrested PAC officials and the inability so far to charge anyone with serious offences.

Township radicals

Fortunately, most negotiating parties



Law and Order's Kriel ... ham-fisted action

wide swoop would be released and others charged. So far the charges brought against PAC members have related mainly to alleged illegal possession of weapons and ammunition. No-one has yet been charged with the serious offences related to the wave of

to be sacrificing law and order for political progress, the need to reassure whites that the PAC's activities would not be tolerated, and an attempt to rattle the PAC and force it into a more moderate stance.

President FW de Klerk, Meyer and NP

seem to accept that Kriel and the SAP were acting for reasons of their own and not in concert with the Cabinet or government. Damage to the process is therefore likely to be limited.

An interesting side issue is that the action exposed the dearth of organised support for the PAC. While the township radicals readily scream PAC slogans, it seems that they are not willing to take to the streets in protest against perceived injustices against their organisation.

In spite of the crackdown being the most severe action taken against a political group since De Klerk's reforms began in 1990, the best protest the PAC could muster was a crowd of 400 who marched peacefully through Cape Town's deserted streets on Republic Day. Similar action against the ANC would no doubt have brought out the masses in their hundreds of thousands.

For this bit of pre-election intelligence, perhaps the ANC should quietly thank Kriel.

FM 4/6/93

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Star 516193
Newsman slams detention

DURBAN — PAC member and Bona magazine journalist Daizer Mqhaba, held by police for a day this week, said yesterday that his detention was a "waste of time and should never have been". He was arrested on Wednesday under section 50 of the Criminal Procedure Act of 1977 for questioning in connection with the illegal possession of a firearm and ammunition. — Sapa (329)

15 PAC Star 7/16/93 members charged

By Charmeela Bhagawat

Fifteen Pan Africanist Congress members arrested in a nationwide swoop last month have been charged with crimes ranging from murder to the possession of illegal firearms and explosives. (329)

But SAP headquarters spokesman Colonel Johan Mostert declined to name them.

Five of the 15 were arrested during follow-up operations.

In addition, four suspects were being detained under section 29 of the Internal Security Act for allegedly planning to bomb the popular Bellevue nightspot, Rockerfella's.

Mostert said police had completed the investigation into activities of the PAC's military wing, Apla. (329)

More than 70 PAC members were arrested in a dawn swoop on May 20. (329)

Mostert said 61 of the 81 PAC members and alleged Apla operatives captured in the raid and in follow-up operations were released by Friday.

Five others were later charged in connection with murder and possessing illegal firearms and explosives. One was being held in Natal in connection with two murders.

Mostert could not confirm newspaper reports that 12 weapons confiscated from some of the detainees were stolen from a Transkei armoury in April.

Transkei Defence Force Colonel Derek Ngwebi was quoted in a Sunday paper as saying the weapons removed from the armoury were taken by someone with access to the keys.

Mostert said police would investigate the link between the robbery and the confiscated arms.

PAC members charged in wake of swoop

POLICE said yesterday five more PAC members would appear in court today to face criminal charges following investigations into activities of the organisation and its military wing. (Sapa)

Col Johan Mostert, who headed the investigations, said 10 people had already appeared in court and had been charged with various offences including murder, unlawful possession of explosives and possession of unlicensed arms. (Sapa)

He said the 15 alleged PAC members were among 81 people detained in the

countrywide police swoop on PAC offices and homes on May 25. (329)

Sixty-two people were only questioned and had been released.

He said nine people were still in detention, four under section 29 of the Internal Security Act in connection with the alleged plan to bomb a Yeoville restaurant.

The other five will appear in various courts today to face criminal charges. Among them is a man arrested in connection with recent attacks in Westville and Verulam in which two people died. — Sapa.

NEWS Police investigations end with 81 people de

PAC members face charges

Sowetan 7/6/93

POLICE said yesterday they had charged 15 members of the Pan Africanist Congress with various crimes following investigations into its activities and that of its military wing.

The investigations came after the police swoop on PAC offices and homes of its members last month in which more than 70 people were arrested and questioned.

15 face charges

Colonel Johan Mostert, who headed the police investigations, announced the completion of the operation yesterday, saying 15 people would face charges including murder, unlawful possession of explosives and possession of unlicensed firearms.

He did not disclose their names.

Mostert said all but five alleged PAC and Apla members detained following the May 25 police swoop had been freed. He said 81 people, in total, had been detained.

Those still in detention included four

15 to be tried for murder and unlawful possession of firearms:

people arrested in connection with the alleged plot to bomb a Yeoville, Johannesburg restaurant and a man arrested for alleged plans to attack establishments in Durban and the South Coast.

"The South African Police investigations into PAC and Apla activities have been successfully completed," Mostert said in a statement.

"The pro-active action taken by SA police when the plot to bomb various restaurants and hotels was uncovered undoubtedly saved many lives and prevented possible serious injuries to countless others."

Mostert said the man arrested in connection with alleged plans to attack targets in Durban and the South Coast would appear in court today. — Sapa.

Deputy Minister quits NP

Sowetan 7/6/93

By Ismail Lagardien
Political Correspondent

REELING under successive shocks the Government has received another jolt with the news at the weekend that deputy Minister of Land Affairs Mr Johan Scheepers has resigned.

Scheepers' resignation has sparked off a new crisis in the National Party and politicians from across the spectrum said yesterday it was only a matter of time before the NP comes apart completely.

Mr Jurie Mentz, who left the NP after more than 40 years in January to join the Inkatha Freedom Party, said yesterday Scheepers had recognised "at Cabinet

Scheepers' resignation sparks another crisis:

level" what he (Mentz) saw at caucus level. "The National Party will not be a force in the future.

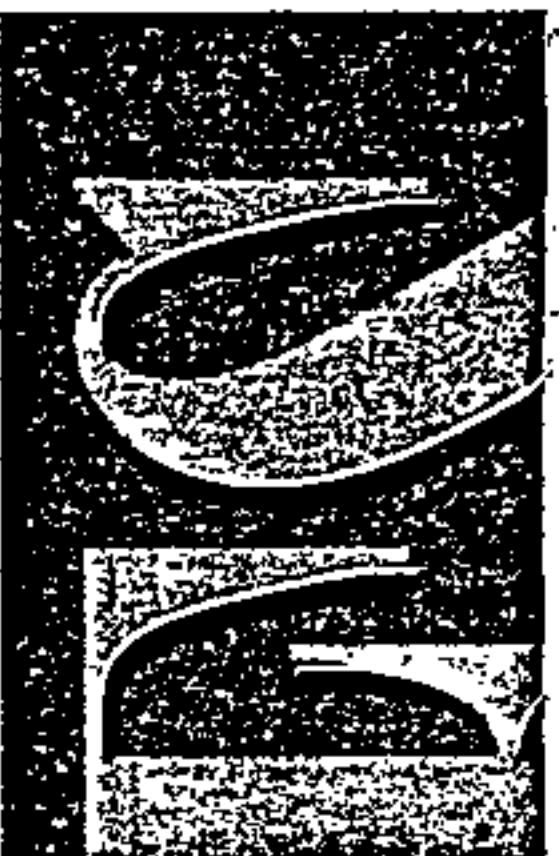
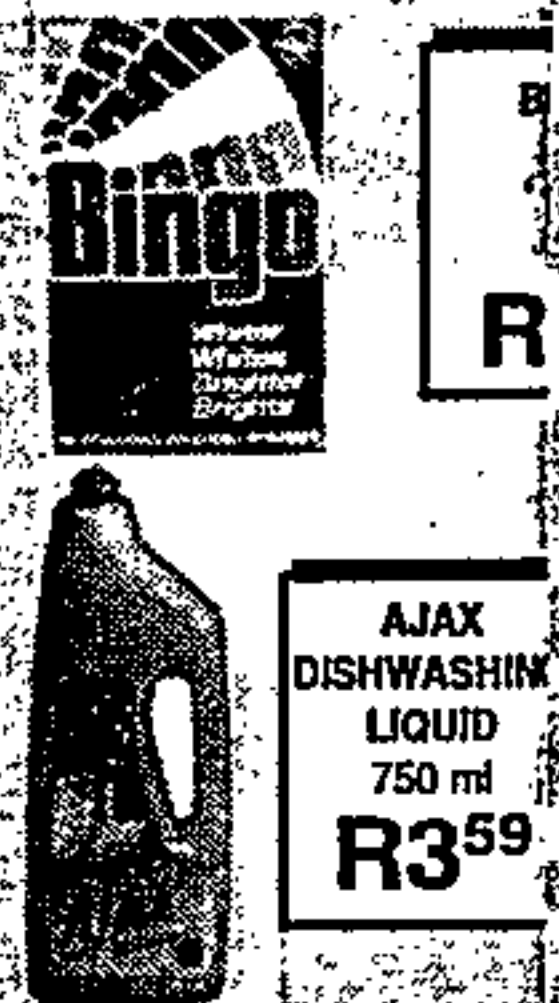
"Only the black-based and black-led parties have a future - and that is why they are coming apart.

"White people are important, and perhaps indispensable, to the country. But if they think they can control it as they did in the past they are making a hell of a mistake," Mentz said.

Democratic Party leader Dr Zach de Beer said yesterday that Scheepers' resignation confirmed further the widely held belief that the NP was "deeply divided".



Singers Letta Mbeke
Yourself Concert
all out playing to



Apla attack foiled — police

SEVEN people believed to be Apla members have been arrested in connection with robberies, murders of members of the security forces and a foiled attack on an unnamed homeland cabinet minister.

Police said the arrests were a "direct sequel" to their investigations after the swoop on PAC-Apla members on May 25. They said that to name the targeted minister would put his life in danger. (329)

Police unveiled detailed, hand-drawn plans of security force establishments allegedly targeted by Apla for attack. Gen Leon Mellet told a media conference in Pretoria that the plans had been retrieved last month in a raid on the PAC's Johannesburg headquarters.

They included layouts and sketches of Free State police stations and a northern Transvaal military base. Information contained in the plans, including the placement of particular offices and security measures, would have been "100% sufficient" to have launched an attack.

Mellet added that the details were so

WILSON ZWANE and
ADRIAN HADLAND

specific it would be "naive to think the PAC did not have its own information network". He dismissed as speculation a suggestion that police members could have provided the PAC with the information.

None of the plans indicated how or where an attack would be initiated.

Police have arrested 88 people since the May 25 swoop. Of these, 62 have been released and 18 charged with offences such as illegal possession of ammunition.

PAC publicity and information director Waters Toboti denied that the PAC had such plans and accused the police of a smear campaign to improve their image — dented by their "groundless actions" against the PAC. He said no arrested PAC officials had been confronted with the plans. He also said police had returned seized computers last week but they had been damaged and the PAC was considering legal action.

'Apla bid to kill Minister'

Sowetan 10/6/93

329

By Josias Charle and Sapa

POLICE HAVE ARRESTED SEVEN members of the Azanian People's Liberation Army (Apla) in connection with an alleged plot to assassinate a Venda Cabinet Minister. (SAPA)

Senior police liaison officer Colonel Johan Mostert said at a Press conference in Pretoria yesterday that the men were arrested on Monday.

Mostert displayed hand-drawn sketches which he said showed the plans of two police stations and an army base that were apparently targeted for attack.

He said the two police stations were situated in the Free State — one in Kroonstad and the other at Winburg. He declined to say where the army camp was located.

The police could not say when and how the alleged plan would be carried out.

One of the rough sketches was drawn on the back of a chart showing the face of PAC president Mr Clarence Makwetu.

Mostert said the seven arrested men were also members of the PAC, of which Apla is the military wing.

They had been arrested under Section 50 of the Internal Security Act but Mostert said police may soon change this to Section 29 of the same Act, which provides for 14 days' detention before they could appear in court.

No date has been set for their court appearance.

Mostert said because of security reasons the identity of the targeted Cabinet Minister could not be disclosed. He said the plan was to assassi-

nate the Minister by shooting him.

It is not known where this was to have taken place.

The plans were confiscated from the PAC offices in Johannesburg when they were raided by members of the Internal Stability Unit early on May 25, he said. (SAPA)

Police forensic tests carried out on the seized documents had shown a set of fingerprints, Mostert said, but refused to say to whom they belonged.

He denied allegations that the maps were drawn up by the police and planted on PAC members, saying police would not do such a thing and this would be tested in court.

Meanwhile, two men alleged to be Apla members appeared in the Johannesburg Magistrate's Court yesterday in connection with an alleged attempt to plant a bomb at Rockerfellas Restaurant in Rocky Street, Johannesburg, two weeks ago.

Four people were originally detained in connection with the incident and attacks on security forces.

One is still being treated in hospital for gunshot wounds. Charges against the other were withdrawn.

The two men who appeared yesterday were identified as Mr Patrick Muchindu (32) of Diepkloof, Soweto, and Mr Godfrey Mathebula (36) of the Mandela squatter also in Diepkloof.

The charges against them include the murder of a policeman and the attempted murder of another and charges relating to explosives.

They were not asked to plead and will appear in court again on June 23.

25 held in clinic protest

Star 10/6/93

By Jacqueline Myburgh

Police yesterday arrested 25 men and women — some with small children — in Ennerdale, south-west of Johannesburg, after they had occupied a building earmarked to become a private clinic in the township.

After hour-long negotiations between a lawyer for the community and the Ennerdale police chief, 24 people were charged with malicious damage to property, and released. They were due to appear in court today.

They refused to leave the police station until the chairman of the Ennerdale Civic Association, Farouk Jardine, was charged and released. Lawyers for the association worked late last night to secure Jardine's release.

Police Captain Kenny Laubscher said Jardine faced an additional charge of housebreaking, and had been released on bail of R300.

Abdullah Abrams of the association said the matter had not been resolved. Residents had staged the sit-in in opposition to a proposal by the Ennerdale Development Committee to establish a private clinic in the building. They said the property, funded by the local regional services council, belonged to the community and should be a public clinic or old-age home.

The push-me pull-you of PAC arrests

W/m and 11/6-17/6/93
Weekly Mail Reporters

DESPITE few cases being brought to court, the South African Police have hauled in another seven suspected members of the Azanian People's Liberation Army (Apla).

To date the police have arrested 88 people since their nationwide May 25 swoop on Pan Africanist Congress and Apla members allegedly involved in terror attacks.

Of these, 62 have been released without being charged and 19 charged with offences ranging from murder to illegal possession of ammunition. Seven are still being held.

Police announced the latest arrests at a media conference on Wednesday, when they released details of an alleged Apla plot to assassinate a senior government official. Police refused to identify the official on security grounds although it is understood the target is a member of the Venda military council.

Commissioner of the Venda Police, General Mulder van Uyk said: "I find it strange the PAC would target one of our councillors. We work together at the multi-party forum."

The Venda police will not be investigating what they call a "rumour".

Accurate hand drawn plans, detailing the layout and security measures of two Free State police stations and a military base, which the police refused to identify, were also shown to the media.

SAP media liaison chief Colonel Johan Mostert said: "Should one have attempted to attack, these plans would have told you what to expect and where to go."

The police said the documents were confiscated during their raid on the PAC's offices two weeks ago.

PAC publicity and information director Waters Toboti denied the PAC had any knowledge of the plans and accused the police of trying to justify their raid on the organisation's offices.

A PAC national executive member, commenting on the PAC's policy on homeland leaders, added: "If it was Apla's policy to kill homeland leaders it would have wiped them out. You cannot kill them, they will merely be replaced."

Death in custody: cops face charges

By JOCELYN MAKER

TWO policemen are due to appear in the Hertzogville Regional Court tomorrow in connection with the death in custody of an alleged stock thief.

Constables Paul de Koker and Lawrence Pholahola are charged with culpable homicide after allegedly assaulting Mr Joseph Koetz, 58, who had been arrested for stealing a sheep in January last year.

The court will hear evi-

dence from an alleged eyewitness to the assault, Mr Benedict Lesabana, 28, who was arrested shortly after Mr Koetz had been taken into custody in the Malebogo township outside Hertzogville.

Mr Koetz died 36 hours later after falling and hitting his head against a wall while urinating.

Pathologist Dr Jonathan Gluckman, who died last month, conducted the post-mortem examination on Mr Koetz.

'13 000 MK
Secur 1446193
soldiers to

join SADF'

WINDHOEK — The ANC would contribute more than 13 000 trained personnel to a future South African defence force, the chief of staff of its armed wing, Umkhonto we Sizwe (MK), said in Windhoek yesterday.

Siphive Nyanda rejected the SADF view that MK recruits would be integrated into the SADF only if they met certain standards, saying a new army would be a joint venture between various forces with jointly established standards.

"The SADF must overcome their notion that they have a monopoly on standards. We want people in a future army who can defend democracy. We cannot rely on elements who have defended apartheid in the past."

Nyanda arrived in Windhoek yesterday to attend a regional defence and security meeting attended by delegates from Zimbabwe, Zambia, Tanzania, Mozambique, Namibia, Botswana and Angola. — Sapa.

Too many permits for taxis

By Abdul Millazi

The indiscriminate issuing of taxi permits by traffic authorities has turned the burgeoning taxi industry into a hotbed of violence and there was no sign of peace in sight, claim taxi organisations.

Because of the lack of substantially enhanced regulation of the industry, operators were killing each other in gangster-like fights to control the increasing number of taxis, they said.

More than 200 people were killed and about 13 taxis have been burnt in the continuing

taxi violence since the beginning of this year.

South African Black Taxi Association (Saba) principal chairman Joe Mabaso said the root cause of the violence was the economic situation.

Violence in May was marked by the killing of five taxi operators in Brits, and an on-going dispute between Natal bus and taxi drivers.

The recession and unemployment had led to a dramatic fall in passenger volumes and competition was becoming increasingly fierce.

South African Taxi Drivers' Union (Satdu) spokesman Mphikeleli Sibanyoni said there were suspicions that the recent killings were an at-

tempt by some drivers or owners to "cull" the increasing number of taxis to maintain profitability.

Particularly affected were those routes considered to be lucrative as they still provided a fair volume of business.

To address the diminishing profitability in the industry, Saba was negotiating with the Government to have taxis subsidised.

It was also negotiating to buy directly from vehicle and spares manufacturers.

Taxi bodies claim the crisis committee convened by the city council's traffic department after the February taxi blockade in Johannesburg had failed to address the

problems of the industry.

The committee of representatives of the drivers' union, taxi associations, National Peace Secretariat and traffic authorities has held a number of meetings but with no substantial results.

Both Saba and Satdu agreed the violence could be curbed if there was some form of control in the issuing of permits.

The traffic department said it was doing all in its power to address the situation.

Negotiations on the involvement of taxi organisations on the issuing of permits were under way.

ANC leader held over grenade blast

Own Correspondent

KIMBERLEY — An ANC Youth League regional leader has been arrested in connection with a recent hand grenade attack in the city.

ANC zonal committee spokesman Junior Nkabo said Sipho Mxaba was arrested on Wednesday. This was confirmed by the SAP.

Nkabo could not explain

why their own members were now being arrested when the ANC had accused the SAP of the grenade attack.

Ezekiel Mokone (19) was killed in the blast, which injured more than 50 people.

The Russian F1 grenade was thrown into the middle of an ANC Youth League protest outside the Bophuthatswana consulate in Kimberley on May 25.

Chess player's 'first' for SA

Top Johannesburg chess player David Gluckman has won Africa's Zone 4.3 championships with a clean score.

In round 5 on Saturday afternoon, Gluckman defeated SA champion Charles de Villiers to end on 5/5.

Gluckman, a 27-year-old acuary, will represent South Africa in the Interzonal Tournament in Switzerland next month.

This is the first time South Africa will be represented at this advanced stage of eliminations for the world title.

In the women's zone contest, Caroline Bijoux of Johannesburg won with a clean score of 3/3, one point clear of closest rival Yvette Erwee of Johannesburg. She will represent South Africa in the women's Interzonal. — Sapa.

2027

TUESDAY, 15 JUNE 1993

2028

HOUSE OF ASSEMBLY

QUESTIONS

Indicates translated version.

For written reply:

General Affairs:

Internal Security Act: persons detained

372. Mr L FUCHS asked the Minister of Law and Order:

- (a) How many persons were detained in terms of section 29 of the Internal Security Act, 1982 (Act No 74 of 1982), in 1990, 1991 and 1992, respectively, and (b) what are the names of these persons? B876E

The MINISTER OF LAW AND ORDER:

- (a) 1990—273
1991—93
1992—86

(b) 1990

V P Thabette G C Khwela
B Sipho J Mzondelei
M E Mapummo K L Seema
D T Madisha M J Rapholo
S A Nisoane N P Mabitsela
D Madurai M P Mamabolo
T Sesele M C Seakamela
M N Maitlane N I Phahlane
M A Phetlane A M Dikhole
N M Konkie C M Manete
P R Mokaba V R Ratlou
P Menziwa CS Sithole
E T Mogobane C B Mavuso
F M Mathole P Mathole
N F Matlala M J Manaka
E M Phasha SE Make
E T Sojane NO Xaba
I Hardien A van Zyl
N C Barnard H Breidenhann
P J Verster T E Kruger
D O Magagula FT Molefe
K Cebekehule P Majoka
G M Mounakwa A L Noge
J R Mathe DJ Meier
M Z Phori NZ Mototo
P N Davies BJ McKay
B Davies CT Chobogwana

HOUSE OF ASSEMBLY

2029

TUESDAY, 15 JUNE 1993

2030

M S Gwala M M Dlamini

M N Makhurupets M P Malatji

R Mohlala B Xuma

B Nair C C Mathale

V S Sempetho S Maharaj

J K Ngobeni J Koelle

E N Mashangu NS Nkuna

N M Mushwana W Nyoni

J Wierba IL Seeber

J S Sibanyoni M E Mazibuko

E D Khunou T Moremi

R Peterson Y Mahomed

L Shenxani T Mashiloane

H K Shingwengana L Hlongwane

J Thipe G M Mbanjani

H J De Kock A W Naude

M S Malutke H M Mathaogae

E J G Beuidenhout SH Mokgalogodi

R M Mamabola A Mathebe

S S Roji H C Bredeham

S S Xulu SD Gumede

M Nokele P J Rudolph

P C Musi C J Beetge

Z N Msibi TT Simelane

E M Letatsa M V Sambo

M R Mogale N Choane

T M Malatji J M Rathobothla

B P Mthembu R Maleka

CS Kekana S R Molekane

D J Acemann N J Masipa

A H von Tonder W J Etsebeth

C J de Beer A G de Beer

A Smuts D C Rautenbach

E Marais D P Botha

S C Makwala L Tyikwe

A van der Linde N C Keswa

C J B Vermaak P N Lebea

B P Mashogane T A Mokhudu

T M Nkosi P J Venter

C W Allison M A B White

E S Terblanche C Niemand

W J Mbekela L L Skweyiza

T H Ndlovu M B Vidima

S M Ndlela B T Dladla

A R Choane MS Mkhize

H G Martin A H Maritz

W J P Pretorius L G van Schalkwyk

C Singleton M Singleton

M B Mlambo J Z Ngubane

A Smith PE Hobo

J J Vermeulen KID Brown

P M April AD Memani

A M Sebloane M Gwala

G P Minnaar P J Kruger

B B Sifingo

1991

K Msizi

S Jabeka

P Malaudzi

H J Manqumevu

S Filita

N Ciske

N P Msizi

Z M Ciske

W W Nhlapo

W H Boshoff

R A Santos

T R Hlatwayo

S R Mshemla

M S Qubudo

G Twala

A N Mbuje

M E Merite

M P Sihlahla

M E Nxangxeni

W Mashiloane

S M Makoro

S G Tshongoyi

M Mdziba

P Mochojane

B P Thulare

A F Mahlatela

F Tshesha

E S Mabena

M E Ramaisa

I D Mosime

M J Salomane

S J Yekani

A O Palangangwe

R K Mangope

M J Mpopo

T X Jacob

A M Maake

M Madisha

C Malsola

T Shasha

S Mantyi

P Dlamini

M B Kelebone

T Kekene

B Godio

J M Dlamini

L J May

1992

G P D Roux

C G Volschenk

T T Mmonaar
E N Nkadimeng

P W Ciske

K Tsotsobe

Z Msizi

M G Allha

M Masombuko

M Msizi

N Mangwana

N Nkayi

F B Ngwenya

D C Hlophe

J T Mashimbye

V P Hlatwayo

G Singh

H A Klenz

S J Zikalala

M C Nana

T Yaka

I Shubba

S M Ledwaba

T N Nontlantane

L W Rampete

M E Baryi

P M Mashaba

ST Jack

T J Mpondo

P Mya

M Mraza

R Khole

B Luke

L L Korane

M Ndlazi

M S Maluleka

M J Mangxa

M M Mathoko

M Cokile

W W Maqubela

P Ndlovu

B Mavibela

N Buthelezi

M Vena

M Hala

M J Kekana

S B Bhengu

J H Kwadi

S Wanyane

V W Mkhosana

C W A van der Merwe
M T Likosi

HOUSE OF ASSEMBLY

T L Mcerwa
 A S Kriel
 P J Judeel
 W J Steynberg
 P S A Nel
 L Nieuwhof
 J P Kruger
 J Lebeoana
 M P Radebe
 L S Mlotswa
 J Nyambi
 M L Mlonyeni
 J J Ndeabambi
 J Owabe
 K C Many
 Z S Ntemeza
 N P Mpitsha
 S G Mlamandle
 S S Mngongeni
 E Mashaba
 J H van der Merwe
 R P du Toit
 S P Marais
 M S Mabotja
 S S Twani
 B A Mitya
 F E Mzomba
 B A Bashi
 R M Solane
 T E Malebese
 D T Mohala
 E T Nooe
 T Masemola
 I J Chaotsane
 L C Biljoen
 P H Mosoenyane
 A P Mosae
 D Morisoane
 M Jikila
 R M Kekana
 S N Mamabolo

the above-mentioned areas during this period? B896E

THE MINISTER OF LAW AND ORDER:

(a) (i)

1992
 January 1
 February 0
 March 2
 April 0
 May 1
 June 1

1993
 January 0
 February 2
 March 0

(ii) As KwaZulu has its own police force, statistics are not kept by the South African Police.

(b) (i)

1992
 January 2
 February 3
 March 2
 April 6
 May 6
 June 3

1993
 January 1
 February 2
 March 0

(ii) As KwaZulu has its own police force, statistics are not kept by the South African Police.

Farmers killed in Natal/KwaZulu

382. Mr W U NEL asked the Minister of Law and Order:

How many (a) farmers were killed in attacks in (i) Natal and (ii) KwaZulu in each month during the period 1 January 1992 up to the latest specified date for which information is available and (b) armed attacks and/or robberies on farmers were reported in each of

HOUSE OF ASSEMBLY

THE MINISTER OF LAW AND ORDER:

(a) (i)

1992
 January 411
 February 415
 March 420
 April 404
 May 390
 June 383

1993
 January 472
 February 373

(ii) As KwaZulu has its own police force, statistics are not kept by the South African Police.

(b) (i)

1992
 January 33
 February 25
 March 41
 April 37
 May 51
 June 46

(ii) As KwaZulu has its own police force, statistics are not kept by the South African Police.

Murders in Natal/KwaZulu

383. Mr W U NEL asked the Minister of Law and Order:

(a) How many persons were murdered in (i) Natal and (ii) KwaZulu in each month during the period 1 January 1992 up to the latest specified date for which information is available and (b) how many of these murders were attributable to political violence?

B897E

HOUSE OF ASSEMBLY

Star 15/6/93

Hunger strike

Four senior members of the Ennerdale and Surrounding Civic Association yesterday began a hunger-strike in protest against their detention at the Vanderbijlpark Police Station. The four were part of a group of 11 activists detained by police on Friday after protests against the Ennerdale Local Development Committee.

(329)

Kriel: Less detainees

By BARRY STREEK
Political Staff

THE number of people held in detention without trial had declined significantly before a two-week limit was introduced last year, Law and Order Minister Mr Hernus Kriel revealed yesterday.

Replying to a question tabled in Parliament by Mr Lester Fuchs (DP, Hillbrow), Mr Kriel said 273 people were detained without trial in terms of Section 29 of the Internal Security Act in 1990, 93 in 1991 and 86 last year.

OT 16/6/93 253 327
The Internal Security Act was amended last year to limit to two weeks the period for which people may be held without trial. This period could be extended by the courts under certain circumstances.

He also provided for the first time a list of those who had been detained in terms of Section 29.

In the past, successive ministers of law and order have refused to name those who had been held in terms of Section 29 because, they alleged, it would not be in the public interest.

APR 16/6/93 (253)
86 detained (329)

EIGHTY-SIX people were held under the Internal Security Act last year, Minister of Law and Order Mr Hernus Kriel said in reply to a question from Mr Lester Fuchs (DP Hillbrow) in parliament. He said 93 had been held in 1991 and 273 in 1990. — Sapa.

Gluckman: backroom hero of the struggle for justice



Allister Sparks

THE death of South Africa's foremost pathologist, Dr Jonathan Gluckman, releases me from a 16-year pledge of confidentiality to reveal his role in exposing the truth about Steve Biko's death in detention at a time when the Minister of Justice was attempting a cover-up.

I had just become editor of the Rand Daily Mail, that wonderful crusading newspaper which struggled through the dark years of apartheid to expose the evils of the system. It was my first experience of the double whammy of Government pressures and unsympathetic proprietors which had driven my two predecessors from the editorial chair, and which in time was to drive me out and eventually shut down the paper altogether just as its moment of vindication was at hand.

Dr Gluckman was one of the backroom heroes of the struggle for justice in South Africa, a tall, rotund man whose slightly pompous air concealed a passionate humanitarianism that drove him into some of the darkest corners of this oppressive society.

He lived graciously, with a liking for fine French wines and good cigars. I once asked him why, with his refined tastes and medical skills, he preferred spending his life cutting up cadavers rather than healing the sick. "Because", he said simply, "that is where the truth lies."

The truth was his passion, and that is what led Gluckman to phone me on the morning of September 29 1977, with a request that I call at his rooms. Biko had died in detention two weeks before, and the Minister of Justice, Jimmy Kruger, had announced that death was due to a hunger strike — adding, in a phrase that has gone down in the annals of apartheid crudity, that "his death leaves me cold".

Gluckman was in a state of some agitation when I arrived. He

had attended the post-mortem examination on behalf of the family, he told me, and it was clear Kruger was lying. He showed me the post-mortem report. Biko had died of brain damage. Moreover, the district surgeons who had examined him in detention must have known this, for they had ordered a lumbar puncture which showed an excessive number of red cells.

The question was, what to do about it? Kruger was obviously attempting a cover-up and had hinted that there might be no need for a public inquest. We had to publish the news to force him to hold an inquest. But we would have to conceal Gluckman's role in doing so, both for reasons of medical ethics and because he would be a material witness if the inquest were held. So I made my pledge of confidentiality.

Back at the office I briefed a senior reporter, Helen Zille, and despatched her to Port Elizabeth to see the doctors who had examined Biko in detention.

Zille met the three doctors. Their alarm at being confronted with the facts convinced us that they had indeed known what was

wrong with the prisoner. They blustered, half answered some questions, then took refuge in the excuse that there might be an inquest to avoid answering more.

So we found ourselves in the awkward position of knowing the facts but not being able to source them clearly. Zille and I composed a carefully worded report which began: "An investigation by the Rand Daily Mail — which included interviews with doctors who examined Steve Biko in detention — has revealed that the black consciousness leader showed no signs of a hunger strike or dehydration."

The report went on to say that our investigation indicated that Biko had died of brain damage, and that the facts we had unearthed contradicted Kruger's statements.

We published the report under a banner headline: "No sign of hunger strike — Biko doctors."

Next day the roof fell in. Kruger protested that the report was false and demanded an instant hearing of the Press Council, a body set up by the Newspaper Press Union — the proprietors' or-

ganisation — in the face of threats by Prime Minister John Vorster to pass a press control law if the newspapers did not "discipline themselves".

I refused. The rules of the Press Council allowed an editor seven days to respond to a complaint, and I didn't want to be bullied by Kruger into having an immediate hearing. But the president of the NPU, members of his executive, and eventually my own managing director called on me in a relentless build-up of pressure throughout the day to get me to accede. If I did not, they said, Vorster would cite it as proof that the Press Council was inadequate and he would introduce his legislation. I would be responsible for getting us a press control law.

Eventually I yielded. That night I appeared before the Press Council, constituted like a court with a retired Appeal Court judge, Oscar Galgut, presiding. I was represented by Sydney Kentridge, that superb advocate who now practises as a QC in Britain. Kruger, having lodged his complaint in writing, did not bother to attend.

As the hearing got under way it quickly became clear that if a refusal to hold an urgent hearing was considered unacceptable to Vorster, so was an acquittal. Not being able to cite the post-mortem report made our case difficult to present, but even so it was evident that Kentridge's pitiless points were making no impact on Galgut. Five hours later, at one in the morning, the judge delivered his verdict. Guilty.

The headline was not substantiated by the facts, Galgut said. It was therefore "misleading and tendentious". Furthermore, it was incorrect to say that the facts revealed by the newspaper's investigation contradicted what Kruger had said.

The paper was "severely reprimanded" for its transgressions.

History has vindicated us, of course. But the verdict still stands in the records of the Press Council, and the newspaper is dead because of the thousand wounds like that which it suffered in its final years. Now Jon Gluckman is dead too. Only the truth survives. □

Spur 16/6/93

329

justice

Star 17/6/93

Four held over AK-47s in minibus

Crime Staff

329

Police arrested four men and confiscated nine AK-47 rifles with about 500 rounds of ammunition on the East Rand early today.

Witwatersrand SAP spokesman Major Eugene Opperman said police seized the arms when they searched a minibus on the N17 highway near Springs at about 2 am.

He said if the men were

convicted of possessing the weapons they could face between five and 25 years in prison without the option of being fined.

Another cache has been found in Qwa-Qwa near the border between Lesotho and the southern Free State.

SAP spokesman Captain Johlene van der Merwe said the cache, which was buried about 1 km from the Monotsha border post, contained thousands of AK-47, R-1 and

.303 rounds, explosives, three mortar bombs, detonators and fuses.

The arms were old and rusty when they were dug up on Tuesday, she said.

In Tembisa today, the SAP and SADF cordoned off and searched the Sethokga hostel.

At the time of going to press, police had confiscated a homemade gun, a .38 Special revolver, dagga and a stolen vehicle.

Cause of boy's death unknown, court finds

By Gien Elsas
West Rand Bureau

A Carletonville inquest court magistrate was yesterday unable to determine the cause of death of a 16-year-old boy who died on January 16 1990 while in police custody. (329)

Magistrate Charmaine Potgieter said the cause of Nickson Phiri's death had not been established in evidence before the court and added that no one could be held accountable. (329)

She said there had been so much contradictory evidence — both by the police and the family — that she was unable to make a finding.

Nickson collapsed while being interrogated at the Wel-

verdiend police station after being arrested. According to evidence, he started breathing heavily while being questioned. He started shaking and fell into unconsciousness.

When senior SAP officers arrived at the scene, Nickson was dead. The officer in charge did not deem it necessary to have photographs taken of the body.

Nor was the boy's name entered in an occurrence register.

This was the second finding made on Nickson's death. The family asked for a formal inquest to be held after expressing their dissatisfaction when the first finding — that the cause of death could not be determined and no one could be held responsible — was made.

Landmark ruling in favour of detainees

LRC Res 18/6

in which 18/6 - 24/6/93.

329

Sixteen-year-old Nopinki, whose mother had reason to believe she had been assaulted in detention and made an urgent court application for reports about her condition. The outcome could prove to be an important safeguard for other security detainees



A JUDGMENT handed down recently by the Appellate Division significantly advances the rights of security detainees and their families. The court ruled that the medical report of a district surgeon who had visited a detainee may be seen by the detainee's family.

The judges said the Internal Security Act "did not intend that evidence of unlawful conduct on the part of custodians and interrogators should be suppressed".

This could prove to be an important safeguard against assault while in detention.

In the case, the Port Elizabeth LRC acted for the mother of a 16-year-old teenager who, together with several other minors, was detained in terms of Section 29 of the Internal Security Act in 1991.

The mother, who had reason to believe her daughter, Nopinki, had been assaulted in detention, launched an urgent Supreme Court application for a restraining order and for the reports about Nopinki's condition by the district surgeon and magistrate who had visited

her to be made available. The application was turned down, but was taken on appeal.

While the children had been released in the meantime, an important principle was established by the AD ruling.

Argument hinged on the interpretation of Section 29(7)(b) of the Act, in terms of which no person is entitled to any "official information" about visits to detainees.

The state argued that this meant all information, whether personal, security or otherwise. The AD found that there was nothing in the Act or its regulations to indicate that such visits were for any reason other than to make reports in the interests of the detainees.

There could be no sound reason why access to personal information should be banned, and if there was difficulty in distinguishing between personal and security information (which may not be disclosed), it would be up to a judge to examine the document and make the decision.

Cop has *Chaps 2016/12* no funds for call

By DAN DHLAMINI

FORMER Potchefstroom cop Johnny Mokaleng, 30, who earlier this year told a daily newspaper that police secretly tortured, murdered and buried detainees, has been given a tough time since his arrest. (329)

At his second court appearance this week since his arrest three weeks ago, Rustenburg magistrate WBH van Zyl wanted to know why his attorney was absent. (331)

Mokaleng told him that he had been denied the privilege of phoning his attorney as he had no money for the phone call.

Van Zyl ordered the police to give him a chance to phone his lawyer and arrange a date on which he could plead.

Mokaleng was granted bail of R1 000 earlier, but is still in custody.

Mom's agony

over son's

cell death

By Abdul Milazi

"Come to the police mortuary, there is someone there who looks like you," Maria Phiri (40) was told by three policemen on the day after her son had died while being interrogated at the Welverdiend police station in Carletonville.

"I almost fainted with shock when I found that the person they were talking about was my son Nickson. He was dead," Phiri said tearfully.

Nickson Phiri (16), who was a member of the ANC Youth League-affiliated Khutsong Youth Congress, died on January 16 1990 while being interrogated at the police station which has since been closed.

A three-month inquest into Phiri's death ended inconclusively last week because of "contradicting evidence" by police and the family. (329)

Phiri, an illiterate domestic worker who lives in a tiny shack in Khutsong, attended the inquest without the faintest understanding of the proceedings.

"Our lawyers told us that they had opened a case against the police because my son died in their custody. I was told to come and speak in court. That's all I knew," she said. (333)

Police claimed Phiri had died of an epileptic seizure.

Earlier in the inquest, independent pathologist Dr Jonathan Gluckman testified that he had found evidence of bleeding in Phiri's brain. There were bruises on his head and body and his lungs had been congested with blood. He had also found a "large amount of free blood" in his stomach.

A witness arrested with Phiri, Ishmael Booysen (22), told the court that he had seen three policemen assaulting Phiri.

For the domestic worker, her oldest child was her only hope for a better life. But he is gone, and so are her hopes.

Star 22/6/93

Mmabatho mayor held for 3 days

By Abdul Milazi

Mmabatho mayor Calvin Suping and a friend were detained under the Internal Security Act at the weekend after Bophuthatswana security police found hundreds of ANC election campaign pamphlets in his car. They were released late yesterday without charges being put to them.

Suping said he and a friend were driving home at midnight on Friday from a party when police stopped the car and arrested them when ANC documents were found in the car.

Suping said: "The police told us we were being detained under the Internal Security Act because we were in possession of 'subversive' documents." He said he had been a card-carrying member of the ANC since 1990.

news in brief

1 069 children in detention ⁽³⁸⁾

MORE than 1 069 children under the age of 18 were awaiting trial by June 11 this year, the Department of National Health and Population Development said yesterday. ^{(S-18) Sowetan 24/6/93}

The department said the large number of youngsters under the age of 18 awaiting trial was a matter of grave concern to the Government and the public.

Ex-police chief 'urged detention of activists'

PAT CANDIDO, The Argus Bureau

PORT ELIZABETH. — The head of the security police in Port Elizabeth in 1985 said he had been in favour of Matthew Goniwe and three other Cradock activists being detained indefinitely.

Colonel Harold Snyman, now retired, told the Goniwe inquest yesterday that he had recommended to headquarters that Mr Goniwe and the others be detained in jail.

He denied knowledge of a signal sent from Eastern Province Command calling for the permanent removal of Mr Goniwe from society, saying he did not know what the word "permanent" was meant to imply.

During lengthy cross-examination by Mr George Bizos SC, for the activists' families, he said police had standing orders to destroy files of activists who had died.

This was why the Goniwe file had been destroyed.

He could not say why the file would have been destroyed if the investigation into Mr Goniwe's murder had not been completed.

Although he refused to say at first that he regarded Mr Goniwe as a revolutionary and enemy of the State, he said later that he was one of the main leaders in the Eastern Cape involved in forming alternative strategies to the government.

He said Mr Goniwe was forming street committees, youth organisations, civic organisations and travelling around a great deal addressing meetings.

He said he did not know why Colonel Eric Winter, a former member of the counter-revolutionary branch Koevoet, had been sent to Cradock to head the security police. He said it was not his decision.

Asked whether the suggestion by the Department of Education and Training that Mr Goniwe be re-appointed to his post as principal of a Cradock school was simply "window dressing", he said he did not think so.

He said he had been strongly opposed to any suggestion that Mr Goniwe be allowed to resume his activities in the Eastern Cape because he had been sentenced to four years' imprisonment in Umtata for furthering the aims of communism.

At the start of the proceedings yesterday he refused to disclose whether he had led the interrogation of black consciousness leader Steve Biko shortly before his death because it might "incriminate" him.

Cell death: Three cops in court

Sowetan 28/6/93

THREE Western Transvaal police constables appeared at a special session of the Koster Magistrate's Court in connection with the death of a rape suspect early yesterday morning.

Constables MJ Viviers, HJ Bester and MK Sogone were charged with the death in detention of a rape suspect.

Western Transvaal police liaison officer Major Hannes Wehrmann said the three policemen had been released on their own recognisance and were warned to appear in court at nine o'clock today. (329) (254)

The murder charge stems from the arrest of a man, known only as Tutu, in connection with the alleged rape of a woman in Koster's Reagile township.

The detainee apparently lost consciousness during a police interrogation and died in custody on Sunday morning, despite efforts by paramedics to revive him. — Sapa.

300 arrests promised in wake of Trade Centre rampage

Police crackdown

By Chris Whitfield,
Own Correspondent
and Sapa

Eleven people have so far been arrested in the nationwide hunt for 300 rightwingers accused of illegal activities in the violent storming of the World Trade Centre.

More arrests are expected, says Minister of Law and Order Hernus Kriel. (329)

He said the arrests had been made on the Reef. Police investigations were continuing and there could be more arrests today and over the next few days.

The people who had been arrested were being held under the Criminal Procedures Act. They were being questioned but the intention was that they should appear in court as soon as possible.

Kriel said it was not a question of only junior people of any movement which was behind Friday's violence being arrested. (329)

In a clear reference to the AWB, he said that if investigations found any senior leaders of such a movement had acted illegally they, too, would be arrested.

Police Commissioner General Johan van der Merwe told The Star earlier last night that police expected to make scores of arrests during the next 24 hours.

The arrests come amid sweeping condemnation from world leaders of the right-wing activities at the centre on Friday, when mainly AWB members drove an armoured vehicle through the plate glass front of the building and occupied the chamber where the country's future is being negotiated.

Several people were assaulted, the building was vandalised and leading negotiators were forced to take refuge in a windowless room near the chamber.

"At this stage we have them (the attackers) on video," said Van der Merwe, adding that he believed the police had "more than sufficient" evidence to bring many to court.

He said AWB leader Eugene TerreBlanche was not among those being tracked down by police. It was "very difficult at this stage to say what role TerreBlanche had played", he said.

The AWB has warned of violent reprisals if any of its "generals" are arrested.

Last night TerreBlanche refused to talk to The Star, saying: "I don't have time now." Responding at his Ventersdorp home to a question on whether he had yet been interviewed by police, he said he would release a statement today.

Van der Merwe pointed out that some leaders, such as the Afrikaner Volksfront's General Constand Viljoen, had tried to persuade the estimated 3 000-strong crowd not to resort to violence.

He defended police preparations for what was initially billed as a protest, saying police handled mass action almost every day and "it is not possible to provide thousands and thousands (of policemen) each time".

Police had held extensive consultations with the organisers beforehand and arrangements were made as a result of this, he said.

Meanwhile, UN Secretary-General Boutros Boutros-Ghali yesterday expressed

● To Page 3 ■

● From Page 1

outrage at the invasion.

Joe Latakomo of The Star's Africa Service reports from Cairo that the Organisation of African Unity has also condemned the storming of the World Trade Centre by armed members of the right wing as a "repugnant act of terrorism which neither the African continent nor the rest of the world can accept as a legitimate political demonstration".

OAU secretary-general Dr Salim A Salim, said yesterday that the raid represented a desperate attempt by "the forces of the past to sustain the repugnant racist and criminal system of apartheid". (329)

"It was an armed action intended to perpetuate a system of white minority domination which is an utterly outdated anachronism in a modern world that is correctly driven by the vision of democracy, nonracism and the defence of human rights," Salim said. (329)

ANC president Nelson Mandela is expected to brief the OAU heads-of-state summit in Cairo today on developments in South Africa.

Mandela warned on Friday that unless decisive action was taken against the rightwingers he would have no option but to mobilise and arm the ANC's military wing to protect negotiators at Kempton Park.

Gora Ebrahim, the PAC's representative at the OAU Council of Ministers, said Friday's incident vindicated the PAC's position on the armed struggle.

Beorestaat Party leader Robert van Tonder yesterday sent The Star a faxed statement in which he congratulated the AWB on its activities.

● ANC PWV regional chairman Tokyo Sexwale said yesterday Mandela had called for country-wide marches on Thursday to protest against the incident.

Police
promise
arrests

● The National Party Youth Action wing said Viljoen's credibility was "irreparably damaged" by his part in the protest which led to the invasion.

begins

Cell death: Star 28/6/93 policemen in the dock

Crime Reporter

Three police constables have been charged with the murder of a detainee who died when they were interrogating him at the Koster police station in the western Transvaal early yesterday.

SAP spokesman Major Hannes Wehrmann said the detainee, known only as Tudu, had been arrested in Reagile township near Koster at about midnight in connection with a rape earlier on Saturday. (329)

He said the investigating officers had taken their suspect to Koster police station for interrogation. (285)

While the man was being interrogated, he lost consciousness and collapsed, Wehrmann said.

He said paramedics had been called, but had not been able to revive the detainee. He had died at about 2 am.

Constables M.J. Viviers, H.J. Bester and M.P. Segone were arrested.

Wehrmann said the three had appeared briefly in the Koster Magistrate's Court yesterday in connection with charges of murder. They had been released on their own recognisances and ordered to appear in court again today.

Shear 29/6/93

Shear 29/6/93

The ANC and other organisations, including Cosatu, have demanded the arrest of all the leaders of the protest — including Terre-Blanche, Conservative Party leader Dr Ferdinand Hartzenberg and the Afrikaner Volksfront's (AVF) General Command Viljoen.

But leaders such as African OJ attempted to prevent the burning of the building. Yesterday the AWP's "Cool-one," Leon van der Merwe charged that some of those detained had been assaulted and seized during the night with no provision made for the care of their children.

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ghtist held

"They parked at the bottom of the driveway and walked to the house. "My father... allowed one unmarried man into the house. He eventually allowed himself to be removed." Jackie admitted she and her father were at the World Trade Centre on Friday but said they arrived after the break-in.

By Shirley Woodgate

"My father... allowed one unarmed man into the house. He eventually allowed himself to be removed."

Jackie admitted she and her father were at the World Trade Centre on Friday but said they arrived after the break-in.

● From P...

Political Correspondent

In a meeting with CP head Jerry Rubin, Dr. Hartzberg said he planned to resign from the ITP, which the ITP said had been formed before the World Trade Center attack Friday. — In Union Square yesterday, Buttelezi reportedly said the ITP was in a conciliatory mood and would remain a member of the Communist Party. —

Costa Rican Communist Party (CPR) Women's League president Judith Green, who is a member of the party's negotiating team, was among those who were fought up by the demonstrators on Friday.

● From P

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Although an IFP source said the CP had apologised "for what happened on Friday", CP chief negotiator Tom Langley last night denied this, and told The Star Buthezi had accepted that the CP was not involved in the fracas.

"After this meeting Cosag is now stronger than ever," Langley told The Star.

Spoke yesterday said he also accepted the CP had not been part of the violent invasion of the world Trade Centre, and that Botha-Isaacs would remain part of Cosag.

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Seven in court for invasion

By Mpikeleni Duma and
Sapa

SEVEN alleged rightwingers appeared in courts throughout the country yesterday in connection with the armed siege at the World Trade Centre in Kempton Park last Friday.

Police spokesman Major Ruben Bloomberg said 34 people linked to the siege had been detained by yesterday afternoon. Four of them had, however, been released.

He said another 20 would appear in various courts today.

Bloomberg said only three of the 30 were still being held under Section 50 of the Criminal Procedures Act, which stipulates that a detainee must appear in court within 48 hours or be released.

Mr Eddie von Maltitz, Mr Cornelius Loets, Mr Lawrence Brown and Mr LR van der Linde appeared in the Bloemfontein Magistrate's Court yesterday. They are from Ficksburg, Welkom and Bloemfontein.

The four were not asked to plead and their case was postponed to July 13. The magistrate, Mrs Maria Jacobs, granted them each bail of R1 500.

She said their next hearing would be in Johannesburg and not in Bloemfontein.

Meanwhile, the leaders of the protest at the World Trade Centre are still free and police say they have no evidence to implicate them in illegal actions.

The men include AWB leader Mr Eugene Terre'Blanche.

Seven members of the AWB "security unit" surrendered to the police in Potchefstroom, the AWB said in a statement.

Trade centre siege accused out on bail

DIRK VAN EEDEN *Biday*

TEN right-wingers arrested in connection with the storming of the World Trade Centre on Friday appeared in court yesterday as the Afrikaner Volksfront met in Pretoria to discuss the incident. 30/6/93

Sources close to the Volksfront said yesterday it had become clear the siege had been planned by "other militant elements".

Police spokesman Maj Ruben Bloomberg confirmed last night that 21 detainees would appear in the Johannesburg Magistrate's Court today.

Bail had been fixed in all the cases before the courts yesterday.

Four detainees had been released without being charged.

He said police investigations were continuing and more arrests could be made. AWB leader Eugene Terre'Blanche, who led the assault, had not been arrested.

Police sent about 300 pictures taken from video footage of the incident to police stations around the country. It was up to local police to identify people in the pictures and to arrest them. Local prosecutors then had to decide whether to charge the detainees. (329)

Sources expected the Volksfront executive committee to rap Terre'Blanche and his organisation over the knuckles for hijacking the "peaceful protest planned by the Volksfront".

Terre'Blanche, who is a member of the committee, did not attend the meeting, but sent a representative.

In a brief media statement last night CP leader and Volksfront executive committee chairman Ferdi Hartzenberg said a number of issues had been discussed at yesterday's meeting. It had been decided that a further meeting would be held this week, to discuss "certain issues with certain elements within the Volksfront".

Volksfront spokesman Koos van Rensburg said yesterday morning action had to be taken against the AWB.

Boerevryheidsbeweging leader and Terre'Blanche's former deputy Jan Groenewald, who was expelled from the AWB in 1989, said Terre'Blanche had to be "called to account" by the Volksfront, to which his organisation belongs.

TOTALITARIANISM - DETENTION
1993

Versions of death in custody conflict

Star 11/7/93
By Sifelani Mlambo

Police are investigating the death of a suspected armed robber who died in police custody in Pimville, Soweto, last week.

Jabu Tshabalala (27) was shot dead by police in a house on June 22 when he was taken there by two policemen. Police say they shot in self-defence, but the family disputes this.

THE POLICE VERSION:

Spokesman Eugene Opperman said one policeman shot Tshabalala after he pointed a loaded and cocked pistol at them. He said Tshabalala was sitting on a bed and while the policemen were speaking to people in the house, he reached under a cushion and produced a pistol.

"As the suspect was about to pull the trigger, police fired at him, fatally wounding him."

He said police recovered a stolen pistol and six rounds of ammunition from the house. An inquest would be held and the shooting investigated, he said.

THE FAMILY VERSION:

The dead man's brother, Lawrence Tshabalala, said two policemen came to the house with Jabu, saying they were searching for a gun.

He said they searched the house, ordered everyone out and stayed inside with Jabu.

"The next thing, we heard gunshots and police told us that Jabu attempted to shoot them."

Lawrence claimed there could not have been a gun in the house at the time, since the two policemen had already searched it and found nothing. Also, his brother was handcuffed and his legs were shackled, which would have made it difficult for him to have reached for a gun.

Bail hearings for right-wingers

DIRK VAN EEDEN

TWENTY-one of the 35 right-wingers arrested in connection with Friday's storming of the World Trade Centre appeared in two extraordinary bail hearings in Johannesburg on Tuesday night.

Police spokesman Col Johan Mostert said yesterday detainees had the right to ask for immediate bail hearings 48 hours after their arrests. This procedure was used regularly and most large courts had officials on standby to handle such applications.

The investigation was continuing and several more arrests were likely.

Among those who appeared last night were AWB Wenkom-mando chief of staff Alex Crywagien, Johannesburg region commander Keith Conroy, Ball of Japie Oelofse and Ystergarde commander Keith Conroy. Ball of between R500 and R2 000 had been granted to the first seven accused who appeared last night.

Right-winger Eddie von Mal-itz was among the accused who appeared in the Bloemfontein Magistrate's Court on Tuesday.

All the accused who appeared in the second hearing at about 10pm on Tuesday were released with a warning to reappear on July 15. They were told to report to the police three times a week.

Right-wingers accused the police yesterday of rounding up only well-known AWB members. They claimed the police did not have sufficient evidence to charge the detainees, but arrested them "to save face" with the international community and the ANC.

All action urged on protest day

LLOYD COULTS

THE ANC/Cosatu/SACP alliance has called on its supporters in the PWV region to "take action in whatever form possible" today in protest against the right-wing demonstration at the World Trade Centre last Friday.

The ANC's PWV region said in a statement yesterday the regional alliance had called for a mass stayaway, marches on police stations, rallies, picket demonstrations and meetings in defence of democracy.

"We will call on our people, without exception, to take action in whatever form possible."

Rallies would be held in Mamelodi, Atteridgeville, Soshanguve, Ekangala, Ga-Rankuwa, Harmanstreek and Sebokeng.

LINDA ENSOR reports that the western Cape region of the ANC and its allies in the mass democratic movement are to hold a protest in central Cape Town at lunchtime today.

In Port Elizabeth, the ANC's call for a consumer boycott of white business in the city was denounced by the Midland Chamber of Industries and the DP, Sapa reports.

The alliance demanded the finalisation of an election date, the immediate installation of a transitional executive council, joint control of the security forces, the arrest and prosecution of those involved in the occupation, and the resignation of Law and Order Minister Hernus Kriel.

The alliance in the eastern Transvaal yesterday called on churches, employers, teachers, students, the Patriotic Front, the Mass Democratic Movement "and all freedom-loving people" to observe July 1 as day of national action in defence of democracy.

Natal is bracing itself for the third stayaway of the year today after a call by the ANC and its allies for people across the political spectrum to protest the right-wing invasion of the World Trade Centre, Own Correspondent reports from Durban.

The ANC expects a good response to the call despite the short notice, but business has taken a tough line, telling employers to treat the day as a normal working day and to apply a "no work, no pay policy".

However, the city's Chamber of Commerce and Industry vice-president Jim Smith said it had called on employers to be sympathetic to the plight of the workers and not to take disciplinary action against those who failed to report for work.

A spokesman for the Durban Regional Chamber of Business said there was no reason why disciplinary action should not be taken against workers "where warranted", but said "individual discretion" should be exercised. A Spoorneet spokesman said its Metro commuter trains would run according to schedule.



Armed soldiers watch as a small gathering of PAC supporters protest outside the World Trade Centre in Kempton Park yesterday.

Picture: ROBERT BOTHA

ANC march 'to go on despite banning'

JONATHAN DAVIS

TODAY'S planned ANC march on the Free State town of Koppies by residents of the adjoining township of Kwakwatsi was banned by the town's magistrate yesterday, a local ANC spokesman said.

However, local and regional ANC members were determined to go ahead with the march — with or without permission. Plans were being made to bus ANC supporters from towns throughout the northern Free State.

The march, from Kwakwatsi to the Koppies police station, was to protest against the blocking of roads between Kwakwatsi and Koppies on Monday by members of the town's right-wing action committee.

Yesterday evening members of the local and

regional ANC, the town council and the Koppies action committee were still involved in discussions facilitated by the national peace secretariat.

Koppies ANC chairman Tsholo Tladi said they had been unable to break the deadlock which arose when Koppies residents barred Kwakwatsi residents from entering the town in response to a consumer boycott imposed on June 18.

Tladi said action committee members were maintaining a presence along roads into the town. Their presence was being seen as a blockade by the township's residents.

Police round up SA right-wingers

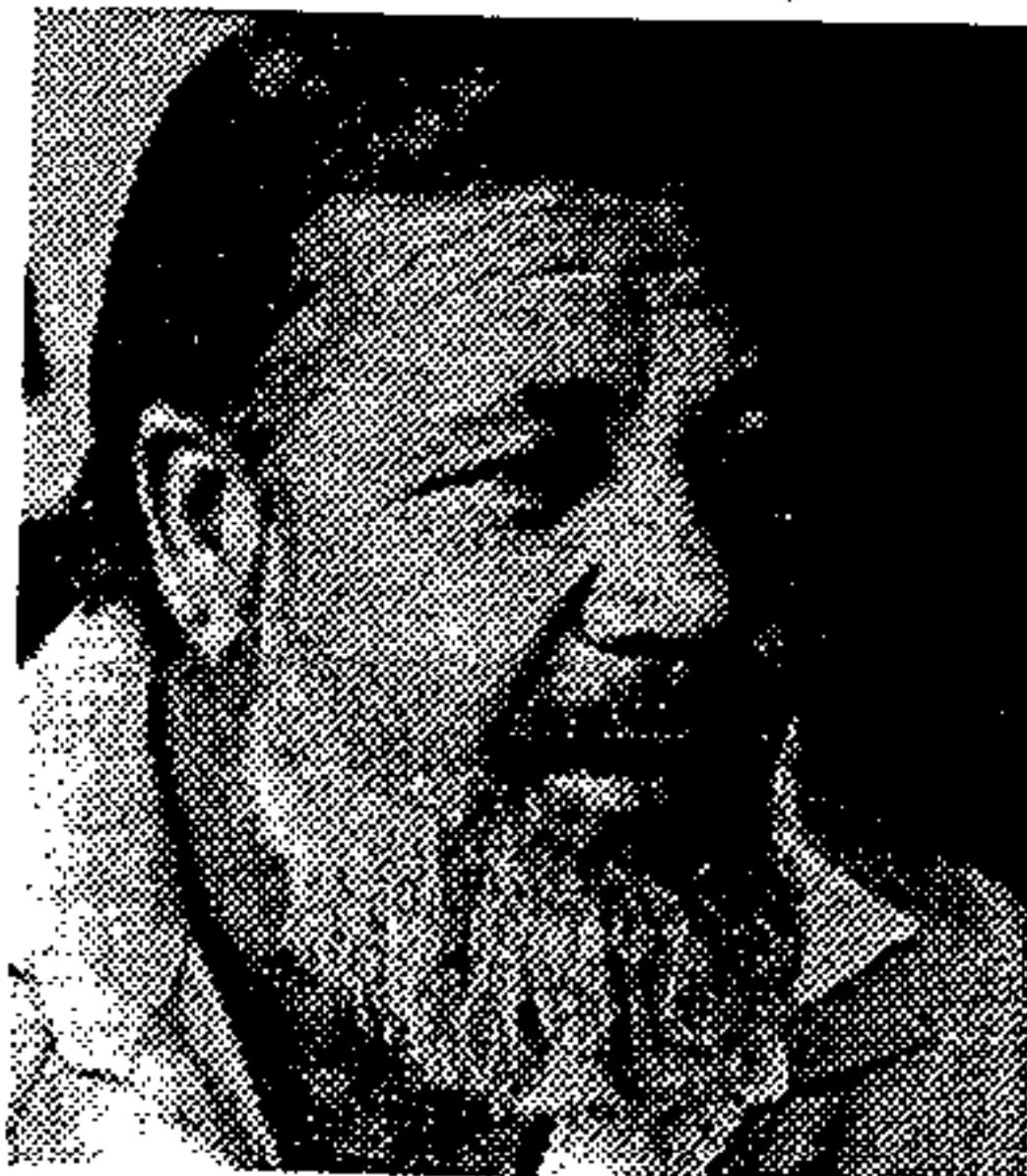
Guardian/W in wmail 27-8/7/93

(329)

David Beresford in
Johannesburg

SOUTH AFRICAN police on Monday mounted a belated round-up of right-wingers after Friday's assault on the Johannesburg conference centre hosting the multi-party talks on the end to white rule.

They arrested 21 people, out of several hundred who took part in the armed takeover of the World Trade Centre during which police looked on as an armoured car was smashed through a plate-glass facade and right-wingers took over the negotiating chamber, sending some of the country's leading politicians scampering for safety. Police refused to identify the detainees, but it appeared they did not include the neo-Nazi leader, Eugene TerreBlanche, whose



TerreBlanche: AWB played central role in attack

Afrikaner Weerstandsbeweging (AWB) played the central role in the attack.

A police spokesman said the suspects were being held in Soweto because the township

had cells designed "to accommodate political detainees in order to prevent them from harming themselves".

Police released photographs at the weekend of four people they were seeking in connection with the attack, and appealed for help in identifying them.

One of them appears to be an English immigrant, Keith Conroy, who has become a key figure in the AWB. In 1989, Mr Conroy was photographed guarding Mr TerreBlanche with an automatic rifle. He is now believed to be commander of the "Iron Guard", the AWB unit prominent in Friday's drama.

An AWB spokesman said those detained included women "officers", and warned that "thousands of angry commando officers are watching the situation".



LYNN FINLAY: Taken to "the filthiest and the most disgusting cells you could dream of".



EUGENE TERREBLANCHE: Condemned the arrests of the women as being "just because they are AWB members and white".

Star 31/7/93

AWB women 'humiliated in prison'

THE Afrikaaner Weerstandsbeweging (AWB) yesterday called the press to a popular Pretoria steakhouse to hear three woman members detained after last week's World Trade Centre invasion tell of their "humiliating" treatment at the hands of the police.

While diners outside ate and drank under the watchful eye of AWB security men guarding the entrance to the conference room — into which drifted the occasional sounds of laughter and clinking glasses — Lynn Finlay, Stephanie Oelofse and Karen Brazao described how they were arrested and taken to Diepkloof Prison.

Finlay, a "colonel" in the AWB, said police, among them "an officer who had been drinking", had raided her home without a warrant. She said she was then taken to

"the filthiest and most disgusting cells you could dream of". Finlay said she and others were given "inedible food", woken up "every 15 minutes" and subjected to verbal abuse, including being told "we were moggie for being members of the AWB".

Finlay said they were made to "stand in our underwear in freezing weather", interrogation sessions were "endless" and that they were not allowed to wear their uniforms in prison.

Oelofse, also an AWB "colonel", was introduced by the movement's leader Eugene TerreBlanche as the wife of an AWB general "who did nothing but walk in the shadow of her man and stand by him".

Clearly strained, Oelofse said her six-year-old son had been so shocked by the mas-

THE AWB is planning court action over the police treatment of women members held in connection with the storming of the World Trade Centre. Chief Reporter JOHN PERLMAN reports.

sive police raid on their home that he was unable to go to school the next day. She said she was unhappy that she had had to make "our personal financial situation public in front of all the other people in the court" when their bail application was heard.

Brazao, a "corporal" from Meyerton, said she had been forced to leave behind her one-year-old baby when she

was taken in early on Monday morning, and had not been given any food until that evening.

Responding to questions from the AWB's chief legal representative, Daan Mostert, Finlay said: "Bad language was used frequently, probably to intimidate us. We certainly weren't made to feel comfortable." Oelofse said police had threatened that her children would be placed in welfare.

TerreBlanche said the three women had been arrested at the "witching hour" and treated in this way "just because they are members of the AWB and just because they are white". They had not committed public violence, he said. "They were just near their men, near the men they loved."

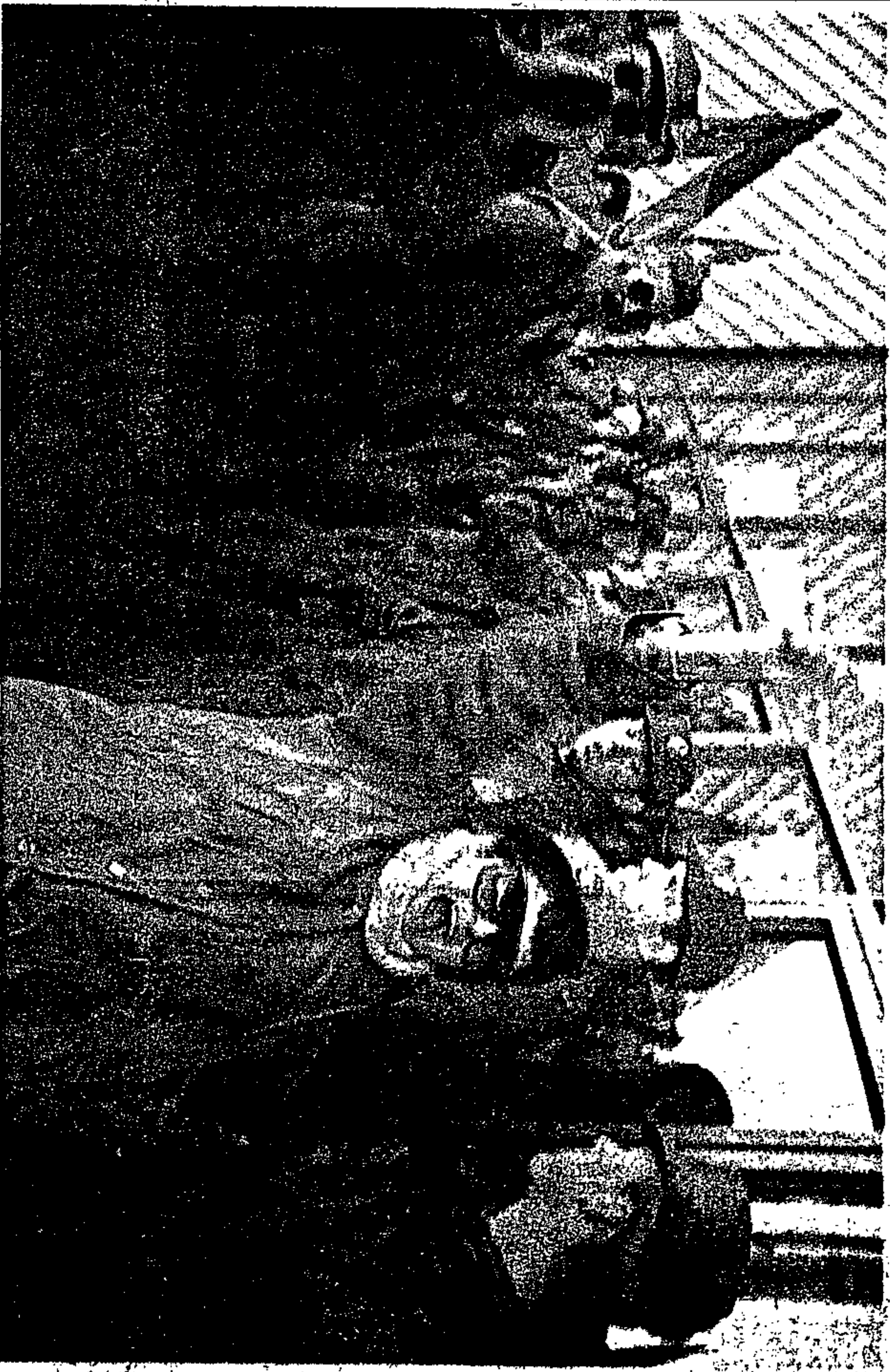
Mostert said they were busy preparing a civil case

but would not be laying charges. "It doesn't help to charge the police," he said.

A joint statement from the AWB and the Afrikaanse Volksfront was read out, in which the two organisations rejected allegations that the had come to the World Trade Centre with "a hidden agenda" to occupy the building. It was a "spontaneous reaction", TerreBlanche said. The two organisations resolved that they would plan their joint actions more carefully in future.

TerreBlanche said the AWB would have "nothing to do" with the proposed inquiry into the World Trade Centre incident by the Goldstone Commission. When 38 black people had died in the weekend that followed, he said, it was "pathetic" that a judge should be charged with inquiring into "a broken window".

Uitstaande AWB-militante in die Kaapstad-gevangenis



STANDING in the front line of protesters at the World Trade Centre last week was Mrs Lynn Finlay and her AWB "brigadier" husband Ken (left), writes JOCELYN MAKER.

This week Mrs Finlay, 47 — a self-styled colonel in the AWB's Rooivalk — was among 33 rightwingers arrested and charged with public violence after the invasion of the Negotiating Forum in Kempton Park.

She and her husband have also made several court appearances in the past year on charges of culpable homicide. The couple will be back in the Vereeniging regional court on August 9 in connection with the death of a construction worker.

The case arises from an incident on Christmas Day 1991 when the Finlays allegedly assaulted Mr Molatudi "Lawaal" Lebete, 58, who later died of his injuries in Baragwanath hospital.

He was allegedly beaten by Mr and Mrs Finlay after they objected to his "kaffir dog" mating with one of their dogs. In addition to the criminal case, the Finlays are facing a civil suit of R50 045

brought by Mr Lebete's common-law wife, Mrs Maria Kutoane.

Four more rightwingers arrested this week have been involved in court cases in the past year.

"Colonel" Leon van der Merwe, 34, commanding officer of the AWB's Yster-garde, was one of 16 people held and charged with public violence after the August 1991 "Battle of Ventersdorp" when AWB members tried to storm a hall where President FW de Klerk was to deliver a speech.

A year later, the charges against Mr van der Merwe were withdrawn after he produced an affidavit claiming his wife had suffered a stroke after his arrest.

Mr Stephanus Fourie, 40, was also charged with public violence relating to the Ventersdorp clash.

Mr Guillaume Cornelius Loots, 39, is on R5 000 bail after being charged with housebreaking and theft of arms and ammunition worth R134 000 from the SADF armoury in Welkom in January. The case is proceeding.

Picture: DAVID SANDISON

Lexington for after action..satisfaction



NEWS Three 'held hostage' while man is sought

Behaviour of police disgusting, says lawyer

Sowetan 6/7/93

By Abbey Makoe

ALAWYER yesterday described as "disgusting" the behaviour of Soweto policemen who arrested a woman and her three children, who include a baby who was still being breast-fed, because they could not find her husband.

Mrs Popi Mache (34) was arrested at her Eldorado Park home together with her children, Elizabeth (17), Thabo (15) and a two-and-half-year-old baby.

Apart from the baby, the three appeared before Mr J Engelbrecht in the Johannesburg Magistrate's Court yesterday. No charges were brought against them and the case was withdrawn. The prosecutor, Mr L du Preez, did not object to the case being withdrawn.

Mr Paul Shapiro, who appeared for the Maches, has now threatened to sue on behalf of

■ WRONGFUL ARREST Woman and children, including baby, locked up in duty cell:

the family. "We are going to sue for wrongful arrest and imprisonment," Shapiro said.

He said members of the Soweto Murder and Robbery Unit based at Protea "literally took the family hostage" by detaining them for something they did not do. (329)

The police were at the time looking for Mrs Mache's husband, Mr Machel Mache, in connection with a robbery when they held his family, apparently in an attempt to force him to report to the police station.

Shapiro said the incident took place last Tuesday and Mrs Mache and her children were kept in a small, dirty cell at Kliptown police station for 12 hours.

"I have been there and I saw the cell myself," he told the magistrate.

The Maches were released on bail after Shapiro made an urgent application at midnight last Tuesday.

Shapiro said yesterday the arrests had had "incalculable psychological effects" on the children.

He said one of the children was assaulted.

Shapiro had earlier refused a request by the magistrate that the case be heard in camera.

He said Elizabeth and Thabo, who were in standards nine and seven, respectively, had missed their examinations on the day on which they were locked up.

NEWS Five hour 1

Biko case is closed

Sowetan 7/7/93
 POLICE will not reopen investigations into the 1977 death in detention of Black Consciousness leader Mr Steve Biko following hints of security police involvement in the death.

Police spokesman Major Ruben Bloomberg said yesterday: "The docket is now closed."

Former Port Elizabeth security police chief Colonel Harold Snyman told the reopened inquest into the June 1985 murders of activist Mr Matthew Goniwe and three others he would not answer any questions relating to the Biko case as he might incriminate himself.

"You feel you may incriminate yourself if you tell the truth about Biko?" counsel for the Goniwe family Mr George Bizos asked. "That is correct," Snyman answered. Black Consciousness leader Biko died after being detained by Port Elizabeth security police in September 1977. Bloomberg said if more solid evidence came to light the Biko investigation might be reopened.

— Ecna. (329) ~~(251)~~

news in brief

Sowetan 7/7/93 50 held over invasion

FIFTY people have been arrested in connection with the violent rightwing invasion of the multiparty negotiations venue at Kempton Park on June 25.

Six of them have been released without being charged and at least 28 have appeared in court. A police spokesman said the other 16 had also been released but would appear in the Johannesburg Regional Court later this month.

The arrests were made in Bloemfontein, Potchefstroom, Nylstroom, Nelspruit and Middelburg. (329) (5)

Cell death: 3 cops suspended

Sowetan Correspondent and Sapa

THREE policemen have been suspended following the death on Saturday of a man allegedly involved in killings in the Vaal Triangle township of Sebokeng. (254)

Police spokesman Major Henriette Bester said Victor Kheswa (28) of KwaMadala Hostel in Vanderbijlpark was certified dead on arrival at Sasolburg Hospital at 3.45am on Saturday.

The three policemen, all of the Vanderbijlpark Unrest and Violent Crime Investigation Unit, had taken Kheswa on an investigation. Bester

said.

She said they had been suspended pending an investigation into the death of Kheswa. No other details about the circumstances surrounding the incident was available. (329)

Bester said Kheswa was allegedly involved in "mass killings in Sebokeng". She would not elaborate.

"Khethisi", as Kheswa was known and also notoriously known as the "Vaal Monster", was feared and hated by residents in Sebokeng.

The last hours of "Khethisi" remain a mystery. Police would last night not reveal any details.

Sowetan

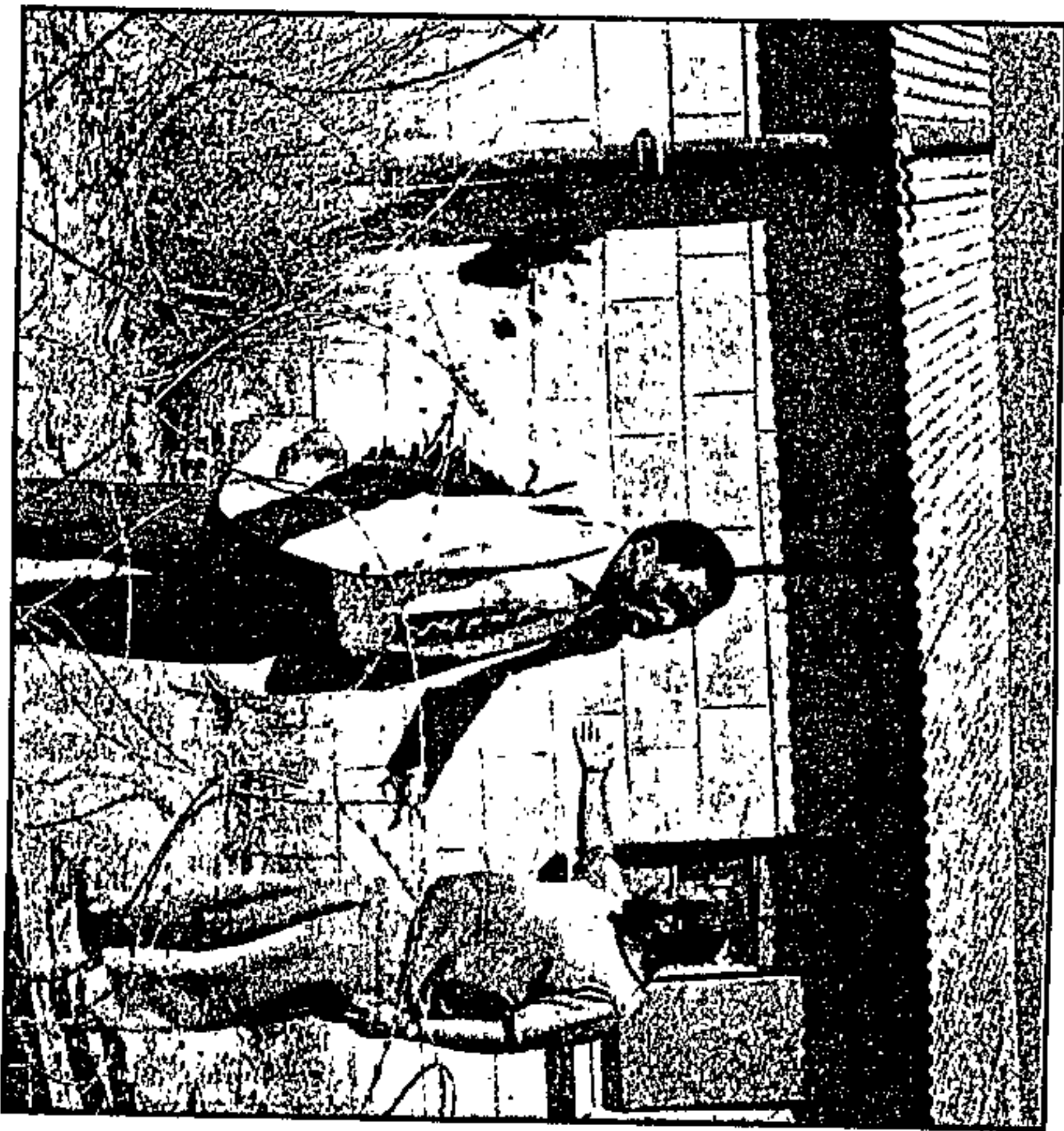
12/7/93

"The circumstances and cause of his death is still unknown," was all Bester could say.

"Khethisi" shot to notoriety last year during a spate of violence that claimed the lives of more than 100 people in the Vaal townships of Sebokeng and Boipatong. Residents believed he master-minded various attacks in the township.

He was linked to the murder of African National Congress activist Mr Christopher Nangalembe and the killing of 38 mourners at Nangalembe's funeral vigil, where gunmen sprayed them with automatic fire.

C



SCENE OF THE BLAST ... Heavy weapons have entered the fray in the violence on the East Rand. On Sunday night, a rocket propelled grenade was fired at the toilet of Block F, Tokoza Hostel. Here Inkatha Freedom Party's Transvaal deputy chairman Humphrey Ndlovu and Tokoza Hostel chief Induna Mpsendlini Mthethwa show the hole that was caused by the blast.

PIC: SELLO MOTSEPE

Man held for fifty murders

Sebetso 18/7/93

By Abbey Makoe and Sapa

plead and was remanded and the case was postponed to July 26.

Two other KwaMadala Hostel dwellers arrested with Ndlovu are being kept in custody while police investigate their role in the April 18 massacre of 19 people, who were mowed down on the eve of SA Communist Party leader Mr Chris Han's funeral.

Police spokesman Major Piet van Deventer said the three men were also being interrogated in connection with their role in the June 26 and 27 massacre of at least 38 residents last year.

Kheswa, Ndlovu and the two unidentified men are alleged to have been involved in the killing of 38 residents attending a night vigil of an ANC activist, who were attacked with machineguns in Sebokeng in June last year.

Three Vanderbijlpark policemen have since been suspended in connection with Kheswa's death. Van Deventer said a murder charge against the three was being investigated. The three policemen have not yet been identified.

He said an autopsy would be held to determine the cause of Kheswa's death. Ndlovu's two co-accused were being held under Section 50 of the Internal Security Act, which allows police to detain them for two weeks, Van Deventer said.

KOHINOOR STORES

NEVER TO BE REPEATED

from 299

POP

TRACY CHAPMAN • BOB JAMES • ISAAC HAYES
CRUSADERS • GENE AMMONS • BOB MARLEY
MICHAEL BOLTON • PUL COLLINS
BARRY WHITE • GROVER WASHINGTON
GLEN MILLER • KING CURTIS
JIMMY SMITH • SHERLEY BROWN
SPINNERS • MICHAEL JACKSON • ELLA
EDDIE HARRIS • ROBERTA FLACK
HOUSTON PERSON • RANDY CRAWFORD
BROOK BENTON • MARK CRAWFORD
MANHATTANS • MARIA CAREY
PAUL SIMON • ABETHA FRANKLIN
BEE GEES • LUTHER VAN DROSS

from 999

JAZZ

SALE

CRAZY LOW LP PRICES!

DOAN HATHAWAY • OTS REIDING • STEVE WONDER • DOLLY PARTON • DONOHY MOORE
TEDDY PENDERGRASS • BAD COMPANY • DONNE WATKINS • BETTY WRIGHT • DONALD BYRD
DOLLAR BRAND • WILES DAVIS • GEORGE BENSON • WILLIS JACKSON • SHERLEY SCOTT

REGGAE

JOHNNY HODGES
ALIT PEPPER
BUDDY TATE
NATIVE GARDEN

FUSION

SALE

'Vaal Monster' linked to extreme right wing

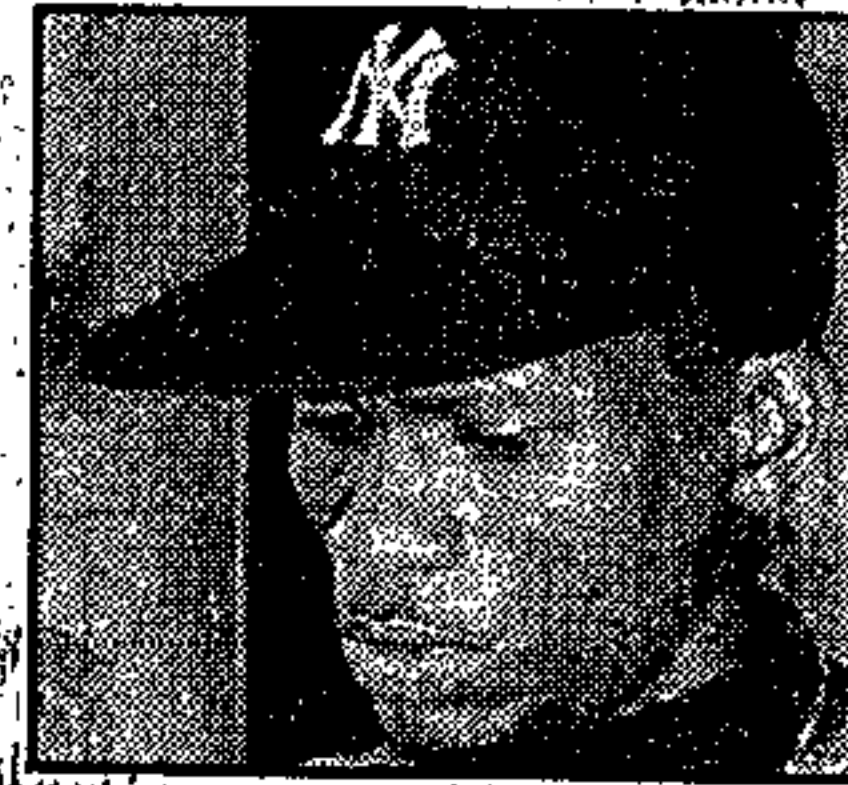
By Bronwyn Wilkinson

Victor "Khetisi" Kheswa — the man dubbed the "Vaal Monster", and who died in police custody on Saturday — belonged to an extreme right-wing organisation.

Political analysts said yesterday his right-wing links were the first concrete indication that right-wing movements were fostering "black-on-black" violence.

Kheswa was a member of the World Preservationist Movement (WPM), formerly the World Apartheid Movement. WPM confirmed yesterday. WPM co-leader Koos Vermeulen said the World Apartheid Movement was renamed after it had recently become "non-racial".

Marguerite Vermeulen, wife of Vermeulen and WPM co-leader, confirmed yesterday that Kheswa had been a WPM leader, but would not



Victor "Khetisi" Kheswa — the "Vaal Monster"

give any details about the movement. (329)

WPM has been footing some of the legal bills for Janus Waluz, the alleged assassin of SACP chief Chris Hani.

Little is known about the organisation except that it is run by the Vermeulens in Pretoria and has claimed a membership of 4 000. According to right-wing sources

● To Page 3

'Vaal Monster' linked with Right

● From Page 1

ces. WPM has tenuous links with about 50 neo-Nazi movements worldwide.

Political analysts said yesterday the link between a black killer and a white supremacist movement was "sinister" and provided the first concrete indication that right-wing movements were sponsoring and fostering township violence.

"There is definitely a sinister set-up here, particularly since the membership of a black man in the WPM is so contradictory to the premises of the organisation," analyst Dr Wim Booysse said.

ANC spokesman Carl

Niehaus said this virtually proved what the ANC had been saying for three years — that there were organisations involved in orchestrating township violence. (329)

Kheswa was arrested on Friday at the Johannesburg offices of his lawyer Anina van der Westhuizen for suspected involvement in the massacre of 19 people in Sebokeng on April 18 — the eve of Hani's funeral.

He was also being questioned about other killings, police sources said. A warrant had also been issued for Kheswa's arrest following the failure of an appeal against a conviction of possess-

ing illegal arms and ammunition.

According to information supplied by Lawyers for Human Rights, he was also linked to the murder of the family of ANC activist Ernest Sotsu in 1991.

He has also been linked to the Sebokeng night vigil massacre in January 1991 in which 38 people were killed.

According to ANC officials and township residents in the Vaal, the fact that Kheswa had not been convicted of anything but possession of arms indicated that he had contacts who could "get him off" charges.

But Vaal IFP organi-

ser Chris Theunissen said yesterday the failure to convict Kheswa indicated that he had never been involved in Vaal township violence.

"There is no such thing as the 'Vaal Monster' — that is just a bogeyman invented by the ANC," Theunissen said.

Vaal deputy police commissioner Brigadier Floris Mostert confirmed yesterday that Kheswa was one of four suspects arrested following two mass slayings in Vaal townships on April 18. Their involvement in the killing of 16 people in Sebokeng and Evaton on June 26 and 27 was also being investigated.

Wednesday July 14 1993 SOWETAN

NEWS 'Vaal Monster' member of extreme Right ● Ac

Kheswa's WPM links

By Abbey Makoe and
Sowetan Correspondent

VICTOR "Khehisi" Kheswa, known as the "Vaal Monster", was a member of an extreme-rightwing organisation and also of the Inkatha Freedom Party when he died in police custody last Saturday.

Kheswa (28), who has been linked to several massacres in the Vaal Triangle, belonged to the World Apartheid Movement which recently changed its name to the World Preservationist Movement, apparently because of black membership.

Mrs Marguerite Vermeulen, a WPM leader, has confirmed Kheswa's membership.

Political analysts have described the revelations about Kheswa's rightwing

links as the first concrete indication that rightist movements were sponsoring and fostering the black-on-black violence that has plagued many townships since 1990.

"There is definitely a sinister set-up here, particularly since the membership of a black man in the WPM is so contradictory to the premise of the organisation," said political analyst Dr Wim Booyse.

The WPM has been footing the bill for the defence of Janus Waluz, the man allegedly behind the April 10 assassination of SA Communist Party chief Chris Hani. (329)

In another development yesterday, IFP Vaal Triangle organiser Mr Mwezi Twala said "there was nothing wrong with Inkatha members belonging to other organisations".

"As long as you respect the IFP constitution, policies and pay dues I don't see anything wrong," Twala told *Sowetan*.

But his senior, Mr Humphrey Ndlovu, said it was "untrue" that Kheswa belonged to the WPM. When told the WPM had confirmed Kheswa's membership, Ndlovu said: "I reject that."

Meanwhile, Vaal police spokesman Major Piet van Deventer said a State pathologist, Dr Leon Wagner, had performed an autopsy on Kheswa yesterday.

The cause of Kheswa's death was not revealed.

Kheswa's funeral arrangements were underway and he was likely to be buried where he was hated and feared most — in Sebokeng — Twala said.

IFP and rightwing 'overlap'

Sowetan 15/7/93

By Abbey Makoe and Sapa

THE leader of the rightwing World Preservatist Movement, Mr Koos Vermeulen, said yesterday there was an overlapping membership between his organisation, the Inkatha

Freedom Party and the AWB.

Vermeulen's disclosure follows revelations that the "Vaal Monster", Victor "Khethisi" Kheswa, belonged to both the IFP and WPM at the time of his death in police custody last weekend. (329) (344)

Vermeulen's statement contradicts denials by the IFP that Kheswa's was a member of both the IFP and WPM.

In another development, the Law and Order Ministry said it had launched a special investigation into Kheswa's death.

The ministry said it would investigate Kheswa's reported membership of the WPM and Vermeulen's statements regarding Kheswa affiliation to the WPM.

Also to be investigated was the ANC's claim that the police murdered Kheswa to prevent him from exposing the existence of a "third force". (331)

Top policemen Major-General Piet du Toit and Brigadier Floris Mostert would head the

investigation, the ministry said.

Vermeulen told *Sowetan* yesterday that his members were free to belong to organisations belonging to the Concerned South Africans Group. "Our members are free to join the parties of Lucas Mangope and Oupa Gqozo but not the Pan Africanist Congress and the African National Congress," he said.

He confirmed that his organisation had a private army which he declined to name. The army was currently only "defensive" and did not foment township violence. "Our army is only there to protect members and the leadership until we are convinced that FW de Klerk and Nelson Mandela are heading for a socialist country, then we will unleash military offensives," Vermeulen said.

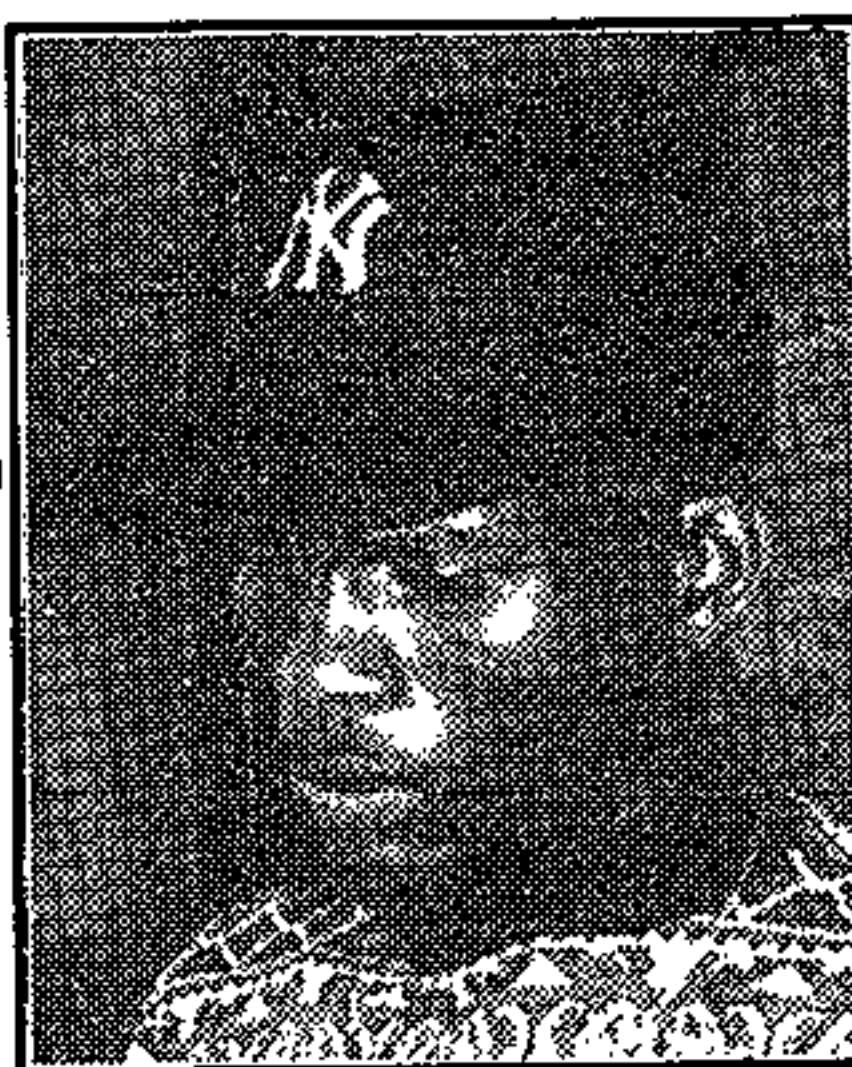
He denied the WPM's complicity in the current wave of violence in the townships. "At the moment we are giving peace a chance."

Asked about the WPM's black membership, he said it

was "not much" but was growing fast. He said he would disclose the exact figures soon.

The IFP yesterday emphatically distanced itself from the WPM spokesperson Miss Suzanne Vos said: "The leadership of the IFP knows nothing about the WPM or of any purported involvement that Mr Kheswa may or may not have had with this odious organisation."

● See also page 11.



Victor Kheswa

More allegations against Vaal cop

Sowetan 16/7/93

Sowetan Correspondent

■ VAAL MONSTER Five prisoners

FIVE awaiting-trial prisoners, including two Eikenhof murder accused, have made allegations of torture against one of the three policemen suspended after the death in custody of Victor "Khethisi" Kheswa.

Sergeant Gerhardus "Pedro" Peens of the Vanderbijlpark police was suspended along with Sergeant Petrus Claassen and Lance-Sergeant Lourens Claase following Kheswa's death at the weekend.

The allegations include that Peens:

- Tortured two of the accused in the Eikenhof murders by giving them electric shocks. (He has subsequently been dropped from the Eikenhof investigating team because of his suspension.);

- Tortured suspects in the

claim policeman tortured them:

Sebokeng "drive-by" murders in April. One affidavit claims Peens broke a suspect's leg during a torture session; and

- Tortured former ANC chauffeur Tshepo Lengwati, who was shot dead while in Peens' custody in Sharpeville in February last year.

Meanwhile, in a strongly worded statement, the Inkatha Freedom Party yesterday said it believed the "Vaal Monster" saga was part of the Government's intelligence organisations' aim to link the IFP with rightwing violence in order to discredit it.

"In three trials involving our members, the accused have said they were tortured into making confessions that

would incriminate them. "Affidavits submitted during the Sebokeng trial implicated Sergeant Gerhardus 'Pedro' Peens as being involved in the torture of suspects. According to one affidavit, he once broke a suspect's leg during a torture session." Police spokesman Colonel Johan Mostert said Peens would not face charges yet as Kheswa's death was still being investigated. The furore surrounding Kheswa is related to the ongoing killing of township residents in several areas, including the Vaal Triangle. "Drive-by" killers have shot dead at least 30 people in the area in the past two weeks. Fourteen people were killed in Sebokeng on Monday night. Police are also investigating Kheswa's alleged rightwing connections.

Torture allegations in wake of Kheswa's death

By Peter Davies
and Own Correspondent

At least five awaiting-trial prisoners, including two accused of the Eikenhof murders, have made allegations of torture against one of the three policeman suspended after the death of "Vaal Monster" Victor Kheswa.

Detective-Sergeant Gerhardus "Pedro" Peens of the Vanderbijlpark police was suspended along with Sergeant Petrus Claassen and Lance-sergeant Lourens Claase following Kheswa's death in custody at the weekend.

The allegations include that Peens:

- Tortured two of the accused in the Eikenhof murders with electric shocks.
- Tortured suspects in the Sebokeng "drive-by" murders in April. One affidavit claims Peens broke a suspect's leg during a torture session.

● Tortured former ANC chauffeur Tshepo Lengwati — who died in a hail of bullets while in Peens' custody in Sharpeville in 1992.

In a strongly worded statement yesterday the IFP said: "We continue to believe that the way the Kheswa story has developed is part of the State intelligence organisations' aim to link the IFP with right-wing violence in order to discredit the IFP."

"In three trials involving our members, the accused have said they have been tortured into making confessions that would incriminate them."

"Affidavits submitted during the Sebokeng trial implicated Detective-Sergeant Gerhardus "Pedro" Peens as being involved in the torture of suspects. According to one affidavit he once broke a suspect's leg during a torture session."

Police spokesman Colonel

Johan Mostert said Peens would not face charges yet as Kheswa's death was still under investigation.

The furore surrounding Kheswa is related to the ongoing killing of township residents in several areas, including the Vaal Triangle.

Police are also investigating Kheswa's alleged connections to the right wing.

The leader of the World Preservatist Movement — formerly the World Apartheid Movement — Koos Vermeulen confirmed to The Star that Kheswa was a member of his organisation.

However, in a surprise development yesterday, the Law and Order Ministry said Vermeulen had denied to police that Kheswa was a member of the WPM.

"It has emerged from a police interview with Mr Vermeulen that he now denies that Mr Victor Kheswa was a member of the WPM and

● To Page 3

Kheswa's death: more allegations of torture

● From Page 1

that he made this claim to the media for propaganda purposes," the ministry said.

Yesterday's ministry statement also rejected ANC claims that Vermeulen was an ex-commander of the Vlakplaas base near Pretoria.

The ministry said the Koos Vermeulen who had been a Vlakplaas commander was not the same person as the WPM leader — who had never been involved with the SAP.

In an interview in Pretoria yesterday, Vermeulen said he had lied at the request of "Inkatha officials" whom he refused to name.

"I lied because some Inkatha officials asked me to do so," Vermeulen said.

He said he was first contacted by IFP officials while he was watching TV at his Pretoria home. They told him Kheswa had died in police custody.

"They asked me if I could join an IFP delegation to Sa-

solburg where we were going to observe the body," he said.

"I was not happy with what I saw on Kheswa's body and I told my IFP colleagues if I was called to testify I would go out there as the leader of the World Apartheid Movement."

He said the IFP leaders expressed reservations about the word "apartheid", so he compromised opting for the word "preservatist".

He said he had decided to tell the truth because he had been embarrassed by revelations that Kheswa was known as the "Vaal Monster" and did not want to tarnish the image of the WAM-WPM. I did not know the man's background."

ANC spokesman Carl Niehaus said yesterday of Vermeulen: "In a court of law this man would prove himself not to be reliable. It asks serious questions of someone who makes statements then retract them. We will not simply accept these retractions."

MANY victims of police torture are now prominent South African political leaders, some of them important negotiators at the World Trade Centre. They include the African National Congress' Mac Maharaj, Tokyo Sexwale, Ebrahim Ebrahim and Tony Yengeni, the South African Communist Party's Jeremy Cronin and Thenjiwe Mtintso, and the Natal Indian Congress' Pravin Gordhan.

From interviews in recent weeks with these and less well-known victims, *The Weekly Mail* has been able to assemble a list of policemen who have frequently been accused of torture. All the names reported appear in more than one statement by erstwhile victims, or in court cases where detainees have accused policemen of torture. In some cases, victims did not know the names, or the full names, of their tormentors.

*Police torturers
have been allowed
to remain faceless
— but The Weekly*

*Mail has put
together a list of
those accused of
being the worst
offenders. By*

**PAUL STOBER,
STEPHEN
LAUFER and
ECNA**

FACES BEHIND

W/Mail 16/7-22/7/93

(329) (252) (253)

Theunis "Rooi Rus" Swanepoel:

First-hand accounts indicate that Swanepoel, a SAP chief interrogator, was a torturer over two decades.

●Indres Naidoo was arrested in April 1963 while attempting sabotage for Umkhonto weSizwe. Swanepoel personally led the arresting squad.

"We were challenged and told to put our hands up, which we did," Naidoo said in an interview this week. "Suddenly, and without warning, Swanepoel fired a shot at me, hitting me in the arm. 'You're a lucky coolie,' said Swanepoel, who had obviously aimed for my heart."

The beating of the four captives began immediately. Naidoo no longer remembers who hit who. "We all ended up with broken ribs or arms, bloodied and swollen."

They were taken to the Johannesburg Railway Police headquarters, where Swanepoel was in charge of a room full of burly security branch policemen, said Naidoo.

Swanepoel told Naidoo they would play South Africa's national sport, rugby. Naidoo was the ball. "I was kicked and beaten, thrown to the ground." The subsequent head of the former Bureau of State Security, Hendrik van den Bergh, has remained in Naidoo's memory as a participant in the "rugby game".

Later, Swanepoel ordered his men to give Naidoo electric shocks. "I can't say how long the shock treatment went on for — I still can't work it out," said Naidoo.

●Mac Maharaj was brutally tortured by a team of interrogators led by Swanepoel after he was detained in July 1964.

Over a period of two months, Maharaj was repeatedly pistol-whipped, threatened with a sword and lit matches, and given electric shocks. "Swanepoel was also developing his favourite method of attacking genitals with a pair of pliers," said Maharaj this week.

●Fred Carneson, now a pensioner in Cape Town, was an underground functionary of the SACP when he was arrested in 1966.

In Pretoria, Swanepoel introduced Carneson to the "statue method": the prisoner is kept standing and awake for hours and days on end. "They kept me standing until my eyes started to pop out," said Carneson.

That weekend, Carneson was flown back to Cape Town. "On the plane, my limbs started jerking uncontrollably. It was like an epileptic fit. A doctor later told me I had been suffering from battle fatigue," he said.

Warrant Officer "Spyker" van Wyk, Major Arthur Cronwright and Andries Struwig:

Among Swanepoel's "pupils" was Van Wyk, known as a hands-on torturer. He supervised the interrogation

of, among others, anti-apartheid activist Stephanie Kemp.

●In an interview this week, Kemp, who now works at the Alexandra Clinic, said she was assaulted by Van Wyk. "He threw me to the ground and beat my head against the floor," she recalled. Kemp also said she had received the "statue" treatment. She sued the police in 1963 and received a settlement.

●Van Wyk tried the intellectual approach with underground SACP and ANC activist Jeremy Cronin when he appeared in his soundproof prison cell one day in July 1976. Cronin had been arrested under the Terrorism Act for producing illegal pamphlets. "Van Wyk was wearing a blood-stained jacket and fumbling with electrodes. The message was clear," remembers Cronin.

●Cronwright and Struwig took part in the interrogation of Dan Montsisi, who now works for development agency Matla Trust.

Montsisi was repeatedly beaten about the head while in detention in October 1977. By then he had already been detained for four months and had survived an earlier bout of torture. He sued the police and was paid an out-of-court settlement.

Warrant officers Nic Deetlefs, Lawrence Prince and Des Carr:

Ebrahim Ebrahim was kidnapped by the National Intelligence Service from Swaziland in December 1986 and handed over to the security police.

Ebrahim said this week he had been placed in a sealed cell and exposed to noise until "I nearly lost my mind. You feel like you're in hell and your mind is about to crack." The noise, which prevented him from sleeping or even resting, made him physically sick.

Ebrahim said that before the torture began, he was told by Deetlefs: "We are not going to assault you, but if you survive I will be convinced you are not a human being."

Ebrahim, who brought charges against the police, was awarded damages late last year. The police are appealing.

●Deetlefs was named in various claims for damages brought against the police in the early 1980s.

Former trade unionist Monty Narsoo, whose claim was successful, said Deetlefs had continually "threatened and swore" at him during his detention.

●Narsoo also named Prince and Carr as participating in the team which interrogated him. Narsoo was deprived of sleep, tied up and assaulted, and given electric shocks to the genitals.



Tortured ... Mac Maharaj



Tortured ... Tokyo Sexwale



Accused ... Theunis 'Rooi Rus' Swanepoel

Captain H, Warrant Officer H, Sergeant F and Lieutenant N (victims are able to identify them and have provided us with surnames, but did not know full names):

Thenjiwe Mthintso, currently a member of the politburo of the SACP and of its negotiations commission, was a black consciousness activist close to Steve Biko when she was arrested by these officers in 1976.

In an interview this week, she said: "As soon as we reached the King Williams Town police station, F started beating me. He hit me in the face and body, and by the time the others arrived half an hour later, I was bloody and swollen."

The beatings, by N and an accomplice, continued in earnest some days later in East London, "for about a week".

Later, Mthintso was taken back to King Williams Town daily for interrogation by Captain H and F, with Sergeant H and N present.

"F and Captain H stood me facing a wall, and began banging my head against it incessantly. This went on for days."

Some time later, the wall banging began again, continuing for about 10 days. "When it finally stopped, I had become so conditioned that I had this

irrational wish for it to continue," she said.

Mthintso still suffers from severe headaches as a result of this torture method. A scan has shown a depression of her skull at the forehead.

About three weeks after her arrest, Mthintso was told that her 18-month old son, Lumumba, had died in a car accident. She would be allowed to attend the funeral if she gave the police the information they wanted.

'Benzien would act like a father figure. He would never shout and would try to be understanding. But he would always be the one to assault you.'

Captain H later took Mthintso to Kei Road police station and showed her a cell where another political detainee had died. Police had declared that it was suicide. Captain H said to Mthintso, "I'll show you how he really died" and forced her to

sit on the floor.

"Then he pulled a wet towel around my face and neck from behind. He kept wetting it, then tightening it around my face again. Struggling for breath, I knew he could have died this way — suffocated, with a broken neck. I knew I was near death, I knew that Captain H had to make just one mistake and pull the towel too tightly," she said.

This treatment continued for a full day, with Mthintso being revived each time she passed out.

The "A team" of the Ciskei security police, Captain Charles van Wyk and Major Gideon Niewoudt:

ANC Eastern Cape education officer Zola Mtatsi said this week that Niewoudt was one of the many policemen who tortured him during numerous detentions in the 1980s.

"In 1986, Niewoudt was one of four security policemen who took me to an abandoned school outside Port Elizabeth. I was made to climb into a large canvas bag with a sack over my head."

"Water was then thrown on the bag while electric shocks were repeatedly applied to my ears. At the same time, I was assaulted and questioned. A rubber band was also tied tautly around my face, over the two sacks, to suffocate me."

THE TORMENT

W/Mail 16/7-22/7/93.

(329) 22/7/93



Accused ... Major Arthur Cronwright

Mtatsi said he could not see the faces of his torturers, but he is confident that he recognised the voice of, among others, Niewoudt.

Niewoudt was recently subpoenaed to give evidence at the Goniwe inquest in connection with the deaths of three security policemen, alleged to have been killed as part of a police cover-up of their involvement in the Goniwe murders.

●The "A team's" work with the East London Security Branch was co-ordinated by Van Wyk, who was based at the Cambridge police station. Van Wyk was described as the leader of the torturers. "He was the main guy. He was the most vicious policeman," said a former detainee, who asked not to be named.

Warrant Officer Jeffrey Benzien, Lieutenant Frans Mostert and Warrant Officer Koos Nortjie:

Former MK commander Ashley Forbes was interrogated by Benzien for nearly three months after he was captured by the security police in Cape Town during April 1987.

At the time, Benzien was part of the Anti-Terrorist Unit, a special section of the security branch in Cape Town. He worked with Mostert, infamous among activists of the defunct United Democratic Front for assaults and torture.

This week, Forbes described how a

wet plastic bag was put over his head and he was suffocated "to the verge of death". A rod was forced up his anus and he was given electric shocks while he was questioned.

"Benzien would act like a father figure," said Forbes. "He would never shout and would try to be understanding. But he would always be the one to assault you."

Benziens partner, Nortjie, would constantly shout at Forbes and threaten him, but he never beat Forbes.

After beating him unconscious, Forbes said, Benzien would revive him and allow him to wash and dress before taking him for supper in a restaurant.

After a particularly bad beating, Forbes would be taken out of his cell for "investigation". According to Forbes, Benzien would then buy him medicine and keep him out of his cell long enough for his wounds to heal.

The torture became so bad that Forbes attempted suicide. His attempt failed but Benzien came to the hospital to continue questioning and torturing him.

●The ANC's western Cape secretary general, Tony Yengeni, was also interrogated by Benzien in 1987. This week he said: "Benzien used a wet rubber bag over my head and I was beaten to a pulp. My body was swollen and there was blood all over the place."

Benziens is reported to have become the station commander at Hermanus, on the Cape south coast.



Accused ... Major Gideon Niewoudt

Photo: SABC



Accused ... W/O Jeffrey Benzien

Photo: SOUTH

It's totally ridiculous says SAP

Asked to comment on these allegations, Major General Leon Mellet, SAP chief of public relations, said:

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"The allegations are all presented as fact, with not the slightest attempt to suggest that such claims could be one-sided or hearsay, or even having been tested to be the truth.

"What is even more amazing is that some of the allegations (which are presented as fact) date back more than three decades. It is totally ridiculous, even by the poorest journalistic standards, for *The Weekly Mail* to now expect the SAP to comment on such untested and far-fetched allegations."

Police torturers dodge their dirty deeds

By PAUL STOBEN and STEPHEN LAUFER

AS the African National Congress awaits the findings of the third inquiry into abuses in its detention camps, the state's own torturers — the security policemen who systematically terrorised apartheid's opponents for four decades — have not yet been forced to confront their past.

Few have been forced to take responsibility for their misdeeds in a court of law.

Official silence on their activities stands in stark contrast to the situation in eastern Europe since the fall of communism, where torturers and secret policemen have been called to public account in several ways. State files have been opened to the public, making it possible for victims to confront their tormentors and, in some cases, to take court action. Many of these confrontations have been broadcast in the media.

Many of South Africa's early torturers are retired, living comfortably on state pensions; others are still active in the police force. These men used torture not only to extract information but also as a deterrent: their reputation made many think twice before becoming involved in underground — or even legal — activities against apartheid.

From the mid-1960s to the late 1980s, torture allegations were a routine feature of political trials across the country. Detainees' detailed accounts of what they suffered have been published by South African human rights organisations as well as by the United Nations and Amnesty International.

There can be little doubt that many victims died at the hands of their torturers, or committed suicide as an escape. The Human Rights Commission has on its records at least 90 deaths in detention since 1963. Official explanations include "falling while taking a shower", "injuries received while slipping on a piece of soap", "fainting and falling against a desk" and "injuries sustained while falling down some stairs".

In a wide range of discussions with generations of torture victims, it emerged that:

●There is agreement that as many police torturers as possible should be named publicly, if for no other reason than to prevent them from ever holding office again.

●Physical and psychological torture are part of the same process. The physical abuse meted out was aimed at breaking the detainees psychologically.

●Detainees tortured many years ago still speak about their experiences as if they happened yesterday — if they are prepared to speak about them at all.

●As the torturers refined their skills, so their victims became more experienced in resisting interrogation.

●If the use of torture was not official policy of the security police, it was routine. Senior police officers knew detainees were being tortured and in some cases even took part themselves. Some interrogators bragged that they had been sent to France, Algeria and Portugal to study torture techniques.

The South African Police has yet to acknowledge that some of its members have been involved in the widespread and systematic abuse of detainees. The SAP's response to requests for information about the officers accused of torture makes it clear that it has no intention of subjecting them to public scrutiny.

Asked about their current whereabouts, Lieutenant A Swartz said: "It is not the policy of the SAP to furnish any information regarding the members in your inquiry."

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SABC

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"An astonishing chronicle"

Bid to hinder 'monster' autopsy — claim

W/Mail 16/7-22/7/93.

THE saga of the "Vaal monster", Victor Kheswa, took two bizarre twists yesterday when police claimed he had not died violently while in custody, and the pathologist who conducted the autopsy said attempts had been made to obstruct his work.

Arrested last Friday, Kheswa died several hours later in Sasolburg hospital. Inkatha and the African National Congress have alleged that he had intelligence links, and it has been suggested that he was killed by police to prevent him revealing a security force role in "third force" activities.

Sebokeng has been hit by a series of mysterious and suggestively similar drive-by killings. The most recent, in which 10 died, came last Monday night.

Brigadier Floris Mostert, deputy police commissioner for the Vaal, has been appointed to head an investigation into Kheswa's death. Because of the latter's political links, Mostert is to be assisted by Major General Piet du Toit of

A pathologist has alleged that attempts were made to derail his post-mortem examination of Victor Kheswa, the alleged assassin who died in police custody. By STEPHEN LAUFER

the Criminal Investigation Service.

The dead man, who lived in the notorious kwaMadala hostel, was an Inkatha member linked to several acts of violence in Sebokeng and Evaton, including the night vigil massacre in January 1991 when 45 people died and 50 were wounded.

According to Koos Vermeulen, head of the far-right World Preservist Movement, formerly the World Apartheid Movement (WPM), Kheswa was a member of his organisation. He also claimed that the man arrested with Kheswa, Henter Ndlovu, is a WPM member and had been tortured by police.

Ndlovu appeared in the Sebokeng Magistrate's Court this week in connection with 50 deaths.

Mostert told *The Weekly Mail*: "I am completely happy that Kheswa was not assaulted by the police. The autopsy revealed no evidence whatsoever of a fierce attack or assault. The suspension of the three officers involved was purely to show impartiality."

Kheswa, it appears, had been confronted by the police with an array of material evidence implicating him in several killings in the Vaal townships, and had agreed to co-operate. At his own suggestion, he was put in a police car and taken to the Free State, possibly to point out accomplices or weapons sources to investigating officers.

Said Mostert: "While in the car, he suddenly became ill, and the officers with him rushed him to the nearest hospital, where he died a short while later. OFS detectives were immediately called in, and they conducted forensic tests on

the car. They have taken over the investigation and I am satisfied that they will report impartially."

A forensic pathologist from the Department of Health in Bloemfontein, a Dr Wagner, was called in to conduct the autopsy on Kheswa.

He told *The Weekly Mail* that he had subsequently received "manipulated" faxes apparently aimed at getting him to discontinue the post-mortem examination. He said he believed the faxes had "come from Kheswa's side", but was unable to specify whether he thought they came from the family, Inkatha, or Vermeulen's WPM.

Wagner is as yet unable to specify the cause of death, because tissue samples and blood specimens are still being analysed. But he is sure that Kheswa was neither poisoned nor drugged. "I cannot rule out the possibility that multi in one form or another was involved," he said. "Only exhaustive tests may show their long-term use."

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'Police are still using torture'

3/11/93 1617-227193

Recent allegations suggest that police torture equipment is still in place and in use, reports STEPHEN LAUFER

the dead of night in late April.

He was hooded and driven to a park, where four white policemen began punching him and threatened to kill him if he did not reveal where his brother, an ANC headquarters employee, lived.

After being taken to John Vorster Square, questioning by two Krugersdorp policemen, a Warrant Officer du Preez and a man he thought was named "Doge", began. A third policeman was present.

"When I screamed after they punched me, they took me to the 10th floor. 'There I was forced into an office chair and the Johannesburg cop pulled a wet towel around my face from behind. At the same time, Doge punched me in the stomach and Du Preez questioned me. Doge kept saying: 'I don't f... around with kaffirs, I always get the truth out of them.'"

The following day, Kelebonye said, he was driven to Krugersdorp police station. "A colonel came to read the decision to detain me under section 29. He told me I would be held incommunicado and that I could appeal to the minister. I asked for pen and paper in order to do so, but they refused."

The next afternoon, a Saturday, Doge appeared in the cells to collect Kelebonye. Taken to Du Preez's



Tefo Kelebonye ... 'I was tortured'

office, he was forced to lie on the floor on his stomach. Doge tied his hands and feet behind him, sat on him and pulled a car tyre's inner tube across his face.

"I thought I would pass out. I tried to hold my breath. But Doge told a man called Christo to pump my legs so that the air was expelled. Then they kicked me in the ribs and kept questioning me. Doge said: 'You are going to talk or I will bring you closer to heaven.'"

Later, Du Preez arrived to take on the "good cop" role, as he did with Böhmké. "He promised to get Doge to stop if I would tell him the truth."

The next Tuesday, Kelebonye said, he was forced to lie hooded in a car and taken for a drive to Brits police station. Kelebonye alleged that he was forced to lie on his back. "Doge pulled

the pin out of a grenade and told me to clasp it between my teeth. The next thing I knew, they had attached wires to my toes and I was jolted by an electric shock. I screamed through my teeth, terrified that the grenade was not a dummy but really alive."

A temporary reprieve came, Kelebonye said, when he was hooded, bundled into a minibus and driven to a farmhouse. On the way, Doge apparently felt the need to unburden his soul. "He said I probably thought he was cruel, but that every night he prays to the Lord for forgiveness."

Kelebonye said he was told to undress, and had his hands and feet tied behind him. "This took place beside a braai fire, and I got the feeling it was meant as a demonstration for the Brits colleagues. They were drinking beer and laughing. Then they made me sit near the wall, and I got a shock — I think they had connected wires to the security fence."

Doge then allegedly held a tape recorder to his mouth and recorded his statement on the Roodepoort incident. Kelebonye and Böhmké appeared later in the Roodepoort Magistrate's Court, but final charges have apparently not yet been formulated.

Looking back on his experience, Kelebonye said: "It is very difficult to return to the real feelings you have experienced," he said.

Böhmké is apparently planning a claim for damages against the police. Said a source: "There is compelling medical evidence to support the claim of torture." ● See PAGES 14 and 15

A UNIVERSITY of the Witwatersrand student has described being hooded, suffocated, subjected to electric shocks, forced to hold a live hand grenade between his teeth, beaten and intimidated by Krugersdorp security police in April, after his arrest in connection with a hand-grenade attack on the Roodepoort offices of the Conservative Party. The attack took place after the assassination of South African Communist Party leader Chris Hani.

Tefo Kelebonye's description of days of torment at police stations in Johannesburg, Krugersdorp and Brits, and on a remote farm, suggests that police torture equipment is still in use.

Heinrich Böhmké, his fellow undergraduate, who was allegedly also tortured, decided on legal advice not to reveal details of what happened to him at this stage. But *The Weekly Mail* has learnt from independent sources that Kelebonye's description tallies in many details with what Böhmké says he experienced.

South African Police spokesman Major Henriette Bester said: "It was never police policy to use violence or to torture any detainee. The police deny any allegations of torture against the two suspects."

But Kelebonye's lawyer, Jerome Mthembu, said he was convinced the two students had been mishandled, and that "the only evidence against my client was obtained by torture".

Kelebonye, a social-work student and an African National Congress activist, says he was taken from his Braamfontein university residence at

lice for 'good work' • Claim of membership for propaganda

I lied over 'Monster', says WPM leader

Sowetan 16/7/93

By Abbey Makoe and
Sowetan Correspondent

■ **NO TRUTH** WPM's Vermeulen says IFP

officials told him to lie over Khethisi Kheswa:

THE link that was established between the Far Rightist World Preservatist Movement (formerly the World Apartheid Movement) and the Inkatha Freedom Party was yesterday denied by everyone implicated and by the police.

It was established earlier this week that "Vaal Monster" Khethisi Kheswa had at the time of his death (last Saturday) been a member of the IFP and of the WPM.

After a police visit to the leader of the WPM, Mr Koos Vermeulen, who earlier confirmed that Kheswa had been a member of his organisation, he (Vermeulen) said that he had initially lied.

A statement from the Ministry of Law and Order yesterday said that police had "questioned" Vermeulen about his claims to the media over Kheswa.

"It has emerged from a police interview with Mr Vermeulen that he now denies that Mr Victor Kheswa was a member of the WPM and that he made this claim to the media for propaganda purposes," the statement from the ministry said.

While the IFP yesterday continued to try to control the damage and issued blanket rejections of any links with the WPM, Vermeulen echoed the police statement.

He had lied

He said that on the instruction of IFP officials he had lied when he said that Kheswa belonged to his movement.

"I lied (about Kheswa)," Vermeulen said, "because some Inkatha officials had asked me to do so."

Vermeulen refused to name the IFP officials involved in the staged lie and said the decision was taken during an inspection of Kheswa's body at the Sasolburg police station on Saturday night, the day Kheswa died in police custody.

He said he had struck a deal with Inkatha where he promised that he would tell the Press that Kheswa was a member of his organisation.

This, he said, was a pay-back for services rendered when he helped Inkatha to inspect Kheswa's body after he had died.

In an interview with Vermeulen at Sowetan's Pretoria offices, he said that he was first contacted by IFP officials while watching TV at his Pretoria home. They informed him that Kheswa had died in police custody. (329)

"They asked me if I could join an IFP delegation to Sasolburg where we were going to observe the body," he said. (349)

When asked why the IFP would contact him particularly, Vermeulen said: "They knew that I have enormous experience of autopsies".

"I was not happy with what I saw on Kheswa's body and I told my IFP colleagues if I was called



DEAD ... Victor Kheswa, who was a suspect in several killings in the Vaal Triangle, died in police custody on July 10.

to testify in court I would go out there as the leader of the World Apartheid Movement," he said.

He said the IFP officials expressed reservations about the word "apartheid" and he compromised, opting for the word "preservatist".

WAM then instantly became the World Preservatist Movement.

Yesterday Vermeulen said he had decided to "tell the truth" because he had been embarrassed by revelations that Kheswa was notoriously known as the "Vaal Monster".

He did not want to tarnish the image of the WAM-WPM.

"I did not know the man's background otherwise I would not have claimed that Kheswa was my member," he said, adding: "It is about time I put the record straight."

Apart from what he termed "my initial lies",

Vermeulen was, however, yesterday still adamant that he had members and supporters from the IFP.

"The problem," he said, "is my party does not as yet issue membership cards and therefore we cannot disclose the names or addresses of our black members."

Vermeulen initially said that Kheswa had been recruited during a recent drive in which WPM officials approached certain people to ask if they would be interested in joining.

He gave no indication how many black people belonged to the WPM and said he had known nothing, until his death, of Kheswa's background or allegations linking him to massacres.

"If I had known about it before, I would not have been so willing to confirm he was a member of our organisation."

WPM to lure black members

CIPress 18/7/93

By MOSES MAMAILA

WORLD Preservatist Movement leader Koos Vermeulen said this week the rightwing organisation would train black members to use lethal weapons.

Vermeulen shot to prominence this week when he told journalists that self-confessed Inkatha member Victor Khethisi Kheswa - who died in police custody last Saturday after being implicated in several Vaal massacres - was a member of the WPM, formerly the World Apartheid Movement.

Vermeulen told City Press in Pretoria that the organisation's name had been changed to accommodate Inkatha members.

"I lied when I said Kheswa was our member. We were trying to reach our black supporters," Vermeulen said.

Asked if he was not



KOOS VERMEULEN
... WPM leader.

disowning Kheswa because of mounting controversy, Vermeulen said: "I do not want to cause any more trouble for Inkatha." (329)

Law and Order Ministry spokesman Capt Craig Kotze said police were investigating reports that Kheswa worked for the WPM. (231)

ANC spokesman Carl

Niehaus dismissed Vermeulen's denial, saying he could just be trying to get out of the serious case.

Inkatha has repeatedly denied any WPM links.

Meanwhile, in other developments yesterday linked to the case:

■ Police confirmed they are investigating ANC claims that Kheswa's killing was part of an operation to cover up third force activities by elements within the security forces;

■ Three white policemen - Sgt Gerhardus "Pedro" Peens, Sgt Petrus Claasen and Lance-Sgt Lourens Claase - have reportedly been suspended;

■ A source, who claimed to have seen Kheswa's body, told City Press Kheswa appeared to have been severely assaulted;

■ Judge Richard Goldstone said his investigating unit had searched Vermeulen's home and confiscated documents;

Star 20/7/93

Vaal police detain 11

Eleven people were detained during raids in Sharpeville and Sebokeng yesterday, Vaal police confirmed. Ten are Azanian National Youth Unity (Azanyu) members and one is a PAC supporter. Another four were arrested but police said they were soon released. Azanyu condemned the raids yesterday, claiming policemen had broken down doors during the blitz. — Sapa

329

IFP awaits Kheswa autopsy

Sowetan 20/7/93

By Abbey Makoe

THE Inkatha Freedom Party said yesterday it would not bury its member, Khethisi Kheswa, until the police made the post-mortem results public.

Kheswa, notoriously known as the "Vaal Monster", died under mysterious circumstances while in police custody 10 days ago.

Police have, until today, not disclosed a State pathologist's findings regarding his death.

IFP Vaal region official Mr William Nhlapo said yesterday that his organisation feared a possible cover-up by the police. ~~(S)~~

"We will not bury Khethisi until the police disclose their findings about his death," Nhlapo said. (329) (#5)

Vaal police spokesman Major Piet van Deventer said the IFP did not have to wait for the police to reveal their findings.

He said the organisation was free to appoint its own independent pathologist if they suspected a cover-up.

Van Deventer told *Sowetan* that the findings might only be released after a month.

Samples, he said, had been taken from Kheswa's body and investigations into his death were continuing.

NEWS Pathologist examining Vaal Mo

Kheswa's burial on hold

Sowetan 23/7/93

By Abbey Makoe

VICTOR "Khethisi" Kheswa, who died in police custody on July 10, will not be buried this weekend. (329)

Mr William Nhlapo, a spokesman for the Inkatha Freedom Party in the Vaal, said yesterday that the IFP was keeping to its stance that Kheswa would not be buried until the police had made public their findings about the cause of his death.

Kheswa, who was notoriously known as the "Vaal Monster" and was linked to

massacres in Vaal townships, was a member of the IFP.

Police spokesman Major Piet van Deventer said a State pathologist was still examining samples taken from Kheswa's body.

He said the IFP was free to appoint a pathologist of its choice if it felt there was too long a delay in releasing the autopsy results.

Nhlapo said Kheswa would only be buried once the autopsy results had been made public as it feared the State autopsy might be a cover-up.

Suspect pushed to his death, 2 claim

By Bronwyn Wilkinson and Lee-Ann Alfreds (329)

A man who died in custody after tumbling down a flight of stairs at the Smal Street satellite police station in Johannesburg on Saturday was pushed down the stairs by a policeman, witnesses allege.

The man, Charles Mgqolozane was arrested for chanting "Kill the Boer, kill the farmer" at the scene where a shop-owner had shot dead two robbers in his clothing store in Market Street on Saturday.

Star photographer George Mashinini said Mgqolozane was taken to Smal Street satellite police station by two policemen after being chased and arrested.

He said that at the police station he saw Mgqolozane being pushed down the stairs. He could see that Mgqolozane had injured his arms and cut his face in the fall.

Mgqolozane was certified dead on arrival at Hillbrow Hospital.

Mashinini yesterday gave a statement to the police and made available his photographs of the incident.

Another witness, Eric Nontshinga (27), said he saw a police-

man push Mgqolozane down the stairs. The policeman then ran down the stairs to where Mgqolozane lay and pointed a firearm at him, Nontshinga said.

Nontshinga said police prevented members of the public from helping Mgqolozane as he lay motionless on the ground outside the satellite station.

Nontshinga also made a statement to the police yesterday afternoon, police confirmed.

SAP spokesman Lieutenant-Colonel Dave Bruce said that, according to information supplied to him after the incident, Mgqolozane had fallen when he tried to jump from the first floor of the police station in an escape attempt.

He said he was to have been charged with incitement, assault and resisting arrest.

But Bruce said yesterday that in view of the allegations by witnesses, Brigadier Leon van Coller, head of the Johannesburg branch of the Crime Combating and Investigation Unit, had been appointed to supervise an urgent investigation into Mgqolozane's death.

"No policeman is above the law and I am satisfied that justice will be done," Bruce said.

Massacre suspect wasn't at work on day after killings

By TAMMY MBENGO, DIANA STREAK and NORMAN WEST

THE man being held by police in connection with last Sunday's massacre of 11 Cape Town churchgoers is a teacher from Khayelitsha.

Police confirmed yesterday that Vuyo Tekani, 28, had been detained on Thursday under Section 29 of the Internal Security Act. *St Times*

Mr Tekani — a member of the Pan Africanist Congress, according to his twin brother, Khay — was detained at the Mnchunu Primary School in Guguletu.

He was not at work on Monday — the day after the massacre — and had not reported for classes for two weeks before the shooting. Mr Tekani lives with his aunt, Mrs Phumla Nabe, a teacher at Nelson Mandela High School in Crossroads, and another PAC member. *(329)*

Injured

Mrs Nabe said she went to the Claremont police station on Thursday after being told of her nephew's detention, and police took her and Mr Tekani to St James Church, where the massacre happened.

"We waited in the police car for about 30 minutes while the police had a meeting," she said. "One policeman then came to take Vuyo into the church. I tried to go with him, but I was told I was not needed."

Mrs Nabe said she was asked by Colonel Leonard Knipe, who is heading the investigation, if she was aware that Mr Tekani had been in the Transkei the fortnight before the massacre, and had not reported for work on Monday. *11/8/93*

"I said yes, he had gone to visit his sister, who was sick, and did not go to school on Monday because he had injured his knee in an accident in which his car was written off."

However, Mr Tekani's brother claimed the car had been scrapped last month after an accident.

The car is a yellow Datsun, identical to the one recovered by police next to a scrapyard in Ottery on Tuesday and which was reportedly hijacked in Guguletu 50 minutes before the church attack last Sunday night.

PAC president Clarence Makwetu confirmed at a Heroes' Day rally at Athlone Stadium yesterday that Mr Tekani was a member of the organisation.

Police said this weekend that their investigation had shown the attack was well-planned and executed by men with military training.

But the gunmen who lobbed hand-grenades into the packed St James Church in Kenilworth and sprayed the congregation with automatic rifle fire may have made a crucial error.

Services at the church are routinely filmed on a closed-circuit TV system

□ To Page 2

Massacre suspect is named

□ From Page 1

and relayed to the adjoining hall for the benefit of "overflow" worshippers.

Had this been the case last Sunday night, every detail of the attack would have been captured on video, but bad weather kept many people away from the service and there was no need to relay it.

However, a video of the service on July 11 is being studied by the police and survivors of the massacre — which left 11 people dead and 53 wounded — because there is evidence to suggest at least some of the killers were in the pews that night. *(329)*

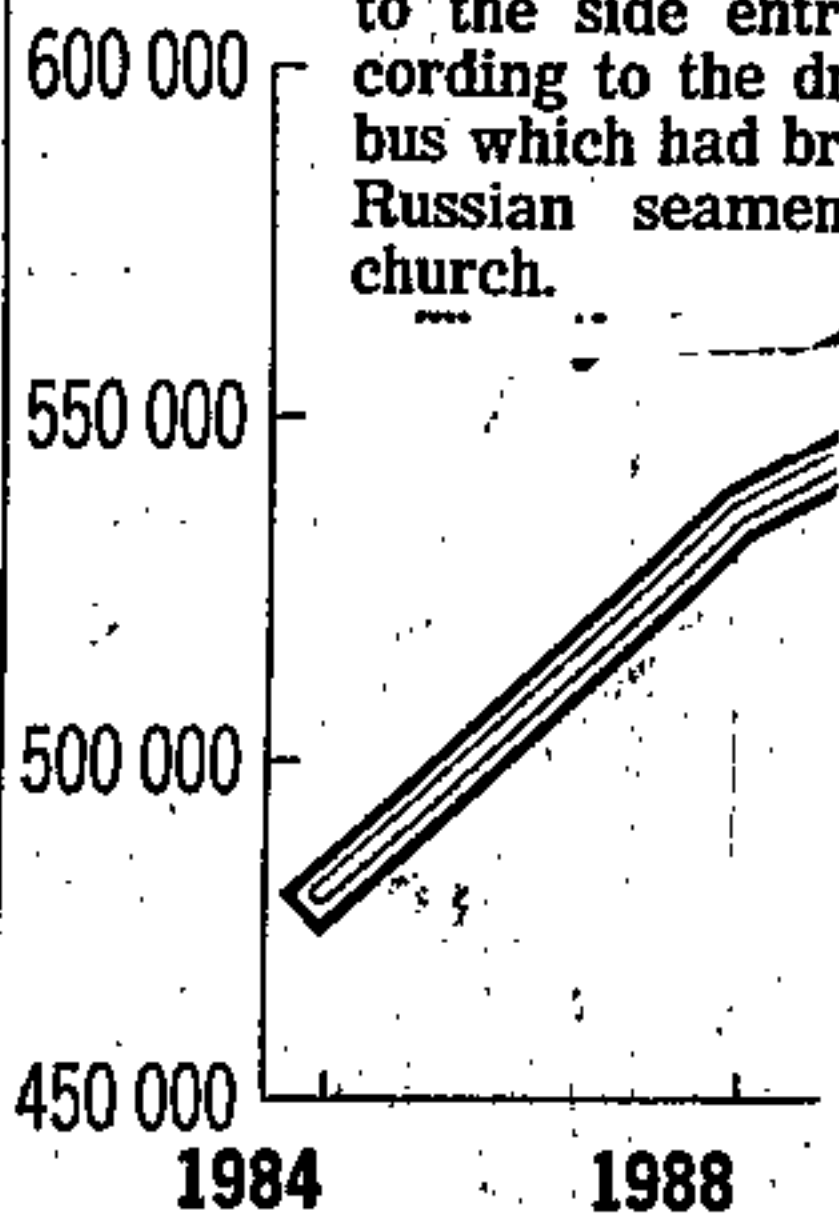
The St James congregation is multiracial, but predominantly white and coloured. Black churchgoers are rare, yet on the night in question, the service was attended by several unknown black men.

"There were between 1 300 and 1 400 people in the church last Sunday, so it's a slow process," said SAP spokesman Captain John Sterrenberg.

The attack lasted just 30 seconds after the gunmen burst into the church through a side door next to the stage.

They drove to the church in a yellow Datsun — hijacked 50 minutes earlier in Guguletu, 12km away — and abandoned it within minutes of speeding away after the attack.

When the killers parked the car in Third Avenue, one man stayed behind the wheel while another three or four walked up the path to the side entrance, according to the driver of a bus which had brought 140 Russian seamen to the church.



THE success story of the Sunday unstoppable sales growth. South

Then the killers, wearing blue overalls and knitted caps, moved down a darkened passage that leads directly to a wooden door near the front of the church.

One of the men kicked open the door and immediately opened fire with a .556 calibre automatic weapon, possibly an R5.

His magazine empty, he stepped back and a second gunman took his place. One of the men tossed two M26 grenades, with nails taped to them to create shrapnel and maximise injury, into the crowded church.

Then the men turned and ran back down the passage to the waiting car, pursued by a member of the congregation who fired several shots at them with a .38 Special revolver.

They drove 6km down Wetton Road to the suburb of Ottery and dumped the car next to the scrapyard where it was found by police on Tuesday.

The car had bullet holes in the bonnet and left rear door and bloodstains on the back seat, indicating at least one gunman was hit.

● See Page 11

By **TAMMY MBENGO**
and **MOSES MAMAILA**

CAPE TOWN teacher and PAC member Vuyo Tekani, 27, was arrested at Scuma Primary School in Khayelitsha on Thursday, in the latest development following last weekend's attack inside the St James Church in Cape Town.

Tekani, who teaches at the school, is being held under Section 29 of the Internal Security Act for questioning.

School principal Esau Menziwa, 56, said Tekani was taken from school by the police at 3 pm.

Pumla Nabe, Tekani's aunt who stayed with him in Gugulethu's NY3 section, said she went to see her nephew at the police station and was made to wait for 30 minutes in the car while the police had a conference inside the station.

She claimed that she was taken with Tekani to St James Church where he was taken inside. She later followed, demanding to know what was happening, she said.

She said the police asked her to leave and told her they did not need her.

According to Nabe the police then said to Tekani that the car used by the gunmen belonged to him, and had been written off after being involved in an accident in May.

He apparently denied this and said the car had been scrapped.

Nabe said she was asked by police if

PAC man held over St James killings

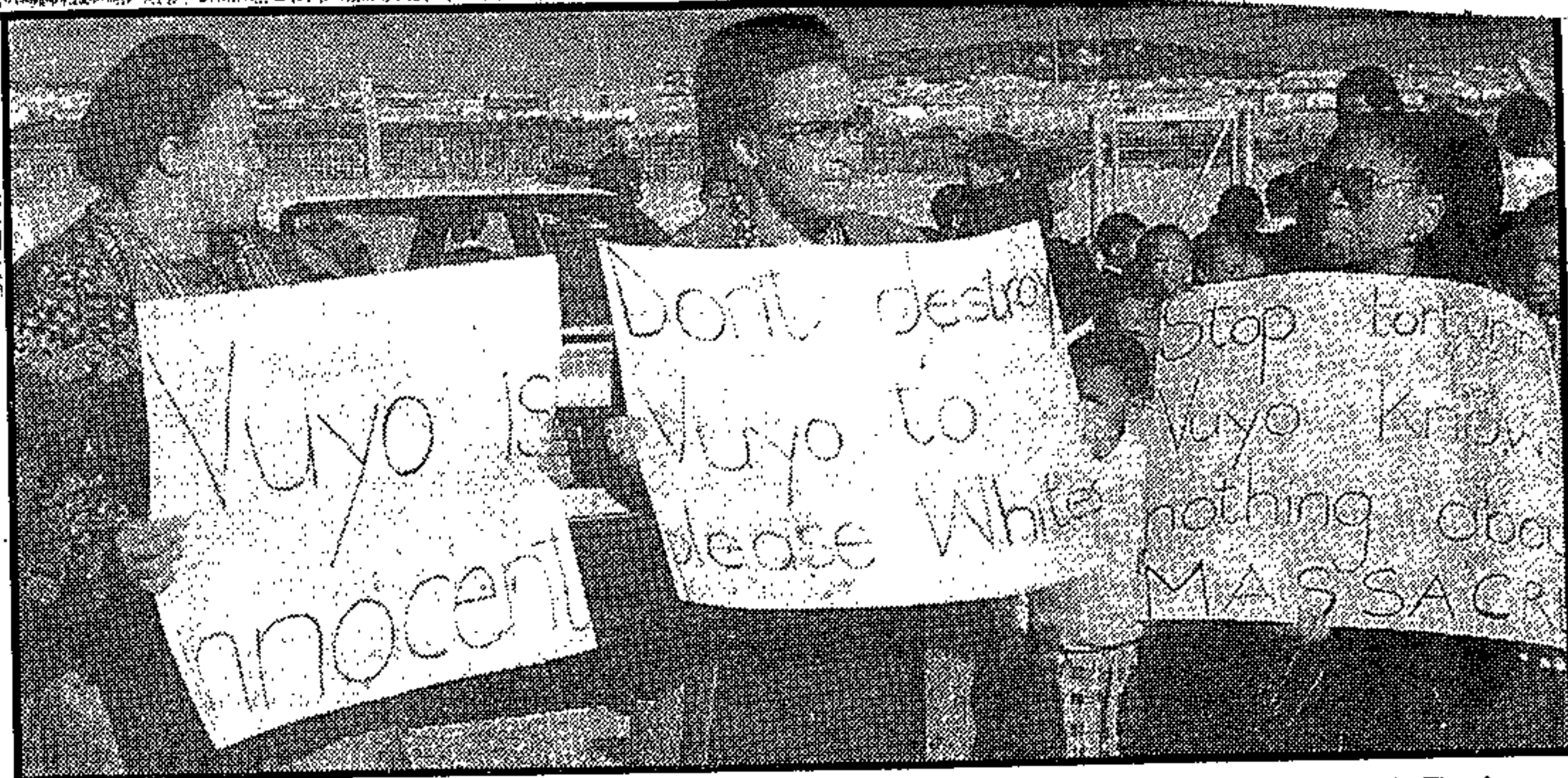
CIPRESS 11/8/93

she was aware that Tekani had been away from school for two weeks in the Transkei. She answered that he had gone there to visit her sick sister.

Nabe claimed the police then asked her if she was aware that Tekani was not at school on the Monday following the attack. She replied that he was sick after an accident on June 11, and was suffering from knee problems.

Commenting on the detention of Tekani, PAC national executive member Carter Seleke claimed yesterday that the police were "again using the PAC as a sacrificial lamb". (329)

He said attempts by the police to link the St James massacre to the Eastern Cape attacks - for which Apla claimed responsibility - did not succeed as "their own investigations" revealed that different weapons had been used in the attacks.



Picture: OBED ZILWA, The Argus.

FREE VUYO! Teachers protest today at Chuma Primary School in Khayelitsha.

'Charge or release detained teacher'

EDWARD MOLOINYANE
Staff Reporter

TEACHERS at Chuma Primary School in Khayelitsha held a placard demonstration today to protest against the detention of colleague Vuyo Tekani, who was held after the St James Church massacre.

The action was part of a campaign by the teaching fraternity to intensify calls for Mr Tekani, detained under Section 29 of the Internal Security Act, to be charged or released.

Most of the demonstrating teachers were women who also

marched to the Khayelitsha police station yesterday on the same mission.

They carried placards reading: "De Klerk leave Vuyo. You said nothing about Strydom" and "Stop torturing Vuyo, he knows nothing about massacre".

At a Press conference at the school, representatives of the parent-teacher-pupils association and the Peninsula African Teachers Association (Penata) called on the government to release Mr Tekani or face the "might and radical action of the African people".

Mziwamadoda Booi of Penata, to which Mr Tekani belongs, said the association "condemned strongly the police arresting a teacher on the basis of suspicion".

"The association fears the process of interrogation which, in the history of the South African Police, is known to have caused a number of deaths because of the ill-treatment of the detainees."

"Penata calls for the immediate release of the teacher and a charge to be made forthwith."

Church killings probe moves to East London

Mr. Vuyo Tekani, 28, was taken to East London on Tuesday by police investigating the murder, a fortnight ago of 12 people during a church service in the Cape Town suburb of Kenilworth.

His lawyer, Mr. Jimmy Yekiso, said yesterday he had been told by the police they

The first period ends at 7pm today.

Mr Yekiso said he would oppose the application (329) (115) of the PAC in Cape Town said this week that Mr Tekami was definitely not a member of the organisation's armed wing, Apla. Yesterday a PAC spokesman in Dar es Salaam dismissed reports that Apla had been involved in the St James massacre. Reacting to reports that documents

found on an 18-year-old Crossroads man, arrested this week for being in possession of illegal ammunition, linked Ayila to an attack last September on Stokes' steak house in Claremont, Cape Town. Mr Sabelo Phama said the reports were "a set-up."

The documents allegedly included logistics and tactics for attacks on churches, schools, restaurants and police stations, and referred to the success of the steak house attack as well as to a follow-up operation planned for next month.

However, the police have confirmed that

an 18-year-old man was arrested on Thursday by a member of the internal stability unit in Crossroads, but have drawn a veil of secrecy over the St. James massacre investigation.

"This person was found in possession of certain incriminating articles and was detained in terms of the Criminal Procedure Act," said Major-General N Snyman, deputy regional commissioner.

"Sensitive facts" about the investigation would not be disclosed until it was complete, the general said.

Kheswa death trail

THE SA Police's Det-Sgt. Gerhardus Peens, who was suspended following the death in detention a month ago of "Vaal Monster" Victor Khetisi Kheswa, was also the driver of the police car that killed Kheswa co-accused Themba Mabota, it was reported this week.

The suspension of Peens of the Vanderbijlpark Violence and Unrest Unit has since been lifted, police said.

In a sinister twist Peens was reportedly also the man driving the car that killed Kheswa co-accused Themba Mabota last week when Mabota allegedly leapt from a police vehicle in which he was being transported. Reports said Mabota died when he was run over by

Peens who was following in another police vehicle. *CIPress*

There are also two startlingly different pathologists' reports regarding Kheswa's death. *15/8/93*

A State pathologist's findings were that Kheswa died of natural causes.

However, the findings of an independent pathologist found that Kheswa died of "conditions including acute suffocation, electrocution, hypothermia and occult toxic substances".

Inkatha member Kheswa died barely a day after his detention on July 9 while being questioned in connection with various massacres in the Sebokeng area.

(329) (329)

Star 19/8/93

Hotel attack: teacher released

Cape Town — Khayelitsha teacher Vuyo Tekani, detained in connection with a Cape terror attack, was released from custody yesterday, his attorney Jimmy Yekiso confirmed.

Tekani's detention had been extended for a second time by the Port Elizabeth Supreme Court on August 6, after police transferred him to East London for questioning in connection with the Highgate Hotel attack.

Police claimed Tekani's car was used to transport one of the assailants wounded during the hotel shooting. (329)

He was detained two days after the massacre in the St James's Church in Cape Town, but was not linked to this attack.

"The irresponsible publishing by certain media of evidence that was furnished when an application for the extension of Mr Tekani's detention period in terms of Section 29, to a judge in chambers, has seriously jeopardised and undone investigations," police said. Sapa

(329)

Detentions 'attempt to smash civics'

Anger as community leader held in Tokoza

Star 19/8/93

■ BY CHARMEELA BHAGOWAT

A Tokoza community leader who was a witness in an 11-month-long Goldstone Commission inquiry into causes of violence in the township has been detained by police.

Tokoza Civic Association general-secretary Louis Sibeko was one of 12 people held in raids on Tokoza homes on Tuesday.

Police spokesman Captain Wikus Weber said they were detained for questioning in connection with "unrest violations".

The southern Transvaal branch of the SA National Civic Organisation (Sanco) yesterday

condemned the detentions, saying the deployment of security forces "was only a guise to smash community organisations" and that police should raid the hostels from where it alleged attacks had been launched.

(329) Sanco said Sibeko had played a vital role in the past in assisting the Goldstone Commission. "We suspect he is being removed from Tokoza to inhibit him from giving information leading to the arrest of killers in the area."

Police said four bodies were found in Tokoza on Tuesday. Three people were killed and three injured in an attack on a

Tokoza home on Monday. One woman was killed in Katlehong on Tuesday.

When The Star approached the Goldstone Commission for comment on the police raids, advocate Torie Pretorius said: "If there is enough evidence of police harassment of the community, it must be submitted to the Goldstone Commission which will decide whether to investigate the matter." (329)

Reporters this week saw several Tokoza homes with their doors broken down. Occupants claimed police were responsible. Weber denied that police had broken into the homes.

Police torturing us, detainees tell ANC leaders

CHARMEELA BHAGOWAT

ABOUT 70 detainees arrested for allegedly violating unrest regulations on the East Rand have accused the police of torturing them during questioning. *Star 2/18/93*

The allegations were made to regional leaders of the African National Congress, led by PWV chairman Tokyo Sexwale, on Thursday night, when they visited the detainees at Boksburg Prison.

The detainees told the ANC leaders they were regularly "tubed" (partially suffocated with a tyre), assaulted and subjected to electric shocks at a Violent Crime and Unrest Unit base called Vlakplaats in Inyoni Park, Katlehong.

They said they were in pain and that a Germiston doctor treating them had refused to help, telling them they were "fine".

The prison visit, in the presence of several international monitors, was the culmination of an ANC tour to the battered East Rand townships on Thursday. *(329) (S)*

Statistics produced

Earlier in the day, at a press conference in Katlehong, ANC regional secretary Paul Mashatile accused the police of targeting its members and supporters, harassing residents and favouring hostel dwellers.

The allegations arose from several complaints by residents and ANC activists against the police and army.

Later, at a press briefing called in place of a scheduled meeting between the ANC and the police, which was cancelled because Sexwale did not arrive, the police denied the allegations. They produced statistics showing that violence had decreased since the deployment of troops in the townships.

At a press conference in Johannesburg yesterday, Sexwale demanded the lifting of unrest regulations on the East Rand, so that security forces could be accountable for their actions.

Detainees should be released or formally charged in court, he said.

Sexwale also repeated the ANC's call for a national peacekeeping force to bring stability to the townships. He said the ANC would monitor detainees' conditions and approach the courts for a restraining order on their behalf if necessary.

Custody deaths were 'dirty tricks'

By ELIAS MALULEKE

INKATHA and members of the "Kheswa Gang" in the Vaal Triangle have made allegations of SAP "dirty tricks" over the death in detention of Victor Khetisi Kheswa and his lieutenant, Daniel Moses Mabote.

Police spokesman Maj Piet Van Deventer declined to comment on some of the allegations, saying they were still under investigation.

Inkatha Vaal region organiser Mwezi Twala claimed that the police "assassinated" the "Vaal Monster" and were turning on members of his gang in a bid to silence them because some of them "knew too much".

Three other people who were close to Kheswa - Victor Mthembu, Clement Cindi and Hunter Ndlovu - are also living in fear as a result of threats allegedly made by the police.

They claimed in a bail application in court this week that their names were on a hit list drawn up by the police, also claiming threats were made that they would be killed one by one.

Van Deventer said the list was not a hit list. He claimed it was the names of suspects wanted in connection with at-

tacks in the Vaal.

Inkatha claimed the "assassination" campaign started in July after advocate Jan Munnik reported on his investigation into the affairs of the notorious Vaal "Yankee" unit - an SAP crime investigation team of 100 policemen which used Kheswa as an informer. The unit was disbanded last month and some officers suspended.

Van Deventer declined to comment.

Police have consistently rejected claims made in the media in the past and as late as June that Kheswa was the leader of a hit squad that used the Kwa-Madala Hostel as a springboard to terrorise residents of Boipatong, Evaton, Sebokeng and Sharpeville, and that he was not arrested because he worked with a "police third force".

The police earlier also dismissed allegations about the "Kheswa Gang" operating from the KwaMadala hostel.

However, minutes after his mysterious death in police custody, police said Kheswa was everything that had been claimed about him - and had been implicated in several massacres.

■ To Page 2

P.T.O.

Inkatha hits at custody deaths

■ From Page 1

C/PRESS 22/8/93

Vanderbijlpark CID chief Capt Herman Havenga rejected allegations of the police death squad.

"It is unfortunate that Kheswa and Mabote died in police custody, but I cannot comment on that as the matter is still being investigated," he said.

Kheswa and Mabote died under mysterious circumstances after their arrests. Kheswa died on July 9 shortly after he was taken into custody. A state pathologist found he had died of "natural causes".

However, the findings were disputed by an independent pathologist who found that Kheswa died from "unnatural causes" which included acute suffocation, electrocution, hypothermia and toxic substances.

Mabote died three weeks after Kheswa when he was run over by a car after allegedly jumping out of a police car "window".

Three of Kheswa's gang members who were in the same car rejected police allegations and claimed that the door of the VW Golf (which had a central locking system) suddenly flew open as the car swerved in a bend and Mabote was thrown out.

Twala demanded to know why the four suspects in the car, who were described as dangerous by the police and denied bail, were not handcuffed and manacled at the time of the incident.

He said Mabote had handed himself to the police when he heard he was wanted and had no intention of escaping. "The whole thing stinks," Twala added.

Havenga on Friday reiterated police claims that Mabote tried to jump from the car - through the window.

It has also emerged that the car which ran over Mabote was in fact a police car, driven by Det-Sgt Gerhardus Pedro Peens.

Peens was also linked to the death of Kheswa, together with two other policemen who were helping him interrogate the "Vaal Monster".

Peens and his two colleagues, Sgt Petrus Classen and Lance-Sgt Lourens Classe, were suspended after the Kheswa incident, but reinstated when the state pathologist made his now controversial findings known.

Last June Peens was found to be a "dishonourable" witness by the Sebokeng massacre trial judge. Judge J Schutz found that Peens, who was involved in the Sebokeng massacre investigation, was a "man of iron, the intimidator, the torturer and the Torquemada" of the Vanderbijlpark murder and robbery unit.

He was accused in the trial of torturing suspects to force confessions from them.

Peens also features in several other cases concerning torture, including the alleged torturing of suspects connected to the Eikenhof killings, the Sebokeng "drive" shootings and other unrelated cases.

According to Havenga, Peens, Classen and Classe had been transferred from his unit as a result of allegations about them. He declined to state where they had been transferred to. He said they were transferred on August 6, but according to claims, Peens drove over Mabote two weeks after that date.

Van Deventer said that it was not clear at this stage why the four suspects were not handcuffed. However, he pointed out that the police had used unmarked vehicles and not a van to transport the suspects.

"The matter is being investigated," he said.

Detainees challenge continued detention

Sowetan 24/8/93
(329)

By Abbey Makoe

THE families of 132 detainees from the East Rand will challenge the validity of their continued detention in the Rand Supreme Court today.

The detainees were arrested during the past two weeks at Katlehong, Tokoza and Daveyton and include general secretary of the Tokoza Civic Association Mr Louis Sibeko.

Lawyer Mrs Crystal Cambanis said yesterday she would demand that Law and Order Minister Mr Hernus Kriel and Minister of Defence Mr Kobie Coetsee say why:

- The 132 cannot be released;
- If the State could prove the detainees were a threat to peace, their families were not allowed to see them; and
- While they are still in detention the court should not prevent the police or soldiers from assaulting them.

"We have medical evidence that some of the 132 were assaulted," Cambanis said. She said those who were not assaulted had signed affidavits alleging they were threatened with violence.

Cambanis said she had had difficulty in the past trying to visit "some of my clients in detention".

She said she and her colleagues would also demand that police and the South African Defence Force explain why the 132 were being detained.

According to the regulations under which the 132 are being held, the detainees could be locked up for 30 days while police continue with investigations into their alleged crimes.

Cambanis said she was concerned that Kriel had the right to order their indefinite detention after the 30 days expired.

Star 25/8/93

'Release detainees'

■ BY PHILIP ZOIO

The ANC PWV region yesterday made an urgent application in the Rand Supreme Court for the release of 129 detainees allegedly being held unlawfully after their arrest in the wake of East Rand violence.

In a sworn statement, ANC PWV chairman Tokyo Sexwale claimed 67 of the detainees had been assaulted by the security forces.

Mr Justice W J Schutz granted an interim order preventing the security

forces from assaulting the detainees, who are being held in terms of unrest regulations. He made no finding on whether assaults had taken place. (329)

Affidavits

Sexwale said the detainees were arrested during searches for weapons on the East Rand. He said no weapons were found at their homes and no such charges were brought.

The security forces — including the command-

ers of eight police stations and two prisons, the Minister of Law and Order and the Minister of Defence — will submit affidavits on Monday.

Sexwale said 12 of the detainees had said they were kicked and punched by SADF members in Tokoza on August 8 and 9.

According to Sexwale's affidavit, the whereabouts of many of the detainees were still unknown. Among the detainees is Tokoza civic leader Louis Sibeko.

The application continues on Monday.

ANC wins order to stop assaults

B1 Day 25/8/93

SUSAN RUSSELL

THE ANC obtained an interim order against eight police station commanders and two ministers in the Rand Supreme Court yesterday interdicting their personnel from assaulting 123 detainees arrested during East Rand violence.

Judge W P Schutz granted the interim order yesterday against the commanders of Benoni, Daveyton, Putfontein, Delmas, Protea, Moroka, Germiston and Katlehong police stations, the heads of Boksburg and Modderbee Prisons and the Ministers of Defence, and Law and Order.

The order interdicts security forces under their command from assaulting, abusing, threatening or ill-treating the detainees and directs them to take all reasonable steps to ensure that they are not treated in a manner which might impair their physical and mental health. (329)

Yesterday's interdict would remain in force pending an urgent application next week for an order declaring the arrest and detentions unlawful and for the release of those in custody.

The ANC alleged in court papers that many of the detainees had been assaulted or threatened with assault since their arrest. Counsel acting for the police said these allegations would be disputed.

The judge emphasised he was making no finding in respect of the allegations of assault. The main application was post-

☐ To Page 2

ANC

poned to next week.

The police also undertook to give relatives, legal representatives and medical practitioners access to detainees. (246)

ANC PWV region chairman Tokyo Sexwale filed an affidavit in which he said one of those detained was Thokoza Civic Association executive member Louis Sibeko.

Sexwale stated that there could be no

possible basis for believing Sibeko's detention was necessary for combating public violence or maintaining order. "If anything, his continued detention will lead to a worsening of the situation in Thokoza."

Sexwale said Sibeko had been involved in liaison between the Thokoza community and the SAP. He had worked with the town council and the various structures falling under the peace secretariat.

☐ From Page 1

(329)

NEWS Nation urged to pray for peace

Court warns *Sowetan* cops on assaults

25/8/93

By Mzimase Ngudle

THE Rand Supreme Court, granting an application by the African National Congress, yesterday ordered police not to assault 123 detainees held following incidents of unrest on the East Rand.

Granting the interdict, Mr Justice WP Schultz said he would not make a finding on allegations that some of the detainees had been assaulted.

He ordered that the police should take reasonable steps to prevent assaults.

Schultz also ordered the police to furnish information about 44 detainees whose families did not know their whereabouts. (329)

The judge said the detainees' application to have their arrests and continued detention declared unlawful would be heard next week.

In his supporting affidavit, ANC PWV regional chairman Mr Tokyo Sexwale said 59 detainees had alleged they were assaulted by security forces. 12 were assaulted by members of the South African Defence Force at their Steenpunt base in Tokoza.

"They were kicked and pushed and plastic bags were pulled over their heads on the night of August 8 and only removed the following afternoon.

"On August 9, still with plastic bags over their heads, they were taken to Nyoni Farm, also known Vlakplaas.

"They were first pushed into a lake or dam and then pushed into mud. They then had needles inserted under their fingernails," Sexwale said.

He said that the conclusion reached by doctors was that the detainees had injuries which were consistent with assaults. (329)

NORTHERN NEWS Homelands expect solution to the teachers strike

Call to reopen Biko inquest

Sowetan 11/9/93

By Don Seokane

THE Azanian People's Organisation's Steve Biko Week, which starts on Sunday, will be marked by demands for the reopening of the inquest into the Black Consciousness Movement leader's death.

Regional Azapo publicity official Mr Mmule Phasha yesterday said several rallies would be held from Sunday to September 12 to commemorate the 16th anniversary of

Biko's death in detention.

The Northern Transvaal region of Azapo starts its programme with a rally at Belabela in Warmbaths on Sunday. The rally will be addressed by the organisation's president Professor Itumeleng Mosale.

The week-long activities will be rounded off with a rally in Venda to be addressed by Dr Gomphemo Mokae and Strini Moodley. (B229)

Phasha said the organisation would campaign feverishly for the reopen-

ing of the Biko inquest as evidence came out of slain Cape civic leader Matthew Goniwe's inquest pointed to the involvement of the security police.

He added that Azapo further demanded that BCM property and funds confiscated by the Government during the swoop in October 1977 be returned.

The Biko week will also focus on the dismantling of homeland governments and the collapse of National Party rule.

Azapo remembers BCM founder Biko

Sowetan 31/9/93

THE Azanian People's Organisation yesterday launched the 16th anniversary of the death in detention of Black Consciousness leader Steve Biko.

Azapo deputy president Mr Pandelani Nefolovhodwe told a Press conference in Johannesburg that the organisation would demand the reopening of the inquest into Biko's death.

Biko, whose death on September 12 1977 caused an international uproar, was an honorary president of the Black People's Convention, Azapo's predecessor. (329) (42)

Nefolovhodwe said this year's commemorations would include workshops,

seminars, rallies, demonstrations, prayer services, memorial lectures and marches.

There would also be protests against deaths in detention, torture and conditions under which blacks still lived.

Azapo, Nefolovhodwe said, would also demand the unconditional withdrawal of charges against members of both Azapo and the Black Consciousness Movement in police custody and the dismantling of all "bantustans" and the tricameral parliament.

Activities on September 12 will culminate in a march on John Vorster Square.

NEWS Azapo bid to reopen Biko inquest • Vocational

Sowetan 10/9/93 Services to honour Biko

BLACK Consciousness Week culminates tomorrow in countrywide services to mark the 16th anniversary of the death in detention of its founding father, Steve Biko.

Co-ordinated by the Azanian People's Organisation, BCM adherents have been holding workshops, rallies, demonstrations and prayer services throughout the week.

Azapo president Professor Itumeleng Mosala will address the main rally, which starts at 10am at the Dutch Reformed Church in Atteridgeville on Sunday.

Earlier this week, Azapo deputy

president Mr Pandelani Nefolovhodwe told a Press conference in Johannesburg that the anniversary also marked the beginning of a campaign to demand the reopening of the judicial inquest into Biko's death.

Biko died after being brutally assaulted in police custody on September 12 1977.

Nefolovhodwe said the aims of this year's anniversary would include:

- Demonstrating against death in detention, torture and inhuman conditions under which blacks were still being held;

- Demanding the unconditional

withdrawal of charges against Azapo members currently in police custody; and

- The abolition of capital punishment.

A highlight of tomorrow's activities is a march on John Vorster Square by Azapo members at 9am.

Services are at: Seshego Stadium at 2pm on Sunday; Entokozweni Community Centre, Soweto, at 6.30pm tonight; Harvey Cohen Centre, Eldorado Park, on Sunday at 11am; Venda, QwaQwa, Kimberley, KwaNdebele, Eastern Cape and Natal Midlands.

See page 8

NET CLOSSES ON 'THIRD FORCE'

C/Ross 12/19/93

Tests could link suspect and gang to massacre

By DESMOND BLOW

POLICE have arrested a suspect in connection with this week's Wadeville massacre and hope that a ballistics test of a Makarov pistol found in his possession will lead to the arrest of all the members of the gang who mercilessly mowed down commuters and pedestrians.

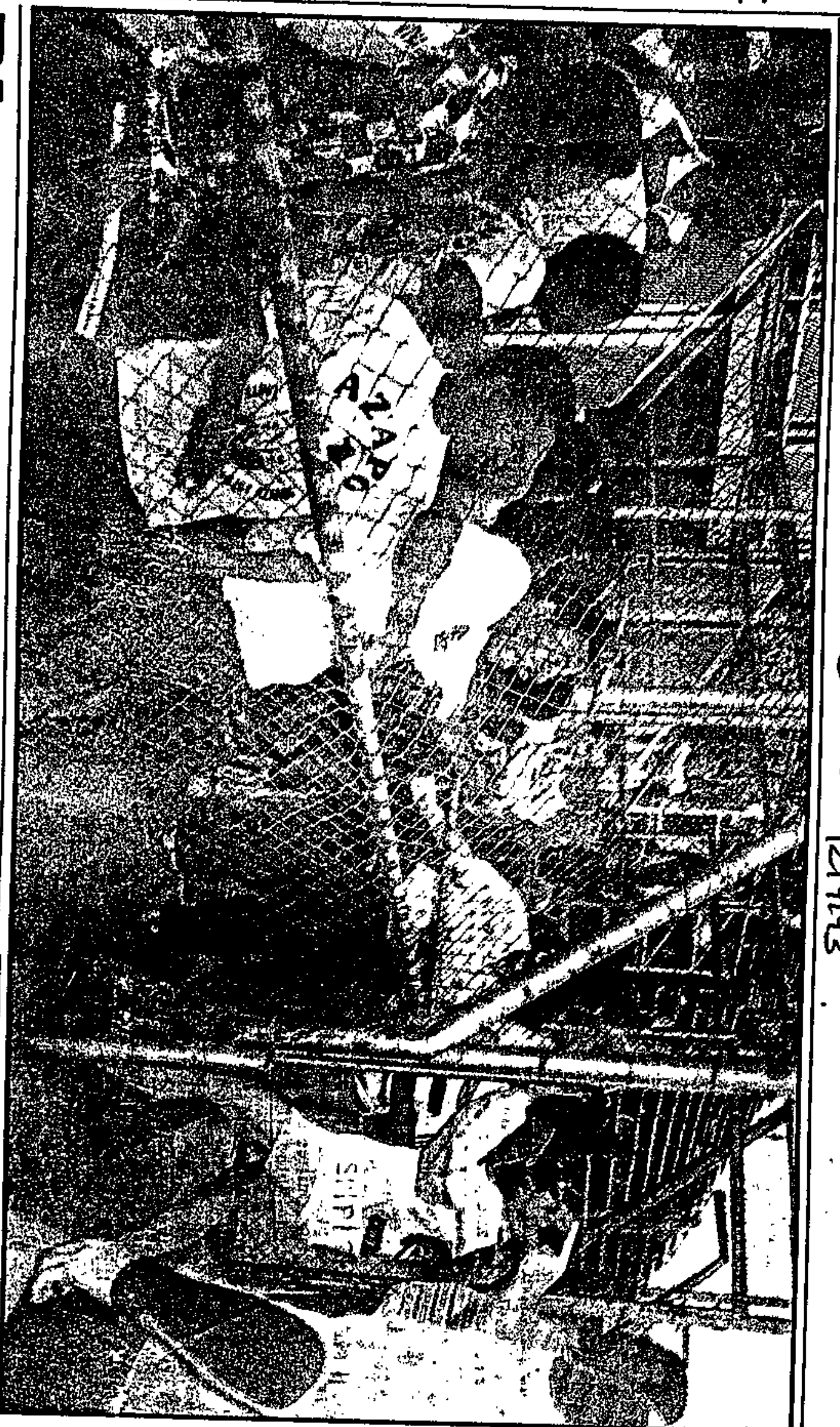
(329)

The man detained after the horrific slaughter of 21 people at the Wadeville taxi-rank is in his 30s and is a resident of an East Rand township.

If the ballistic tests prove positive this could be the breakthrough to prove once and for all if a so-called Third Force actually exists. The massacre last Wednesday and the killings that followed in a second incident a couple of hours later only 6km from the taxi rank are very similar to earlier massacres for which no one has been jailed.

The mass killings have always come at a time when an important breakthrough has been made in the multi-party negotiations, and are seen by many observers to be an attempt to scuttle the negotiations.

This week's atrocity in the industrial area on the East Rand closely followed agreement on a Transitional Executive Council by negotiators



Azapo in fracas at NSL match

TWO Azapo demonstrators were arrested for disruptive activities during the Wits-Hellenic soccer match at the Wits campus yesterday.

Wits Soccer Club chairman Raymond Hack was assaulted, thrown to the ground and kicked after he tried unsuccessfully to prevent Azapo supporters from entering the tunnel leading on to the pitch.

PVV police spokesman Brigadier Zirk Gous said the arrested people were part of a crowd which had taken part in an Azapo march through Johannesburg earlier in the day. — Sapa

GAYECRASHERS
... Wits soccer boss Raymond Hack falls foul of Azapo demonstrators. Pic: CUNTON ASARY

Blow to Azania as chief held

C/Ross 12/19/93

By MOSES MAMAILA

BLACK Consciousness Movement of

as police said they were still probing the military offensive launched by Azania.

Mandela pacifies AWB

'Colonel'
C/Ross 12/19/93

after action.. satisfaction



Tests could link suspect and gang to massacre

By DESMOND BLOW

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(329)
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This week's atrocity in the industrial area on the East Rand closely followed agreement on a Transitional Executive Council by negotiators at the World Trade Centre.

Police spokesman Brigadier Zirk Gous said yesterday that both AK-47s and Makarov pistols were used by a gang of about 10 men who suddenly opened fire on people at the Hokaai Taxi Rank at the corner of Dekena and Lantern roads in Roodekop at about 6pm.

He said the arrest had come as the result of information from a member of the public.

"The police find it difficult to solve this type of crime without the assistance of the public," he said. "If we get the co-operation of the public we will make many arrests."

Should the information prove to be correct the informer will receive a minimum R250 000 reward. If the information also leads to convictions for the second crime on Wednesday in which two people were shot dead and others wounded at Roodekop the informant will receive a further R75 000.

Police have questioned more than 40 witnesses.

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focus on Steve Biko

Sowetan 28/9/93

AFTER 14 DAYS OF EVIDENCE and expert witnesses, Pretoria's Chief Magistrate, Mr Marthinus Prins, closed the inquest with a finding that took 80 seconds to deliver in both official languages, English and Afrikaans.

Journalists were still fumbling for their notebooks when he rose and the court adjourned.

Prins found: "The cause or likely cause of Biko's death was a head injury, followed by extensive brain injury and other complications including renal failure.

"The head injury was probably sustained on the morning of September 7 during a scuffle with Security Police in Port Elizabeth. The available evidence does not prove that death was brought about by an act of omission involving an offence by any person."

"They killed Steve Biko" was the chant taken up by crowds outside the courtroom after the verdict.

On the 16th anniversary of his brutal death in detention, the Azanian People's Organisation (Azapo) repeated the chant and launched a campaign to demand the reopening of the inquest, arguing that there was a serious cover-up which needed to be revealed.

Mr Strini Moodley, personal secretary to the president of Azapo, this week said the organisation would approach the International Commission of Jurists to preside over a new inquest.

Leading personalities have also echoed Azapo's call for the reopening of the inquest.

Prominent advocate Mr George Bizos, who was the Biko family's counsel during the inquest, said: "Many people have always believed that one day the truth will come out. The inquest should be reopened if those who had knowledge about what happened come forward."

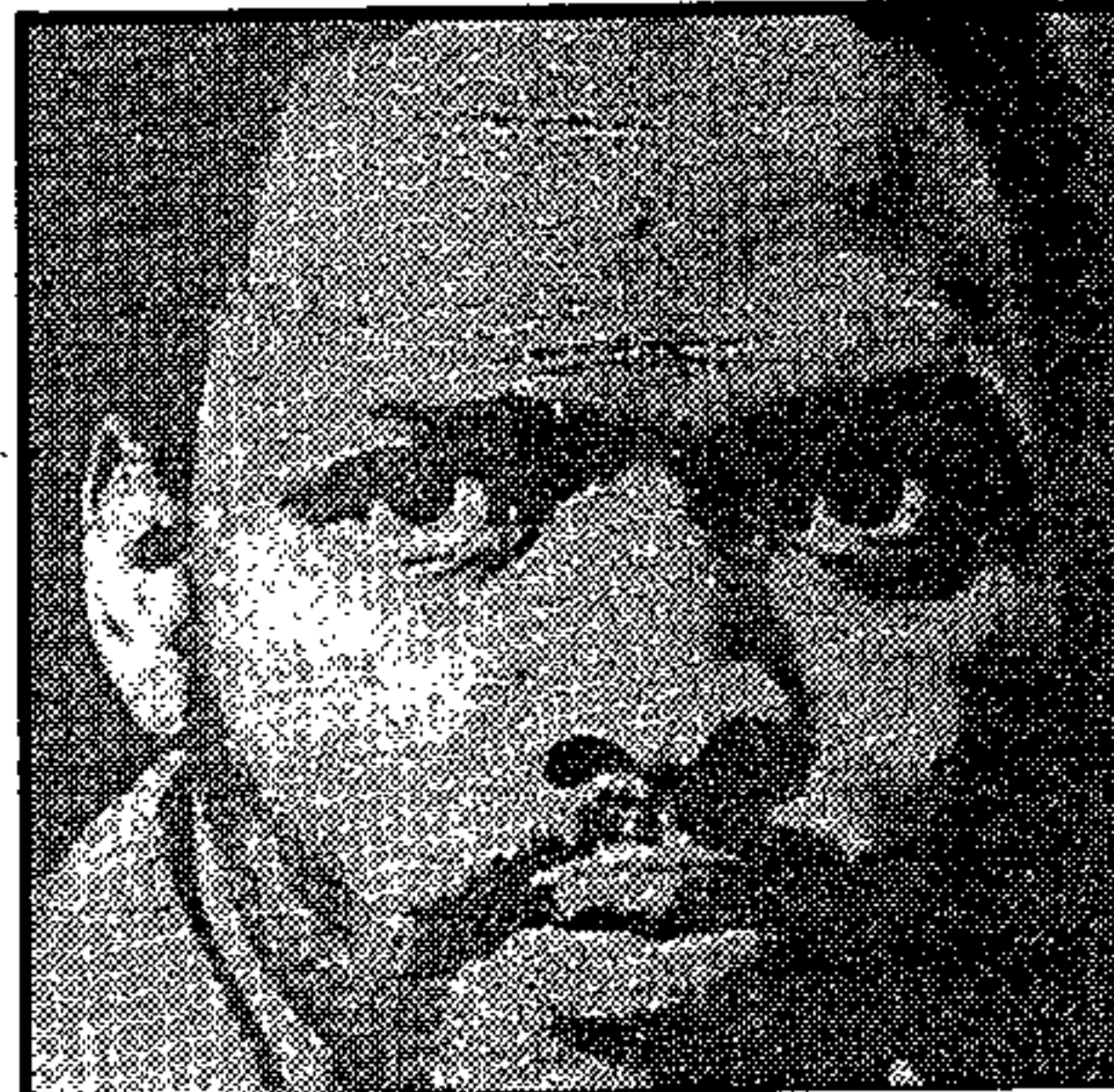
Former editor of the East London *Daily Dispatch* Mr Donald Woods said: "The Biko inquest was a farce. Former Justice Minister Mr Jimmy Kruger was not subpoenaed. In my view the inquest should not have been closed in the first place."

Last week Mr Brian Currin, director of Lawyers for Human Rights, said on TV that there was a case for the reopening of the Biko inquest. He believed that, as in the Goniwe inquest, more facts would come out. This was a few days after Currin had filed an application in the Pretoria Supreme Court to save classified and historic State documents from destruction.

The Medical Association of South Africa said: "Biko's death was a terrible indictment of the State, police and doctors involved. What happened to Biko should not have happened in a society that regards itself as civilised.

But what were the events that led to the death

A new call has been made for the reopening of the inquest into the death in detention of Black Consciousness leader Steve Biko in 1977. *Sowetan* writer **Mokgadi Pela** reports:



Steve Biko

of Biko?

● Biko was detained on August 18 1977 with his comrade in the Black People's Convention, Mr Peter Jones, at a roadblock and later taken to Walmer jail in Port Elizabeth where he was kept naked, manacled and not allowed out of his cell even for air or exercise.

● On September 1 he told a magistrate who had visited him that he had not even been allowed to wash himself. He asked the magistrate for water and soap.

He asked: "Is it compulsory that I have to be naked? I have been naked since I came here".

The magistrate made no reply.

● On the morning of September 6, Biko was taken for interrogation to Room 619, Sanlam Building, from 10.30am to 6pm. From then onwards, he was under the care of the "night squad", led by Lieutenant E Wilken.

He had been handcuffed, with one leg chained to a grille. The following day, the head of the interrogation team, Major Harold Snyman, arrived at 7am and removed the leg irons. At this time or very close to it, Biko received the blows that caused brain damage.

● The district surgeon, Dr Ivor Lang, was called in and examined Biko in the presence of Colonel Pieter Goosen, chief of Security Police in the Eastern Cape.

At the colonel's request, Lang made out a certificate that there was no evidence of abnormality or pathology on Biko.

● On September 11, Biko was examined by



Dr Benjamin Tucker, who saw nothing wrong in him being transported to Pretoria naked and manacled at the back of a Land-Rover at the instructions of Goosen.

● He was carried into the prison hospital and left on the floor of a cell without medical records. On the night of September 12 Biko died, unattended.

In his submission, counsel for the Biko family said he had been beaten, and the people who did this "did not care whether he was injured or not".

The inquest ended with several unanswered questions:

● The story of a hunger strike, false as it was, was obviously a cover-up, stated Biko family counsel Mr Sydney Kentridge, SC.

● The naked man. Was he kept naked to humiliate him?

● The bath incident. When Biko was taken to Sydenham Hospital for a lumbar puncture, he was already at a stage when his mental and physical abilities were seriously impaired.

He could not walk by himself — possibly could not even stand alone. Yet some time in the night he is said to have got out of bed, found his clothes (surely they were not lying folded ready for him!), dressed himself, walked to a room where there was a bath and climbed into it with his clothes on.

● The journey to Pretoria. A crisis faced the Security Police when they received news that Biko had collapsed and had foam on his lips. Up to then they had succeeded in preventing news of his condition from reaching anyone outside the club of conspirators that included doctors and police.

As if by premonition, Biko once wrote: "When I turn on my radio, when I hear that someone in jail slipped on a piece of soap, fell and died I say we have been lied to: Hitler is not dead, he is likely to be found in Pretoria."

And Strini Moodley added: "There was never any doubt that the whole inquest was a farce. And as it has become fashionable to talk about forgiveness and reconciliation in South Africa, it is important that facts be disclosed relating to the Biko affair so that people should know what they forgive, supposing they will do so," Moodley said.

Protest commemorates imam's detention death

CT28/9/93

Staff Reporter

(329)

THE 24th anniversary of the death in detention of Imam Abdullah Haroun was marked by about 100 members of the Muslim fundamentalist group Qibla, protesting against deaths in detention at Caledon Square police station yesterday.

Qibla leader Mr Ahmed Cassim said the protest was to highlight Qibla's demand for the "killers of Imam Haroun and all other detainees to be identified and brought to justice". Imam Haroun was detained by security police on May 28, 1969 and died in police custody four months later.

Detainee in bid to curb cops

Sowetan 28/10/83

By Themba Molefe
Political Correspondent

AN AWAITING-TRIAL Pan Africanist Congress member, who claims police secretly took him to Lesotho to point out places shortly before or after the Umtata raid, is bringing an urgent court application to stop police from torturing him.

(329)
The matter has been set down for hearing in the Pretoria Supreme Court today.

In papers before the court Mr Phila Martin Dolo (24), of Uitenhage in the Cape, wants Minister of Law and Order Mr Hernus Kriel to restrain the police from assaulting, harassing and threatening him with violence. He is in custody at Diepkloof Prison near Soweto.

Dolo alleges police shot him in the arm when they arrested him in Johannesburg on May 30.

He said in his sworn affidavit: "One of the injuries I received was a shattered fracture of my left arm. As a result my arm was amputated below the elbow joint.

"I single out this particular injury because it is relevant to this application as the stump is still painful. I have been furnished with an artificial arm by the authorities," he said.

Dolo detailed incidents which he said happened between September 30 and October 8 when his attorneys intervened.

During this period, especially between October 1 and 7, Dolo was allegedly taken to the Free State towns of Ficksburg, Bloemfontein and Ladybrand and interrogated about specific acts of violence in

which the Azanian People's Liberation Army was implicated. During this time he was locked up in different police stations.

It was about this time that he was allegedly taken secretly to Maseru. The South African Defence Force raided Umtata looking for Apla targets on October 8 when they killed five boys aged between 12 and 17 years.

Dolo said: "I may be somewhat mistaken as to the exact dates and times when I would have been taken out of the cells.

"I do emphasise though that I was made to point out places in Maseru where I am advised the respondents had no jurisdiction to enter and in the clandestine manner it was done."

He said he was taken to a magistrate to make a statement whose admissibility he challenged.

Dolo said the assaults and threats were associated with interrogation.

"I am afraid there is a likelihood these interrogations will continue with constant danger that I may give them the answers they do not like."

He said his alleged torturers had told him that not even the United Nations or PAC could stop them.

The police allegedly also threatened to take Dolo to the camps of the Afrikaner Weerstandsbeweging.

● Dolo and two other PAC men appeared in the Johannesburg Magistrate's Court in connection with a series of charges, including one related to a bomb found near a Yeoville, Johannesburg, nightclub on May 30.

They will stand trial in the Rand Supreme Court between February 28 and March 25 next year.

petition

Detention without trial abolished

Political Staff ARG 12/11/93
JOHANNESBURG. — Yesterday was a special day for the Natal Indian Congress's Pravin Gordhan.

After having spent about a year of his life in jail in terms of section 29 of the Internal Security Act, the veteran activist presided over the session of the Negotiating Council which ordered the abolition of the notorious legislation providing for detention without trial.

"For me it was a unique occasion to chair the session in which this happened," he said.

Mr Gordhan became a victim of section 29 for periods during 1981, 1985 and 1990.

The clause was among a plethora of discriminatory legislation in South Africa, the homelands and the self-governing territories that will be purged from the statute books.

The repeal of this legislation will take place in the session of parliament beginning on November 22.

The Prohibition of Foreign Financing of Political Parties and Affected Organisations Act is also to be repealed.

Repressive legislation in the homelands is to be repealed, including sections of Bophuthatswana and Ciskei's Internal Security Acts.



A MERRY VISIT ...
African National Congress president Mr Nelson Mandela is flanked by Sowetan Editor Mr Aggrey Klaaste and staff members during a visit to the newspaper's offices in Industria, Johannesburg, yesterday.

PIC
LEN
KUMALO

Detention laws

to go

Talks firmly back on track

Sowetan 12/11/93

By Themba Molefe and Sapa

SOUTH AFRICA's notorious detention-without-trial law and repressive legislation in the homelands should be scrapped, negotiators agreed at the World Trade Centre yesterday.

With these and other crucial agreements by the 21-party negotiating council, the road to the completion of multiparty talks was firmly put back on track.

This has also guaranteed that the final draft interim constitution is set to be adopted by the council today, setting in motion the last lap to transition. (329) (200)

The motion to scrap the entire Internal Security Act — and not only the infamous Section 29 — was not opposed after being proposed by South African Communist Party negotiator Dr Essop Pahad.

Section 29 allows a senior police officer to arrest a person whom he believes "has committed or intends to commit ... terrorism".

The person can then be detained for 10 days without trial for interrogation.

A judge may then order further detention periods which may be renewed on application by the police.

The council also agreed that corresponding laws in the TBVC states should be scrapped.

Negotiators also agreed to the scrapping of a wide range of repressive laws in the self-governing territories.

These include legislation on the statute books of KwaZulu — which is not part of the negotiations at the World Trade Centre and is presently spearheading the conservative Freedom Alliance.

The council began by quickly agreeing to

amend the Self-Governing Territories Constitution to allow the State President to "repeal, supplement or substitute any law ... applying in the self-governing territories", including Lebowa, Gazankulu, KaNgwane, QwaQwa and KwaNdebele.

It went on to endorse technical committee recommendations for the repeal of a wide range of laws judged either to impede political activity or to be discriminatory.

Security force members should be prohibited from belonging to political organisations but could join "any bona fide trade union", the negotiating council agreed.

The agreement, which impacts directly on the furore over the Police and Prisons Civil Rights Union and its alleged links with the African National Congress, followed a proposal by the technical committee on discriminatory legislation.

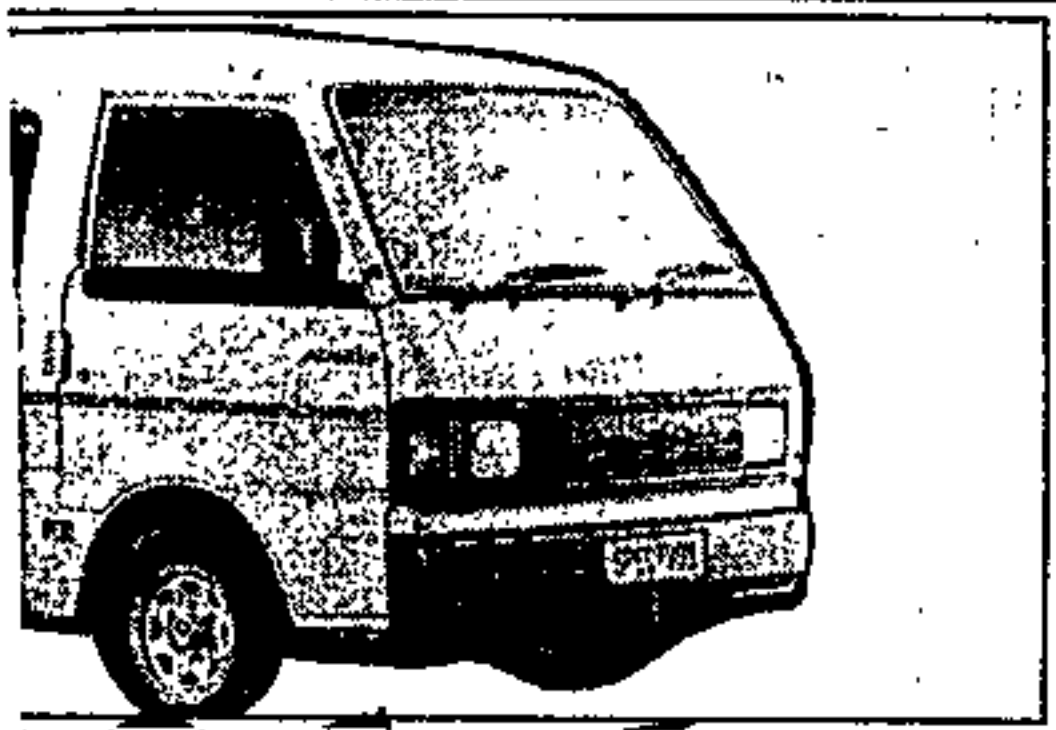
A plenary of the leaders of the 21 parties which sit on the negotiating council would meet on November 17 to endorse the "Kempton Park Package".

Once they have endorsed the interim constitution package, the go-ahead will be given for the establishment of the Transitional Executive Council, which in turn will then be able to activate, among other things, the Independent Electoral Commission and the Independent Monitoring Commission.

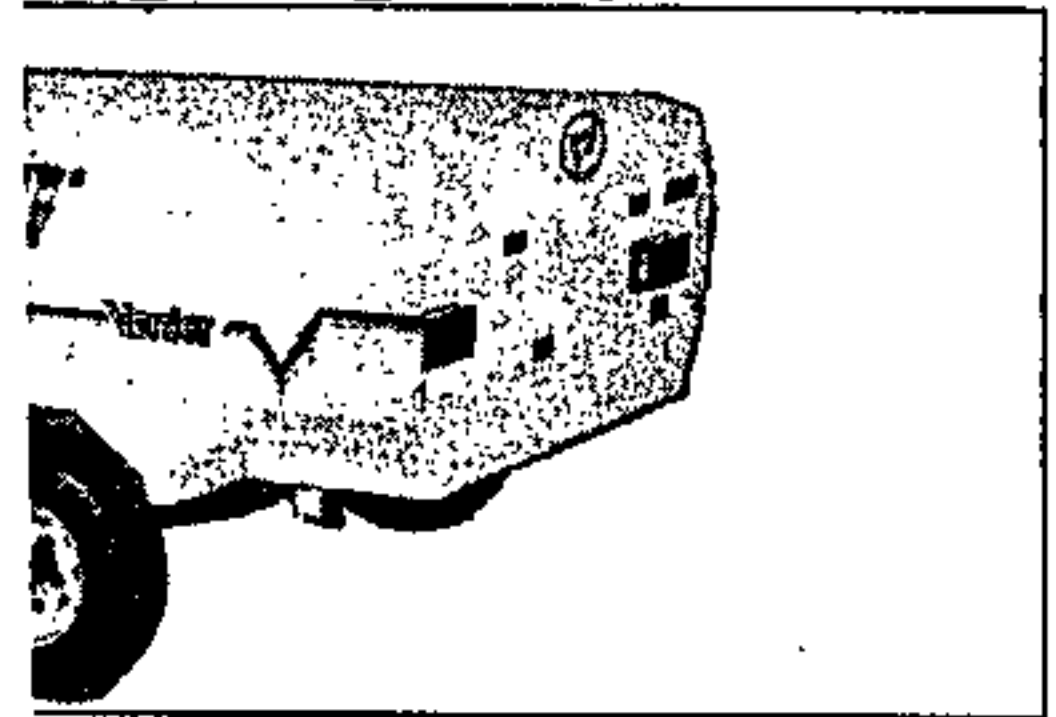
The package is then scheduled to come before Parliament on November 22 for final ratification.

● Recommendations for resolving outstanding regional boundary issues were also unveiled yesterday. The recommendations were the result of the work of a co-ordinating committee, chaired by Regional Affairs Minister Mr André Fourie, appointed recently by negotiators.

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focus on detention

Sowetan 27/12/93

I HAVE been in there myself. In the dungeons of South Africa's prisons. Under the same laws that now hold my son.

At the time of my detention, I knew that we were engaged in the struggle against white oppression. The white Government was making no bones about its intent to maintain its hold on the country.

They would do anything to maintain their power over us. Including detention, torture, and killings, as the Bikos and Timols bear testimony.

Then came February 2 1990 and the new approach. The World Trade Centre and its negotiations. The creation of a new police service instead of a police force.

A police service that would be community orientated, that would be open and user-friendly, so to speak. And I believed them.

And judging by the Press releases and efforts at community relations, it did indeed look like it was the real thing. Leopards did look as if they were changing their spots.

Until my son was detained, under section 29 of the Internal Security Act.

He had been found, with about 39 others, allegedly doing physical training in a cave outside Pietersburg.

The police said the youths were part of the military wing of the Black Consciousness Movement of Azania, the Azanian National Liberation Army.

Now I had been at the WTC on Wednesday December 1, when the multiparty negotiators approved the repeal of the Act. I recall one member of the technical committee saying to an SACP member who had been a victim of section 29 that that particular section was gone and done with.

I contacted the police about my son and was told he was being held under that section. I asked to see him and was told it was impossible.

How, I wondered, and was told the Act was still in the statute books and would still be used. Whatever had happened to the open police service that was supposed to be user-friendly? I was told if I did not like what I was hearing I could go to court.

I asked to supply clothes and was given permission. But over 14 days later, my son still did not have those clothes. I had to use harsh language with the investigating officer for the clothes to reach my son the following day.

In between the group had been in court, where bail was refused. A special sitting was requested to make a bail application and the office of the Attorney-General sent a senior official from Pretoria to specifically oppose bail.

The hearing took three days, one session lasting until midnight, when the man from Pretoria refused to continue, saying it was holiday and he could not work on the Day of the Vow.

"If blacks do not honour the day, we do," he said as he collected his documents and prepared to leave the courtroom.

And the magistrate gave his ruling — no bail.

Negotiations at the World Trade Centre promised the creation of a new, people-friendly police service in a new South Africa. Political Editor **Mathatha Tsedu** thinks nothing has changed: **(329)**



Points to ponder

‘They would do anything to maintain their power over us. Including detention, torture, and killings, as the Bikos and Timols bear testimony’

‘What is so special about these youths who were doing push-ups in a cave that the police, office of the Attorney-General and the Pietersburg magistrate felt they should not be out on bail pending the hearing’

‘Others are out now after stealing guns at defence force armouries, being arrested and granted bail. No special Pretoria envoys to oppose their bail applications’

And so, my son and 29 others languish in jail today because they are seen as a threat to the security of the State. The BCMA and Azanla must be flattered indeed.

But I, as a parent, cannot but dwell on the ironies and inconsistencies that accompany this case. When the AWB busted the WTC and urinated on carpets, beat up negotiators, including a woman belonging to the same alliance as themselves, it took days before they were arrested.

Others are out now after stealing guns at defence force armouries, being arrested and granted bail. No special Pretoria envoys to oppose their bail applications.

What is so special about these youths who were doing push-ups in a cave that the police, office of the Attorney-General and the Pietersburg magistrate feel they should not be out on bail pending the hearing?

Surely it cannot be the assertion by police, unproven so far, that the group was intent on disrupting the elections. KwaZulu and the Inkatha Freedom Party have threatened war, are out of the negotiations and are training people at

Umfolozzi in broad daylight. No police raids there.

The AWB has training camps all over the country, which even the media are invited to witness, and the intent is spelt out quite clearly by Eugene Terre'Blanche: to stop De Klerk from selling out white rights. But again still no police raids.

I could go on quoting other cases, but suffice it to say that black communities, through their organisations and churches, have called on communities terrorised by violence to form defence units and defend themselves.

Even the Peace Accord makes room for community protection. So it cannot be the mere training that is at issue. What, then, is it that makes the State so jittery about these youngsters that they have to suffer in prison?

The police and the Department of Justice owe at least me as a parent of one of the accused and a taxpayer, an explanation for these inconsistencies.

Failure to do so can only mean that there is a bias against these youngsters and their organisations. These youngsters belong at home.

PAC detainee writes to Kriel

By McKeed Kotlolo

Sowetan 7/12/93

■ RESTRAINING HAND Letter

demands an end to torture by police:

A DETAINED MEMBER of the Pan Africanist Congress has written a letter to Law and Order Minister Hernus Kriel demanding that he restrains the police from assaulting, torturing and placing him in solitary confinement.

Mr Setabi Thosago was arrested at Botlokoo on September 6 and held at Mara police station in the Northern Transvaal.

His attorney, Mr Moses Mavundla of Seriti Mavundla and Partners, confirmed that a letter had been delivered to Kriel's Pretoria office yesterday morning.

Kriel's office in Pretoria has confirmed receipt of the letter and that it would be passed onto the Minister.

Mavundla said Thosago's human

rights had been violated by the police who had assaulted, tortured and abused him since his arrest. (329)

He cited, as the most recent incident, the assault and torture of Thosago by a Sergeant Terreblanche at Louis Trichardt on December 1.

He said as part of the torture, the police officer placed a sack over Thosago's head, poked his forehead and throat with a barrel of a gun, grabbed and squeezed his genitals, slapped him in the face and ribs, punched him on the left thigh and called him a "terrorist and a kaffir".

The sergeant allegedly told Thosago that he had been given bail by a "kaffir" magistrate. Thosago was also placed in

solitary confinement. Mavundla has demanded that the Minister order his men to immediately stop harassing Thosago and that he (Kriel) make "an undertaking not to persist in your aforesaid conduct through your policemen".

He gave the Minister until 11am tomorrow to respond to the letter failing which an urgent interdict would be brought against him in the Supreme Court the next day to restrain him and the policemen from harassing the detainee.

He further warned the Minister "to advise your culprits that elements such as them shall have no place in a democratic police force and that they have only months to change their attitudes".

Plea for detainees to be allowed visitors

Sowetan 3/12/93

By Russel Molefe

■ **HUMAN RIGHTS** Alleged Azanla cadres want clothing and visits by their parents:

LAWYERS ACTING FOR the 39 alleged Azanian National Liberation Army cadres arrested on Monday have applied to the Commissioner of Police to allow lawyers, a doctor and parents to visit the detainees.

Pietersburg attorney Mr Don Nkademeng said the parents were entitled to provide clothing for the detainees. (329)

Although police have declined to give the names of the detainees, Nkademeng, who is also general secretary of the Azanian People's Organisation, gave *Sowetan* the names of those whose parents had instructed him to do so.

They are Mr Thabo Mokhudu, Mr Lekau

Moyaha, Mr Lukas Thombeni, Mr Oupa Motlhaba, Mr Mduduzi Shabangu, Mr Eli Mothapo, Mr Herbert Mpe, Mr Ndivhuho Mudau, Mr Mpho Tsedu, Mr Tendani Muridili and Mr Isaih Mhlongo.

They were arrested in a Donkerkloof cave near Lebowakgomo, allegedly undergoing military training.

They are being held under Section 50 of the Internal Security Act, which empowers police to detain suspects for not more than 30 days.

Police spokesman Major Arno Vogel said

yesterday investigations were still continuing.

After the arrest of the 39, police said the suspects had been receiving training to disrupt next year's April elections. Police confiscated AK-47 and R1 rifles, a Z-88 pistol and a shotgun.

Azanla is the military wing of the exiled Black Consciousness Movement of Azania.

Another suspect has been arrested in Seshego in the Far Northern Transvaal in connection with the alleged training of Azanla cadres. He is being held under the Internal Security Act.

NEWS Lawyers can't consult arrested

No visits for Azanla 39

Sowetan 8/12/93

DOUBLE STANDARDS Not

prepared to confront rightwingers:

By Russel Molefe

POLICE have refused permission for the 39 alleged Azanian National Liberation Army cadres arrested in connection with possession of arms to receive visits from their lawyers.

In a letter signed by Lieutenant-Colonel KJS Barkhuizen and sent to Pietersburg attorney Mr Don Nkadameng on Monday, the police said permission for lawyers, parents and a doctor of the detainees "cannot be granted at this stage".

Although no reasons were given in the letter, Warrant-Officer J de Jager of the Crime Combating and Investigation Unit in Pretoria said investigating officers had objected to the visits as they could hamper their investigations.

The alleged Azanla cadres were arrested a week ago in an underground cave at Donkerkloof, southeast of Pietersburg. They are being held un-

der Section 29 of the Internal Security Act. The detainees are expected to appear in court on Friday.

The Azanian People's Organisation yesterday criticised the decision by the police.

Double standards

Azapo's publicity and information secretary, Dr Gomolemo Mokoae, said the refusal had again showed the double standards of the police because it was publicly known that rightwing extremists and convicted murderers Janusz Waluz and Clive Derby-Lewis had unlimited access to visits from their acquaintances. (329)

Mokoae said this had vindicated Azapo's position that police and the South African Defence Force were not prepared to hound down rightwingers.

"It's not surprising for police to act in such a partisan manner. The morale of the detainees and other Black Consciousness Movement activists won't be affected," he said.

TOTALITARIANISM — DETENTIONS

1994

Section 29 decision

Chris Louw

~~329~~ 329
WM4-10/3/94

DETENTION without trial may finally be outlawed if the Transitional Executive Council decides to scrap Section 29 of the Internal Security Act at its next meeting on Tuesday.

TEC joint executive secretary Mac Maharaj, a senior member of the ANC, said this week the TEC was awaiting a report from its Law and Order subcouncil suggesting a date for the repeal of the clause. The TEC would consider the report next Tuesday and, if immediate repeal was ordered, could have it scrapped by President FW de Klerk before the end of next week.

Detention without trial has recently been used against white right-wingers — with the tacit consent of senior ANC members.

Minister of Law and Order Hernus Kriel's assertions this week that Section 29 was necessary to "achieve democracy" because of threats from right and left-wing extremists met with a barrage of criticism from human rights activists. The Human Rights Commission said it recalled the worst days of apartheid, while a Lawyers for Human Rights spokesman said retention of the clause was "bizarre".

The negotiating council decided last year at Kempton Park that Section 29 should be scrapped as soon as legislation concerning the repeal of limitations on free political activity came into effect. Legislation allowing for this was passed by parliament in December last year but has not yet come into effect.

Shock decision on detention law

By BARRY STREEK
Political Staff

IN a shock decision, the multi-party Transitional Executive Council has postponed the scrapping of the controversial detention-without-trial interrogation clause and five other equally contentious political laws.

The TEC move to delay scrapping section 29 of the Internal Security Act comes despite urgent calls for its im-

mediate repeal by the Black Sash and other civil liberties bodies.

"We are profoundly shaken by the TEC's decision," Black Sash's Mrs Mary Burton said last night on behalf of its Legislation Watch group. "We view this decision as an outright breach of faith."

The TEC decision to delay the implementation of a crucial schedule of the Abolition of Restrictions on Free-

Political Activity Act, which would have ended section 29 and the other political measures, was taken at its meeting on January 25.

It is reliably understood that the decision not to bring section 7 of the act into operation was made after the police argued detention-without-trial was still necessary — and because some member-parties felt the security provisions might be needed to deal

with the right-wing during the transitional process.

The police said recently it would be "silly" not to continue using the detention measure, despite Parliament's decision to abolish it, as it was still law.

The effect of the TEC decision is that section 29 and the following measures will remain the law, until the TEC agrees on a date with President

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W de Klerk to bring section 7 into operation: Five other clauses of the Internal Security Act; The Affected Organisations Act; The Parliamentary Internal Security Commission Act of 1976; The Prohibition of Foreign Financing of Political Parties Act of 1968 and the Disclosure of Foreign Funding Act of 1989, and section 29 of the Black Administration Act.

...ing and blew it out of the water. He had hoped the TEC would be bolding two days before. He said "not enough consideration had been given

TEC accused of a breach of faith

By ANTHONY JOHNSON
and BARRY STREEK

THE TEC was widely condemned yesterday for not scrapping detention without trial — and could be made to rectify this as early as next week.

The multiparty body's shock decision has raised fears that the new-look executive might try to use old security legislation in dealing with dissident groups during and after the election.

Lawyers for Human Rights (LHR) and the Black Sash have accused the TEC of bad faith and of flouting the Bill of Rights.

The Democratic Party's representative on the TEC, Mr Colin Eglin, said his party would insist at the TEC's meet-

Fears new executive will detain dissidents

ing on Tuesday that the detention clause be abolished.

The Black Sash said it appeared that the arguments of the SAP "and possibly other groupings" had prevailed over the "lofty principles" contained in the Constitution.

Although Parliament has approved the scrapping of the detention clause, Section 29, the police have continued using the measure.

The LHR's national director, Mr Brian Currin, said yesterday that the TEC's failure at its meeting last week to implement agreements negotiated by the multiparty negotiating fo-

rum was a breach of faith and an abdication of responsibility.

The public was entitled to know why agreements reached were being broken.

The Black Sash's Mrs Mary Burton said on behalf of the organisation's Legislation Watch group that the TEC's failure to abolish Section 29 and other repressive security legislation clauses was a direct breach of faith.

Other civil liberties bodies such as the Human Rights Commission, Nicro and the Trauma Centre for Victims of Violence have also called on the TEC to

scrap Section 29 as a matter of urgency.

Mr Eglin said yesterday the TEC's legal advisers had indicated there was an overlap between the laws to be abolished in terms of the Abolition Act and the Regulation of Gatherings Act.

However, he added, even if there was overlapping, this was no reason to retain Section 29 of the Internal Security Act a day longer than Tuesday.

Last week, the TEC passed Resolution 18, in which it advised President F W de Klerk to implement the Abolition of Restrictions of Free Political Activity Act, except clause 7, on January 28, 1994.

Mr Eglin said that after the TEC had been advised about the overlapping it had been referred to the Law and Order Sub-Council to resolve.

25/2/94

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Star 8/2/94
**PAC, DP slam
detention law**

The Democratic Party and the Pan Africanist Congress have joined the outcry over the Transitional Executive Council's decision not to immediately repeal the notorious section 29 of the Criminal Procedure Act, which provides for detention without trial. (329) (252)

The Democratic Party's Colin Eglon said he would propose at today's TEC meeting that section 7 of the Abolition of Restriction on Free Political Activities Act be brought into effect immediately.

This would have the effect of scrapping section 29. — Political Correspondent.

Call to end Section 29

By BARRY STREEK
Political Staff

THE detention-without-trial clause of the Internal Security Act may be repealed by the Transitional Executive Council (TEC) at its meeting in Pretoria today.

The Democratic Party representative on the TEC, Mr Colin Eglin, who wants the clause abolished, has given notice that he intends raising the matter today.

Yesterday the General Council of the Bar and the PAC strongly criticised the TEC for not implementing

Clause 7 of the Abolition of Restrictions on Free Political Activity Act.

Clause 7 provides for the abolition of Section 29 and other clauses of the Internal Security Act, as well as five other politically-inspired laws.

The General Council of the Bar expressed dismay at the TEC decision to retain detention without trial.

The council's chairman, Mr Wim Trengrove, said in a statement: "Detention without trial is wholly unacceptable in a free society."

"Any decision to retain detention without trial would

also fly in the face of the principles enshrined in the new constitution."

Mr Trengrove called on the TEC to reaffirm its commitment to the abolition of detention without trial and the repeal of Section 29.

The PAC strongly condemned the TEC for reversing the decision to repeal Section 29.

"The only reasonable conclusion is that, not only is the TEC a toothless bulldog but it has now also decided to openly join the numerous oppressive institutions of the racist regime," it said.

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CT8/2/94

Military, police brass accused of Goniwe's death

□ Advocate says five should take blame

The Argus Bureau

PORT ELIZABETH. — The head of military intelligence, Joffel van der Westhuizen, and four other top members of the security forces have been accused of murdering the Cradock Four activists.

George Bizos, SC, appearing for the activists' families at the Goniwe inquest, said he put the blame squarely on the shoulders of:

- General Van der Westhuizen.
- General Johannes Janse van Rensburg, an army officer seconded to the State Security Council in 1985.
- Colonel Lourens du Plessis, staff officer at Eastern Province Command, who sent the controversial signal described as a "death warrant".
- Colonel Eric Winter, head of the security police in Cradock in the mid-1980s.
- Colonel Harold Snyman, former head of the Security Branch in Port Elizabeth, who figured prominently in the inquest on black consciousness leader, Steve Biko.

Counsel for the families, police and SADF started legal argument in the Supreme Court here yesterday at the inquest on United Democratic Front leader Matthew Goniwe and colleagues Sparrow Mkhonto, Sicelo Mhlauli and Fort Calata. Their charred and mutilated bodies were found in dense bush in 1985 after they had attended a UDF meeting in Port Elizabeth.

Mr Bizos said that at the time the security forces in the Eastern Cape regarded Mr Goniwe, in particular, as one of the key actors in the revolution taking place in the area.

He said top security officers had referred to a revolutionary onslaught and described Mr Goniwe as an enemy of the State, a thorn in the flesh of the security forces and a terrorist.

Mr Goniwe and Mr Calata were later detained under the Internal Security Act but the situation did not improve. In Cradock, for instance, thousands of children boycotted school.

The realisation that the detention of Mr Goniwe and his colleagues had not improved matters made the Department of Education and Training explore the possibility of reinstating him or transferring him.

Mr Bizos said there was evidence that the Security Branch was opposed to reinstatement. The security forces grew uneasy when it became clear there was a possibility of Mr Goniwe being reinstated.

Monitoring of Mr Goniwe intensified through observation, information from informers, "technical eavesdropping" in his home and interception of his mail.

Mr Bizos said it was important to note that at this stage there was strong pressure on General Van der Westhuizen to do something about the unrest at grassroots level with great urgency. He was even in danger of losing his job. At this stage his main enemy was Mr Goniwe.

He said it was not true that a signal — subsequently exposed in the New Nation newspaper — calling for the "permanent removal" of Mr Goniwe meant only his detention and did not have any sinister undertones.

He referred to Operation Katzen, an army plan to create a Xhosa region incorporating Ciskei. In Operation Katzen documents, it had been proposed that Ciskei leader Lennox Sebe be removed permanently. The Attorney-General should also charge General Van der Westhuizen with conspiracy to murder Mr Sebe.

Great emphasis was placed on the wording of the Goniwe signal and the fact that the original could not be found. Mr Bizos said the date supplied by General Van Rensburg as the date on which the signal had come to his attention was clearly a lie. It was inconceivable that a top secret document could lie unattended in an "in" basket for 10 days.

Mr Bizos said far too many senior officers hid behind the words "I cannot remember".

General Van Rensburg had admitted that veiled language had been used in the SADF. Mr Bizos said it was his contention, taking into consideration Operation Katzen, that the SADF was capable of and willing to kill outside of conventional military operations when circumstances demanded it.

In his argument, which ran to 132 pages, Mr Bizos said the signal, on the face of it, and the evidence of Colonel Du Plessis (who had been granted indemnity for his evidence that the signal was an order to kill), seen in the light of the absurd and ridiculous explanations advanced by General Van der Westhuizen and General Van Rensburg, translated into a conspiracy to kill.

Mr Goniwe and the others were killed soon after the signal had been sent, realising the conspiracy. The deaths and the manner in which they occurred could not have taken place without the co-operation and participation of the police.

General Van der Westhuizen had in fact testified that no institution outside the security forces had the capability of carrying out the murders. Several witnesses conceded this, Mr Bizos said.

The inquest continues.

TEC under fire over Section 29

TIM COHEN *BIDay*

A GROUNDSWELL of opposition is developing against the TEC's decision to retain the notorious Section 29 of the Internal Security Act until after the election, with advocates, the DP and the PAC objecting yesterday. 8/2/94

The General Council of the Bar, which represents advocates, expressed dismay at the decision. Council chairman Wim Trengove said detention without trial was unacceptable in a free society.

"Any decision to retain detention without trial would also fly in the face of the principles enshrined in the new constitution."

The section would allow the detention of anyone planning to violently promote any constitutional, political, industrial, social or economic aim for up to 10 days. Police could seek a Supreme Court order to hold detainees for a further 10 days. (329) (22)

The TEC resolved that the Abolition of Restrictions of Free Political Activity Act, intended to scrap all repressive laws, should be implemented — except for the provisions of Section 29. But no final decision had been taken and the matter was referred to the TEC law and order subcouncil.

DP TEC representative Colin Eglin said he had asked the TEC secretariat to request the sub-council to report its decision today, giving notice that he intended to oppose the resolution.

The PAC said it strongly condemned the TEC's plan to reverse an earlier decision to repeal Section 29. It said the TEC had now decided to openly join the "oppressive institutions of the racist regime".

The decision was reversed so that the section could be used against African people "when they rise against the fraudulent ANC-NP deal", said the PAC.

The Black Sash has already objected to the TEC resolution.

● Comment: Page 12

KwaZulu police chief faces TEC 'grilling'

ADRIAN HADLAND

PRETORIA — The appearance of KwaZulu police commissioner Lt-Gen Roy During before the TEC today would mark a symbolic and legal victory for the TEC in its quest to wield authority over the homeland, a TEC source said yesterday. *BIDay*

After two months of ignored requests, During will appear before the TEC to give evidence on the possible existence of hit squads in the KwaZulu police force. 8/2/94

A TEC media liaison officer said During would be "grilled" rather than humiliated. (127)

During agreed to appear before the TEC after an out-of-court settlement between the TEC and KwaZulu on Friday.

Sapa reports that During's lawyer Patrick Falconer said During would appear before the TEC in his private capacity and not as KwaZulu police commissioner. In this way KwaZulu would not appear to be recognising the TEC, he claimed.

The encouragement of free political activity in Bophuthatswana is also on today's TEC agenda.

Other matters on the agenda include the budget, the reportedly shambolic state of the national peacekeeping force, and an update on the East Rand peace and reconstruction plan.

TEC delegates are also expected to voice their disapproval of Home Af-

fairs Minister Danie Schutte's decision to grant temporary broadcasting licences to 15 radio stations.

TEC DP representative Colin Eglin has warned earlier that he would call on the TEC to scrap Section 29 of the Internal Security Act.

Amendments to the Internal Security Act, as well as several other Acts, are being considered by the TEC law and order subcouncil in relation to the Abolition of Restriction on Free Political Activities Act.

Our Political Staff reports that a Ciskei government spokesman said yesterday that Ciskei had applied for TEC membership for the second time.

A TEC source said its application would be considered by the TEC today. The application had been rejected last week as Ciskei had not carried out the conditions for TEC membership.

These were that the "Kempton Park" Bills should be passed in homeland territories. They include the Electoral Act, the Independent Media Commission Act, Independent Electoral Commission Act and Independent Broadcasting Authority Act.

These had been passed by the Ciskei council of state last week and the path was finally open to joining the TEC, the source said.

DP demands Kotze's dismissal

LLOYD COUTTS

is that by using inflammatory language, Kotze is endangering the lives of policemen by setting them up as enemies of the ANC," he said.

Andrew said the DP would instruct its representative on the TEC's sub-council on law and order, Peter Gastrow, to raise the issue as a matter of urgency. (3079)

Kotze described the accusation that he was endangering the lives of policemen as laughable. 8/2/94

THE DP has called for the dismissal of Law and Order Ministry spokesman Craig Kotze after what it called his "savage and unwarranted" attack on ANC president Nelson Mandela during a radio interview yesterday.

Kotze was interviewed on the ministry's response to a threat by Mandela that force could be used to counter right-wing attacks on the ANC.

DP federal council chairman Ken Andrew said it was inappropriate for a public servant to involve himself in political controversy. *BIDay*

"What makes this worse, however,

Detention law under spotlight

CT 9/2/94 (329)

Own Correspondent

JOHANNESBURG. — Political parties, including the ANC and the DP, took cover yesterday while the controversy over the retention of section 29 of the Internal Security Act deepened.

All except the NP denied having supported the legislation, which allows for detention without trial.

The controversy follows the unanimous passing of a resolution by the TEC which called for the promulgation of legislation abolishing restrictions on free political activity.

Resolution 18 called on the president to enact the Abolition of Restrictions on Free Political Activity Act, "except section 7 thereof" which applies to section 29 of the Internal Security Act. It was reportedly retained on the advice of senior policemen because of threats from the right-wing.

The connection between section 7 of the abolition act and section 29 was initially missed, but publicised last week by the Black Sash, which sparked objections from a host of other organisations including the Bar

General Council, the PAC, the Inkatha Freedom Party and the DP.

Yesterday TEC members claimed they did not ask for section 7 to be included in the lifting of restrictions for technical reasons, and said the matter had been referred to the law and order sub-council.

Yesterday, TEC co-chairman Mr Zam Titus said section 7 had been withheld for further consideration by the TEC as parts of the section could have compromised the legal basis of the East Rand peace plan.

Certain statutory powers, needed to set up peace structures in the region, were contained in section 7.

The question of section 29 had been referred to the TEC's sub-council on law and order for "urgent attention".

The sub-council is due to report back on the matter next week.

However, despite claims the TEC asked the sub-council to discuss the matter, chairman Mr Peter Gastrow denied they had ever been requested to consider the matter.

● Rightists face detention law — Page 2

Rightists face detention law

Own Correspondent

JOHANNESBURG. — The four-right wingers remaining in custody following Monday's arrests may soon be detained under section 29 of the Internal Security Act, Law and Order spokesman Mr Craig Kotze said yesterday.

One suspect was released soon after his arrest.

And yesterday Namibian President Sam Nujoma pledged assistance to the ANC in the struggle against the right-wing. He publicly called on Namibians to provide assistance to the ANC, either financially or materially. He said the right could not be allowed to halt the progress to democracy.

Five men were initially arrested in early-morning raids in the western Transvaal and Free State in connection with a series of bombings that have targeted

**Police may
need time
— Kotze**

ANC offices, electricity pylons and railway lines.

Mr Kotze said one suspect, an AWB member, had been released after being questioned.

Mr Kotze said the suspects were presently being held under the Criminal Procedure Act, and it was possible they would be held under the Internal Security Act to give police more time for their investigations.

Two of the four suspects held were farmers, one belonging to

the AWB and the other to the Afrikaner Volksfront. No details on the other two were available.

AWB secretary-general Mr Nico Prinsloo said at least three of the five people originally detained were AWB members.

He said Mr B Terre'Blanche and "Col" Neels Labuschagne, who were arrested in the western Transvaal, were "senior members" of the organisation. "Staff Sergeant" Cas Groenewald was arrested but later released, he said.

Mr Prinsloo said the organisation was being targeted after ANC leader Mr Nelson Mandela's call to arrest right-wingers.

● Meanwhile Law and Order Minister Mr Hernus Kriel said yesterday although he welcomed Mr Mandela's praise of police action against the right-wing, Mr Mandela "still had a long way to go" to redress the propaganda campaign the ANC had waged against the police.

CT 9/2/94

329

TEC rebuked for retaining section 29

■ POLITICAL STAFF

The Human Rights Commission (HRC) has joined a growing number of organisations criticising the TEC for not scrapping detention without trial.

In a statement yesterday, the HRC said the retention of section 29 of the Internal Security Act — which makes provision for detention without trial — despite a multiparty agreement to scrap it in terms of last year's Abolition of Restrictions of Free Political Activity Act, smacked of apartheid-style repression.

The HRC said at least 78 000 people had been detained without trial in South Africa.

Yesterday, TEC sources said the body intended to scrap section 29, but had been forced to postpone action.

The sources said section 29 would be scrapped once the TEC law and order subcouncil had decided how to handle other issues that had arisen around the Abolition of Restrictions of Free Political Activity Act.

On January 25 the TEC advised the State President to pass the Act, excluding schedule seven, which contains the repeal of section 29 as well as certain sections of the Publications Act, the Prohibition of Foreign Funding Act, the Affected Organisations Act and the Disclosure of Foreign Funding Act.

(329)

Parties back off from retention of detention without trial provision

OLITICAL parties including the ANC have decided to back yesterday's decision to retain detention without trial.

All TEC parties, except the NP, denied supporting the retention of Section 29 of the Internal Security Act until after the April election.

The controversy follows a unanimous TEC resolution two weeks ago, calling for the promulgation of legislation abolishing restrictions on free political activity.

Resolution 18 called on the President to promulgate the Abolition of Restrictions

on Free Political Activity Act, except Section 7. This section applies to Section 29 of the Internal Security Act and was reportedly retained on the advice of senior policemen because of right-wing threats.

The connection between Section 7 and Section 29 was publicised by the Black Sash last week, sparking objections from organisations including the General Council of the Bar, the PAC, the Inkatha Freedom Party and the DP.

ADRIAN HADLAND reports that TEC members said yesterday technical reasons had prevented the inclusion of Section 7 in

TIM COHEN

their resolution, and the matter had been urgently referred to the law and order sub-council, which was expected to report back next week.

The subcouncil's chairman, Peter Gastrow, said the subcouncil had never been asked to consider the matter, and had never received police advice on it.

TEC co-chairman Zain Titus said the section had been withheld for further consideration as parts of it could have compromised the legal basis of the East Rand

peace plan.

Last night the TEC was told that no decision had been taken on Section 29.

Some ANC members, many of whom were detained in terms of Section 29, said they intended raising the matter at today's ANC working committee meeting.

ANC spokesman Carl Niehaus said anyone who had been on the receiving end of Section 29, would have serious concerns about its retention in a democratic SA.

The Human Rights Commission, usually supportive of the ANC, said the decision to retain Section 29 "smacks of old-style re-

pression under the apartheid government". "Over the past 30 years, at least 78 000 people were detained without trial. Not only does this decision contradict the Bill of Rights incorporated in the new constitution, it also raises questions about the TEC's acceptance and commitment to these principles."

It urged the TEC to reconsider its decision and scrap Section 29.

NP law and order spokesman Hennie Smit said his party was in favour of eventually abolishing Section 29, hopefully when

Section 29

8/12/94 912194

From Page 1

the new constitution was introduced.

"Taking into account the present abnormal circumstances with both the far left and far right threatening violence, it is still needed, but it must be applied with great circumspection," he said.

Meanwhile Reuter reports from Durban

that Inkatha Freedom Party spokesman Ed Thilleit called for the immediate scrapping of detention without trial. He said the TEC's decision amounted to poor political judgment. "The decision makes a mockery of the lengthy campaign fought by the ANC and its allies to have the controversial legislation removed from the statute books."

To Page 2

TEC won't keep Section 29

Chris Louw

DETENTION without trial will not be allowed in South Africa, despite the fact that the infamous Section 29 of the Internal Security Act is still on the statute books.

At Tuesday's meeting of the Transitional Executive Council in Pretoria, two senior TEC members were at pains to explain that Section 29 was only retained because other parts of the Act had to be rushed through to allow for immediate action in the violence-torn East Rand townships.

The denials followed a public outcry after newspaper reports that the TEC has decided not to scrap the provisions for detention without trial.

TEC co-chairman Zam Titus insisted that no decision had been taken by the TEC not to abolish Section 29.

Joint executive secretary Mac Maharaj explained that a misunderstanding arose "because of the East Rand question".

Maharaj said he had requested the TEC to implement parts of the Free

Activities Act in order to allow the task group to act in the East Rand townships.

Those parts of the Act not directly relevant to the East Rand plans were not rushed through, because they still had to be discussed by the TEC's law and order sub-council.

The issue was further complicated because certain clauses in the Free Political Activities Act passed by the multiparty process was transferred by the government to the Goldstone Gatherings Bill, which was never seen by the negotiators.

"Because of these complications we came to an understanding that both (Bills) would be passed (by parliament) but that we would only activate the Goldstone Bill when it has been properly examined and brought before the TEC. We could not authorise the passage of an Act which the multiparty negotiators had not seen. In the case of the East Rand we requested powers which would enable the TEC to advise the president to amend certain existing legislation including the Public Safety Act."

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Hated security law still retains echoes of the past

By CARMEL RICKARD

SINCE detention without trial laws were first introduced, they have often been condemned in the strongest language — "a torturer's charter" is just one of the more pithy examples.

Starting with 90-day and 180-day detention in the 60s, to the Terrorism Act of 1967 and to the Internal Security Act of 1982, government apologists quoted state security to justify their ferocious legislation.

Most feared was Section 29 of the Internal Security Act, which allowed, in effect, indefinite detention in solitary confinement during which a detainee could see no one except interrogators and warders.

Relatives, friends, even the family doctor were denied access to detainees. Detainees could not even see their lawyers. If they were assaulted in detention — and few were released without tales of unlawful interrogation methods or worse — it was extremely difficult to obtain any legal protection.

Former detainees say the worst part was not knowing how long the detention would last. Under Section 29, they could be held until the commissioner of police was satisfied they had answered all questions satisfactorily, or "no useful purpose" would be served by continuing to hold them.

Detainees' mental health suffered as much as their physical well-being and many were had to be given psychiatric treatment because of severe depression.

During the 30 years it was a key element in state strategy, an estimated 78 000 people were held for varying periods and

73 died while in detention.

Among its critics were the various branches of the legal profession. Even some judges spoke out — an irony, given that a former Chief Justice helped formulate the security legislation.

Against this background it seemed obvious that Section 29 would be among the first laws to go. Instead it is still on the statute books, although substantially amended.

The law now allows a detainee to be held for 10 days. After that, the detention period may be renewed for further periods of 10 days, but only on the orders of a judge to whom the police must apply giving reasons why they want to hold the detainee for longer. (329)(329)

The detainee must be notified that the police are applying to prolong the detention, and the detainee or his legal representative must be given an opportunity to oppose the application. The final decision to extend the detention beyond 10 days lies with the judge.

The new-look Section 29 replicates important parts of the old law.

For example, if the police commissioner believes it might hamper investigations, the family does not have to be informed that a person has been detained, and the detainee may be refused any visitors, apart from a magistrate and a district surgeon.

Although a lawyer can help prepare representations to end the detention, there is no automatic right to legal visits and a family doctor may not have access should the police commissioner believe such a visit could hamper investigations.

The day Natal judges threatened to resign over police torture of political detainees

By CARMEL RICKARD

SO strongly did Natal's judges feel about consistent allegations of police torturing detainees during the mid-80s that they threatened to resign en masse unless something was done to halt abuses.

Their unprecedented move has been kept confidential for almost 10 years, but it came to light recently at a memorial service for Natal's former Judge President, Mr Justice Milne, in Durban.

A speaker at the service,

former president of the Association of Law Societies and a close friend of the judge, Mr Graham Cox, disclosed that Judge Milne and his fellow judges had given the government an ultimatum: if the condition of detainees was not improved, they would resign.

The Sunday Times has now established that Judge Milne — a member of the Appellate Division at the time of his death — wrote a lengthy letter to then Minister of Law and Order Louis le Grange and Minister of Justice Kobie Coetsee in 1985. As Judge President of Natal, Judge Milne told the ministers the Natal judges wholly disapproved of indefinite detention in solitary confinement and believed it led to abuse of power.

Speaking on behalf of the other Natal judges, he said the power of the executive to prevent detainees' access to the law was a gross intrusion of the court's power, and the abuse of detainees had reached such proportions that the judges were no longer prepared to stand by without acting.

In the letter, Judge Milne said that, if the allegations of systematic police torture were true, no civilised country could tolerate it — and the judges were not prepared to do so.

If, however, the allegations were false, the best remedy to quash the claims was for the issue to be heard at once in open court.

He said immediate safeguards were needed to protect detainees as the government's promises of humane treatment, made in 1982, were clearly no longer effective: since that directive, four people had died in detention and allegations of systematic torture continued.

The judges said that, unless some effective way was found to prevent torture of detainees held under emergency and other security laws, they would be forced to consider whether, in conscience, they should continue as members of the judiciary.

It is not known how the ministers responded to Judge Milne's letter but, at the time, other legal sources were pressurising the government over the same issue in separate moves. Some lawyers said they believed the cumulative pressure might have helped improve the situation somewhat.

Senior members of the legal profession said the judicial démarche was unprecedented in this country's history. The only possible comparison was the 1951 decision of the Johannesburg Bar not to appear in a court presided over by Judge Lucas Steyn (later Chief Justice). The Bar believed his appointment to the Transvaal bench was highly unsuitable because he had been employed by the government as its chief state legal adviser.

Parties attack Section 29

THE ANC, the Democratic Party, the Inkatha Freedom Party and the Conservative Party yesterday all called on the Transitional Executive Council to scrap the controversial Section 29 of the Internal Security Act immediately.

The ANC's Mr Valli Moosa, the DP's Mr Colin Eglin and the IFP's Dr Ben Ngubane told International Press Institute congress delegates that detention without trial should be abolished immediately.

Mr Moosa said the ANC did not support detention without trial, and Mr Eglin said Section 29 was a relic of the "bad old South Africa".

TEC dithers on scrapping Section 29

Stephen Laufer

TEN new detention orders under Section 29 of the Internal Security Act were issued this week — bringing to 28 the number of people currently being held without trial.

The new detention orders were signed despite claims by the Transitional Executive Council that the demise of the controversial clause was imminent.

Speaking off the record, one TEC member said he believed the government was keen to keep the provision alive at least until the election.

It was up to the ANC, said the source, to tip the balance by coming out unequivocally for the immediate abolition of Section 29 as agreed by the multiparty negotiating forum at the World Trade Centre.

ANC constitutional expert Kader Asmal said continued use of Section 29 was not consistent with claims that its scrapping was imminent. The TEC could act immediately by calling on police and the courts to stop using

it, he said.

Some TEC members are understood to favour the retention of the provision because it enables police to hold white rightwingers suspected of terrorism. The SAP is believed to have lobbied for retention of Section 29.

An SAP legal expert said the police were aware of the negative perceptions surrounding Section 29, but it was felt that scrapping it "could have a negative effect on the investigation of terrorist crimes."

"Terrorists work in cells," said the SAP expert. "It is seldom the case that a detainee talks immediately, it often takes days. If Section 29 is repealed, consideration must be given to alternatives."

Of the 28 currently in detention, four are members of the Azanian National Liberation Army, five are Azanian People's Liberation Army cadres, and nine are white rightwingers, a spokesman for the Human Rights Commission said. Ten detainees' political affiliations were unknown.

ANC negotiator Mac Maharaj, co-

executive secretary of the TEC, denied there was any pressure to retain the infamous provision. "Sure there is a minority which wants to retain Section 29," he said. "But we are bound by the decision of the multiparty negotiating forum" to get rid of it.

But another TEC source pointed out that the resolution called for Section 29 to be abolished on "a date to be determined". "That could be immediately, or it could be after April 27," he said.

Maharaj said the delay was "purely technical. It is connected to the Goldstone Bill which has been sent to the TEC's law and order subcouncil as a matter of urgency. It could come before the full council next week, or at latest a week later."

Sceptics believe delegating discussion of the issue to the subcouncil could be a ploy to keep Section 29 in force for as long as possible — while appearing to work for its abolition. In practice, the TEC could decide to scrap the clause at its Tuesday meeting.

WM 18-24/2/94

Section 29: Sash appeals to ANC

(329) By BARRY STREEK
Political Staff

THE Black Sash appealed yesterday to the ANC's representative on the Transitional Executive Council, Mr Cyril Ramaphosa, to support the move next week to scrap detention without trial.

The TEC is to consider a report from its sub-council on law and order on Tuesday about the possible abolition of section 29 of the Internal Security Act, and the ANC could have a decisive influence on the decision.

The Black Sash said in a letter to Mr Ramaphosa, signed by Mrs Mary Burton, that it had opposed detention without trial for many years.

Since December last year it had been expecting the repeal of section 29 through the promulgation of the Abolition of Restrictions on Free Political Activity Act, which was passed by Parliament in its final days.

CT 19/2/94
"We were greatly dismayed to discover when this act was finally promulgated, schedule 7, which includes section 29, was not included for implementation at this time," Mrs Burton said.

"We ask you to lend your support to the removal of this provision from our statute books: It is an ugly relic of past practice, and should have no part in the future society we hope to build."

TEC debate on detention drags on

S/Times 20/2/94

By RAY HARTLEY: Political Reporter

THE Transitional Executive Council has not decided whether to scrap the Internal Security Act's notorious Section 29, which was the subject of a heated debate in a closed session of the council on Tuesday.

The debate on the section, which allows for detention without trial, took place after a verbal "security briefing" to the council by the SAP's General Krappies Engelbrecht — which was blacked-out to the media.

The debate split the TEC down the middle, according to one council representative.

Law and Order Sub-Council chairman Peter Gastrow said a decision on Section 29 would be made tomorrow and on Tuesday.

He said some parties had proposed

"other alternatives" during Tuesday's debate.

These are thought to include the amendment of the section to bring it into line with the human rights stipulations of the interim constitution's Bill of Rights.

Such an amendment could be made during the March parliamentary session or by presidential decree. (329)

The TEC member said that on Tuesday, General Engelbrecht had described political violence as having bottomed-out, although he added there was no sign of a positive trend yet. (329)

No large-scale war was likely from right-wing quarters, but the 30 smaller incidents of sabotage proved the Right had the ability to disrupt services, he apparently told the council.

(News by Ray Hartley, 11 Diagonal Street, Johannesburg)

Don't let section 29 slip into the new SA

WM 25/2-3/3/94

(329)



No government should be given draconian powers — even when fear stalks the land. The TEC should condemn section 29, argues **Kader Asmal**

IN 1976 the British ambassador to Ireland was assassinated by the IRA in a dramatic coup d' theatre explosion outside Dublin. The Coalition Government of the day immediately introduced legislation for internment without trial for up to seven days. There was an immense public furore and some of us, concerned at the implications for public life, led a campaign against the measure. Although the Irish parliament caved in to the ministerial diktat, the supreme court, in upholding the legislation as it had to under the constitution, introduced so many conditions — right of access to lawyers, to family, to a doctor and to a minister of religion — that the detention provision has never been invoked.

The lesson of this experience is illuminating for us in South Africa. It has indelibly imprinted itself on me, together with the understanding of the mayhem during our permanent emergency. We have had 12-day, 90-day, 180-day and subsequently indefinite detention without trial as a normal state of affairs for over 30 years. The Public Safety Act, with its draconian judge proof assumptions, was an additional armoury in the hands of a repressive regime. When the Internal Security Act was amended after February 2 1990, the government insisted on the retention of detention without trial, now for 10 days but conferring authority on a judge to extend the period.

However, the climate of public opinion has changed sharply. The ANC in its Bill of Rights of November 1990, expressly and unusually prohibited such detention as a violation of fundamental rights; other parties implicitly rejected such a concession to alleged public needs. During the Codesa debates, every party, with the exception of the government and the National Party, opposed detention without trial. But there was no "sufficient consensus". With the collapse of Codesa, we had to wait until the multi-party talks at Kempton Park which convened last year when an historic advance towards the recognition of the evils of detention took place.

Once again, the government was the odd man out. Although the government's Charter of Fundamental Rights of February 1993 described

violation of personal freedom as "one of the most serious infringements of a person's fundamental rights", the document permitted detention without trial for up to 10 days, with a further extension under judicial supervision. There was no concession to the liberal nonsense of access to family etc.

Yet the government was overruled at Kempton Park. The technical committee dealing with discriminatory and repressive legislation advised against the retention of section 29 of the Internal Security Act. This time, there was "sufficient consensus" at the Negotiations Council for its repeal.

The recent contretemps at the Transitional Executive Council must therefore be seen in our own context and in the light of international experience.

Human rights watch

From this week, the Weekly Mail & Guardian will revive its old "Apartheid Barometer" in new form as a regular feature to highlight detention without trial and other human rights abuses. See the bottom of this page for the first Human Rights Barometer.

rience. The overwhelming opposition to detention without trial arises out of a universal experience of torture, ill-treatment, degrading punishment and humiliation associated with this arrangement. Yet, the objections are more basic.

Detention without trial violates the presumption of innocence because part of the reason for such deprivation of liberty is to "make people talk". Our courts have not been particularly zealous in excluding such "evidence". Even with the most stringent safeguards against ill-treatment, the deprivation of liberty, the alien conditions under which people are held and the overwhelming ethos of state power, induce persons to make the most extraordinary confessions or admissions inculcating totally innocent persons.

In Ireland, ordinary policemen privately but strenuously opposed such powers as a licence to obtain confessions. They ought to know.

Most important of all, detention without trial leads to an incompetent police force.

There is no pressure to fine-tune professional and forensic skills con-

cerning the gathering, sifting and collating of evidence. Pick up the usual suspects is the lazy but disastrous approach, as we have learnt recently from some of the Pan Africanist Congress and Azapo arrests. Laws concerning incitement to violence and conspiracy are not used against those who threaten public order. Finally, detention without trial has been used for partisan political reasons against enemies of the party, rather than alleged culprits against the state. Politicians have an infinite and credulous capacity to believe what "securocrats" tell them. We should not provide them with a statutory opportunity.

There is no reason why the TEC should not "advise" De Klerk to repeal section 29 and consign this horrendous power to the dustbin of history. On the contrary, alleged technical reasons have ensured an avoidance of any discussion at the TEC about the use of similar powers in the "independent" homelands. All such laws ought to be repealed as a signal about our future.

We cannot concede to administrative convenience or political expediency on the issue of the freedom of the individual. Neither should it be left to the judiciary. If there is a genuine emergency, as determined by the Interim Constitution, then in common with other democratic countries, we can invoke the provisions of the constitution against a threat to the foundations of the incipient democratic order. But, in the meantime, even when fear stalks the land, it is vital that the core values of civilised jurisprudence are not violated by conceding to any government such draconian powers, outside a real emergency.

In the South African context, we should remember Milan Kundera's injunction that the demand for human rights is the struggle of memory against forgetting. Too many horrifying things have happened in the privacy of John Vorster and Caledon squares for us to allow the use of impermissible state powers even against the Afrikaner Weerstandsbeweging and other recalcitrants. We must ensure, like Kundera, that memory is victorious.

■Kader Asmal is professor of human rights law at the University of the Western Cape and a member of the National Executive Council of the ANC

Detention law may be axed

By BARRY STREEK (329)
Political Staff

THE controversial detention-without-trial clause of the Internal Security Act could finally be scrapped tomorrow when the Transitional Executive Council meets in the city.

28/2/94
The TEC has been strongly criticised by political and civil groupings from right to left after it failed to implement clause 7 of

the Abolition of Political Restrictions Act, which contained a schedule of laws including section 29 of the Internal Security Act.

Parliament and the Multi-Party Negotiating Council had agreed the law should be scrapped.

One of the ANC'S chief negotiators, Mr Mohammed Valli Moosa, and one of its constitutional experts, Professor Kader Asmal, have publicly supported these

criticisms.

Professor Asmal wrote in the Weekly Mail last week: "There is no reason why the TEC should not 'advise' President De Klerk to consign this horrendous power to the dustbin of history."

He also called for repeal of similar powers in the homelands.

At present, 42 people, mostly right-wingers but also some PAC members, are being held under section 29.

ANC 'wants to scrap detention'

Political Staff

252 329

THE ANC is to support the immediate scrapping of detention without trial when the Transitional Executive Council meets in Cape Town today.

The ANC's secretary-general, Mr Cyril Ramaphosa, said last night that the ANC had always been opposed to section 29 of the Internal Security Act.

CT 13/94

The Minister of Law and Order, Mr Hernus Kriel, claimed yesterday that "other parties" in the TEC were in favour of keeping section 29 as a way of dealing with threats of violence from the right-wing and far left.

He refused to say whether the ANC was among them.

The TEC decided in January not to implement clause 7 of the Abolition of Political Restrictions Act, which provides for the scrapping of section 29 of the security laws and other laws.

Mr Ramaphosa's statement leaves the National Party as the only supporter of detention without trial.

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Section 29 debate today

CAPE TOWN — The future of the controversial Section 29 of the Internal Security Act, which provides for detention without trial for a period of up to 10 days, could be decided today.

MPs will hold a special snap debate in Parliament this morning on detention without trial, following the failure of the TEC over several weeks to remove the provision from the statute books.

The scrapping of Section 29 was approved last year by the multiparty negotiating council and a joint session of Parliament. The TEC's foot-dragging has been criticised in recent weeks by the Black Sash, the Human Rights Commission, Lawyers for Human Rights, Nicro, the Institute of Race Relations, the DP, the Inkatha Freedom Party, the PAC, CP and the Labour Party.

TEC law and order subcommittee chairman Peter Gastrow confirmed yesterday that Section 29 was the first item on its agenda for its meeting this morning in Cape Town. "We will formulate our recommendation to the TEC," he said.

The TEC is scheduled to discuss the

matter when it meets next Tuesday.

The subcommittee is expected to recommend the scrapping of Section 29 after ANC secretary-general Cyril Ramaphosa said the ANC had always opposed the section, and continued to do so, despite representations to keep it in force.

The DP representative at yesterday's TEC meeting, Ken Andrew, urged the TEC parties to "stop filibustering".

It is understood four options are being considered: scrapping Section 29; its retention; its amendment to bring it into line with the constitution; its repeal and replacement.

Only since Ramaphosa's intervention on Monday has it become clear the ANC will support scrapping of Section 29.

The NP and the government are now the only groups supporting the retention of Section 29.

Earlier yesterday the CP tabled a Bill in Parliament calling for the immediate scrapping of Section 29.

Report by P. Cull, EP Newspapers, Press Gallery, Parliament, and B. Strack, TML, Press Gallery, Parliament.

Political Staff

Only NP supports keeping Section 29

B/Dew 3/3/94
TIM COHEN

CAPE TOWN — Only the NP expressed support for the retention of Section 29 of the Internal Security Act, which provides for detention without trial, during a special debate in Parliament yesterday.

The debate did not require a vote and will not result in any legislative action.

The debate was initiated by Inkatha MP Hennie Bekker.

CP MP Jurg Prinsloo said CP supporters were being arrested "in the middle of the night under circumstances that are upsetting to their families". Reversing the CP's past support for the legislation, he said the legislation was being used specifically to detain conservatives.

ANC-aligned MP Dave Dalling called for the "immediate repeal" of the legislation, but spent his speech explaining how the legislation was not comparable to the more draconian brand of detention without trial applied in the '80s (329) (252)

The principle of habeas corpus was recognised in the legislation, and access to doctors and lawyers was permitted.

He also lashed out at the CP's stance, describing the party's opposition as "cynical and hypocritical", saying it could hardly be called a stand on principle.

DP MP Colin Eglin said the DP supported the immediate repeal of the legislation, pointing out that Parliament had already decided it should be scrapped.

The legislation was due to be scrapped, but the promulgation of the legislation which would implement its termination had been delayed following discussions in the TEC.

The retention of the legislation was illusory because it was of marginal benefit to the police, he said.

□ To Page 2

Section 29

B/Dew 3/3/94 □ From Page 1
The new constitution would not authorise the retention of Section 29, he said. Current legislation should be based on the best parts of the new constitution, not the worst parts of the old constitution. (329) (252)

Law and Order Minister Hernus Kriel reiterated his support for retaining the legislation until the election, saying it was neces-

sary because of the deteriorating security situation. "We must not let our ideals run away with us."

He cited Judge Curlewis's judgment in CP MP Clive Derby-Lewis's trial. Curlewis said Section 29 was the only effective mechanism the police had for dealing with subversion.

Report by T. Cohen, TML Press Gallery, Parliament, Cape Town.

The end looms for two despised laws

TIM COHEN

B1 Day

THE writing is on the wall for two of SA's most despised laws — Section 29 of the Internal Security Act and Section 205 of the Criminal Procedure Act. 813194

The Transitional Executive Council's law and order subcouncil yesterday recommended that Section 29 be repealed immediately. It said 75% of the subcouncil's members favoured abolishing Section 29 immediately, while the minority favoured retaining it after an SAP report had recommended that it should not be scrapped until after the election.

The subcouncil said adequate legal provisions existed to meet any possible security threat and its retention would hamper sound police/community relations. 322

The subcouncil also recommended the repeal of corresponding legislation in self-governing territories and TBVC states.

Meanwhile, the Justice Department announced yesterday that the General Law Sixth Amendment Act had come into effect, including changes to Section 205 of the Criminal Procedure Act. 329

Section 205 allows a magistrate to question any person about an alleged crime, with penalties if the person refuses to provide the information. It became controversial following its use against journalists.

The Act has been amended so that anyone refusing to furnish information can be imprisoned only if, in the absence of an acceptable excuse, the information is necessary for the administration of justice and the maintenance of law and order.

Report by T Cohen, TML, 11 Diagonal St, Jhb.

Detention without trial to disappear from statute book

ARLT 9/3/94

329

□ Security Act change on TEC sub-council recommendation

ESTHER WAUGH
Political Staff

JOHANNESBURG. — The Transitional Executive Council has agreed on the repeal of the controversial section 29 of the Internal Security Act allowing for detention without trial.

At its weekly meeting last night the body agreed to the implementation of section 7 of the Abolition of Restriction on Free Political Activities Act,

which includes the repeal of sections of the Internal Security Act, sections of the Publications Act, the Prohibition on Foreign Funding Act and the Affected Organisations Act.

The decision followed a recommendation from the TEC sub-council on law and order.

The Abolition on Restriction on Free Political Activities Act was passed by parliament in December, and implemented, except for section 7, earlier this year.

er this year.

The TEC noted the sub-council's view that adequate provisions existed in law to meet the exigencies of the security situation.

The TEC instructed the sub-council to review all existing legislation with regard to its adequacy to meet exigencies of the security situation.

The body's two joint executive secretaries — Mac Ma-

haraj and Fanie van der Merwe — have been requested to monitor the security situation, in particular any threats such as acts of terrorism, and violence to the process of transition.

They are to make recommendations in consultation with the sub-council on matters relating to the combating of such threats.

(News by E Waugh, 47 Sauer Street, Johannesburg).



NOW LISTEN HERE! Shaneil, a rap artist from Prophets of the City, holds an ID card and tells schoolchildren about the voter registration process during a concert at a school in Soweto this week.

Only the NP has submitted lists

JOHANNESBURG. — Only the National Party has handed in candidate lists to confirm its registration for the election, Independent Electoral Commission official Norman du Plessis said today.

The parties had until 4.30pm today to endorse their registrations by submitting candidate lists.

The Transitional Executive Council undertook at its meeting yesterday to explore an extension of the lists deadline with the IEC. However, an amendment to the Electoral Act empowers President De Klerk to change deadlines, even retrospectively.

But practical difficulties prevent the IEC accepting late registrations. IEC chairman Mr Justice Johann Kriegler said he had already inspected a draft of the ballot paper and deletions were still possible. However, additions could not be made. — Sapa.

(News by P Bulger, 141 Commissioner Street, Johannesburg).

Sect 29 of 9/3/94 ~~22~~ to be (329) scrapped

PRETORIA. — The Transitional Executive Council yesterday decided to scrap detention without trial.

The TEC resolved to ask the State President to introduce section 7 of the Abolition of Restrictions on Free Political Activities Act. The section contains a provision to abolish section 29 of the Internal Security Act which provides for detention without trial.

The resolution was passed with reservations from government delegate Mr Roelf Meyer and Transkei delegate Mr Zam Titus.

The TEC resolved that its sub-council on law and order review all existing legislation to see whether it catered adequately for the security situation.

● Ms Martha Bridgeman, of the Black Sash legislation watch group, last night applauded the TEC's decision.

"With this move SA takes another step towards respect for human rights," she said. — Sapa, Staff Reporter

Subcouncil foils TEC on section 29

WM/1-17/3/94

Chris Louw (253) (329)

A DEFT political manoeuvre led to the Transitional Executive Council agreeing this week to the repeal of section 29 of the Internal Security Act, which allows for detention without trial.

The TEC's hand was forced by a shrewd move on the part of its subcouncil on law and order, security and stability (LOSS), which saw those in favour of keeping the controversial clause on the statute books outwitted. Peter Gastrow, chairman of the subcouncil, took the unusual step of pre-empting any TEC decision on the issue by making public the fact that the subcouncil had recommended the clause be scrapped.

It is understood that Gastrow deliberately released his subcouncil's recommendations to compromise the TEC, which has stalled on the issue.

Senior TEC members, including co-chairman and Transkei delegate Zam Titus, tried up to the last minute to stall a decision on section 29.

Titus on Monday tried to neutralise Gastrow's move by releasing a press statement on behalf of the TEC, claiming the TEC would only take a decision on section 29 after receiving a report from the subcouncil dealing with the security situation in the country and legislation to deal with it. At Tuesday's TEC meeting Titus argued that the subcouncil had failed to comply with what it had been instructed to do.

Government negotiator Roelf Meyer also expressed reservations about the repeal of section 29.

The TEC nevertheless resolved to ask the state president to introduce section 7 of the Abolition of Restrictions on Free Political Activities Act, which provides for the abolition of section 29. The TEC's joint executive secretaries were mandated to monitor the security situation and to make recommendations on combating the threats of terrorism.

Section 29 was a licence for torture, says ANC's Yengeni

FOR three days detainee Tony Yengeni was kicked and punched in the face until his eyes were swollen, his lips were cut and his face looked as if he had "collided with a truck".

His body was also full of bruises from being "kicked around like a football" as he was handcuffed and bound to a chair.

Mr Yengeni's 20-odd interrogators also repeatedly suffocated him with a wet bag, removing it when he was about to collapse.

Mr Yengeni, a former regional commander of Umkhonto weSizwe, was detained in Rondebosch in September 1987.

He was taken to the Culemborg police cells, where he said he was tortured and not given any food or water.

His interrogators wanted to know about weapons they said he had stashed away, as well as the whereabouts of ANC terrorists.

Mr Yengeni's experience — "you would not have recognised me after the torture" — is one of many of victims of detention without trial.

After the torture, Mr Yengeni said he was placed in solitary confinement.

To keep going, he played with ants in his cell, redirecting their

■ Section 29 of the Internal Security Act, one of the most hated laws of the apartheid era, was finally scrapped this week. One of the supporters of this move was Tony Yengeni, former regional commander of the ANC's military wing, Umkhonto weSizwe, who was detained under the Act for six months. Weekend Argus Reporter **VUYO BAVUMA** spoke to him about his experiences.

paths with crumbs of bread. He also sang revolutionary songs until he became tired.

Mr Yengeni, who had undergone military training in the Soviet Union and Angola, was detained in connection with terrorism charges on September 16, 1987.

In a subsequent trial that lasted more than a year, Mr Yengeni and another 13 accused were indemnified.

Interviewed by this week at the ANC election office in Community House, where he is a co-ordinator of the election campaign in the townships, Mr Yengeni said he was pleased the Transitional Executive Council had scrapped the legislation.

Last year parliament resolved to repeal the Act, but this was delayed by the TEC, prompting criticism by several organisations, including the Black Sash, Lawyers

for Human Rights and the Institute of Race Relations.

This week Mr Yengeni said he could not understand why there had been any delay in scrapping the legislation from the statute books.

To him, Section 29 was merely a "licence for the security policemen to commit crimes and get away with them."

"For example, there was no reason for the policemen to torture me after they had captured me."

"That inhumane Section 29 has no place in the new South Africa. It generally embodies the evilness and dirtiness of apartheid and is merely an excuse for the police to abuse the law."

Mr Yengeni said he could only welcome the scrapping of this piece of legislation — a step which showed that South Africa was changing for the better.

Detention law still in place

THE controversial detention-without-trial clause of the Internal Security Act is still law.

But its formal abolition could be published in tomorrow's Government Gazette. CT 17/3/94

A spokeswoman from the State President's Office, Ms Janetta Badenhorst, said yesterday the draft proclamation providing for the adoption of section 7 of the Abolition of Political Restrictions Act — which will abolish section 29 — was still awaited from the Department of Justice. (25) (29)

329

FW drags heels on scrapping sect 29

Chris Louw

WM 25-30/3/94

SECTION 29 of the Internal Security Act, allowing for detention without trial, is still on the law books — almost three weeks after President FW de Klerk was instructed by the Transitional Executive Council to scrap the controversial provision.

It is now probable the clause will only be scrapped after the National Party cabinet has decided on the issue.

Government officials deny the TEC has the power to instruct De Klerk to scrap the provision. A spokesman for the State President's Office said this week they were aware of the TEC decision, but that the necessary proclamation had yet to be drafted by the department of law and order.

However, a legal official in the ministry of law and order, Colonel Inus Sonnekus, said: "Constitutional opinion is

that there must be consensus between the TEC and the State President's Office on the issue. This means that the ministry of law and order has to advise the state president, after which the state president will come to his own decision."

Sonnekus said the issue may be referred to the cabinet.

The Democratic Party's TEC representative, Colin Eglin, this week expressed concern "that a decision taken by the TEC and which was conveyed to the state president in writing has not elicited any response".

He said the ball was now in De Klerk's court. "We have done our bit."

The reluctance to get rid of the controversial section flies in the face of a decision last year by the multiparty negotiating forum that detention without trial should be scrapped at the first possible opportunity.

Detention laws are still in place

CT 25/3/94

By BARRY STREEK
Political Staff

THE controversial provisions of section 29 for detention without trial have not been scrapped yet.

President FW de Klerk has not been given a draft proclamation for their abolition.

The Ministry of Law and Order, which is responsible for the drawing up of the proclamation and which has opposed the scrapping of section 29 of the Internal Security Act, appears to be sitting on the matter.

The Black Sash has slammed the bureaucratic tangle engulfing the repeal of section 29. It said yesterday this seemed increasingly like "another delaying tactic by the Nationalist government".

Asked if the ministry was blocking

the matter, a spokesman for the President's Office said: "I think the necessary paper work is being prepared and it will get to the President's Office shortly."

The Transitional Executive Council decided more than two weeks ago to implement clause 7 of the Abolition of Political Restrictions Act, which provides for the scrapping of section 29.

"We find it highly unlikely that the State President, whose authority over his cabinet under the 1983 constitution is renowned, cannot cause this advice to arrive post haste," Black Sash spokesman Mrs Martha Bridgman said.

The police have continued using section 29. A recent occasion was the detention of two German right-wingers at the weekend.

'Detention without trial never justified'

By Quentin Wilson

South 114 - 514/194

IF THE new government insisted on keeping some form of detention without trial, they could at least ensure there was some form of international supervision of detainees, the Human Rights Commission (HRC) advised last week.

In their recently released briefing paper, "Throwing light on detention without trial", the HRC came out strongly against the practise but said there should at least be international monitoring of detainees so as to minimise human rights abuses.

"The HRC acknowledges that any state is entitled to declare a state of emergency in order to preserve and defend its integrity against threats, whether external or internal.

"However, we reject the notion

that detention without trial can ever be justified; and maintain that whatever the safeguards, experience has shown that 'cruel, inhuman or degrading treatment' will inevitably occur, especially where interrogation is the purpose of detention," the statement said. (329)

It added that "at most" some "form of internment under international supervision and subject to international protocols could meet the needs of an emergency".

It suggested that the International Red Cross, or an equivalent international body, could perform this role.

The HRC also said it was "encouraged" to see that in the interim constitution, there was a clause which stated: "Every person shall have the right to freedom and

security of the person, which shall include the right not to be detained without trial".

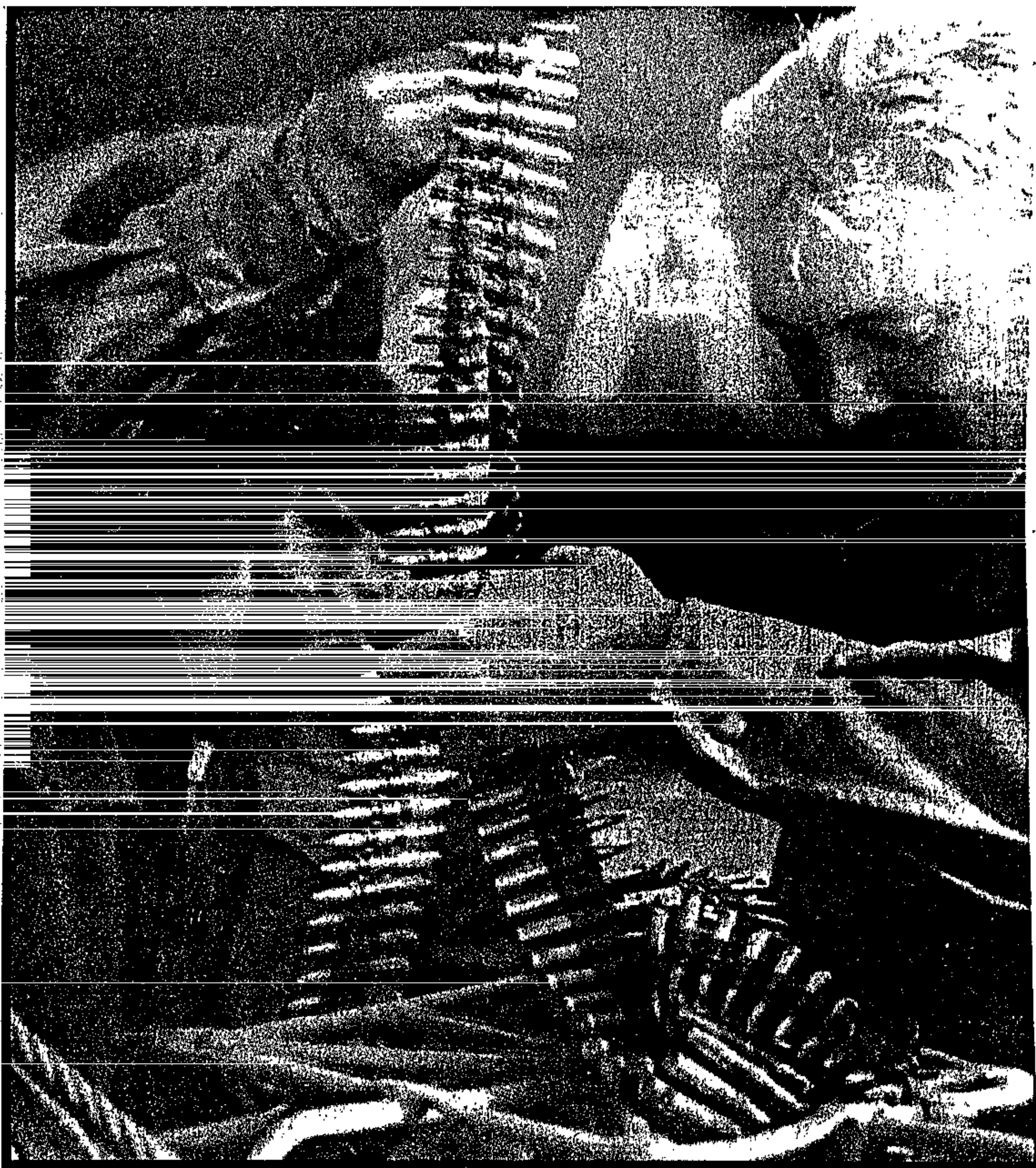
"This is clear enough and would seem to put an end to detention without trial," the HRC said. "However the right expressed is then suspended in a situation of a state of emergency."

The HRC also noted the "sorry record" of the past 34 years of detention without trial. It recorded that:

- 800 000 people were detained including 10 000 women and 15 000 children under 18 years old;

- 73 people died in detention;

- Only two to four percent of detainees have been convicted while between 75 to 80 percent of detainees have been released without being charged.



PREPARING... soldiers load a machine gun during a break from patrolling Kwamashu

Picture: DAVID BRAUCHLI (AP)

Quarter of all South Africans now under military rule

THE declaration of the Natal State of Emergency on Thursday has brought more than a quarter of South Africa's population under military control with the elections just four weeks away.

Not since the height of P W Botha's militarised states of emergency in the mid-1980s, has the SADF been the de facto au-

thority in such vast areas of South Africa. Since then the force has undergone several changes — including the scrapping of compulsory military service for white males.

Unlike in the 1980s when SADF generals could rely on thousands of conscripts — willing and unwilling — to rally to its call, the force has begun to show the strain of the demands being placed on it.

Some officers suggested this week that the SADF call-up of citizen force members would largely be ignored, leading to

a manpower crisis in the period leading up to the election.

SADF communications chief General Gert Opperman has subsequently contradicted this, saying only those who received exemption or were untraceable would ignore the call-up.

By RAY HARTLEY: Political Reporter

STimes

3/4/94

(327) (254)

Payment for 45 new teachers?

Staff Reporter

THE Transitional Executive Council (TEC) could advise that the 45 teachers appointed by two Philippi and Khayelitsha school committees without DET approval receive payment, despite a moratorium on the creation of posts for public servants.

Responding to the demand last week by the Ntshonalanga and Uxolo school committees that the teachers be paid, Department of Education and Training chief Dr Johan Brand reported that the DET head office in Pretoria had said there was no money and that the TEC had ordered no further posts be created.

However, yesterday the secretary to the TEC sub-council on finance, Dr Bethuel Setai, said the TEC was not against the "legitimate creation of posts" and did not want to "hold up the normal process of education".

Burden

325

CT 7/4/94

He said if the teachers made proper representation the TEC could "release" the controlling authority from the moratorium and advise that money be found and posts be created.

He said the moratorium was called because of the "rampant creation of posts that would be a burden on the new government".

Dr Setai said serious consideration would be given to both the DET and teachers' circumstances.

Dr Brand said the school committees went ahead with the appointment despite being clearly told that there were no posts.

"Until we receive posts they cannot receive payment," he said.

However, he said the department was trying "all ways and means" and was expected to partially accede to the requests.

Tax rebates

By Ike Motsapi

MORE than R8 million in tax over-deductions is being paid back to workers by the Department of Inland Revenue.

A spokesman for the Commissioner of Inland Revenue said yesterday that people should contact their nearest offices to claim their Standard Income Tax on Employees refunds.

Mr Peter Casaisa of the Workers' Tax Consultants, whose company has been involved in a campaign to secure the tax refunds, has appealed to employees to contact his firm as soon as possible.

Casaisa said many people were not aware that they were over-taxed over a three-year period starting 1989.

Casaisa can be contacted at (011) 333-2212/3.

Sweetam

8/4/94
and his three United Democratic Front
colleagues were brutally slain outside
Bluewater Bay, about 20 kilometres
from Port Elizabeth.

On the day Van der Westhuizen's retirement became effective, Eastern Cape Judge President Mr Justice Neville Zietsman dismissed an application by Van der Westhuizen's legal counsel, advocate Anton Mostert, SC, for Mr Justice Zietsman's recusal.

Legal counsel for the Goniwe family at the inquest, Mr George Bizos, SC, has, during final argument, called for Van der Westhuizen and two other retired military officers to be charged with the murders. Van der Westhuizen's retirement comes less than two months before a finding in the inquest is to be made on Friday May 13. — *Ecn*.

spokesman Colonel John Rolt said the SADF was not in a position to divulge Van der Westhuizen's medical status.

He has been temporarily replaced by Major-General Dirk Verbeek, from April 1, as head of Military Staff Intelligence. (B27) (S4)

Twenty days after the signal was sent to the head of strategy at the secretariat for the State Security Council, General Johannes Janse van Rensburg, Goniwe

Retirement not unique to prove or convince's death, says SADF

General named in inquest bows out

Star 8/4/94

OWN CORRESPONDENT

Port Elizabeth — The South African Defence Force has denied that the retirement of intelligence chief Lieutenant-General Joffel van der Westhuizen was a result of pressure from the inquest into the deaths of Matthew Goniwe and three other Cradock activists.

Van der Westhuizen quietly bowed out of intelligence circles on March 31.

He is said to have retired for medical reasons.

Van der Westhuizen's retirement comes less than two months before a finding is to be made in the reopened inquest into the brutal murder of Cradock activist Matthew Goniwe, Fort Calata, Sparrow Mkhonto

MEDICAL reasons

given for departure of Joffel van der Westhuizen from military intelligence Service

and Siculo Mhlawuli in June 1985.

The 51-year-old general, a central figure in the inquest, worked his last day on March 31, after which he set off on a two-week holiday to an unknown destination.

His hush-hush retirement was confirmed by the SADF yesterday.

SADF spokesman Colonel John Rolt said the SADF was not

in a position to divulge Van der Westhuizen's medical status.

He has been temporarily replaced from April 1 by Major-General Dirk Verbeek as head of the Military Staff Intelligence.

Van der Westhuizen's name appeared on the controversial signal message calling for Goniwe's permanent removal from society.

Evidence before the inquest court was that the signal, dispatched from Eastern Province Command while Van der Westhuizen was still a brigadier, had been Goniwe's death order.

Twenty days after the signal was sent to General Johannes Jansse van Rensburg, head of strategy at the Secretariat of the State Security Council, Goniwe and his three United Democratic

Front colleagues were slain near Bluewater Bay, about 20 km outside Port Elizabeth.

Further evidence before the court, which has sat for 14 months in an attempt to unravel the eight-year-old mystery, was that Van der Westhuizen was the author of a top-secret military plan, with the codename Operation Katzen, which aimed to destabilise the Eastern Cape and included a plan to murder former Ciskei strongman Lennox Sebe.

Legal counsel for the Goniwe family at the inquest, George Bizos, SC, called during final argument for Van der Westhuizen and two other retired military officers to be charged with murdering the Cradock four. — Eena.

A taxing problem for government

(320) WM 8-14/4/94

Simon Segal

A NEW government will have a hard time funding a reconstruction programme such as that proposed by the ANC through higher taxes.

This is the implication of taxation figures in the Finance Department's *Fiscal Review* released last week as part of the its draft budget for the fiscal year 1994 to 1995.

South Africa's tax burden is now around 24 percent of gross domestic product (GDP).

The Finance Department reckons for the period 1987-88 to 1993-94 South Africa's average tax burden was similar to the average of selected developing countries in 1990. Hence there is limited scope to fund reconstruction and development through higher taxes.

Direct taxes on income, profits and capital gains are 13 percent of GDP.

Tax on individuals contributes 3,4 percent of GDP and 14 percent of total tax revenue. Company taxes contribute 9,5 percent of GDP and 40 percent of total tax revenue.

On average in the developing countries selected tax on individuals contributes 3,5 percent of GDP and 15 percent of total tax revenue and tax on companies 3,8 percent of GDP and 16 percent of total revenue.

By contrast, in industrialised nations individual tax accounts for 29 percent of the total, while companies contribute seven percent (2,5 percent of GDP).

South Africa's domestic tax take on goods and services at 10 percent of GDP is similar to the industrial country average of 11 percent, rather than the eight percent average of developing countries.

International trade and transaction taxes comprise 1,5 percent of South Africa's GDP, between the average for developing countries of two percent, and industrialised countries at 0,5 percent. But if import surcharges are excluded, South Africa's import duty level is comparable to industrial countries.

South Africa has no social security tax. In developing countries such taxes bring in on average an amount equal to four percent of GDP or 18 percent of total tax revenue. The figure for developed countries is nine percent of GDP or 24 percent of tax revenue.

Central government's current revenue (from tax and other sources) is around 25 percent of GDP, higher than it was 20 years ago. The figure was 19,5 percent for the 1974-75 fiscal year.

Non-tax revenue has declined consistently over the last 20 years. It is a mere 0,7 percent of GDP in the 1994-95 budget.

Two reasons are put forward for this:

- User charges levied by government bodies have not kept up with inflation.

- The contribution of mining leases and ownership has declined since the mid-1980s thanks to smaller profits from lower rand values of commodities and rising input costs.

More than 99 percent of government revenue comes from tax.

On the spending side, South Africa already directs a high 44 percent of total government spending into social services, so there is not much room to increase this figure. Since 1990 this has risen on average 19 percent a year compared to the average annual growth in total government spending of 16 percent.

Of the amount put aside for social services, 21 percent goes into spending on education, 11 percent on health, 8 percent on social security/welfare and 1,2 percent on housing.

Section 29 still on the books

By BARRY STREEK

THE controversial detention-without-trial provisions of the Internal Security Act, which the Transitional Executive Council voted to abolish five weeks ago, are still on the statute books.

A spokesman for the State President's Office, Mr Richard Carter, confirmed yesterday that President F W de Klerk still had not signed the proclamation abolishing section 29 of the act.

He added that the Ministry of Law and Order, which was responsible for drafting the proclamation, had not yet sent a draft proclamation to Mr De Klerk.

A spokesman for the Ministry of Law and Order, Mr Craig Kotze, said he was unaware of the situation about the proclamation, but said the TEC had the power to communicate directly with the State President's Office.

In effect, detention-without-

trial for interrogation purposes remains the law, even though the Multi-Party Negotiating Forum, Parliament and TEC have all voted for its abolition.

It is significant that the police and the Minister of Law and Order, Mr Hernus Kriel, were the only people opposed to the scrapping of section 29 and it seems more than bureaucratic inertia is delaying its final abolition.

TEC stalls on detention law

WMS-21/4/94 (329)

CONFIDENTIAL documents leaked to the *Mail & Guardian* make it clear that the Transitional Executive Council favours detention without trial — despite its public commitment to abolishing it. It is almost certain that detention powers will remain on the statute book until at least the election.

Five weeks ago, the TEC resolved that section 29 of the Internal Security Act, providing for detention without trial, should be replaced by the Abolition of Restrictions on Free Political Activity Act, giving the state president a wide range of powers to "abolish matters that impede free political activity".

However, the *Mail & Guardian* was leaked documents this week showing that the issue of special powers for the police to replace those provided for under section 29 was discussed by the law and order sub-council in a closed meeting on March 28.

"In view of the deteriorating security situation and in the light of intelligence reports now made available," the subcouncil recommended alternatives to section 29 providing for detention for purposes of interrogation.

Despite agreeing to scrap detention without trial five weeks ago, the TEC still favours section 29, reports **Chris Louw**

tion.

The subcouncil stipulated that such provisions must be "less oppressive" than section 29, must have more checks and balances and must be a step closer to the require-

ments of the new constitution. TEC backtracking on detention without trial is also suggested by its unwillingness to force De Klerk's hand on the issue.

The TEC proposed as long ago as March 8 that section 29 be scrapped and replaced by the Abolition of Restrictions on Free Political Activity Act. Five weeks later, De Klerk has yet to sign the new legislation.

And although the TEC this week sent a delegation to De Klerk to insist that prisoners be allowed to vote in

accordance with its recent decision, the detention issue was not raised.

A spokesman for the state president's office said this week De Klerk had not signed the new Act because he had not yet received the relevant documents from the Ministry of Law and Order.

However, TEC liaison officer Dries van Heerden insisted the TEC's decision that detention without trial be scrapped was conveyed to De Klerk at the first possible opportunity.

He quoted TEC executive secretary Mac Maharaj as saying that the TEC's position on the issue was "unaltered".

Much of the jousting between the TEC and De Klerk is for public consumption — it has become clear that on most issues, they are at one.

The prisoners' vote issue is a case in point. Playing to its constituency, the NP made a show of resisting the proposal — NP representative at the TEC Dawie de Villiers insisted that his party strongly opposed voting rights for prisoners.

"We are against allowing prisoners the vote; they have totally shown disrespect for the fundamental rights of other people, in some cases the most fundamental right of all — the right to life — and I cannot see how they can be allowed to vote," he said.

De Villiers added, however, that provision was made in the Electoral Act for certain categories of prisoners to vote.

One of the Independent Electoral Commission's concerns was it could not draw a distinction between those entitled to vote and those without that right.

"They argue that trying to implement that will create chaos and violence. The question is how practically one can deal with that in a prison situation. There are logistical and practical problems also involved, not only the the issue of principle."

The final decision, he said, would be taken by De Klerk, "and I cannot speak on behalf of the state president".

PWV will pay a hefty price for its privilege

SI Times
17/4/94
320

By CLAIRE ROBERTSON

PEOPLE living in the PWV will pay almost as much income tax this year as the rest of the country put together.

An annual direct tax burden of R21,8-billion — 49 percent of the national total — is the PWV's price for being by far the wealthiest of the nine new provinces.

Conversely, dirt-poor Northern Transvaal will contribute just two percent of the projected R44-billion the state will receive in income tax.

These findings are contained in a socio-economic profile of South Africa's nine new provinces compiled by Unisa's Bureau of Market Research.

The study — the first to be undertaken of the provinces' economic strengths and growth potential — shows up huge disparities among some regions.

The PWV province will be small, crowded and very wealthy. More than 365 people are crammed into each of its 19 000 square kilometres.

On average, people in this region command a disposable income (after tax) which is 126 percent higher than the national average — some R16 500 a year.

The province's inhabitants as a group command the greatest personal disposable income — 39 percent of all after-tax income in the country.

The Northern Transvaal, of fairly average size (10 percent of the country's area) and average population, is headed for a fiscal crisis. With a per capita disposable income of R2 112, it has the lowest earnings at 29 percent of the national average.

Although the bureau has calculated the growth potential of centres in each of the provinces, the Northern Transvaal is found to have "no large economic concentrations".

Pietersburg-Seshego, the province's largest economic centre, has a share of only 0,6 percent of the country's employment.

"Like Kimberley, Pietersburg may be in line for an economic boost if it is designated the provincial capital," the study con-

cludes. But Lebowakgomo, and not Pietersburg, was named temporary capital last month.

The Northern Cape will be the largest province, accounting for 30 percent of the country's area. But it has by far the smallest population — just two people per square kilometre.

Its people have the third highest after-tax income in the country, with a per capita disposable income of R7 403, slightly above the national average of R7 320.

But there are only 749 000 people, bringing in just 1,5 percent of the state's direct tax.

At present, the province's economic centre, Kimberley, is predicted to have a relatively low growth index — 7,5 percent lower than the national average, and its share of employment is not expected to have exceeded 0,5 percent by 1995.

Kwazulu/Natal will have the largest population, with some 8,5-million inhabitants spread over 92 000 square kilometres, making it the second most crowded province, with a

population density of 92 per square kilometre.

This province's several growth areas are given positive expectations until 1995. The Lower Umfolozi, Klip River-Emnabithi and Newcastle-Madadeni regions are predicted to perform above the national growth index, with Lower Umfolozi's growth set at 13 percent above the national average.

The Eastern Transvaal, the second smallest province, is the country's fastest growing area, with growth concentrated in three regions: Middelburg-Witbank, Highveld Ridge and the Nelspruit-White

River areas. "With an average growth rate of seven percent a year between 1970 and 1990, the Eastern Transvaal has more than doubled its relative share in economic activity within the space of 20 years," the study found.

The rapid development of the wood pulp industry, mining activities and the generation of electricity will probably raise the indices of the growth areas above the national average until 1995.

Four of the new provinces each cover roughly 10 percent of the country's total area and have mid-

ling population densities of between 21 and 40 people per square kilometre. These are the Western and Eastern Cape, the Free State and North West provinces.

The Western Cape — a relatively wealthy province with a per capita disposable income of R12 387 — is the home of the well-paid worker. "Levels of employee remuneration are expected to be much higher in the Cape Peninsula than the average of South Africa as a whole," the study concluded.

The Peninsula is expected to maintain its relative share of economic activity until 1995 — and the province will boast an area with a rapid growth rate, the southern Cape region of George, Mossel Bay and Riversdale.

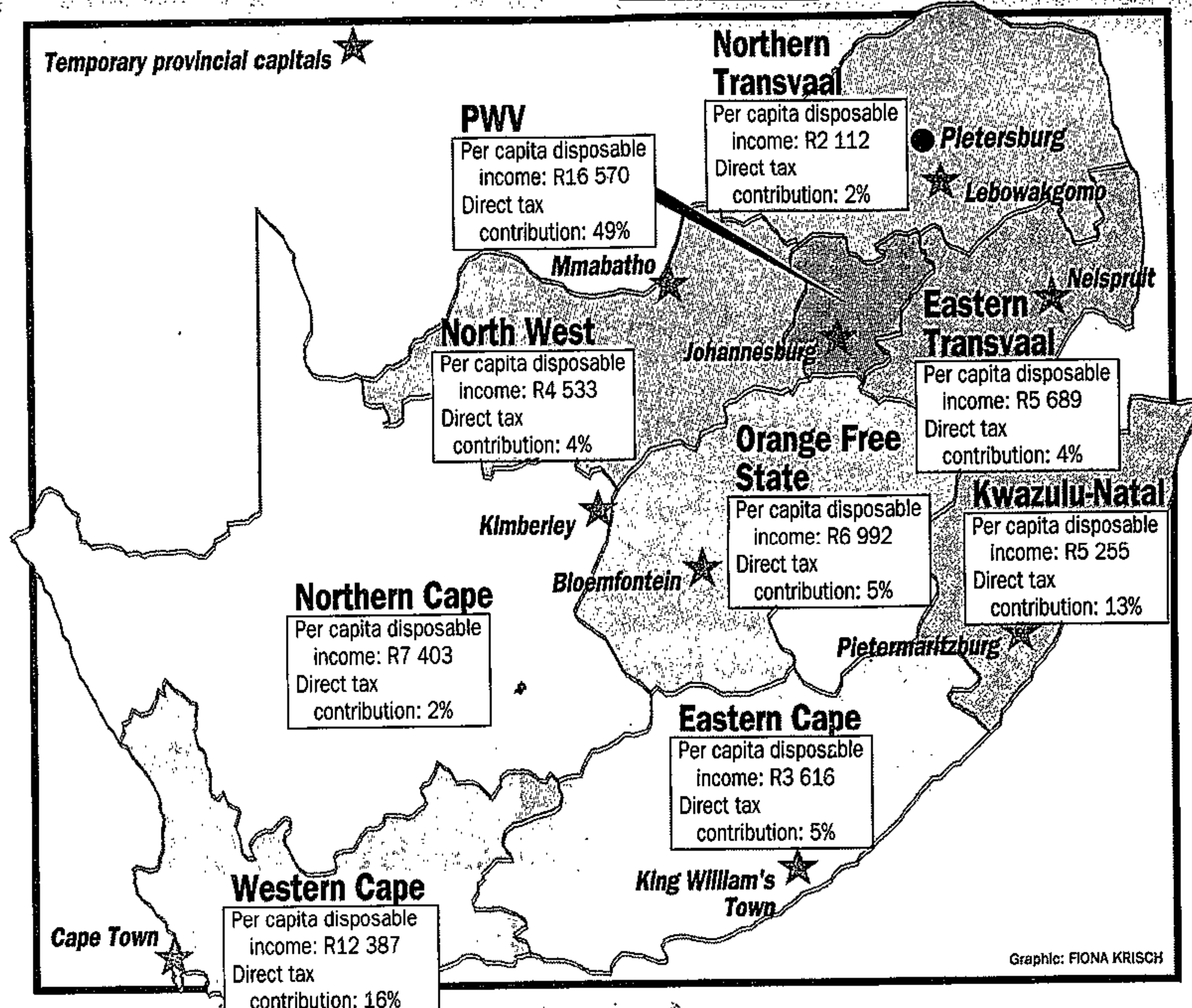
These districts are predicted to grow 2,6 percent faster than the rest of the country.

Mixed fortunes are predicted for the Eastern Cape's "growth districts" of Port Elizabeth-Uitenhage and the East London-King William's Town-Bisho area. The former is expected to perform slightly below the national average and the latter slightly above until 1995.

In the North West province, Potchefstroom and Bafokeng, Madikwe and Makwe will probably outstrip the average for South Africa, while areas dependent on mining, such as Rustenberg and Klerksdorp, are on the wane.

The Free State's Gold Fields will also be hit by a decline in mining and the region's growth rate is expected to fall to roughly two percent below the national average until 1995.

Bloemfontein-Botshabelo, the second largest economic concentration in the province, has a relatively high growth expectation with an index of 103,4.



Whites still bear biggest tax burden

By CLAIRE ROBERTSON

BLACK people will command the major share of income after tax in five of South Africa's nine new provinces.

But these are, in general, the poorer provinces.

Whites as a group are the top earners in the two wealthiest provinces — Pretoria-Witwatersrand-Vereeniging and the Western Cape — and in the Northern Cape, whose tiny population earns well.

These findings are contained in a socio-economic profile of the nine provinces produced by Unisa's Bureau of Market Research.

Whites will give up 20 percent of their income in direct tax this year. Asians will

pay 11 percent, coloureds seven percent and blacks just over three percent.

The study says: "The relative tax burden of whites is greater because their income is higher and tax scales are progressive."

"In all provinces, the direct tax burden falls most heavily on whites."

The white tax percentage ranges from 90 percent in the PWV — where whites represent 31 percent of the population — to 60,8 percent in the Northern Transvaal — where whites represent only 2,8 percent of the population.

"The most contributed by blacks is 37 percent in the Northern Transvaal and 20 percent in the North West," said the study.

Whites are expected to command an average income of R27 847 each this year. The average Asian will receive 40 percent

of the average white's income, the average coloured 27 percent and the average black 13 percent.

"Differences in salaries and wages for equal work play an insignificant role here because the gap is closing fast between white and other population groups' pay for equal work," said the BMR study.

The wage gap for equal work is estimated to be down to 14 percent from 90 percent in the early 1970s.

The differences can be ascribed to high unemployment rates among blacks, different levels of education and the numbers of children and other economically inactive persons in each population group.

Black and white earnings follow closely the fortunes of the province in which they live and work. In the wealthier provinces,

the gap between black and white earnings is smaller than in the extremely poor areas such as the Northern Transvaal.

Disposable income (after tax) in the PWV is 126 percent higher than the national average. Everyone is wealthier — white income is 12 percent up on the national average and blacks earn 154 percent more than South African blacks on average. The average black income here is 30 percent of what whites take home.

Income differences between blacks and whites are at their most stark in the Northern Transvaal, where the average black receives only seven percent of the disposable income of the average white.

This is after the average white Northern Transvaal receives 25 percent less than the national average for whites.

Detentions without trial in Natal slammed

DURBAN. — Human rights organisations and the Democratic Party have condemned the continued detention without trial of at least 92 people in Natal under emergency regulations during the past 18 days.

The earlier total of 42 increased

with the detention of 46 men believed to be African National Congress members. They were caught in a combined SADF/SAP operation at the weekend while allegedly undergoing paramilitary training at Mariannhill Primary School outside Durban. A further four deten-

tions were reported yesterday. Inkatha spokesman Mr Ed Tillet said the arrest of the ANC men belied claims by the ANC that it was the IFP which was mobilising for war in the province. ANC spokesman Mr Dumsani Makhave denied any knowledge of any such

training or of the arrests. Neither the IFP nor the joint SADF/SAP Natal Security Committee could confirm rumours that 17 IFP members had been detained in Vryheid last week, but Mr Tillet claimed security forces had been

singling out Inkatha members for detention. An advocate and two other men have been appointed by the justice ministry to visit detainees, ensure their conditions are satisfactory and make recommendations about releases or detentions.

Whites 'pay 83% of SA's direct tax'

JOHANNESBURG. — Whites pay 83% of South Africa's direct taxes, according to a report by Unisa's Bureau of Market Research. (320)

Direct tax comprises mainly income tax.

The report contains information on the surface areas, populations, per-capita incomes, direct tax bases and expenditure patterns of the nine new provinces.

Regarding personal disposable income (income after direct taxes), whites earn 48,9% of the country's total pay packet, blacks 38,3%, coloureds 8,9% and Asians 3,9%. CT 19/4/94

State coffers get 20,3% of whites' incomes, 11,2% of Asians', 7,3% of coloureds' and 3,4% of blacks' incomes. — Sapa

Boeing, Airbus dogfight over African market

JOHANNESBURG. — The world's toughest competitors in jet airliners — Boeing and Airbus — are going head-to-head in the promising but difficult African market.

With African airlines flying some of the oldest aircraft in the skies both the US giant and European consortium see good prospects for sales of new and good second-hand jets.

"There are a lot of aircraft in Africa that need replacement," Boeing spokesman in South Africa Johan Pheiffer said at the Aviation Africa '94 Air Show.

Apart from replacing ageing aircraft Boeing sales director Tom van der Hoeven expects a 59% growth in passenger traffic in and out of Africa by the year 2000.

"The share of new and replacement aircraft for African airlines should total 1,6% or \$13bn out of a total market of \$815bn, by 2010," he said.

Boeing is pitching its 767 and to a lesser extent the new 777 at African airlines upgrading from elderly 707s.

In another hangar at Jan Smuts Airport the Airbus Industrie consortium is doing its bit to promote the Airbus family of aircraft to African airlines.

"We're very actively pushing for the (wide-bodied, four engined) A340 in Africa at the moment," said Airbus's SA spokesman Linden Birns. "SAA has a fleet upgrade pending and we believe the A340 is a good candidate for a lot of their routes."

Air Mauritius is an early buyer of the A340.

Optimism

Senior officials of the African National Congress are among those visiting the Airbus stand this week.

While few at the show expect major deals to be announced due to the political uncertainty of the elections, exhibitors were generally optimistic about the prospects for the region with the greater economic integration of a non-racial SA.

Aviation industry figures in SA see the end of apartheid and the scrapping of sanctions as paving the way for Jan Smuts to become a major hub serving passenger and freight traffic for the whole of southern Africa.

SAA and Simera — an offshoot of former Armscor — have sophisticated repair and construction facilities, adding to the country's attractions to nearby airlines.

Sheer numbers of old aircraft help as well.

"The big question is how we are going to replace those aircraft," said Nick Fadugba, publisher of African Airlines magazine. "In Africa we have over 100 jet aircraft which are due for replacement with modern jetliners."

But for Boeing and Airbus a major obstacle to developing the new-aircraft market is a lack of money in most African states. Aviation sources said some airlines in the region are already taking complex leasing and aircraft-sharing agreements to ease the burden of new multi-million dollar airliners.

"The unfortunate thing is that there really isn't the money at the moment," said one industry spokesman. — Reuter

April 22 to April 26 1994

Principals back ANC

South 2214 - 26/4/94

By Edwina Booysen

MORE than 30 Western Cape school principals have announced they will vote for the ANC on April 27 to prevent the National Party turning the Western Cape into a "disaster".

The principals have responded to a call by Peninsula Technikon rector Mr Franklin Sonn, who last month called on all "decent, God-fearing and principled people" to join him in "saving the Western Cape from the disaster of a Kriel-led NP government".

The call has also been heeded by all school principals in Beaufort West.

Mr Eddie Snyders, co-ordinator of the Principals' Forum and principal of Garlandale High School, was one of the first to go public.

"During a time like this it is necessary that leaders in the community be transparent in their dealings," he said. (323)

"In order to lead one must make choices and if a stand is taken people will trust you and in that way inform others.

"After 40 years of educational involvement — 28 years as a principal — I am dismayed and disgusted at the manner in which the National Party has dealt with our children's education.

"The ANC has an education policy which is non-racial and non-discriminatory and will promote equal opportunity," he said.



EDDIE SNYDERS

"Now is the time to say that never again will we allow a minority group the opportunity to ruin our lives."

Mr John Swart, principal of Modderdam Senior Secondary, said he has come out publicly in support of the ANC because of Sonn's appeal and the Principals' Forum's feeling that principals needed to set an example.

"But I also went public because I support the ideologies and struggle of the party over the past decades," Swart said.

The ANC, he said, has succeeded in discarding the ideologies of the country's "rulers" and in exposing its injustices.

"The NP has left us with a heritage of scars, both physical and emotional, and that is why we cannot vote for them."

Among the principals from Beaufort West who committed themselves to the ANC are Mr M de Villiers, principal of AH Bernard Primary; Mr Henry Sabbat, principal of Restvale Primary; Mr Leslie Dumpies, principal of St Matthews Primary and Mr Vergil Groepe, principal of Teske Gedenk Primary.

● The ANC, Sadtu, CTPA and Cosatu will also be holding a teachers' and community initiative in Beaufort West on Thursday with the main focus on an End Racism in Education campaign. More than 500 teachers from 15 Karoo towns are expected to attend.

E Booysen, 76 Darling Street, Cape Town

A harsh midwife for the *STimes* new SA

By RAY HARTLEY
Political Reporter

THE birth of the new South Africa will be assisted by one of the worst instruments of the old — the notorious Section 29 of the Internal Security Act, which empowers police to arbitrarily detain without trial. 24/4/94

Deputy police commissioner General Johan Swart said this week the section would be used against anyone suspected of trying to disrupt the election.

This is despite a sheepish Transitional Executive Council decision six weeks ago to do away with the section following a public outcry over its retention.

The TEC decided on March 8 to ask the state president to sign into law a section of the Abolition of Restrictions on Free Political Activity Bill abolishing the section.

TEC spokesman Dries van Heerden said the legislation was immediately passed on to Mr de Klerk's office for his signature. (329)

But the instruction to the president appeared to have been lost in the post somewhere between the TEC, the ministries of law and order and the president's office.

Last week, Richard Carter, spokesman for the Mr De Klerk, said his office had not seen the legislation.

Law and Order spokesman Craig Kotze said he could not comment on the matter as his department was not responsible for it.

While the repeal of the section has been "delayed", the law and order sub-council of the TEC began working on kinder, gentler detention without trial laws.

Chairman and DP official Peter Gastrow said his sub council had already reached agreement that "some form of provision for detention for interrogation" was still justified — but only until the election was over.

He said the new detention without trial provisions would be "less oppressive" than Section 29 and would be subject to greater checks and balances.

No such legislation appears to have been drafted, however, and General Swart said this week Section 29 would be used until after the election.

Asked by a reporter how many people were currently being held under the section, he replied: "To put your mind at ease, it's more than 10."

(News by Ray Hartley, 11 Diagonal Street, Johannesburg)

APRIL 27 to May 3 1994

Teachers against racism back ANC

By Edwina Booysen

THOUSANDS of Western Cape teachers took a historic stand against racism at a meeting in Cape Town last week. And they also decided to support the ANC.

About 4 000 members of the South African Democratic Teachers' Union (Sadtu), the Principals' Forum and the Cape Teachers' Professional Association (CTPA) met at the Good Hope Centre

To the strains of "Stamp sy boude lam" and "Ons gaan stem en ons gaan wen", they gave their full support to the ANC.

Premier candidate Dr Allan Boesak thanked teachers for their support of the ANC and said they were joining the ranks of many leaders in the Western Cape, including principals and Muslim and Christian clergy.

They did so because they are aware that "we have a high moral fibre", Boesak said.

"They want a government accountable to the people. A government of the people, for the people, by the people, not a government of corruption, racism and theft."

No more will people be told to wait while whites take what they want and leave the "scraps" to blacks — those days are over, Boesak said to loud applause.

He said he had been told by voters on a road show that the NP told them Mr Nelson Mandela, the



TEACHERS: Thousands of teachers turned out at the Good Hope Centre to take a stand against racism and show support for the ANC
Photo: Yunus Mohamed

Source 27/4-3/5/94

ANC president, is a "kaffir" leader.

"They were told not to talk to the ANC unless they want a 'kaffir' government to take over," Boesak said. (321)

"If it wasn't for Mandela, De Klerk would not be as well known he is now. Do you think he would have got to the USA or the Nobel Prize if it wasn't for Mandela?"

"But the NP campaign should not surprise us too much. In 1948 they got people to vote for them by telling voters 'die kaffirs gaan oorvat' thus instilling the spectre of 'swartgevaar'. In 1994 we have the new NP, but nothing has changed. The new NP is the same as the old

NP."

Other speakers included Ms Cheryl Carolus, Advocate Dullah Omar, Ms Vivienne Carelse and Mr Franklin Sonn.

Omar said teachers came together to express their abhorrence of the racism in the country.

"We are on the threshold of the greatest time in our lives.

"Apartheid has tried to break our spirits many times, but it failed. It killed our people and tried to stop the freedom struggle, but it failed. On April 27 and 28 we will remove the apartheid regime from power, once and for all," Omar said.

E Booysen, 76 Darling Street, Cape Town

Teachers say they will be in the dark as new era dawns

(321) ARG 28/4/94

□ Queries on new regional government's powers

JOHN VILJOEN
Education Reporter

TEACHERS are complaining that as the Western Cape region comes into being they are largely in the dark about the new Cape Town government's powers.

The new constitution allows for norms and standards to be determined at a central level, but puts the control of all education — apart from universities and technikons — in the hands of the provincial education departments.

This region's three universities and two technikons will be run directly by the central education department.

The Cape Town government will administer a large resource: With an estimated 803 085 pupils, 35 456 teachers and 1 948 schools, the Western Cape will be the country's sixth largest education region.

A single political office-bearer will be responsible for education in the province and a single head of department.

Piet Marais, Minister of National Education and Education Co-ordination, says the central government will manage schooling until the new provinces are able to cope.

In time, the schools under the new single Western Cape department will follow the same core curriculum, choose from the same textbooks and be given the same departmental guidelines.

The four education departments operating in the Western Cape will merge and the financial basis of education will have to be evened out.

Mr Marais said this meant that issues like the pupil-teacher ratios and basic standards for buildings, grounds and

equipment would have to be negotiated and a joint examination body established.

The constitution made provision for the continuation of religious observance at schools and prohibited discrimination on the basis of gender, race or colour.

The right to mother-tongue instruction where reasonably practical was included as well as the right to establish schools based on a common language, religion or culture.

The constitution also protected existing rights of the managing bodies of state, state-aided and community-managed schools by ensuring that any changes to these would be negotiated.

Mr Marais said he expected there still would be state, state-aided (Model C) and private schools under the new department.

But details remain vague, says Linda Chisholm of the Witwatersrand University's Education Policy Unit and others.

"The constitution is very vague and open to different interpretations."

Nothing had been completed regarding relations between the central and provincial education departments.

South African Teachers' Association president Des Duxbury said his organisation awaited details of the new provincial departments "with interest".

As for working under either an African National Congress or National Party regional power, Mr Duxbury said the association would fully support a new provincial education department which sought to correct past deficiencies in a responsible and professional way.

The association would back a department which worked for the highest standards in education and which put the interests of children first.

A Suid-Afrikaanse Onderwysersunie spokesman said the constitution contained only broad principles. The new provincial department's responsibilities and powers still had to be determined, he said.

The South African Democratic Teachers' Union supported strong regions and opposed over-centralisation.

But, Western Cape education convenor Mandy Sanger agreed that there was "a lot of grey" about the provincial department's functions.

Sadtu and others had developed a plan for education reconstruction and development in the Western Cape. This would be pursued even if the NP won the region.

Teachers still would have to deal with National Party bureaucrats who kept their jobs after the election and an NP regional premier would be an added "stumbling block".

Congress of South African Students president Songezo Mjongile said an NP victory in the Western Cape would have "far-reaching implications".

Mr Mjongile, a matric pupil at Joe Slovo High School in Khayelitsha, claimed that even after 1990 the NP had had "no intention" of solving the education crisis.

"We need a nation-building programme and the NP does not have a vision or a plan," he said. But, his organisation would accept whatever regional outcome the election produced.

"The elections are free and fair and we will have to accept the result."

(News by J Viljoen, 122 St George's Mall, Cape Town)

Detention law now in history's dustbin

By BARRY STREEK
Political Staff

THE controversial detention without trial clause in the Internal Security Act finally disappeared yesterday with the implementation of the interim constitution. *CT 28/4/94*

This was acknowledged yesterday by the Commissioner of Police, General Johan van der Merwe, while discussing the arrest of 31 right-wingers for bomb attacks in the Transvaal.

He stressed that the men had been arrested, not detained under section 29 of the Internal Security Act, which provides for detention without trial. *(23) (329)*

"In any event, there is no section 29 after today," General Van der Merwe said.

The law conflicts with the Charter of Fundamental Rights in the constitution.

Capital gains tax unlikely

(320)
ARCT 30/4/94

Business Editor

THE biggest game in business is guessing what the new government will have up its sleeve and, more importantly, how it will finance its plans.

Accounting company Ernst & Young, in its newsletter, In Touch, has looked into its crystal ball in an attempt to answer some of the questions.

Its view is:

■ A capital gains tax is unlikely to be introduced before March 1996, if at all.

■ A tax specifically aimed at "second homes", swimming pools or any other accoutrements of wealth is exceptionally unlikely. What is possible is that a future capital gains tax will exempt a person's primary residence. But that is not the same as expressly taxing a second home. If you sell your holiday house you still have to invest the funds in something else that would probably be subject to the tax; and

■ An annual wealth tax or a one-off reconstruction levy is unlikely. What seems probable is that a reconstruction surcharge will be applied through the income tax system and, for that purpose only, dividend income will have to be declared.

The surcharge is not expected to be significant as a proportion of total income tax due by any one individual.

■ Ernst & Young looks in a crystal ball to try to find out what the new government will do with your money.

Comments by members of the ANC economic team indicate that this reconstruction surcharge would be imposed on all taxpayers from low levels of income and would be expressed as, say, five percent of income tax. Tax would be deducted as part of SITE or PAYE, or payable on provisional or final assessment.

■ Personal tax rates are unlikely to increase and may well decrease, particularly in the middle-income brackets (from about R20 000 a year to R60 000). In higher brackets the burden is likely to remain constant in real terms but there will be adjustment for inflation (bracket creep or fiscal drag).

■ Donations tax and estate duty will be combined in a capital transfer tax, likely to be announced between June and August 1994. Some new rules, such as the imposition of this tax on termination of a trust are likely. The rate of tax is likely to be increased from 15 percent to at least 35 percent.

■ The basic rebate of R1 million may well be reduced but the exemption for bequests to surviving spouses is likely to remain or, if limited, still apply up to a substantial figure.

2

BUSINESS DAY, Tuesday, April 19 1994

Close to 100 detained in Natal under emergency

Own Correspondent

The earlier total of 42 increased with the detention of 46 men believed to be ANC members who were caught in a combined SADF/SAP operation at the weekend while allegedly undergoing paramilitary training at Mariannhill primary school outside Durban. A further four detentions were reported yesterday.

Inkatha Freedom Party spokesman Ed Tillett said the arrest of the "ANC" men completely belied claims by the ANC that it was Inkatha which was mobilising for war in the province. ANC spokesman Dumisani Makhaye denied any knowledge of any such training or of the arrests.

The earlier total of 42 increased with the detention of 46 men believed to be ANC members who were caught in a combined SADF/SAP operation at the weekend while allegedly undergoing paramilitary training at Mariannhill primary school outside Durban. A further four detentions were reported yesterday.

Neither Inkatha nor the joint SADF/SAP Natal Security Committee could confirm rumours that 17 Inkatha members had been detained in Vryheid last week, but Tillett claimed security forces had been singling out Inkatha members for detention. (329)

An advocate and two other men have been appointed by the justice ministry to visit detainees, ensure satisfactory conditions of detainment, make recommendations about release or detention, and report any alleged injustice to the attorney-general.

Both the ministry and police have refused all requests for the names or political affiliations of the detainees.

Sapa reports that at least 26 people were killed in violence in Natal at the weekend, according to police and the SADF.

The Natal Security Committee, comprising officers of the SADF and SAP reported 20 weekend killings. The KwaZulu Police said six people had been killed in that territory.

Most of the killings were in townships north of Durban and at other trouble spots.

KwaZulu police said four people were killed in the Umbumbulu district in separate incidents on Sunday.

Report by T Camie and M Schmidt, TML, 18 Osborne Street, Dbn.

KwaZulu detainees released

Own Correspondent

DURBAN — All 123 people detained without trial under Kwazulu/Natal's emergency regulations have been released, but allegations that some of them were assaulted when they were arrested have not been cleared up. **B/Say**

Those detained included 46 alleged ANC self-defence unit members arrested at Mariannhill and 10 in Umlazi, 20 ANC youths arrested in the Empangeni/Eshowe area, and 17 Inkatha Freedom Party members arrested in Vryheid. **18/5/94**

The charges against all the ANC "paramilitaries" were dropped and the SAP said the last detainees were released by the end of last week.

Five Inkatha detainees are facing charges relating to the killing of eight pamphlet distributors in Ndwedwe on April 12. **(329)**

The police declined to comment on the political affiliations of those detained, fearing reprisals in the townships and rural areas, but the Human Rights Commission (HRC) said the identities and affiliations of detainees should have been

released in the interests of transparency.

Following an outcry by human rights organisations and political parties, three special advisers were appointed by the Justice Department to visit detainees, ensure satisfactory jail conditions, make recommendations about release or detention, and report any alleged injustice to the attorney-general.

The HRC claimed that 11 of the 46 ANC members arrested at Mariannhill in a combined SADF/SAP operation on April 16 complained they had either been kicked, slapped, had their heads hit against walls, or were smeared with ink.

The HRC also said one of the ANC youths arrested at Empangeni was allegedly interrogated in an internal stability unit armoured vehicle for 24 hours during which he was hit with a rubber hose and given electric shocks.

The advisers would not disclose the contents of the reports which they submitted to the minister of justice yesterday.

Goniwe inquest finding given to A-G

PAT CANDIDO
The Argus Bureau

PORT ELIZABETH. — The Goniwe inquest findings have been handed to the Attorney-General of the Eastern Cape for a decision on whether any criminal charges against those implicated in the killings are justified.

Mike Hodgen, SC, the Deputy Attorney-General, said the full inquest findings were presented to Attorney-General Les

Roberts today.

On Saturday the Judge President of the Eastern Cape, Mr Justice Zietsman, found that the security forces murdered Matthew Goniwe, Fort Calata, Sparrow Mkonto and Sicelo Mhlauli on June 27, 1985.

But there was no prima facie evidence enabling him to pin the murders on any specific individual or group.

Unless further information, which was not part of the in-

quest investigation, comes to light, it is unlikely that charges will be brought as a result of the inquest findings.

The judge said suspicions had been raised against security police officers Colonel Harold Snyman, Colonel Eric Winter, General Joffel van der Westhuizen, Colonel Lourens du Plessis and General Johannes van Rensburg.

Suspicion did not constitute prima facie proof, he said.

ARLT 20/5/94

329

Pebco Three follows in the wake of Goniwe case

PAT CANDIDO

(329)

Weekend Argus Reporter

PORT ELIZABETH. — After the Goniwe inquest reaches its climax here today, the spotlight will fall on another of South Africa's great unsolved political crimes — the disappearance in 1985 of three United Democratic Front activists known as the "Pebco Three".

Eastern Cape Judge President Neville Zietsman hands down his inquest findings today on the murder of UDF activist Matthew Goniwe and three others.

But, about the same time nine years ago, Port Elizabeth Black Civic Organisation secretary general Siphosiso Hashe, president Qaqawuli Godolozzi and the organisation's organising secretary, Champion Galata all of Kwazakhele disappeared off the face of the earth.

That night, the Pebco Three left Mr Hashe's home and went to the airport in response to a telephone call which invited them to meet a member of the British Embassy.

The three men were never seen again and several applications, all unsuccessful, were made in the Port Elizabeth Supreme court calling on the security police to produce the men.

Now their families are hoping that, with a new government and the re-opening of the Goniwe inquest on the instructions of former President F W De Klerk, something will be done to trace the three men.

Mr Hashe's widow Mothobile, mother of nine, who hawks vegetables to earn a living, has called on President Mandela to do all in his power to find out what happened to the men. Mrs Hashe appealed to Mr Mandela to go into the matter with her attorney Priscilla Jana.

She said their children kept mentioning their father's name.

She said the former government should know the fate of the men because people saw them when they were arrested at the airport on the night they disappeared.

"If our men were killed ... we must be told so," she said.

Perhaps there may be some hope. It has taken a decade and two judicial inquests for the families of Matthew Goniwe; Cradock teacher and activist Fort Calata, Sparrow Mkhonto and Sicelo Mhlawuli to come close to hearing a verdict — a day they never thought they would see.

The inquest has run for more than a year at a cost of nearly R3 million. The gallery, benches and corridors of the supreme court are expected to be packed when Mr Justice Zietsman hands down his finding.

Some observers feared it could be something of a damp squib now that those in charge at the time are no longer in power. Many of the witnesses have left the police and defence force.

During the hearing, fears were raised that the finding could be used by politicians in the run-up to the elections.

The judge faces a formidable task. Were the deaths of the Cradock Four the result of a conspiracy between army officers Joffel van der Westhuizen, Lourens du Plessis, Johannes van Rensburg and policemen Harold Snyman and Eric Winter?

Legal representatives for the family maintain this is a key question. As the head of Eastern Province command and the local joint management centre, General van der Westhuizen, later to become head of military intelligence and who retired recently, allegedly instructed his staff officer Colonel Du Plessis to send a secret military signal to General Van Rensburg at the state security council in Pretoria.

The signal sent on June 7, 1985, called for the "permanent removal" of Mr Goniwe, his brother Mbulelo and Mr Calata.

Three weeks later the charred and mutilated bodies of the Cradock Four were found in dense bush. It appeared attempts had been made to burn the bodies beyond recognition. Both counsel for the SADF and police said suggestions of security police or SADF involvement in the killings were pure speculation with no concrete evidence whatsoever.

The inquest findings will also impact on a civil actions. The widows are collectively claiming R1.6 million in damages from the government.

Spooks under gavel

ARGUS 28/5/94 (229) ~~229~~ Cradock Four verdict to raise spectre of apartheid strategy and amnesty issue

■ A significant verdict in South African political history will be delivered today in the Eastern Cape.

PATRICK LAURENCE

Weekend Argus Correspondent

PORT ELIZABETH. — Judgment will be given today in the landmark inquest into the deaths of the Cradock Four — Mr Matthew Goniwe, Mr Fort Calata, Mr Sparrow Mkhonto and Mr Sicelo Mhlau.

It is up to the presiding officer, the Judge President of the Eastern Cape, Mr Justice Zietsman, to decide in the supreme court in Port Elizabeth, whether there is a *prima facie* case implicating the security forces.

If this is indeed his finding, will he recommend that mur-

der charges be pressed and what bearing will such a decision have on the issue of amnesty for politically-motivated crimes and national reconciliation?

It is well-documented that the four activists left Cradock on June 27 1985 for Port Elizabeth and were going home when they were murdered near Bluewater Bay, on the outskirts of Port Elizabeth.

At the first inquest, held in a magistrate's court, presiding officer E de Beer concluded the men were killed by unknown persons.

But, in May 1992, the New Nation published a military signal which led to the re-opening last year of the inquest, under Judge Zietsman.

Evidence was that senior Staff Officer Lourens Du Plessis sent, on the orders of Brigadier Joffel Van der Westhuizen, the signal message to General Johannes Janse Van Rensburg.

testified that "permanently removed" meant killing the four. But the value of his evidence was reduced when he admitted, under cross-examination, that there was a 50 percent chance he could be wrong.

Counsel for the SADF, Mr Anton Mostert, SC, offered an innocent interpretation of the words "permanently removed", arguing that they meant long-term detention.

But, his legal opponents countered, if detention was under consideration, why had the signal message not said so in plain, unequivocal language?

The law provided for detention without trial and there was no need to use ambiguous language, they argued.

There were two further objections to the innocent explanation:

■ Mr Goniwe, his brother Mbulelo, and Mr Calata were detained for more than six months in 1984 and there was

no abatement in the revolutionary turmoil in the Eastern Cape.

■ The SADF did not make the signal available to investigators at the time of the inquest under Magistrate De Beer.

If it was a legally permissible order, why was it withheld?

According to the legal team for the families, led by Mr George Bizos, SC, police officers were involved in the conspiracy and carried out the murders.

It was common cause they had kept Mr Goniwe under surveillance.

A "bug" was planted in his home, so they would have known, in advance, about his unscheduled visit to Port Elizabeth.

Circumstantial evidence heightened suspicions of police involvement.

Mr Goniwe's car number plate was removed and a false one left at the scene of the murder.

Several parking tickets, eventually withdrawn by a state prosecutor, were issued against the false number plate when the vehicle was parked in Strand Street, Port Elizabeth, near the headquarters of the security police.

During his evidence, Brigadier Van der Westhuizen conceded the murders were well-planned and well-executed.

He agreed that only the security forces had the capacity to carry out the killings.

Asked by Judge Zietsman whether he knew of any organisation beyond the security forces which could have carried out the murders, he replied: "No, Your Honour."

Cradock security policeman Eric Winter agreed.

No more held without trial

CT 7/6/94
Political Staff

FOR the first time since 1963, there are no people being held in detention without trial in SA or the former homelands.

This was revealed yesterday by the Human Rights Committee when it released its summary of human rights violations last month. (222)

The HRC said, however, that 270 people had been detained without trial this year. (329)

Detention without trial for interrogation purposes was first introduced in 1963 when the so-called 90-Days Act was introduced, with the opposition of only one MP, Mrs Helen Suzman.

'Socio-political factors linked to massacre'

Star 7/6/94

■ PRETORIA CORRESPONDENT

The Pretoria Supreme Court has heard how joblessness, isolation from the community and peer pressure led to 17 KwaMadala Hostel residents' involvement in the Boipatong massacre.

The 17 accused, who were found guilty by Mr Justice Smit in March, may not be named, according to a ruling.

In mitigation of sentence, probation officer Michael Batley said yesterday the three factors of the socio-political circumstances, the process of self-armament, and crowd dynamics had to be considered.

Batley said research had shown that socio-political circumstances at hostels had an indirect influence on violence.

There was a general climate of violence, and bad living conditions led to a high degree of frustration and aggression.

Also, hostels were isolated

from the townships, and there was a belief that the ANC residents wanted to force IFP hostel dwellers out. (329)

Regarding the process of self-armament, Batley said research in 1992 showed that the more unsafe a person felt, the more he supported a private army.

Research had also shown that crowds formed spontaneously around certain incidents; there was no internal control; and co-opting was common, stimulated by dancing and singing.

The taking of drugs like muti could lead to further aggression.

In mob mentality, individuals ignored their inherent values and became susceptible to suggestion. There was also a belief that no one could identify you in a crowd, so you could do as you pleased.

Batley said all three factors had to be taken into account when sentencing the accused.

The case is proceeding.

Death sentence is not suitable, says judge

17 sent to jail for Boipatong killings

Star

10/6/94

■ OWN CORRESPONDENT

Sentence of the 17 IFP hostel dwellers guilty of the Boipatong massacre must be a balm for the wounds of the families of those slain, the Pretoria Supreme Court heard yesterday.

The 17 accused listened impassively as they were sentenced by Mr Justice J M C Smit to between 10 and 18 years' jail for perpetrating the massacre, in which more than 40 people were slaughtered and 18 seriously injured by residents of KwaMadala Hostel on June 17 1992.

Leaders

Mr Justice Smit sentenced six of the accused, who were regarded as leaders in the assault, to 18 years' jail for murder, 10 years for attempted murder and eight years for public violence, to run concurrently for 18 years.

He sentenced seven other accused to 15 years for murder, seven years for attempted murder and five years for public violence, to run concurrently for 15 years.

Four other accused, regarded as youths, were sentenced to 10

JUDGE sentences 17 guilty of Boipatong massacre to between 10 and 18 years' jail

years for murder, five years for attempted murder and three years for public violence, to run concurrently for 10 years.

The names of the accused may not be published.

Before passing sentence, Mr Justice Smit told the accused: "You could not have perpetrated a more brutal attack than this."

He said not even innocent women and children were spared the wrath of the hostel dwellers, who had clearly set out on a mission of vengeance for political reasons.

He took into account the history of friction between the IFP and ANC, acknowledging that the hostel dwellers had wanted revenge for being chased out of the township and forced to live in hostels where they were further frustrated.

But this did not excuse their actions, he said.

"I hope this chapter in our history is closed and when this is over every rational person can say *dankie Vader dis verby*".

He said he had to take the interests of the community to heart, and no healthy democratic society could accept what the accused had done.

"What you did required a death sentence. But after weighing evidence from expert witnesses, including social workers, I have decided that sentence in this regard is not suitable."

Mr Justice Smit said he had taken note of plans for the guilty to apply for amnesty and hoped the relevant authorities would take all circumstances into consideration. (329)

"People want democracy, not revenge. The sentence must show the world and South African society that what you did was wrong," he said.

Minutes before the judge entered the court to hand down sentence, the 17 broke into song, prayers and praise for Zulu King Goodwill Zwelithini and Inkatha leader Mangosuthu Buthelezi.

Advocates for the defence intend to apply for leave to appeal today.

Lubowski lawyers pin murder on 10 agents

WINDHOEK. — The inquest following the 1989 assassination of Swapo advocate Anton Lubowski ended here with his lawyers blaming 10 Civil Cooperation Bureau agents.

They were named as Ferdi Barnard, Calla Botha, Slang van Zyl, Irish mercenary Donald Acheson, Chappie Maree, Staal Burger, Wouter Basson, CCB managing director Joe Verster, Charles Neelse and Johan Niemoller.

In closing arguments before Mr Justice Harold Levy lawyers said the principal aim of CCB units in South Africa and Namibia in 1989 was maximum disruption of their enemy.

They argued that the 10 CCB members were implicated on the basis of common purpose. Court documents showed the CCB had legitimised murder, they said.

The CCB had considered Swapo the enemy, the court heard, and a campaign was launched to disrupt its election activities and prevent it winning a decisive two-thirds majority.

Mr Lubowski, a rising star in the Swapo hierarchy, was shot dead outside his home on September 12 1989 before he was to meet Mr Hage Geingob, now Namibian Prime Minister.

The activist had at the time been appointed deputy director of finance and administration for Swapo's election campaign, and his selection as a target was to further the CCB's objective of disrupting the elections.

The inquest heard that in early 1989 Mr Burger, Mr Basson, Mr Van Zyl, Mr Maree, Mr Botha and a Nick Nienaber had begun working for the CCB's Region 6, focusing on Namibia.

As regional manager Mr Burger reported to Mr Verster, who reported to CCB chairman Major-General Eddie Webb.

At a meeting in Johannesburg's Rosebank Hotel on September 1 1989, Mr Van Zyl, Mr Burger, Mr Maree, Mr Botha and others presented an assassination plan to Mr Verster, the lawyers said.

Senior people connected to the CCB afterwards admitted the murder was a CCB project but were not willing to confirm it under oath.

Murder charges were laid against Mr Acheson in late 1989 but withdrawn in May 1990 due to lack of evidence.

Four years of investigation by lawyers and police preceded the inquest, which began on April 18. Judge Levy must now consider 4 000 pages of evidence before making a finding.

Little evidence was led on allegations in parliament in 1990 by then defence minister Magnus Malan that Mr Lubowski had been a Military Intelligence spy.

The court heard aspects of the police investigation had been unprofessional. Evidence was led that senior Namibian police officers had been tipped off about the murder plan but failed to take steps to save his life and expose the CCB.

Lawyers dismissed as unreliable evidence linking Swapo MP Danie Botha and Mr Lubowski's girlfriend to the assassination. — Sapa.

CCB agents blamed for Lubowski's murder

WINDHOEK — The inquest into the 1989 assassination of Swapo advocate Anton Lubowski ended in Windhoek, Namibia, this week with his lawyers blaming 10 Civil Co-operation Bureau agents for the murder.

They were named as Ferdie Barnard, Calla Botha, Slang van Zyl, Irish mercenary Donald Acheson, Chappie Maree, Staal Burger, Wouter Basson, CCB managing director Joe Verster, Charles Neelse and Johan Niemoller.

In closing arguments before Mr Justice Harold Levy, lawyers said the principal aim of CCB units in

South Africa and Namibia in 1989 was the maximum disruption of their enemy.

They argued the 10 CCB members were implicated in the killing on the basis of common purpose.

Documents before the court showed the CCB had legitimised murder, they said. A finding should be made against individuals instead of against organisations.

The CCB had considered Swapo to be the enemy, the court heard, and a campaign was launched to disrupt its election activities and prevent it winning the two-thirds majority it needed to unilaterally

write a post-independence constitution.

Lubowski, a rising star in the Swapo hierarchy, was shot dead at close range outside his home on September 12 1989 shortly before he was to have had dinner with Mr Hage Geingob, now Namibian Prime Minister. (329)(354)

The activist had recently been appointed deputy director of finance and administration for Swapo's election campaign, and his selection as a target was clearly to further the CCB's objective of disrupting the elections, the court was told. — Sapa.

CCB agents blamed for Lubowski death

WINDHOEK — The inquest into the 1989 assassination of Swapo advocate Anton Lubowski ended in Windhoek, Namibia, last week with his lawyers blaming 10 Civil Co-operation Bureau (CCB) agents for the murder.

They were named as Ferdie Barnard, Calla Botha, Slang van Zyl, Irish mercenary Donald Acheson, Chappie Maree, Staal Burger, Wouter Basson, CCB MD Joe Verster, Charles Neelse and Johan Niemoller.

In closing arguments before Judge Harold Levy, lawyers said the aim of CCB units in SA and Namibia in 1989 was the disruption of their enemy by means including assassination. They argued that the 10 CCB members were implicated in the killing on the basis of common purpose. Documents showed the CCB had legitimised murder, they said. A finding should be made against individuals instead of against organisations which could not be tried.

Lubowski was shot dead outside his home on September 12 1989. He had recently been appointed deputy director of finance and administration for Swapo's election campaign, and his selection as a target was to further the CCB's objective of disrupting the elections, the court was told. In early 1989 Burger, Basson, Van Zyl, Maree, Botha and a Nick Nienaber had worked for the CCB's Region 6, focusing on Namibia.

The lawyers said highly placed people connected to the CCB afterwards admitted the murder was a CCB project but were not willing to confirm it under oath.

Murder charges were laid against Acheson in 1989 but were withdrawn in 1990 due to a lack of evidence, caused partly by the police's inability to extradite witnesses from SA.

Four years of investigation by lawyers and police preceded the inquest, which began on April 18. Levy must now consider almost 4 000 pages of evidence before making a finding, expected later this month.

Very little evidence was led on allegations in Parliament in 1990 by then Defence Minister-Magnus Malan that Lubowski had been a Military Intelligence spy. Most of the evidence had exonerated the slain activist, lawyers said. — Sapa.

Maharaj, provinces to meet on 'taxi war'

TRANSPORT Minister Mac Maharaj said at the weekend he would meet provincial transport officials today to discuss taxi violence.

He said the industry needed a structure within which it could regulate itself to address issues such as taxi wars, subsidies and road safety, the Sunday Times reported yesterday.

"There are more than 480 different taxi organisations in the country and they need to find a common voice," he said.

Maharaj said he had resisted becoming directly involved in the issue of regulating the industry despite calls to do so by the SA Black Taxi Association.

He said the process of consultation was more important than taking steps which could further divide the main players.

MARK ASHURST reports that industry sources said violence at taxi ranks was "mercifully low" given the lack of regulation and the vast sums of money involved.

Violence was minimised by the "benevolent monopoly" encouraged by the Johannesburg city council, council transport spokesmen said.

Transport policy in Johannesburg reflected the dangers posed by rogue elements within taxi associations and the threat of private hit squads employed to defend lucrative routes, the sources said.

Johannesburg municipality spokesman Greg Meyer said ranks were allocated to taxi associations on a principle of damage limitation.

This was the only viable option for the municipality. "Order can only be maintained by allowing taxi associations to manage ranks independently. Taxi associations with a viable constitution and licensed operators get a monopoly on their ranks."

A new rank would be allocated for use by the Lethabile Taxi Association (LTA) if it could prove possession of permits allowing it to use Johannesburg routes, said Meyer.

Business Day Reporter

A new spate of shootings began when the LTA occupied Johannesburg ranks allocated to the SA Long Distance Taxi Association (Saldta) on May 27.

The LTA, previously aligned to Saldta, abandoned the ranks in November after a factional dispute within the organisation.

The municipality, which owns the ranks, had no authority to investigate allegations made by the rival Federation of Local and Long Distance Taxi Associations that Saldta officials had demanded thousands of rands from members for use of its ranks. There was no regulatory structure to prevent this, said Meyer.

Meyer denied claims that applications from the LTA for a new rank in Johannesburg had been ignored by the municipality. No applications from the LTA had been received, he said.

Saldta, the only major taxi association operating as a private company, controlled 10% to 20% of Johannesburg ranks. There was no evidence to support allegations that the municipality treated it "with kid gloves".

A National Transport Policy Forum workshop held in Johannesburg at the weekend called for one centralised Road Traffic Act to ensure standardisation and consensus regarding the successful implementation of traffic safety policies in the nine provinces.

Clear policies which were rigidly adhered to, and close co-operation and consultation could prevent problems such as those being experienced in the taxi industry, delegates said.

They also called for greater funding for traffic law enforcement.

The workshop was attended by representatives from the forum's transport safety committee, taxi organisations, freight and bus operators, the SA Consumer Council, local and provincial traffic authorities and government bodies including the Transport Department.

'White man seen at site of Goniwe explosion' (329)

The Argus Bureau

PORT ELIZABETH. — Details have been released of a new witness to the December 1989 car bomb which killed two policemen and an informer between Motherwell and Addo.

During the Goniwe inquest it was alleged that security forces killed the policemen because they knew about the Goniwe murders in 1985.

Police spokesman Captain Michael Faleni said today the witness claimed to have seen a blue 1300 Renault RS in the vi-

cinity of the explosion at the time. ARG 16/6/94

The driver was described as a clean-shaven white man with medium length ginger hair.

He was wearing a short-sleeved khaki shirt and trousers.

An appeal has also been made to farm workers who lived in the vicinity at the time to contact the police.

Anyone with information has been asked to contact Detective Warrant-Officer Fanie Els at (041) 54-4605 (work) or 933-2671 (after hours).

Goniwe: No prosecution

~~254~~ (329) From page 1
ANG 18/6/94
viduals nor even the branch of the security forces responsible, even though Judge Neville Zietsman said there was a strong case of suspicion against three military and two security police officers.

The court found the military officers, including former Military Intelligence chief Lieutenant-General Joffel van der Westhuizen, were ordered to send, drafted or received the top-secret "death signal". But there was not enough evidence to link it to specific killers.

"I have also considered possible charges of incitement and conspiracy relating to the signal sent from Port Elizabeth to Pretoria on June 7 1985," said Mr Roberts.

"The only person against whom there is a sufficiently strong case to justify prosecution is Colonel Lourens du Plessis. He has been indemnified, however, and thus cannot be prosecuted.

"If any further evidence comes to light which could strengthen the chances of a successful prosecution on any of these charges, then this decision will be reconsidered."

Mr Roberts said he was still investigating two other matters arising from the Goniwe inquest.

Goniwe: No one to be charged

EAST LONDON. — There is not enough evidence to prosecute anybody for the 1985 murder of anti-apartheid activist Matthew Goniwe and three of his comrades.

Eastern Cape attorney-general Les Roberts said this in a statement yesterday.

"After studying the evidence and findings in the reopened inquest into the deaths of Matthew Goniwe, Sparrow Mkonto, Fort Calata and Sicelo Mhlauli, I have decided not to prosecute anyone for the murders.

"The available evidence is not strong enough for a reasonable chance of a successful prosecution against any individual or individuals," he added.

The men were murdered on June 27 1985 — just 20 days after a top-secret military signal was sent calling for Mr Goniwe's "permanent removal from society".

The reopened inquest finding announced last month was that members of the security forces were responsible for the murders.

But the court could not pinpoint indi-

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Goniwe: too little proof to prosecute

LOUISE FLANAGAN

EAST LONDON — There is not enough evidence to prosecute anybody for the 1985 murder of anti-apartheid activist Matthew Goniwe, the Eastern Cape Attorney-General said yesterday.

"After studying the evidence and findings in the reopened inquest into the deaths of Matthew Goniwe, Sparrow Mkonto, Fort Calata and Sice-lo Mhlauli, I have decided not to prosecute anyone for the murders," said Les Roberts.

"The available evidence is not strong enough for a reasonable chance of a successful prosecution against any individual or individuals," he said in a statement.

The reopened inquest finding announced last

month was that members of the security forces were responsible for the murders. The finding stated that military officers, including former Military Intelligence chief Lieutenant-General Joffel van der Westhuizen, had been ordered to send, drafted or received the top secret "death signal".

But the court could not pinpoint individuals or even the branch of the security forces responsible, even though Judge Neville Zietsman said there was a strong case of suspicion against three military and two security police officers.

But there was not enough evidence to link it



IMPLICATED: Joffel van der Westhuizen.

TOP PAGE 2

Star 18/6/94 ◆ Goniwe

to specific killers.

Goniwe and three comrades were murdered on June 27 1985 — just 20 days after a top-secret military signal was sent calling for his "permanent removal from society".

"The only person against whom there is a sufficiently strong case (of incitement and conspiracy) to justify prosecution is Colonel Lourens du Plessis. He has been indemnified, however, and thus cannot be prosecuted." (329)

"If any further evidence comes to light which could strengthen the chances of a successful prosecution on any of these charges, then this decision will be reconsidered."

Roberts said he was

still investigating two other matters arising from the Goniwe inquest before making a decision.

One was a car-bomb blast in a Port Elizabeth township in December 1989, in which four policemen were killed. During the Goniwe inquest, SADF lawyers alleged that members of the police force had killed Goniwe and they were then in turn killed by their own colleagues as part of a cover-up. The second case related to the discovery of the top-secret SADF Operation Katzen documents. Van der Westhuizen planned the operation, which involved a coup attempt against the then-president of Ciskei, Lennox Sebe.

NEWS FEATURE *Assassins linked to security forces 'eliminated enemies of the State'*

SA's State-run death squads

By Patrick Laurence

JUDGES' VERDICT Two inquest findings raises more chilling possibilities.

THE FINDING in Namibia by Judge Harold Levy that Anton Lubowski was murdered by the country's former covert organisations will reverberate for a long time.

Lubowski, a high ranking official of the South West African People's Organisation, was found to have been murdered by Donald Acheson acting in concert with the dreaded Civil Co-operation Bureau.

Judge Levy's judgment in the inquest into the death of Lubowski on September 12 1989 proves the existence of State-run death squads during the presidency of PW Botha, even though inquest findings are based generally on a balance of probabilities rather than proof beyond reasonable doubt.

Another watershed inquest

The finding in a Namibia court must be seen in the context of another watershed inquest: the one delivered less than a month ago by Judge Neville Zietsman in the inquest into the death of Matthew Goniwe and three of his comrades.

Zietsman found that Goniwe, a leader of the pro-African National Congress United Democratic Front in the Eastern Cape, and Fort Calata, Sparrow Mkhonto and Sicelo Mhlauli were murdered by security forces on June 27 1985.

The findings of the two inquest courts reinforce one another and point irresistibly to the conclusion that assassins with links to the security forces "eliminated" rather than merely harassed political activists who were categorised as "en-

emies of the State".

The proceedings and findings of the Lubowski and Goniwe inquests should be placed in the context of another major court judgment: That of Judge A Wilson in the Trust Feed Massacre of December 1988.

In a sensational judgment delivered in April 1992, Wilson found five policemen — Captain Brian Mitchell and four special constables — had perpetrated the massacre as part of an attempt to tilt the balance of power at Trust Feed in favour of Inkatha and away from the UDF.

Mitchell was sentenced to death 11 times for ordering the massacre. The constables were each sentenced to 15 years' jail for their role in the attack.

The Trust Feed judgment has been thrust under the spotlight again by the recent decision to grant amnesty to the four constables: David Khabule, Dumisani Ndwalale, Kehla Ngunane and Thabo Skhosana.

Mitchell's name does not appear on the list of people granted amnesty.

As Natal sociologist Mary de Haas points out, until the conviction of Mitchell and his co-policemen, the standard response of the old police establishment to allegations of involvement in "third force" activities was that it had never been proved in a court of law. The Trust Feed judgment shattered that defence.

The Lubowski and Goniwe inquests

have had an even profounder effect — and it is a questionable if — the Trust Feed massacre can be explained solely as the work of one overzealous policeman, (Mitchell) who considered himself a soldier in a civil war, the same rationale cannot be abided in either the Lubowski or Goniwe killings.

The assassination of Lubowski cannot be dismissed as the act of one man, Acheson, who is described in the media as an "Irish mercenary" who sought to ensure a convergence between his rightwing convictions and entrepreneurial instincts and whose CCB code name is "The Cleaner".

Levy found that Acheson acted in concert with the CCB which, in the words of police investigator Brigadier Floris Mostert, was "a unit of the South African Defence Force".

Convicted murderer

Acheson was recruited as a CCB agent by Ferdi Barnard, a convicted murderer who was employed by military intelligence after the formal disbanding of the CCB.

Another CCB man named by Levy was Joe Vester, the CCB managing director.

When the existence of the CCB was first disclosed — ironically just before the release from prison of Nelson Mandela — top military men disingenuously denied all knowledge of it until the police uncovered it during their investi-

gations into the murders of Lubowski and, in May 1989, of anti-apartheid activist David Webster.

Former defence minister Magnus Malan issued a statement denying that he knew of the CCB until informed of it by Rudolf "Wikop" Badenhorst, his military intelligence chief.

Badenhorst, in turn, insisted that he was unaware of the CCB's existence until November 1989 or after the murders of Webster and Lubowski.

These protestations of ignorance about the existence of the CCB were unconvincing at the time, for two reasons: first, the CCB was established as a unit of the SADF's Special Forces, second at least R28 million of taxpayers' money was spent on it. Judge Levy's findings make them look positively mendacious.

Malan, besieged by speculation that he had connived in the murder of the anti-apartheid activists through the CCB, issued a statement naming Lubowski as an SADF agent. He was careful, however, to do so in Parliament, thus protecting himself from legal redress by Lubowski's outraged family.

Levy rejected these allegations, making Malan's statement as calumny designed to — in the words of Lubowski's father Wilfried — "save his own hide".

If Malan was duplicitous about Lubowski being a spy, what credibility can be attached to his denial of knowledge of the CCB when its agents were plotting "maximal disruption" — a euphemism for murder — of enemies of the State?

The findings of Judge Zietsman in the Goniwe inquest provide equally compelling reasons for concluding that assassination was an integral part of PW

Botha's total strategy.

George Bizos, SC, who headed a Legal Resources team in the Goniwe inquest, showed that the security forces were tutored in the doctrines of two theorists, John J McCuen, author of *The Art of Counter-Revolutionary War*, and CA Fraser, author of *Lessons Learnt from Past Revolutionary Wars*.

Permanent removal

The principles of counter-revolutionary warfare exposed by these theorists included the selective murder or "permanent removal" of political opponents, Bizos argued.

His reasoning was apparently justified by two critical conclusions in Judge Zietsman's finding. First, that Goniwe and his confederates were murdered by "members of the security forces". Second, that a military signal message calling for the "permanent removal from society" of Goniwe, his brother Mbulelo, and Calata, was a proposal that they should be killed.

The Goniwe inquest raised another chilling possibility: that not even members of the security forces were safe from their colleagues during the PW Botha era. Four men — three black policemen and an alleged ANC renegade or Askari — were killed in December 1989 when the car in which they were travelling blew up.

These State-sponsored political killings took place during PW Botha's presidency.

The critical question is whether they continued under the presidency of FW de Klerk. Grave suspicions abound that De Klerk was either unable or unwilling to assert control over the security forces he inherited.

Goniwe trial ruled out

Sowetan 20/6/94

NONE of the top military men linked to the Goniwe death signal will face prosecution. That is the word from Eastern Cape Attorney-General Les Roberts, who said there was insufficient evidence available to bring a successful prosecution against any of the three former top ranking officers.

Named in the signal was retired former head of Military Intelligence General Joffel van der Westhuizen, former head of Strategy at the Secretariat for the State Security Council, General Johannes Janse van Rensburg, and Colonel Lourens du Plessis.

The controversial signal called for the "permanent removal from society" of Matthew Goniwe, his brother Mbulelo

and United Democratic Front colleague Fort Calata. Roberts said Du Plessis was the only person against whom a "sufficiently strong case" existed. But because he was indemnified against prosecution, he has been spared.

"I have also considered possible charges of incitement and conspiracy relating to the signal sent from Port Elizabeth to Pretoria on June 7, 1985. "The only person against whom there is a sufficiently strong case to justify prosecution is Colonel Lourens du Plessis."

Reacting to the news Goniwe's widow, Nyamka, was "shocked" and declined comment without consulting her lawyers.

Roberts said he would reconsider this decision if "evidence comes to light which could strengthen the chances of a successful prosecution". — *Ecn* (329)

Magnus Malan's claim that Lubowski was SADF spy

CCB man named as Lubowski's killer

Sowetan 24/6/94

CCB 'arranged' Anton Lubowski's murder. A Namibian inquest court found yesterday that Swapo lawyer Mr Anton Lubowski was assassinated in 1989 by Irish mercenary Mr Donald Acheson in a murder arranged by the SA Defence Force's notorious Civil Co-operation Bureau.

Mr Justice Harold Levy said *prima facie* accomplices to the killing were CCB managing director Mr Joe Verster and willing members Mr Ferdie Barnard, Mr Chappie Maree, Mr Staal Burger, Mr Wouter Basson, Mr Johan Niemöller, Mr Calla Botha and Mr Slang van Zyl.

Further accomplice

A further accomplice was Mr Charles Neelse, though he had not necessarily known he was working for the CCB.

A senior policeman was an accessory after the fact for not reporting information he had before and after the assassination.

Lubowski, who at the time had just

IRISH MERCENARY Namibian court rules on Swapo lawyer's death:

been appointed deputy director of finance and administration on Swapo's election campaign, was shot dead with an AK-47 rifle at close range outside his home in Windhoek on September 12 1989. (329) (SAPA)

Acheson was arrested the day after the killing but released in 1990 when prosecutor-general Mr Hans Heyman said he was unable to find sufficient evidence for a murder case. Levy described his failure to prosecute as "the height of incompetence" considering the "strong *prima facie* evidence" against Acheson which he said could have saved a lot of time, money, prestige and reputations.

The judge found no conspiracy by a group of white South West African police officers to murder the activist and

said they had not been involved in the killing. The policemen and a senior defence force officer had been named by *The Namibian* newspaper as conspirators in the killing on the basis of affidavits the judge dismissed as devoid of truth.

However, publication of the officers' names had been in the public interest, the judge said, a finding observers said could help the newspaper fight a potential defamation case. Swapo MP Danie Roshana and Lubowski's former lover Michaela Clayton (now Figueira) had no part in the killing, and the evidence against them was a lie, the judge said.

He dismissed allegations in Parliament by then SA Defence Minister Magnus Malan that Lubowski had been a South African military spy. — Sapa.

Acheson named as Lubowski assassin

WINDHOEK. — A Namibian inquest court found yesterday that Swapo advocate Mr Anton Lubowski was assassinated in 1989 by Irish mercenary Mr Donald Acheson in a murder arranged by the SA Defence Force's notorious Civil Co-operation Bureau. **(S) (329)**

Mr Justice Harold Levy said prima facie accomplices to the killing were CCB managing director former colonel Mr Joe Verster and willing members Mr Ferdie Barnard, Mr Chappie Maree, Mr Staal Burger, Mr Wouter Basson, Mr Johan Niemoller, Mr Calla Botha and Mr Slang van Zyl.

A further accomplice was Mr Charles Neelse, though he had not necessarily known he was working for the CCB. A senior policeman was an accessory after the fact for not reporting information he had before and after the assassination.

Mr Lubowski was shot dead outside his home on September 12, 1989.

Mr Acheson was arrested the day after the killing but released in 1990 when Prosecutor-General Hans Heyman said he was unable to find sufficient evidence for a murder case.

Judge Levy described his failure to prosecute as "the height of incompetence" considering the "strong prima facie evidence" against Mr Acheson.

Judge Levy said Swapo MP Mr Danie Botha and Mr Lubowski's former lover Ms Michaela Clayton (now Figueira) had no part in the killing. Evidence against them was a lie.

He dismissed allegations in Parliament by then-defence minister General Magnus Malan that Mr Lubowski had been a South African military spy.

He said Mr Acheson, sometimes known as "The Cleaner", was recruited by Mr Ferdie Barnard in 1989. He had murdered Mr Lubowski on September 12 and then buried the weapon.

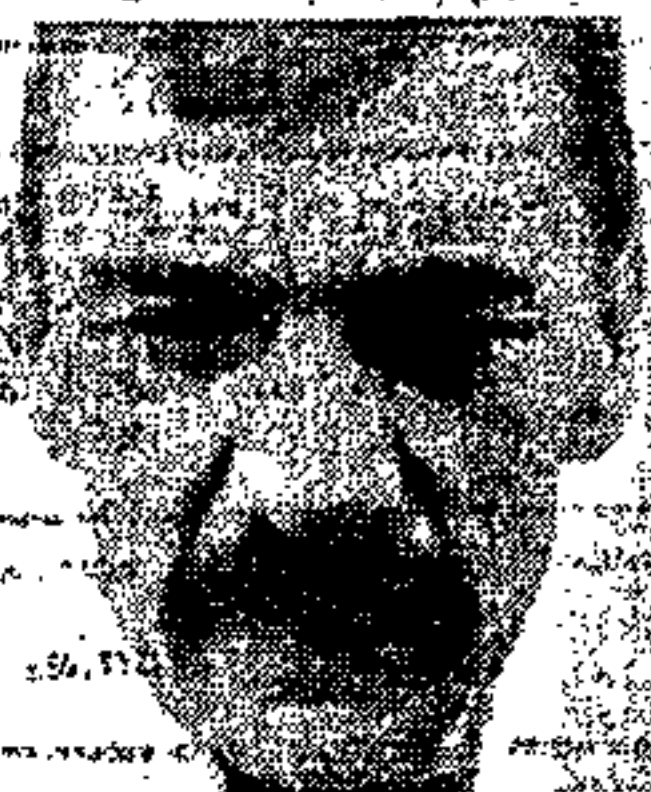
Mr Lubowski's father, retired Namibian farmer and businessman Mr Wilfried Lubowski, yesterday expressed relief that the finding was out.

He said his wife Johanna (better known by her nickname of Molly) had become unwell upon hearing the news on the radio and was "a nervous wreck — she's been kept in suspense for so long".

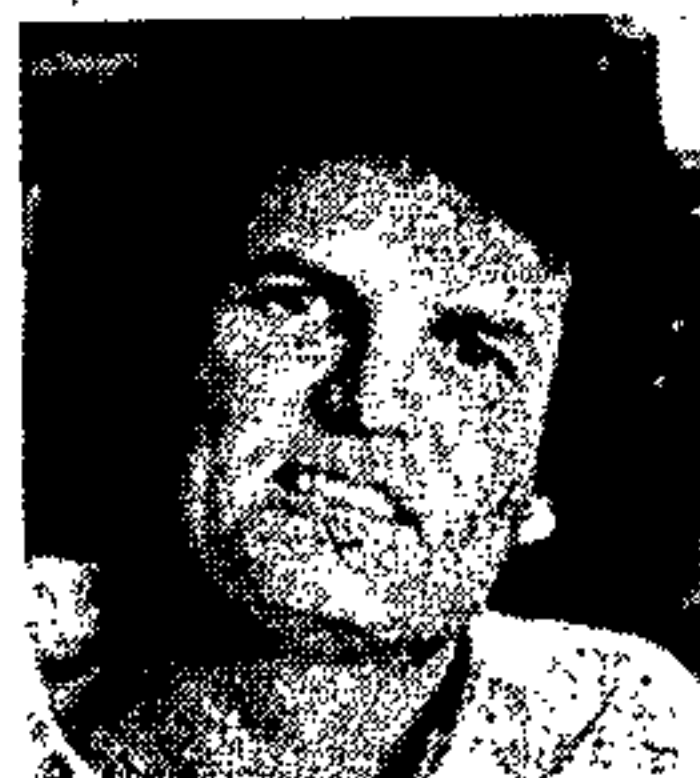
Ms Figueira said she was relieved the inquest finding exonerated her.

"It was really hurtful. Besides dealing with the death of someone close to you, to have to deal four years later with allegations you were involved," Ms Figueira said.

The SANDF said it would be inappropriate to comment "before the entire legal process has run its course". — Sapa, Staff Reporter



NAMED ...
Mr Donald Acheson



SLAIN ...
Mr Anton Lubowski

Eight former Civil Cooperation Bureau men implicated in Lubowski slaying

CCB men face extradition

Star 24/16/94

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From Page 1

against the accused.

Mr Justice Levy found that a further accomplice was Charles Neelze, though he did not necessarily know he was working for the CCB.

A senior policeman was an accessory after the fact for not reporting information he had before and after the assassination, said Mr Justice Levy.

Lubowski, who had been appointed deputy director of finance and administration for the Swapo election campaign shortly before his death, was gunned down outside his Sanderberg Street home in Windhoek on September 12 1989. He was shot nine times with an AK-47 at close range.

Acheson was arrested the day after the killing but released about eight months later in 1990 when Prosecutor-General Hans Heyman said he was unable to find sufficient evidence for a murder case.

Mr Justice Levy described Heyman's failure to prosecute as "the height of incompetence" considering the strong *prima facie* evidence against Acheson which he said could have saved a lot of time, money, prestige and reputations.

After his arrest, Acheson told the then South West African deputy commissioner of police, Colonel Jumbo Smit, that he was in Namibia to find work as a cartoonist and to set up a professional shoplifting syndicate.

Testifying at the inquest into the murder of South African political activist Dr David Webster, Smit said Acheson told him that he had joined the CCB after being arrested for shoplifting in Johannesburg in 1989.

Acheson was recruited to the CCB by Barnard and was asked if was prepared to kill, the judge found. Acheson was further instructed by Maree to hire a safe-house in Windhoek and await further details.

Mr Justice Harold Levy said Lubowski's murder. dition of those implicated in the killing were Ferd Barnard, Chapple Maree, Staal Burger, Wouter Basson, Johan Niemoller, Calla Botha, Slang van Zyl and Joe Verster, the managing director of the notorious CCB — a dirty tricks department of South Africa's military intelligence.

Counsel for Lubowski's family argued that the eight were members of the CCB's Region Eight, Namibia, and were therefore responsible for the murder. Counsel for Lubowski's family argued that the eight were members of the CCB's Region Eight, Namibia, and were therefore responsible for the murder.

The men implicated in Lubowski's murder

Namibia is to seek the extradition of eight former Civil Cooperation Bureau (CCB) members implicated by the Namibian High Court yesterday in the murder of Swapo advocate Anton Lubowski in 1989.

STAFF REPORTERS and SABA-REUTERS

IRISH mercenary Donald Acheson found to have shot Namibian lawyer as part of military intelligence plot



Lubowski... assassinated.

Acheson... implicated.

To Page 3

He had travelled to Windhoek several times, murdered Lubowski on September 12 and then buried the weapon before his handler, Maree, told him to lie low for a while, the judge said.

The findings will now be handed to Heyman for a decision on whether to prosecute. This decision was likely to be complicated by the lack of an extradition agreement between Namibia and South Africa.

Convicted murderer Barnard was the prime suspect in the 1990 Harms Commission of Inquiry into the death of Webster and other political activists.

Verster, managing director of the CCB, was called a professional liar by Justice Michael Stegmann in the Webster inquest.

Basson told the Webster inquest the CCB had planned to spread disease in Swapo camps, disrupt rallies and use violence to delay Namibia's first non-racial election.

Nature body ready to buy W Coast land

Supreme Court Reporter **AKG 24/6/94**

THE South African Nature Foundation is prepared to buy and restore the land at the centre of a controversial West Coast housing development.

The SANF was reacting to a landmark decision in the Supreme Court yesterday by Mr Justice Rose-Jones and Mr Justice Foxcroft.

The two judges ruled that permits issued to Myburgh Park Langebaan Pty Ltd by the Administrator, the Minister of Education and Environment Affairs and the Langebaan Municipality giving the company permission to develop cluster housing near Langebaan Lagoon be declared null and void.

The judges were ruling on a review application brought by three companies, Cornum Pty Ltd, Meenkliip Boerdery Pty Ltd and Oesterwal CC.

They wanted the court to set aside the permits which allowed development of the land, previously declared a nature area, as they claimed it would be an "ecological disaster".

The judges found that the Administrator had failed to apply his mind in granting the permit and that all the permits were ultra vires.

"Granting of the permits was a contradiction of the purpose of a nature area. The proposed development contradicts the tenets of nature conservation," said Judge Rose-Jones.

He said "no reasonable man" would have granted the permit given by the Administrator.

Frans Stroebel of the SANF said he had been instructed by the organisation's president, Anton Rupert, to start negotiations to buy the land from the developers.

Michael Schuurman-Stekhoven, the man behind the court action to stop the development, said it was a great victory for the "ordinary man".

Lubowski probe finding hailed

(321)

AKG 24/6/94

□ 'Best argument' for truth commission

The Argus Correspondent

JOHANNESBURG. — The finding of the Lubowski inquest more than four years after Namibia became independent is the best argument South Africa has for establishing a truth commission, says Lawyers for Human Rights executive director Brian Currin.

Referring to the inquest finding which yesterday named Irish mercenary Donald Acheson as the killer of Swapo advocate Anton Lubowski and Civil Co-operation Bureau (CCB) members as accomplices, Mr Currin said: "That is precisely why we need a truth commission here."

He said the commission could get information and record it so that it could be dealt with and the country could move on rather than have a host of skeletons dragged from the cupboard in five or six years' time.

Mr Currin also said the inquest finding vindicated all those who had accused the CCB. But he found it incredible that it had taken so long to make the finding that so many people

expected after CCB members were implicated in Mr Lubowski's killing by the Harns commission of inquiry into hit squad activities.

Wilfried Lubowski, the advocate's father, said at his home in Cape Town yesterday he "definitely" wanted those responsible for his son's death to be prosecuted.

"It is a relief to know that these people have been blamed at the inquest for my son's killing."

"Now we just need to make sure they are extradited to Windhoek to stand trial."

Michaela Clayton (now Figueira), who was Mr Lubowski's lover and worked as a lawyer in the early stages of the case, said it had been her desire throughout the court proceedings to ensure that the activities of the CCB were exposed.

"I am not a vindictive person and I never had a desire to see individuals prosecuted. But I did want to have the extent of the activities of the CCB exposed to reduce the chances of those activities being repeated in the future," she said.

Lubowski, Goniwe inquest findings reinforce one another
and point to irresistible conclusion

Star 25/6/94

The verdict is awaited

(329)



WHEN the existence of the CCB was first disclosed in late 1989, top military men denied all knowledge of it until the police uncovered it during their investigations into the murders of Anton Lubowski (left) and David Webster. There now seems little doubt that assassins sometimes eliminated rather than harassed political activists, **PATRICK LAURENCE** writes.

THE finding in Namibia by Judge Harold Levy that SWAPO leader Anton Lubowski was murdered by Donald Acheson acting in concert with the dreaded Civil Co-operation Bureau (CCB) will reverberate for a long time in South Africa.

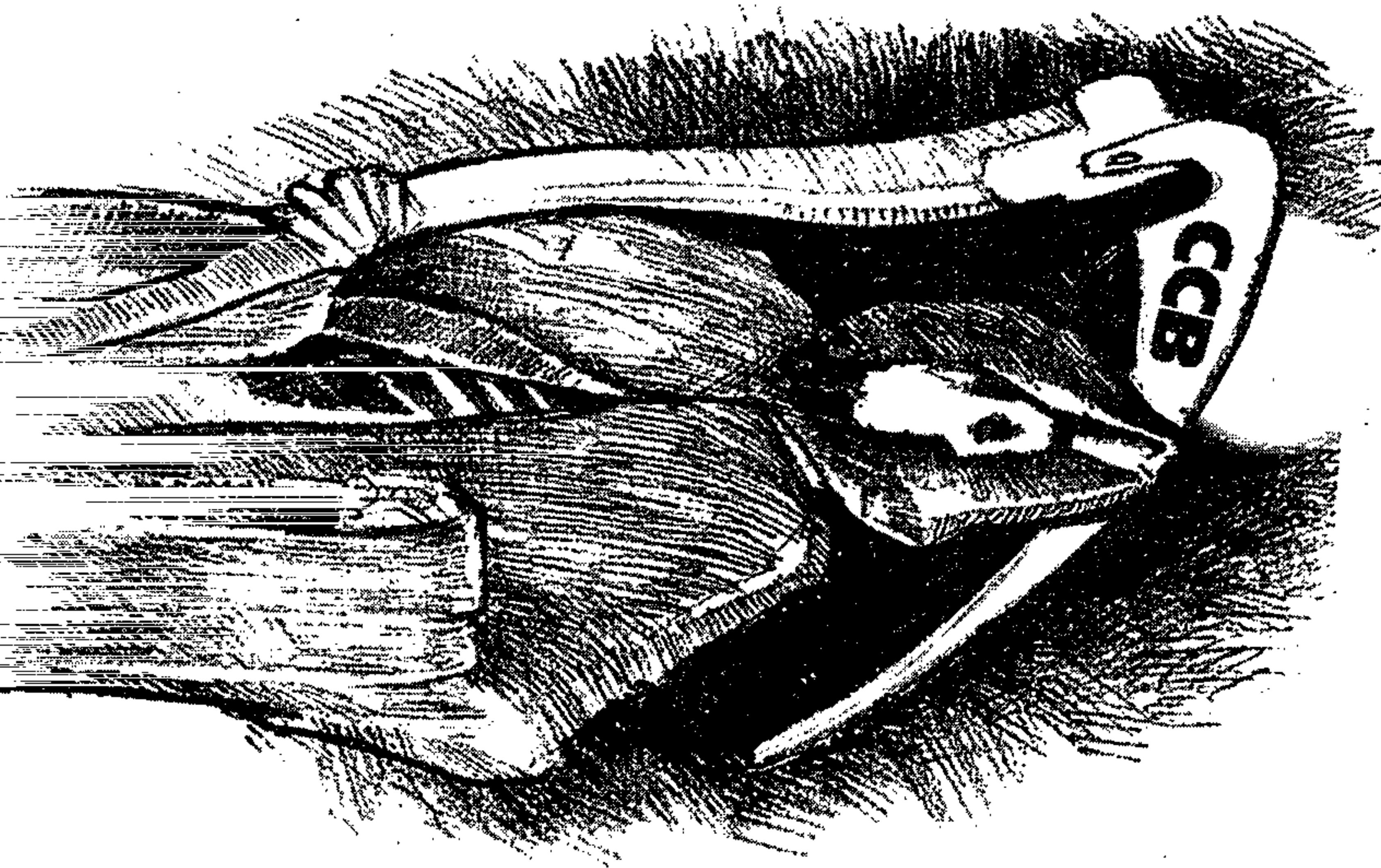
Judge Levy's judgment in the inquest into the death of Lubowski, on September 12 1989, proves the existence of State-run death squads during the presidency of PW Botha, even though inquest court findings are based, generally, on a balance of probabilities rather than proof beyond reasonable doubt.

The finding in the Namibian court must be seen in the context of another watershed inquest: the one delivered less than a month ago by Judge Neville Zietsman in the inquest into the death of Matthew Goniwe.

Mitchell and his co-policemen, the standard response of the old police establishment to allegations of involvement in "Third Force" activities was that it had never been proved in a court of law. The Trust Feed judgment shattered that defence.

The Lubowski and Goniwe inquests have had an even profounder impact. If – and it is a questionable if – the Trust Feed massacre can be explained solely as the work of one overzealous policeman (Mitchell) who considered himself a soldier in a civil war, the same rationalisation cannot be applied in either the Lubowski or Goniwe killings.

The assassination of Lubowski cannot be dismissed as the act of one man, Acheson, who is described in the media as an "Irish mercenary" who sought to ensure a convergence between his right-wing convictions and entrepreneurial instincts, and whose CCB code name is "The



□ First, that Goniwe and his confidantes were murdered by "members of the security forces".

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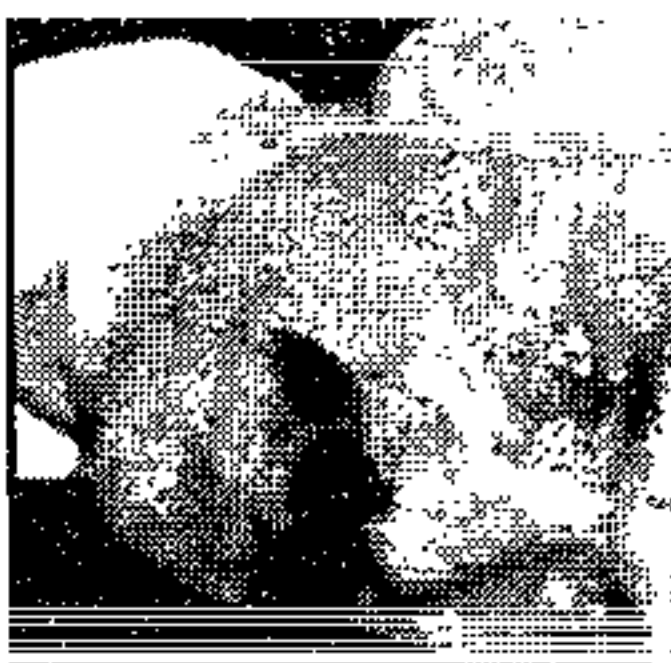
On the second point it is pertinent to note the message was sent by the commander of the SADF in the Eastern Cape, Brigadier Joffel van der Westhuizen, to General Johannes van Rensburg of the Secretariat of the State Security Council, meaning that a proposal to murder an anti-apartheid leader was being mooted in the highest political echelons in the land.

The security forces took elaborate steps to cover their tracks in the Goniwe killings – the bodies of the victims and Goniwe's car were burnt to make identification difficult. Similar steps to cover their tracks were made by the police in the Trust Feed massacre.

Judge Wilson concluded that the evidence of senior policemen in the trial "could not be accepted" and that official records produced by them were "subject to suspicion or shown to be completely false".

Startling testimony was heard during the trial that the four constables were given a security clearance and employed by the KwaZulu Police and that they were told to hide by a KwaZulu police officer when the heat was on.

BUT for the integrity and courage of two policemen, Frank Dutton and Wilson Mavala, the police



SHADOWY FIGURE:
Donald Acheson

comrads.
Judge Zietsman found that Goniwe, a leader of the pro-ANC United Democratic Front in the Eastern Cape, and Fort Calata, Sparrow Mkhonto and Sicelo Mhlauli were murdered by security forces on 27 June 1985.

The findings of the two inquest courts reinforce one another and point irresistibly to the conclusion that assassins with links to the security forces "eliminated" rather than merely harassed political activists who were categorised as "enemies of the State". The proceedings and findings of the Lubowski and Goniwe inquests should be placed in the context of another major court judgment: that of Judge A Wilson in the Trust Feed Massacre of December 1988.



CCB AGENT: Ferdi Barnard

In a sensational judgment, delivered in April 1992, Judge Wilson found five policemen - Captain Brian Mitchell and four special constables - had perpetrated the massacre as part of an attempt to tilt the balance of power at Trust Feed in favour of Inkatha and away from the UDF. Mitchell was sentenced to death 11 times for ordering the massacre. The constables were each sentenced to 15 years' jail for their role in the attack.

The Trust Feed judgment has been thrust under the spotlight again by the recent decision to grant amnesty to the four constables: David Khambule, Dumisane Ndwalane, Khehla Ngubane and Thabo Sikhosana. Mitchell's name does not appear on the list of people granted amnesty.
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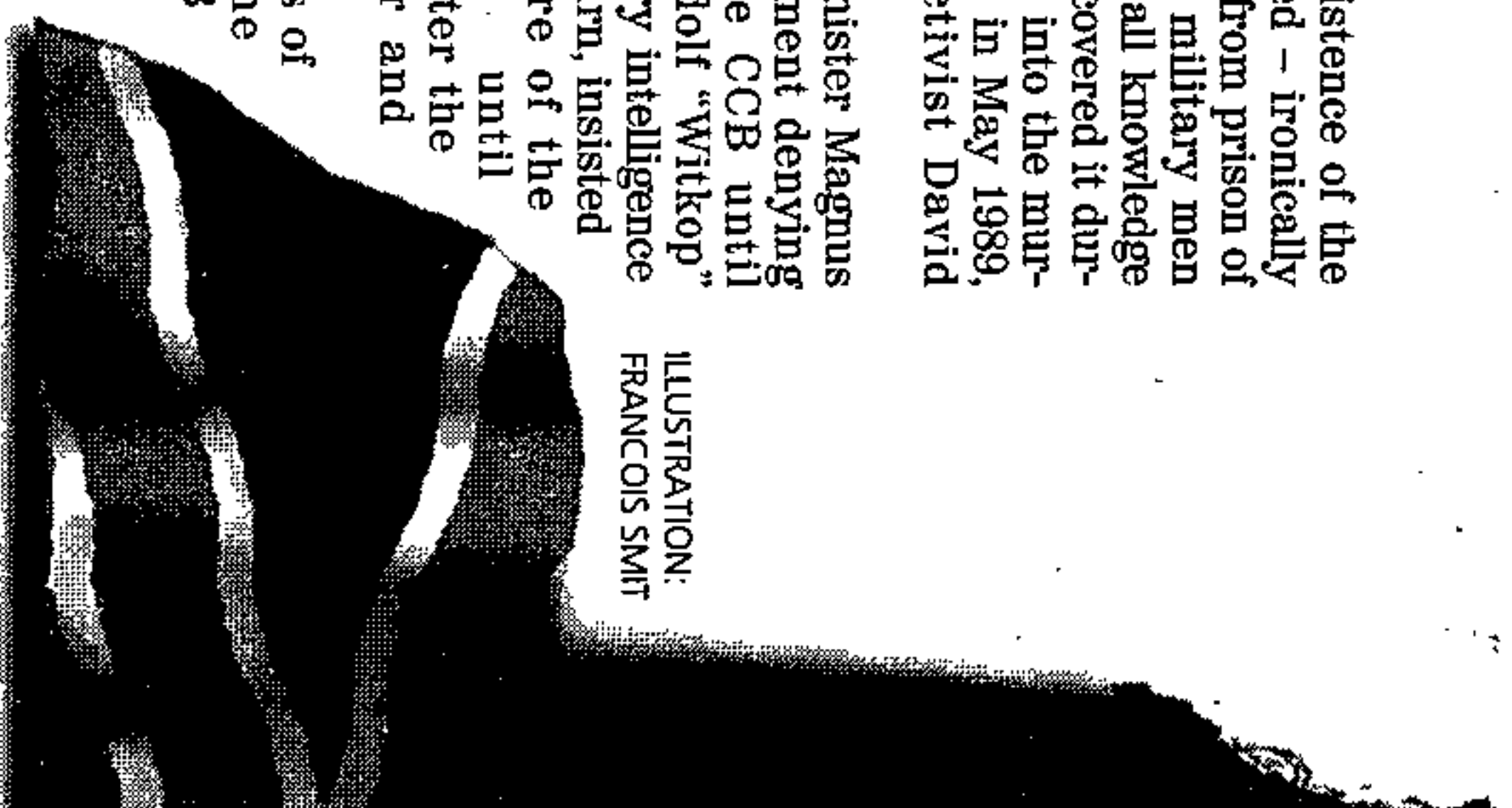


ILLUSTRATION:
FRANCOIS SMIT

calumny, designed to - in the words of Lubowski's father, Wilfried - "save his own hide". If Malan was duplicitous about Lubowski being a spy, what credibility can be attached to his denial of knowledge of the CCB when its agents were plotting "maximal disruption" - a euphemism for murder - of enemies of the State?

The findings of Judge Zietsman in the Goniwe inquest provide equally compelling reasons for concluding that assassination was an integral part of PW Botha's total strategy.

George Bizos SC, who headed a Legal Resources team in the Goniwe

massacre may never have been brought to trial.

The Goniwe inquest raised another chilling possibility: that not even members of the security forces were safe from their colleagues during the PW Botha era. Four men - three black policemen and an alleged ANC renegade or Askari - were killed in December 1989 when the car in which they were travelling blew up. The supposition was advanced during the inquest that they were slain because they knew who killed Goniwe and they might talk.

Judge Zietsman concluded of the evidence of police officers about these killings was "unsatisfactory," adding that it raised "a suspicion that the truth has not been told and that (the black policemen and the Askari) might have been killed by their own colleagues." These State-sponsored political killings took place during the PW Botha's presidency.

The critical question is whether they continued under the presidency of FW de Klerk. Grave suspicions abound that De Klerk was either unable or unwilling to assert control over the security forces he inherited.

These suspicions were given a legal imprimatur on March 18 when Judge Richard Goldstone released a report containing what he described as *prima facie* evidence that elements of the SAP, the Kwa-Zulu Police and the Inkatha Freedom

Party were involved in politically motivated violence. The report was contested vigorously by those involved, including the Deputy Commissioner of Police, Basie Smit.

It was recognised, however, the police could not investigate themselves. A team of international investigators, acting under a South African attorney-general, was called in to help.

The jury is out. The verdict is awaited.

Patrick Laurence is the author of *Death Squads: Apartheid's Secret Weapon*. He is working on a sequel.



5th
25/6/94

Lubowski: Namibia in treaty bid

ARG 25/6/94

329

Weekend Argus Special Correspondent

WINDHOEK. — Namibia intends to pursue an extradition treaty with the government following the judgment in the Lubowski inquest this week in which the judge named certain members of the notorious Civil Co-operation Bureau (CCB) as having initiated and been accomplices to the death of the activist.

Deputy Justice Minister Vekuii Rukoro said after the conclusion of the inquest that it "would be irresponsible if the government did not try to extradite those involved in the murder of Anton Lubowski" and for them to stand trial in Namibia.

Mr Rukoro said South Africa's justice ministry under the former government had dragged its feet on an extradition treaty. "But, now that there is a new administration we will definitely proceed most expeditiously to get a treaty in place."

The judge named, among others, the CCB's managing director, Joe Verster, as well as several members, including Chappie Maree, Calla Botha, Staal Burger, Ferdie Barnard, Slang van Zyl, Wouter Basson and Johan Niemoeller as being accomplices.

The inquest outcome, nearly five years after the death of Mr Lubowski, a prominent white Swapo member who was gunned down outside his Windhoek home in a hail of AK-47 bullets on September 12, 1989, has been greeted with some disbelief in Namibian circles.

While no one appears to dispute the involvement of the CCB in the planning and execution of the murder, the judge's

ruling that Irish mercenary Donald Acheson pulled the trigger does not seem to quite ring true.

Mr Acheson, who was arrested the day after the murder and held for several months in custody, was finally released when the state dropped charges against him.

Mr Justice Harold Levy this week rebuked Namibia's Prosecutor-General, Hans Heyman, for failing to try Mr Acheson for murder on the grounds of strong circumstantial evidence against him. Mr Heyman, however, has defended his decision, saying that if he had tried Mr Acheson it would have led to an acquittal because of a lack of witnesses.

Mr Acheson, who subsequently left Namibia for South Africa, later admitted having been sent by the CCB to Windhoek to poison the editor of The Namibian newspaper, Gwen Lister.

Judge Levy maintains there was enough circumstantial evidence against Mr Acheson at the time of his arrest in Windhoek for him to have stood trial.

Citing, among others, the movements of Mr Acheson on the night of the murder, the fact that his hired red Toyota Conquest had marks on the roof indicated it had been used to steady the AK-47 during the shooting.

In addition to this, the fact that he had been seen by his landlady carrying what appeared to be a rifle in a hessian bag, Judge Levy maintained that had Mr Acheson stood trial it would have ended all the conspiracy theories which followed his release.

In May 1993, The Namibian published a front-page report citing sworn affidavits which claimed that high-ranking Namibian police and army officers had been involved in the assassination.

Those in question immediately launched a R1.5-million lawsuit against the newspaper. The suit was held in abeyance until after the inquest.

With the judge's ruling which exonerated the top policemen, who include the investigating officer in the Lubowski murder, Deputy Commissioner Jumbo Smit, as well as the former head of Namibia's security police, General Foffie Badenhorst, the four who were suspended from their duties in the court of the inquest were immediately reinstated on Thursday.

At this stage, it is not known whether the officers plan to pursue their lawsuit against The Namibian, but may well want to do so to "clear their names".

Another aspect of the judgment which surprised Namibians was the total exoneration by the judge of the policemen who had been implicated. Counsel for the Lubowski family, in summing up, told the court it was clear from evidence that an important report concerning the CCB plot to murder Mr Lubowski was made to Inspector Terry Terreblanche of the police prior to Mr Lubowski's death.

Counsel for the family submitted that if proper police investigation and action had been undertaken at the time, the murder may have been prevented.

Namibia may yet seek extraditions in Lubowski case

Argus Africa News Service

WINDHOEK. — A decision on whether Namibia should seek the extradition from South Africa of the suspected accomplices in the assassination of Anton Lubowski is still being considered by Prosecutor-General Hans Heyman, according to Deputy Justice Minister Vekuii Rukoro.

However, Namibian officials are believed to be considering a new attempt to extradite the three South African rightwingers who escaped from Namibia after being accused of killing a guard in an attack on a United Nations office in Outjo in 1989. Such an application could establish a precedent for the Lubowski matter.

After Anton Lubowski's father, Wilfried, had met South African Justice Minister Dullah Omar yesterday, Mr Lubowski said there was support from the South African government for extradition. Justice ministry spokesman David Porogo confirmed that "we are sympathetic".

Mr Rukoro has backed Mr Heyman's initial refusal to prosecute Irish mercenary Donald Acheson, who was found by Mr Justice Harold Levy last week to have assassinated Anton Lubowski in 1989 as part of a South African military intelligence plot.

The judge called Mr Heyman's failure to prosecute Mr

Acheson while he was in custody in Namibia as "the height of incompetence" considering the strong prima facie evidence against him. Mr Heyman in turn accused the judge of being vindictive and reiterated that he had been unable to prosecute Mr Acheson as essential witnesses had refused to come from South Africa to testify.

Mr Acheson, arrested the day after the Lubowski murder, was freed in 1990 and his present whereabouts are not known.

However, Namibian authorities are interested in extraditing for trial the eight former South African Civil Co-operation Bureau (CCB) operatives whom Judge Levy found to be implicated prima facie as accomplices in Anton Lubowski's murder.

Mr Rukoro said yesterday a decision on whether to seek the extradition of the eight — Ferdi Barnard, Chappie Maree, Staal Burger, Wouter Basson, Johan Niemoller, Calla Botha, Slang van Zyl and Joe Verster — would be taken only after Mr Heyman had studied Judge Levy's findings.

If it is decided to seek extradition, Namibia has two options. The first is to conclude the extradition treaty that has been under negotiation with South Africa for several years. This may not cover political crimes, however.

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Lubowski extraditions likely — father

By CHRIS BATEMAN
Political Staff

THE parents of assassinated Swapo leader Mr Anton Lubowski are confident that South Africa's Minister of Justice, Mr Dullah Omar, will agree to a Namibian request to extradite the eight CCB operatives allegedly responsible for his death.

Mr Wilfried Lubowski said this yesterday after he and his wife Molly met Mr Omar and his director-general Mr Jasper Noethe for an hour.

"They'll try everything in their power to help," he said, adding that Mr Omar had "a lot on his plate."

"We're not the only ones in

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this predicament — our son was not the only one assassinated."

The Lubowskis were accompanied by their attorney, Mr Andrew Corbett.

It was reliably learnt that President Nelson Mandela took a personal interest in yesterday's meeting.

Mr Corbett, who flew back to

Windhoek yesterday, said he would try to arrange to see Namibian attorney-general Mr Hartmut Ruppel today.

"We have the assurance that, should an extradition application be made, the South African government will take it very seriously," he said.

Yesterday's meeting was prompted by Namibian inquest

judge Mr Justice Harold Levy's finding last week that CCB-hired Irish mercenary Mr Donald Acheson gunned down Mr Lubowski on September 12, 1989, with "prima facie" accomplices. CCB director Mr Joe Verster and seven other named operatives.

Mr Acheson is believed to be in Ireland.

Child detention to end

JOHANNES NGCOSO

SECTION 29 of the Correctional Services Act, which allowed juveniles to be detained before their conviction, would be abolished, Correctional Services spokesman Capt Bert Slabbert said yesterday.

"Correctional Services Minister Siphso Mzimela is drafting legislation to remove 800 detained juveniles from prison and put them in places of safety."

The proposal had been approved by Cabinet on Wednesday. **BIDAY 11/7/94**

"The proposed amendment will be drafted in such a way that juveniles will be safeguarded against detention in prison," Slabbert said.

Mzimela said: "This should serve as a clear signal about government's intention to solve the serious and sensitive matter of unsentenced children in prison."

President Nelson Mandela said heads of departments involved with the detention of children would draw up guidelines to remove children from prison and place them in suitable care.

Meanwhile, Slabbert said two advocates, Pius Langa and Ronnie Pillay, had been appointed to join IEC chairman Judge Johann Kriegler's commission into the recent prison violence. **(329) (285)**

SA Prisoners' Organisation for Human Rights spokesman Golden Miles Bhudu welcomed the appointment of the commission.

He hoped prison warders who had shot and killed prisoners would be called to explain the circumstances that led to the killings. If sufficient evidence was found, warders would be tried and convicted.

Report alleges illegal KwaZulu Police camp

A TEC report on KwaZulu Police hit squads has alleged that as many as 5 000 Zulus were illegally trained at a camp at Mlaba to become "soldiers for Inkatha".

The report, which has not yet been officially released, forms part of a more extensive TEC investigation. **BIDAY 11/7/94**

It stated that the training was unlawful in terms of the Self-Governing Territories Constitution Act which prohibited the establishment of military units. **(285)**

Home Affairs Minister and Inkatha leader Mangosuthu Buthelezi said he had not seen the report but added that the existence of the camp was not a secret.

He denied that the camp was illegal, saying he had discussed the creation of self-protection units with Police Commissioner Johann van der Merwe.

Arms from the camp were removed just prior to the arrival of an inspection team, which reached the camp on April 26, shortly before voting began.

The KwaZulu Police Department decision to convert the trained persons into KwaZulu Police special constables had to

JOHANNES NGCOSO
and TIM COHEN

be "closely scrutinised", the report said. The KwaZulu government may have spent more than R500 000 on paying trainees who were not deployed as special constables, the report added.

The report implicated Inkatha's Senator Philip Powell as having been involved in training at the camp, and said a homemade shotgun had been found hidden under the seat of his car.

The ANC, Cosatu, the SACP and the PAC called for the findings of the task group, headed by lawyer Howard Varney, to be made public.

SACP general secretary Charles Ngqakula and Cosatu spokesman Neil Coleman said their organisations were still receiving reports of third force activities in KwaZulu/Natal despite the TEC investigations. PAC NEC member Maxwell Nematshini said his organisation wanted the report to be made known so that political criminals could be identified.

ANC spokesman Lindi Zulu also called for the report to be made public.

Jail without trial scrapped

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Political Staff

DETENTION without trial is to be finally lifted in all areas of South Africa following a decision by the cabinet yesterday.

In a statement last night, a spokesman for President Nelson Mandela said he had approved the tabling of the Restoration of Peace and Order Bill in the present session of parliament which repeals security legislation in the former TBVC states.

The bill also provides "appropriate measures" to deal with national emergencies.

The cabinet also agreed to establish a drafting team, consisting of labour lawyers and a state law adviser to help the Labour Minister to draft new labour legislation.

This is viewed as necessary to undercut the climate of strike action with a new Labour Relations Act.

The cabinet also decided South Africa would join the Southern African Development Community (SADC), the group of former front-line states originally formed to reduce their economic dependence on South Africa.

A treaty will be signed by Mr Mandela to this effect at the next heads of government summit of the SADC states in Gaborone on August 29.

The cabinet also confirmed its commitment to the rehabilitation of the Mozambican Cohora Bassa hydro-electric scheme.

The cabinet decided to appoint

Professor N Mangayi as director-general of national education, Mr Billy Cobbett as director-general of housing and Mr M Tyamzashe as director-general of Sport and Recreation.

It was also decided to extend the terms of office of Dr H Snyckers, Mr E Beukes and Mr B Alberts as board members of the SA Bureau of Standards.

The terms of office were also extended of Mr P du P Kruger as chairman, Mr H Hall, Dr R Sibiya and Mr E van As as board members of the Council of Scientific and Industrial Research to December 31.

Dr D Bosman was re-appointed as a member of the Board of Tariffs and Trade until December 31.

By **THEMBA KHUMALO**
Political Correspondent

Shock at report on cell deaths

THE deaths of detainees in police custody between January and December last year were reduced in a police report to mere statistics - 276.

But parliamentarians in Cape Town were shocked to read in the 143-page report by Police Commissioner Johan Van der Merwe that that number of detainees had died in police custody, and wondered how many of these were tortured or strangled to death by their captors.

The annual report, tabled in parliament on Wednesday, said only nine detainees died "as a result of alleged assault by members of the SAP

(excluding lawful application of force to effect an arrest or to prevent an escape).

Seven policemen were suspended because of these deaths and 19 were charged, but none so far have been convicted for the deaths.

The report read as follows:

- Number of fellow detainees charged with the death of a detainee: 20.
- Number of fellow detainees convicted: one.
- Number of fellow detainees acquitted: 0.
- Number of cases against fellow detainees

still under investigation: nine.

■ Number of members of the public charged with the death of detainees (awaiting trial): 12.

■ Number of cases against members of the public still under investigation: 21.

■ Number of inquests finalised regarding suicide: seven.

■ Number of inquests still under investigation regarding suicide: 30.

■ Number of inquests finalised regarding detainees who died as a result of natural causes: 17.

■ Number of inquests

still under investigation regarding detainees who died as a result of natural causes: 14.

Deaths of suspects being held in police custody came under the public scrutiny after the late Dr Jonathan Gluckman, a 78-year-old independent pathologist, revealed that 90 percent of the 200 detainees whose bodies he had examined died of torture or strangulation by the police. **B29 (353)**

His utterances provoked a public outcry and the government was forced to review the circumstances which surrounded the deaths in police custody.

Following his statement, Gluckman received a string of death threats from anonymous people.