TOTALITARIANISM - GENERAL

1 JAN. 1982 — 30 MARCH 1982

calm. One expects those large, floppy dogs beloved of the northern suburbs to come bounding out from behind the bushes and, perhaps, carefully munching in the distance, the odd horse.

Instead there is rural quiet, and Gerard Ludi's study — a stylish glass box attached to the main house — emphasises this aspect of retreat and contemplation. But at 43, Ludi — formerly agent Q-018, the man whose State's evidence in 1964 sent Bram Fischer and the Rivonia plotters to prison — is neither retreating nor overtly contemplative. He has a vision of the terrorist onslaught against SA which he expresses vividly and, it must be said, authoritatively.

After a long, though interrupted, career in Republican Intelligence (later BOSS, later DONS, later NIS), Ludi retired in mid-May and formed a security consultancy, Gerard Ludi & Associates. Principal associate is Millard Shirley, a former senior CIA officer. The others, recruited locally but not yet in service, he would prefer not to name at this stage.

Trim, his silvering hair framing boyish features, Ludi is intelligent and charming. But, in dealing with journalists, there is a certain watchfulness. Many of his former colleagues do not love him well and he seems concerned to underplay his double role in the radical circles of the early Sixties. To underplay, but not to deny: his printed CV lists, firstly, the fact that he completed the Argus course for cadet journalists, and then, secondly, that he was trained by the KGB in advanced intelligence work as "our man in Moscow."

His company's services are being marketed on the basis that he — and his associates — can provide threat analysis of a very high order indeed. A group, he says, will be interviewed from top to bottom and finally presented with a comprehensive security programme tailored to its needs.

"This isn't a question of so many square metres of fencing, so many locks — the priority is to get a company's employees involved in security, for them to see their security interests as totally bound up with those of their employer."

The risk, he says, must be quantified — realistically and scientifically. Some companies may, in fact, have no threat; or be over-capitalised in terms of perceived threat. "If that's the case, we'll tell them. Our aim is to provide corporate security policies for companies whereby they can implement their own security measures. Get the typist to know what a limpet mine looks like."

He points to in-company measures which alienate staff — "the growth of security

GERARD LUDI

A farmer at heart

The driveway to his low, ranch-style house in Witkoppen is neat — gravel and flowerbeds laid out to suggest expanse and

FM 1/1/82

departments which stamp up and down like little gestapos, searching people, showing off their guns. You know the kind of thing. That puts people's backs up. They might even find a bit of fun in duping the guards, rocking the system. Make people feel their security is one with their group's and the situation is much healthier. You don't have a situation which can be exploited by the ANC."

An overall approach to threat analysis also means making employers aware of the extent to which they can be targets. "Take an equal opportunity employer. He may think he's safe. But in fact the ANC may see him as a prime target. The ANC is very selective. Anything that defuses racial tensions doesn't serve its purposes." One of Ludi's three major clients at the moment is, in fact, such an employer.

The workforce can be infiltrated by communist agents; black unions are particularly susceptible. Ludi, however, denies that he is in the business of infiltrating unions to discover their "true" aims. He seems to mistrust informers: "Sooner or later they have a crisis of conscience. They want to bare themselves in public, write books."

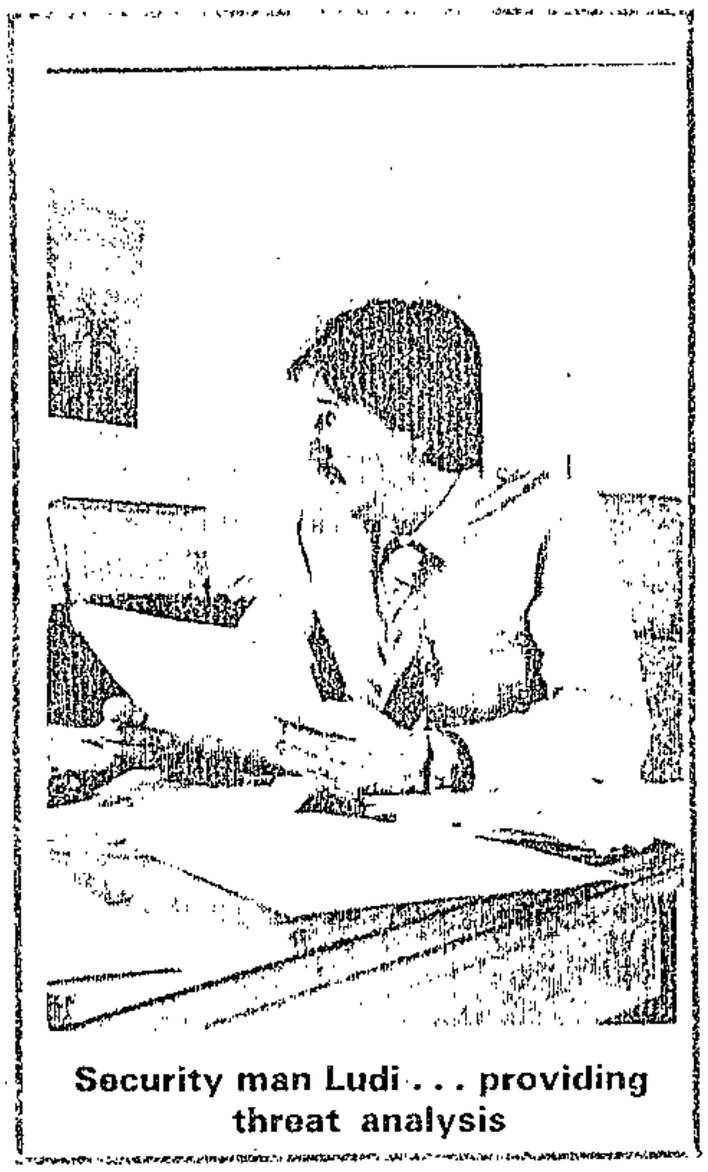
But if the black workforce is not to be infiltrated, how is the employer to know whether or not it is ultimately controlled from Moscow? "Well... certain personalities are involved, there is some continuity between fronts. If a businessman wants it, I let him look at this."

"This" is *A Short History Of the South African Communist Party* by Gerard Ludi — a document labelled "confidential," and which has accumulated over the years, including the ones when Ludi operated a massive network of agents throughout Africa. That is one piece of evidence in Ludi's threat analysis; another is the fact that "I know the modus vivendi of the ANC. After all, I was a member of it until my cover was blown at the (Fischer) trial."

What of the suggestion that Gerard Ludi & Associates is, in its turn, a front? A ruse to get a security-force handle on the black unions with the concurrence of employers? Ludi smiles, skirts around the question, but does eventually reply to the charge: "The National Intelligence Service is worried about bigger things — what's happening in Maputo, and so on. Let me just say that the NIS has its problems; I've left it; this is my trade now."

He will not say exactly why he left the NIS, but feels impelled to add: "People have a misconception about intelligence work. At any one moment there's a spy film showing to add to that misconception. When we trained agents, there were only a few books and films that presented intelligence work in an authentic manner."

But can an agent ever stop thinking like one, living like one, always looking over his shoulder? He shrugs. "Let me just say: if I inherited a fortune, I'd be only too glad to give it all up and go farming. That's what I'd really like to be doing. I'm a farmer at heart."



Security man Ludi . . . providing threat analysis

Hoteliers: No bar spies

By KEVIN DAVIE

WE don't spy on our guests!

Managements of top Johannesburg hotels have dissociated themselves from claims made by the security manager of a leading Johannesburg hotel, a member of the Hotel Security Association.

The security manager, Mr Richard Mommsen of the Johannesburger Hotel, said security staff at the hotel kept an eye on guests who discussed politics in bars at the hotel.

Mr Mommsen said his staff was instructed to keep customers who discussed politics under close surveillance.

But leading hotel managements say that this was not their policy.

"Our only concern is guest satisfaction and not guest conversation," says Mr A Jamieson, general manager of the Landdrost.

Likewise, the director of marketing at the Carlton Hotel, Mr David Shackleton, said the hotel would not tolerate eavesdropping on guests' private conversations.

The "spies in bars" row began this week when a guest at the Johannesburger Hotel was removed from the premises.

The guest told a morning newspaper that, after a casual remark to a security man at the hotel, he was accused of being a Progressive Federal Party supporter.

He was then forced to leave the hotel.

A spokesman for the hotel confirmed that the incident had taken place.

The managing director, Mr S Hoffmann, would say only that Mr Mommsen was still in his employ, and that "he had been misquoted and quoted out of context".

The chairman of the Hotel Security Association, Mr Tony Gray, also said that spying on guests was not the policy of the association.

The two German riders Rudi Zimmermann and Klaus Brinkmann are international riders but both have other occupations.

Brinkmann, 29, who spent six months in South Africa last year, is managing director of a large family clothing manufacturers, while Zimmermann, also 29, said he was involved in a family factory which makes machinery for coal mines.

Brinkmann has represented Germany on many occasions since his teenage years and has competed in Holland, Sweden, Austria, Libya and France.

Zimmermann was the winner of the major international competition in Seefeld, Austria, last year and Baden Baden in 1980, and represented Germany in Libya.

The last overseas rider, Spain's Alfonso Sergovia, arrives in South Africa on Thursday.

47 in court for drinking and driving

Mail Reporter

FORTY-SEVEN motorists appeared in courts in Johannesburg and on the Witwatersrand yesterday on charges of drunken driving.

Twenty six people appeared in courts on the East Rand, 16 on the West Rand and five in Johannesburg courts.

The managing director of a major liquor distributor, Mr Trevor Pearman, believes that the anti-drinking-and-driving campaign could bring about permanent changes in the drinking pattern of South Africans.

Mr Pearson said in an interview his firm would fully support the campaign if it helped prevent the tragedies caused by drinking and driving.



Making the best of the rest

LAST-MINUTE FLING ... before going back to school tomorrow. Pamela Hunter (left) and Belinda Daniels, both 12, refused to allow the rain to mar their final hours of a glorious summer holiday. The Roodepoort girls were too busy cramming in all the roller-skating they could to even think of the first day in class this year.

Picture: NATALIE GOLDSMITH

Commission chairman is named

MR GERT KOTZE, Member of Parliament for Malmesbury, has been appointed chairman of the Commission of Inquiry into the Taxation of Fringe Benefits.

Yesterday's Government Gazette said the commissioners — all MPs — were: Mr George Bartlett, Mr Brian Goodall, Mr Eli van der Merwe Louw, Dr George Marais, Mr Daniel Schutte, Mr Harry Schwarz, Mr Charles Simkin, Mr Karel Swanepoel and Mr Adriaan Vlok. People wishing to submit evidence in writing must do so before January 18, 1982. — Sapa.

went into hospital on Sunday, December 27.

"Except for the thyroid problem, there was nothing wrong with her. She ate a good lunch of eggs and toast on Sunday and then she and her husband (Hendrik) caught a bus into town.

"And after the operation, apparently she was fine too and woke up okay. Then later that evening my son-in-law received a phone call at the house where they stayed.

"The hospital asked us to come immediately because my daughter was suddenly not well. I couldn't face seeing her like that, so my wife and Hendrik went in.

Blood

"When they got there, she had deteriorated and died.

"We think there was blood in her throat after the operation that choked her but we have not been told anything officially.

"The police just told us they were investigating and that there would be an inquest in an open court.

"We are very upset. Marilyn and Hendrik were staying with us, waiting for a transfer to Cape Town but now I don't think my son-in-law, who works for the South African Railways, will go. It will better if he stays here so we can help look after the children."

Mrs Smit had two boys and a girl, aged 4 years, 2 years and 10 months.

...ona politico polls a top vote

BONN. — A fictitious Minister was voted one of West Germany's most popular politicians in an opinion poll published yesterday.

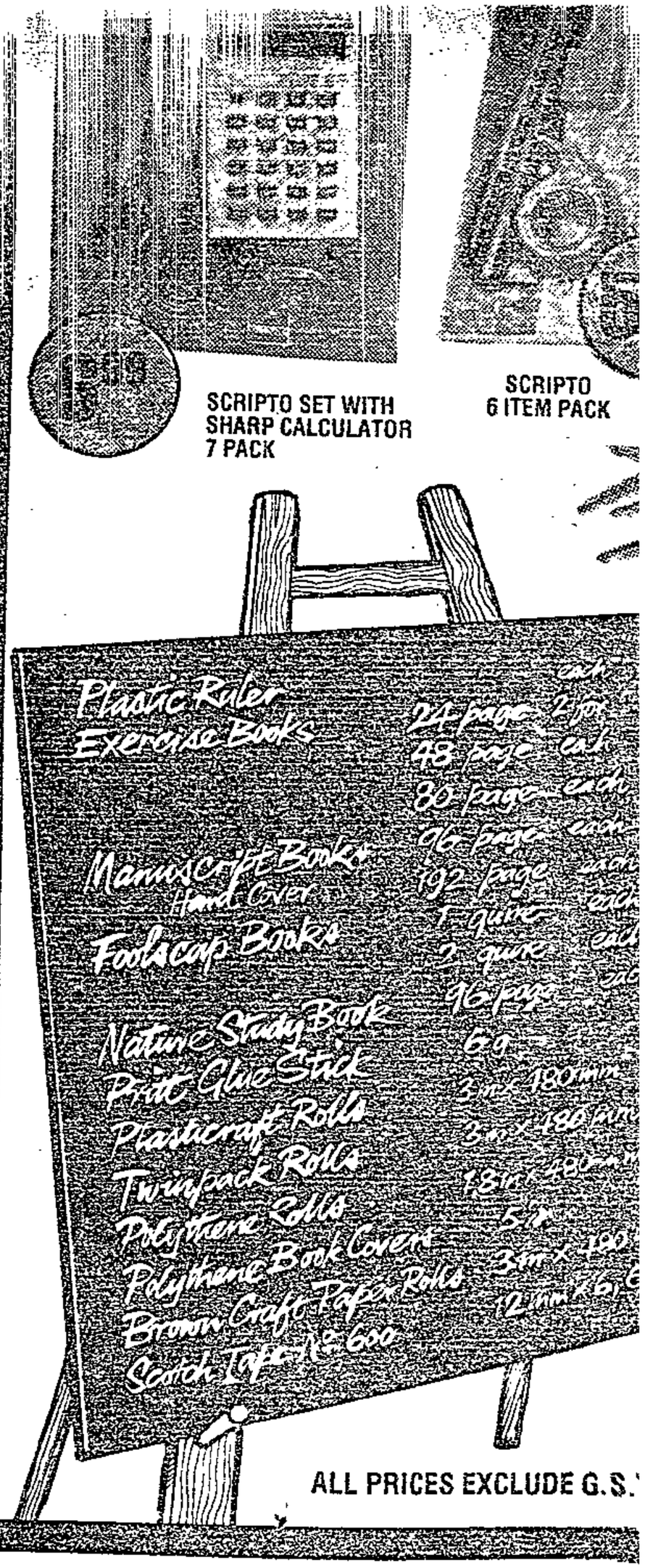
The respected Emnid Institute placed "Minister Meyers" on a list of government officials submitted to voters for a routine popularity test.

The non-existent Minister was voted sixth most popular, ahead of political heavyweights like the Defence Minister, Mr Hans Apel, and the Interior Minister, Mr Gerhart Baum.

"Contrary to the assumptions of politicians and opinion pollsters, large sections of the population have a high degree of ignorance about politics," an Emnid spokesman said.

The Emnid Institute, based in Bielefeld, is one of West Germany's best-known public opinion and market research organisations.

It said one in three West Germans were unable to name a Minister, or gave a wrong name. — Sapa-Reuter.



'Beat Of Drum' is back on CNA shelves

Mail Reporter

"THE Beat Of Drum" — a book covering the past 30 years of Drum magazine — is back on Central News Agency shelves after an unspecified number of branches removed the book at the behest of the Security Police.

Yesterday the CNA's general manager, Mr J P Lowman, said the book had been placed back on the shelves after they had established that the book — published by Mr Jim Bailey — had not been banned or embargoed.

Mr Lowman said the book had not only been removed from the shelves of the Pretoria Central branch. But now all branches involved had been instructed to place the book back on sale.

He could not say how many branches were involved.

It had been difficult to find out if the book had in fact been banned — because last week all activities of the Publications Appeal Board and the Directorate for Publications had come to a standstill.

But the Directorate had assured him yesterday that the book had not been banned.

Mr John Maree, manager of the Pretoria central branch, confirmed yesterday he removed the book from the shelves after a Security Policeman told him it had been banned.

Yesterday a representative of the Directorate for Publications in Cape Town said they had no record of any appeal against the book.

Seychelles coup men rounded up

(327 Star 3/1/82

Own Correspondent
Durban

The 44 mercenaries involved in November's abortive coup in the Seychelles are being arrested and will appear in various courts in South Africa today in connection with charges arising out of the alleged hijacking of an Air India Boeing 707.

This was confirmed today by the deputy commissioner of police, Major General C F Zietsman, who was placed in charge of the investigations and the Attorney-General of Natal, Mr Cecil Rees.

General Zietsman said the men would be appearing in courts at various centres throughout the country — Johannesburg, Durban, Pretoria, Bloemfontein, and Cape Town.

He confirmed that the arrests of the men had already started and said they would be facing charges under the Civil Aviation Offences Act which covers hijacking.

Mr Rees issued warrants of arrest for the men, 39 of whom were released after their interrogation in Pretoria late in November and early December.

Of the men who returned to South Africa on the Boeing, 24 were South Africans, 11 were British and six were Zimbabweans. The others were of various nationalities, including Irish, German and American.

A 45th man is apparently also to face charges. He is Charles Duke, an American citizen and Vietnam war veteran who was wounded in the attempted coup.

General Zietsman said shortly before noon today that about 40 of the men were already under arrest.

The hearings taking place today in the magisterial districts where the men live in various parts of the country will be remand hearings.

Mr Rees said a further appearance by all the accused would be made in the Durban Magistrate's Court on January 18 and that the trial, the date of which had yet to be decided, would take place in the Durban or Maritzburg Supreme Court.

Mr Rees said the Act under which the men were being charged gave effect to The Hague, Tokyo and Montreal conventions of offences and certain acts committed on an aircraft — such as unlawful seizure, and aspects relating to civil aviation safety.

"Both internationally and in South Africa the alleged offences are regarded in a most serious light.

"Penalties for each of the counts are a minimum of three years to a maximum of 30 years' imprisonment," he said.

After 39 of the mercenary group had been released, five alleged leaders appeared briefly in Pretoria facing charges of alleged kidnapping.

They were Colonel "Mad Mike" Hoare, who is Irish, Durban based photographer Peter Duffy (British), Hugh Dalgliesh, of Durban (British), Charles Goatley (Zimbabwean), and actor Tullio Montrea (naturalised South African).

During the uproar created locally and internationally when the 39 were released, the Minister of Police, Mr Louis le Grange, said investigations were continuing and further action might be taken.

Sunday Tribune (327) 31/1/82

CENSORS' AGE LIMIT WORRIES BOOKSELLERS

By PETER MANN

SOUTH Africa's booksellers are facing a unique problem — they can be fined R1 000 or spend six months in jail for selling some books to people under 18.

The Publications Appeal Board decided this week to impose an age limit on books that would otherwise have been banned.

Booksellers are wondering how they are going to police the restriction and are worried about the stiff penalties if convicted.

Eckhard Ollermann, vice-president of the Association of Booksellers of South Africa and chairman of its Natal branch, said: "Basically we think it is a worthwhile idea but we do have reservations.

"At the moment there are only two books that have an 18-year-old age limit. We can make our staff aware of the situation and be sure that they do not intentionally sell these books to people who are under age.

"But if there are many more books placed under this restriction we are going to have problems and the penalties are quite severe.

"Section 43 of the Publications Act provides for a fine of not more than R500 or imprisonment for not more than six months for a first offence But for a third offence there is a mandatory fine of not less than R1 000 or six months in jail."

Mr Ollermann said booksellers at this stage had no intention of providing separate selling areas for books with age restrictions.

"Neither do we have any intention of marking the books. This is not a cover under which we are going to sell pornography. Some of the books have literary value and now at least they will be able to be read.

"It also means that parents will have the right to decide whether their children should be allowed to read the book or not."

But Dr Frederik van Zyl Slabbert, Leader of the Opposition, scoffed at the idea. He told a Cape Town newspaper he found the business absurd.

"I am feeling frivolous enough to suggest that the appeal board must have taken seriously the recommendation of the Prime Minister's Economic Advisory Council, which is determined to stamp out unemployment.

"A whole new category of state employees will be needed to go around monitoring book shops."

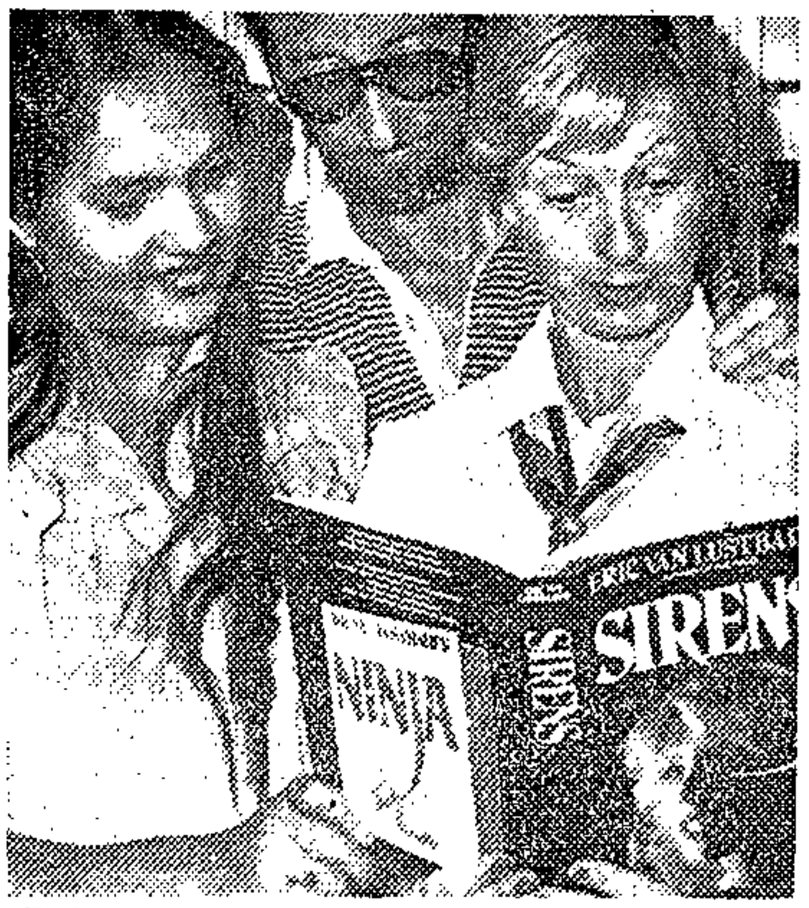
Booksellers were having an hilarious time as publicity given to the first two books placed under an age restriction — The Women's Room by Marilyn French and Sirens by Eric van Lustbader — brought a rush of buyers.

Mrs Maureen Hargraves was one of the few booksellers who had one of the books in stock.

"It had been under embargo and then banned," she said. "We were in the process of sending it back when the age restriction was placed on it. We are selling it now but we are not displaying it.

"There is a demand for it since the publicity and we have even had people sending in notes asking that we supply the bearer with a copy of the book. It's really quite amusing.

For your eyes only



Raised eyebrows for Sirens. From the left are Shahiedan Noordiew, a man known only as Griff and Kay Sidgwick

Winnie Mandela begins 5 years more in wilderness

(327) Sunday Times 3/1/82

THE police watchers in the white bakkie drive slowly up and down the hot dirt road, patrolling a patch of ground half the size of a tennis court.

On it a woman is placidly spading up weeds in her garden.

One arm is broken and in plaster. She uses the spade single-handed.

At 5pm the bakkie drives away towards the town. But it will be back soon, carrying the night shift.

Because the plot of ground is No 802, New Township, Brandfort, Free State, and the woman who tends it is Mrs Nomzamo ("She who strives") Winnie Mandela, condemned by the Government this week to another five years of banning and exile from her home in Soweto.

She may not leave the district of Brandfort without permission; she may not leave her home between 6pm and 6am; she may not talk to more than one person at a time; she may not be quoted.

The latest ban, served on her by security police this week, means a quarter of a century of detentions and bannings for Mrs Mandela.

It is even harsher than the previous banning order. There is an additional clause prohibiting her from lecturing a group and thus finishing the practical work necessary for the social science degree she was studying for through Unisa.

On the face that shone with welcome this week are no shadows to mirror a past that included separation from her husband, children and grandchildren.

Thugs tried to stab her and strangle her, her house was petrol-bombed, set alight, her doors broken down. Her clothing was slashed on the wash line.

A policeman once walked without knocking into her bedroom where she was changing her underwear.

By WILMAR UTTING

She surrounded her home in Orlando West with a security fence and a guard.

Finally, after the Soweto unrest in 1976, she was banished to the cultural wilderness of Brandfort.

Seventeen years ago, a bitterly disappointed 30-year-old Winnie Mandela sobbed when she left Robben Island after a long-awaited visit to her husband, Nelson, leader of the banned ANC.

A few months before he had been sentenced to life imprisonment at the Rivonia sabotage trial.

Now a matron of 47, and devoted grandmother of four children, Winnie's arrogance has been tempered to dignity, rebellion to acceptance.

Pride, too, has mellowed. This daughter of the royal house of Tembu, cousin of Chief Kaiser Matanzima, lives on gifts from faithful friends.

The "matchbox" house has three rooms. The largest holds just two single beds pushed together. There is running water in the kitchen and a paraffin refrigerator.

There is no bathroom, no inside sewerage, no electricity, no gas.

But if Winnie may not go to the world, the world comes to Winnie.

Strings of food parcels arrive from the German Embassy in Cape Town. A representative "calls in" with Christmas groceries. Diplomats and overseas visitors find their way to Plot 802.

Until last week all visitors had to obtain a permit from the local magistrate to visit the Mandela home. Now bona fide friends and foreign diplomats do not require permits.

The visitor sits on the lawn, sips iced water beside the dancing green fringes of a baby willow and admires the progress of the garden, where every centimetre is planted with shrubs, flowers, a flourishing orchard of peach and plum trees, onions, carrots and beans — the results of four years of devoted, hard labour.

Mrs Mandela started "Project Garden" in the township, and Plot 802 is an example of how a patch of dry, scarred veld can be transformed into a larder.

Giving away food helps the hungry, but does nothing to build pride and dignity.

Winnie asked organisations to send seeds to the people of New Township. The South African Council of Churches sent some.

Many residents did not bother to plant them, many did not have the energy. But gradually the project took hold.

No other home is an oasis like No 802, but here and there neat beds of healthy vegetables speak of determined efforts.

There is one worker to whom Winnie's presence in Brandfort means regular employment: the Post Office messenger.

Two telegrams arrived. One, on festive paper, bearing a hopeful message from a church dignitary.

Silently, Mrs Mandela handed over the other. It read:

"Confirm agreement that your daughter Mrs Dlamini and husband visit in your place on 2/1/82 and 3/1/82. Your permit therefore cancelled. Prisons, Robben Island."



Mrs Mandela comforts a child. On her plaster, "All strength for '82." Picture: NIC BADENHORST

rationing the issue of import licences, were rapidly

RNS-DDC.

Editorial opinion, page 6.

Daily Dispatch 327

Spying not our job says hotel security chief

Jan 1982

JOHANNESBURG — The director of the hoteliers' national body and the chairman of the Hotel Security Association have rejected the views of a hotel security manager whose staff ordered a Progressive Federal Party supporter to leave because he criticised the police.

The security manager, Mr Richard Mommsen, said his staff kept people who discussed politics under surveillance.

Commenting on the incident yesterday the executive director of the Federated Hotel Association of South Africa, Dr Ernst Uken, said: "Hospitality in hotels is in a very sorry state of affairs if these things are starting to happen. Hospitality should come first and not politics."

He said the incident had not been officially discussed by the federation yet.

Mr Mommsen, who is a member of the Hotel Security Association, said in an interview that hotels were in the forefront of subversion and the place where plots were hatched.

Mr Mommsen, a former Rhodesian soldier, said he expected to lose his job because of his disclosures.

Mr Tony Gray, chairman of the Hotel Security Association, said it was not the policy of the association to spy on customers.

He thought the views expressed by Mr Mommsen to be "utter nonsense".

Although the association met with the police and the security police, only matters relevant to hotel security were discussed.

His association did not keep watch over security matters other than their own because that was the task of the state.

Mr Gray said politics had never been discussed by the association.

Every citizen was obliged by law to inform the police if he had information that a crime was to be committed, he said.

Security managers from other hotels declined to discuss the issue whenasked for comment. — DDC.

Fedhasa attacks hotel spying on patrons

CAPE TIMES 4/1/82

327

Own Correspondent

JOHANNESBURG. — Fedhasa has attacked the hospitality of the Johannesburger Hotel after the security manager of the hotel had claimed that his personnel were keeping people who discussed politics under surveillance.

Mr Richard Mommsen, security manager of the Johannesburger, made this disclosure after a Progressive Federal Party supporter had been ordered out of the hotel last week because he criticized the police.

Commenting on the incident, the executive director of the Federated Hotel Association of South Africa, Dr Ernst Uken, yesterday said: "Hospitality in hotels is in a very sorry state of affairs if these things are starting to happen. Hospitality should come first and not politics".

In the meantime hoteliers as well as the Hotel Security Association have dissociated itself from the views expressed by Mr Mommsen.

Subversion

Mr. Mommsen, who is a member of the Hotel Security Association, told the Rand Daily Mail in an interview that hotels were the forefront of subversion and the place where plots were hatched out.

Mr Mommsen, a former Rhodesian soldier, on Wednesday also said he viewed himself as a "soldier" and not really a hotel security officer.

Mr Tony Gray, chairman of the Hotel Security Association, said it was not the policy of the association to spy on customers.

The incident was isolated and caused by an individual.

He knew Mr Mommsen and thought the views expressed by Mr Mommsen to be "utter nonsense".

Although the association met with the police and the security police, only information relevant to hotel security is discussed.

His association will not keep watch over security matters other than their own, because it was the task of the State.

He said politics had never been discussed by the association.

Every citizen, however, was obliged by law to inform the police if he had information that a crime was to be committed.

Founder

Mr Gray founded the organization in March. It has eight top international hotels as members.

They are the Carlton Hotel, the Milpark Holiday Inn, the Johannesburger Hotel, the Landdrost, the President Holiday Inn, the Jan Smuts Holiday Inn, the Rosebank Hotel and the Victoria Hotel.

See leading article, page 3

(327)
Star
5/1/82

A history of embarrassment for the Government

Seychelles pose used before by Dolinchek



MARTIN DOLINCHEK

By Tony Stirling

Martin Dolinchek, the self-confessed South African intelligence officer being held in the Seychelles for his alleged involvement in November's abortive coup, once before embarrassed the South African Government during a clandestine operation.

In 1966 during the visit of Senator Robert Kennedy, Mr Dolinchek posed as a Yugoslav journalist — the same cover he used in the Seychelles — and joined the Kennedy entourage.

He was carrying a correspondent's courtesy card and claimed to represent the Yugoslav news agency Tanjug.

According to my information, Mr Dolinchek, who was a Yugoslav, was attached either to the police or Republican Intelligence, the forerunner of the Bureau for State Security, whose members were drawn from the Security Police and outsiders such as Gordon Winter.

At the time it was officially denied that Dolinchek had any connection with the police.

At a Press conference after his capture in the Seychelles, Mr Dolincheck claimed to be a senior officer of the National Intelligence Service, the successor to the Department of National Security and Boss.

He said he had not informed his NIS chiefs of his involvement in the coup plot and said he had taken leave to join the operation.

An NIS spokesman said, however, that Mr Dolinchek, soon to stand trial with others captured by the Seychelles authorities in connection with the attempted coup, had resigned prior to going on the mission.

Some security sources speculated that Mr Dolinchek's connection with the planning of the coup may have given rise to the impression held by some of the mercenaries that they were taking part in a mission backed by the South African Government.

It has been confirmed to The Star that a number of the mercenaries held after their return to South Africa on an Air India Boeing 707 were under the definite impression that they were on an official mission.

In his Seychelles operation Mr Dolinchek used a false passport in the name of Anton Lubic, a Yugoslav journalist. During the Kennedy visit he used the name of Frans Zajc.

It is not known at this stage how he acquired the false Yugoslav passport or whether the document was a cover he used during his official operations for South African Intelligence.

Soccer boss wounded

Star 5/1/80 (3)

Poisoned former detainee improves

CAPE TOWN — The condition of Mr Siphiwo Mtimkulu, a former detainee who is suffering from thallium poisoning, is improving and he is beginning to walk, according to Professor Frances Ames, head of the neurology department at Groote Schuur Hospital.

Mr Mtimkulu, who was detained on May 31 after being shot in the arm, was held for nearly five months.

He was released on October 20 and complained of pains in his feet, hands and stomach. Two days after his release he was unable to walk.

Tests revealed he was poisoned by thallium, a cumulative poison which usually shows effects only seven or eight days after ingestion of several small doses.

Spy claims Govt OK to aid Hoare

(327)

RDM 5/1/82

n no
)rn
leen,
sexy
lvia

By ADA STUIJT

star Sylvia Kristel, said yesterday her in the banned mov- 'Emmanuelle" was ic rather than soft- ı.

Kristel is a photog- ıer's dream. ıd no qualms about ing her calf-length t to just above the es upon request — laying that famous of legs.

I she could not under- ı why the erotic was aken for "soft or hard "

) does not like the la- f "soft-porn queen". le in "Emmanuelle"



By EUGENE HUGO

SOUTH African spy Martin Dolinchek has told Seychelles authorities during interrogation in Victoria that he got permission "at the highest level" in South Africa to obtain a false passport for Colonel "Mad Mike" Hoare.

This was diclosed exclusively to the Rand Daily Mail yesterday by top-level Seychelles government sources as a police investigation team dug deeper into the secrets behind November's abortive mercenary-led coup.

And in other major developments in the mercenary saga it was also disclosed to the Mail that:

- The seven captured mercenaries now facing trial in the Seychelles may not after all face a 15-man "people's court" and almost certain execution — instead they may be tried in a properly constituted court before a judge;
- The Natal Attorney-General's office may seek the full co-operation of the Seychelles authorities in building a case against the 44 mercenaries who escaped to Durban in a commandeered Air India Boeing;
- Seychellois witnesses may be requested to give evidence in the South African trial of the mercenaries, who could also face possible charges under South Africa's tough anti-hijack laws;
- The Natal Attorney-General, Mr Cecil Rees, hopes soon to release details of the charges he is formulating against the entire mercenary squad that fled back to South Africa.

Permission

Seychelles sources said Dolinchek had obtained a passport in the name of "Pre-

Road toll below 1980 figure

By MARJA TUIT & STAN MAHER

SOUTH AFRICA has escaped a black Christmas and New Year on the roads, with an apparent dramatic drop in deaths and serious injuries compared with 1980.

The National Road Safety Council reported yesterday [illegible] 209 people had died on

Vanity plate 'above board'

Mail Reporter

THE Transvaal Provincial Administration is satisfied there were no irregularities in the issuing of a "vanity" number plate to the head of Johannesburg Consolidated Investment, Mr Gordon Waddell.

The chief of the province's law administration division, Mr T J Steenekamp, said yesterday that the licensing department in Randfontein had

BORN TO WIN!

That could be y
with the great

Rand DAILY MAIL
Birthday Game

See Page 2

GILBEY'S PUNTER'S FRIEND

Inside today

Bonus Bond Winners

THE monthly Bon
Bonds new pri
together with
unclaimed bon
will be published
the Rand Daily M
tomorrow.



GENERAL NEWS

Ex-troopies give gun trade shot in the arm

Star 5/1/88. 327

By Trevor Jones

National servicemen completing their two years' duty helped to keep sales of handguns going steadily last year.

Gunsmiths and dealers said the feverish buying in the years after the 1976 riots had slowed down considerably.

"I would have imagined that with the rush of those years we had reached saturation point," said gunsmith Mr Nicholas Yale.

"But there has been a steady demand from youngsters coming out of the army and from people upgrading the weapons they already have," he said.

SMALLER

Other dealers across the Witwatersrand agreed. "Sales of hand guns to ex-national servicemen are going well but there is no great rush," said one.

A leading Johannesburg wholesaler said handgun sales last year had been constant, with a tendency towards lower-priced weapons.

"People are now shying away from lashing out and spending R700 to R800 on a gun. The average person wants protection with a gun that is comfortable to handle," he said.

"The day of the large 0.45 calibre guns also seems to be dying out. The biggest calibres are no longer in great demand."

WOMEN

"There was an overcirculation after 1976 and business grew, but this has calmed down a lot."

Most gun dealers report a preference for revolvers over pistols. "Revolvers are favoured, especially by women, because they do not jam easily," said a salesman.

As spokesman at the Police Directorate of Public Relations in Pretoria said figures on the number of licences issued during the year could only be released through Parliament.

Coin collection spans 2700 years

PEKING — A Chinese coin collector has donated coins dating back more than 2 700 years to the Shaanxi Provincial Museum and the People's Bank of China.

Chen Zunxiang, a staff member of the museum, donated 6 290 bronze, iron and silver coins and some paper currency — in all 1 000 varieties.

The money spans a period from the western Chou dynasty of the 11th century to 771 BC to the eve of the 1949 founding of the Chinese People's Republic.

The collection includes rare coins from the states of Yen, Wei, Chi and Chin which existed during China's warring states period from 475 to 221 BC. — Associated Press.



Young Scott Thorburn-Humphrey was the winner of The Star's What's In Your Name competition No 102 with a Magic Score of 78, picked by lucky draw. Scott plans to buy a remote-controlled car with part of his R1 000 and invest the rest in Bonus Bonds.

What's in your name?

Tuesday's letter values for Competition No 107 are:

C — 3
H — 2
A — 2
P — 6
M — 4

The rules of the competition are published every Monday and Friday.

WHAT'S ON

TODAY

The SA Pentax Club presents a new programme from today, "Club Portfolio Prints" day indoor show at the Milner Park Showgrounds, Braamfontein, until January 12. Inquiries 702-1657.

kie Circus at the Milner Park Showgrounds. Tomorrow's shows are at 3 pm and 8 pm. Inquiries at Compu-

...Sash, leave the Johannesburg Magistrate's Court yesterday

Police detain Sash member

6/7/82 (327) 204

By CHRIS FREIMOND

AN EMPLOYEE of the Zionist Federation in Johannesburg and member of the Black Sash, Mrs Esther Levitan, was arrested by Security Police yesterday and is being held under Section 22 of the General Laws Ammendment Act.

Her detention was confirmed by Colonel Hennie Muller, head of the Security Police on the Witwatersrand.

Mrs Levitan, of Illovo, was arrested by two policemen and a policewoman at the offices of the Federation in Nugget Street.

She had been back at work for two days after an extended overseas visit from which she returned on Sunday.

Mrs Joyce Harris, national president of the Black Sash, condemned the detention.

She said Mrs Levitan, believed to be about 55, had been a member of the Sash for about 10 years.

She has a son and a daughter living in England and is understood to have no other close relatives in South Africa. Her husband, Mr Jack Levitan, who was a Johannesburg attorney, died two years ago.

Friends were yesterday organising to take a change of clothing to her in jail and to water the plants at her flat.

According to figures compiled recently, 620 people are known to have been detained in South Africa — including Transkei, Ciskei and Venda — between January 9 and December 31 last year.

Of these, 95 were released, 226 were charged, 180 are still in detention and 297 are unaccounted for.

Coup: US heaves sigh of relief

Star 6/1/82

327

The Star Bureau

WASHINGTON — There was an almost audible sigh of relief at the State Department yesterday over the news that South Africa had decided to prosecute the 45 mercenaries involved in the abortive Seychelles coup and the subsequent hijacking of an Indian airliner.

It is understood that a statement will be made today.

The South African Government's initial reaction to the hijacking — charging only five of the mercenaries with kidnapping and allowing them bail of R5 000 to R10 000 — caused consternation here.

It undermined the carefully projected image of South Africa as a country opposed to terrorism and hijacking and it angered top men in the State Department, strengthening those who believe it is unwise for America to get too close to the South Africans.

It added to the burdens of Dr Chester Crocker, Assistant Secretary of State for Africa, who is trying to justify the Reagan administration's policy of "constructive engagement."

The US reminded South Africa of its treaty obligations under the Hague Convention which obliged signatories (of which South Africa was one) to extradite or prosecute all people accused of unlawfully seizing an aircraft.

Shortly after the alleged hijackers were released, there was the perception here that South Africa was treating the offenders too leniently and there was the belief that, in terms of the Bonn Declaration, action might have to be taken

To Page 3, Col 5

The oldest in the

US heaves sigh of relief over prosecution step

From page 1

against South Africa's international air links.

While little was said in public, it is clear the South African Government came under pressure from the West — and there were soon indications that the situation was being reviewed.

● News of the arrest and charging of the 45 men was received with some satisfaction in European capitals yesterday although none of the Western Governments had any official comment.

Resettlement film appeal today

By ANNE SACKS

AN APPEAL against the censoring of the controversial South African documentary film on resettlements will be heard in the Pretoria Supreme Court this morning.

The appeal was lodged by Mr Kevin Harris, producer of the film, "This We Can Do For Justice and For Peace". The 52-minute political documentary is sponsored by the South African Council of Churches (SACC).

The appeal follows a Publications Control Directorate decision to pass the film for viewing by general audiences — provided 12 cuts are made.

One of these is a series of emotional sequences on forced population removals in South Africa, including re-
[illegible] difficulties.

"dumping grounds", and a statement that people are being made to starve for ideological reasons.

Mr Harris was also ordered to remove a reference to inferior education for blacks, and a sequence showing coffin-shaped sleeping quarters for migrant labourers in Johannesburg.

Several statements made by Bishop Desmond Tutu the SACC's general secretary, also have to be cut out.

These statements are that the Bible is subversive to oppressive regimes, that black people are being deliberately made to suffer through forced removals, and a reference to Christ as the God of liberation.

Bishop Tutu's appeal to whites to join the winning side must also be edited out.

said the Cabinet had also

Wife to visit jailed Sisulu

(327)

Star 7/1/82

By Khulu Sibiya

Mrs Albertina Sisulu, the formerly banned wife of life prisoner Walter Sisulu, will visit her husband on Robben Island today in what she describes as a "New Year present."

Mrs Sisulu, whose 17-year banning order expired last June, last saw her husband in January 1981.

Speaking from her Orlando West home last night, she said she was looking forward to the visit. "I hope this will be a good New Year present for my husband."

The last visitors Sisulu had were his daughter-in-law, Mrs Zodwa Sisulu, and her son, Moyikwa-Zwelethu. She is the wife of Mr Zwelakhe Sisulu, the banned former president of the Media Workers' Association of South Africa (Mwasa).

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

PRYS (AVB ingesluit) 30c PRICE (GST included)

As 'n Nuusblad by die Poskantoor Geregistreer BUITELANDS 40c ABROAD *Registered at the Post Office as a Newspaper*

POSVRY · POST FREE

Vol. 199] PRETORIA, 8 JANUARIE JANUARY 1982 [No. 7986

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 79 8 Januarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

GOVERNMENT NOTICES

DEPARTMENT OF INTERNAL AFFAIRS

No. 79 8 January 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

LYS/LIST P82/1

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/9/86	*Work in Progress*—No 19, August 1981	Editorial Collective, Braamfontein	(e)
P81/12/72	Letter to Churches (Pamflet/Pamphlet)	African National Congress, Lusaka, Zambia	(e)
P81/12/72	Appeal of the African National Congress on the 70th Anniversary of its Foundation (Pamflet/Pamphlet)	African National Congress, Lusaka, Zambia	(e)
P81/12/72	General Guidelines of Activities for marking the 70th Anniversary of the African National Congress (Pamflet/Pamphlet)	African National Congress, Lusaka, Zambia	(e)
P81/12/73	*International Day of Solidarity with South African Political Prisoners*—Press Release A/30, 4/10/81	The Afro-Asian Peoples' Solidarity Organization (AAPSO)	(e)
P81/12/85	*Grassroots*—Vol 2, No 9, December 1981	Grassroots Publications, Athlone	(e)
P81/12/85	Grassroots '82 (Kalender/Calendar)	Grassroots Publications, Athlone	(e)
P81/12/86	*Civic Newsletter*—Vol 1, No 4, Sept–Nov 1981	Federation of Cape Civic Associations, Athlone	(e)
P81/12/94	December 16th: The 20th Annivessary of Umkhonto Wesizwe (Pamflet/Pamphlet) (sic)	Nie vermeld nie/Not stated	(e)
P82/1/19	ANC kleefseël met wiel, spies en syfer 70/ANC sticker with wheel, spear and figure 70 (Kleefseël/Sticker)	Nie vermeld nie/Not stated	(e)
P81/12/96	All God's Children (Grammofoonplaat/Gramophone Record)	B & N Production	(e)
P81/12/88	IFOR Report—November 1981 met bylae: twee poskaartberoepe aan/with enclosure: two postcard appeals to President Paz Garcia, Honduras en/and The Unified Buddhist Church of Vietnam, Vietnam	International Fellowship of Reconciliation, The Netherlands	(e)
P82/1/22	*Scope*—Vol 17, No 2, January 8, 1982	Republican Press (Pty) Ltd, Durban	(a)

No. 80 8 Januarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE.—REGSTELLING

In *Staatskoerant* 7973, Goewermentskennisgewing 2851 van 31 Desember 1981, subparagraaf (a), vervang die woord "gekoop" met die woord "verkoop" in die Afrikaanse weergawe.

No. 80 8 January 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS.—CORRECTION

In *Goverment Gazette* 7973, Government Notice 2851 of 31 December 1981, subparagraph (a), substitute the word "gekoop" with the word "verkoop" in die Afrikaans version.

No. 36 8 Januarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

Die Appèlraad oor Publikasies het kragtens artikel 15 (6) (d) van die Wet op Publikasies, 1974, soos gewysig, beslis dat ondergenoemde publikasie nie binne die bedoeling van artikel 47 (2) van die Wet ongewens is nie en het die beslissing van 'n komitee bedoel in artikel 4 van genoemde Wet dat genoemde publikasie binne die bedoeling van artikel 47 (2) (a) van genoemde Wet ongewens is, tersyde gestel, onderhewig aan die voorwaarde dat dit nie wetens verkoop, verhuur (of deur 'n uitleenbiblioteek geleen) mag word aan persone onder die ouderdom van agtien (18) jaar nie:

Inskrywing No Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
P80/12/34	*Women's Room, The*.....	Marily French	In SK./G.G. 5935, GK./G.N. 540 van/of 17/3/78.

No. 36 8 January 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

The Publications Appeal Board has decided under section 15 (6) (d) of the Publications Act, 1974, as amended, that the undermentioned publication is not undesirable within the meaning of section 47 (2) of the Act and set aside the decision of a committee referred to in section 4 of the said Act that the said publication is undesirable within the meaning of section 47 (2) (a) of the said Act, subject to the condition that it may not knowingly be sold, hired out (or lent out by lending libraries) to persons under the age of eighteen (18) years:

No. 37 8 Januarie 1982

WET OP PUBLIKASIES, 1974

VERTOË KRAGTENS ARTIKEL 24 (2) (b)

Die Direktoraat van Publikasies het op 28 Desember 1981 kragtens artikel 24 (1) (a) van die Wet op Publikasies, 1974, appèl aangeteken teen die goedkeuring deur 'n komitee bedoel in artikel 4 van genoemde Wet van die ondergenoemde rolprent. Die tydperk waarin persone bedoel in artikel 24 (2) (b) van genoemde Wet vertoë tot die Appèlraad oor Publikasies, Privaatsak X114, Pretoria, 0001, ten opsigte van genoemde appèl kan rig, word hierby bepaal as 14 dae vanaf die datum van hierdie kennisgewing.

Inskrywing No. Entry No.	Rolprent Film	Voorlegger Submitter
R81/12/52.....	Invincible Boxer, also known as King Boxer	CIC-Warner (Edms.) Bpk./(Pty) Ltd.

No. 37 8 January 1982

PUBLICATIONS ACT, 1974

REPRESENTATIONS UNDER SECTION 24 (2) (b)

On 28 December 1981 the Directorate of Publications under section 24 (1) (a) of the Publications Act, 1974, appealed against the approval by a committee referred to in section 4 of the said Act of the undermentioned film. The period within which persons referred to in section 24 (2) (b) of the said Act may make representations to the Publications Appeal Board, Private Bag X114, Pretoria, 0001, in respect of the said appeal is hereby determined as 14 days from the date of this notice.

No. 38 8 Januarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE.—REGSTELLING

In *Staatskoerant* 7964, Goewermentskennisgewing 2805 van 24 Desember 1981 skrap inskrywing P80/12/34.

No. 38 8 January 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS.—CORRECTION

In *Government Gazette* 7964, Government Notice 2805 of 24 December 1981 delete entry P80/12/34.

DEPARTEMENT VAN FINANSIES

No. 7 8 Januarie 1982

Hiermee word bekendgemaak dat die oordragboeke van ondergenoemde plaaslike/binnelandse geregistreerde effekte van 15 Januarie 1982 tot en met 15 Februarie 1982 gesluit sal wees en dat die rente betaalbaar op 15 Februarie 1982 aan die effektebesitters wat op die datum van sluiting van die oordragboeke geregistreer is, betaal sal word:

Plaaslike Geregistreerde Effekte, 4¾ Persent, 1982.
Plaaslike Geregistreerde Effekte, 5 Persent, 1982.
Plaaslike Geregistreerde Effekte, 5¼ Persent, 1982.
Plaaslike Geregistreerde Effekte, 5¾ Persent, 1982.
Plaaslike Geregistreerde Effekte, 6 Persent, 1985.
Plaaslike Geregistreerde Effekte, 6 Persent, 1991.
Plaaslike Geregistreerde Effekte, 6½ Persent, 1992.
Binnelandse Geregistreerde Effekte, 10½ Persent, 1992.
Binnelandse Geregistreerde Effekte, 12½ Persent, 1983.
Binnelandse Geregistreerde Effekte, 12,90 Persent 1992.

DEPARTMENT OF FINANCE

No. 7 8 January 1982

Notice is hereby given that the transfer books of the undermentioned local/internal registered stocks will be closed from 15 January 1982 to 15 February 1982 both days inclusive, and that the interest due on 15 February 1982, will be paid to the stockholders registered at the date of closing of transfer books:

Local Registered Stock, 4¾ Per Cent, 1982.
Local Registered Stock, 5 Per Cent, 1982.
Local Registered Stock, 5¼ Per Cent, 1982.
Local Registered Stock, 5¾ Per Cent, 1982.
Local Registered Stock, 6 Per Cent, 1985.
Local Registered Stock, 6 Per Cent, 1991.
Local Registered Stock, 6½ Per Cent, 1992.
Internal Registered Stock 10½ Per Cent, 1992.
Internal Registered Stock 12½ Per Cent, 1983.
Internal Registered Stock 12,90 Per Cent, 1992.

RAND DAILY I

Film on Resettlement: 'Let whites see and understand'

By JOUBERT MALHERBE

THE South African Council of Churches' film on resettlement could give whites a better understanding of black peoples' problems, Professor John Dugard told the Publications Appeal Board in Pretoria yesterday.

Prof Dugard, of the University of the Witwatersrand law faculty, was appearing for Mr Kevin Harris, who directed and produced the film, "What We Can Do For Justice and Peace". He is appealing against the 12 cuts ordered by the Publications Control Board.

Prof Dugard said if whites could empathise better with blacks who had to face problems of poverty and famine in the homelands, the chances of peaceful co-existence in South Africa would be much better.

The Board reserved judgment.

Yesterday's hearing was attended by the Rev Peter Storey, president of the SACC, and Bishop Desmond Tutu, the general secretary, who both appear in the film.

Concern

Prof Dugard said the film reflected Christian concern for the afflicted and said he had no doubt people would be upset by what they saw.

He denied the film was overtly political and said the issues on which the film dwelt were often covered by the Press. He handed in some Press clippings to support his contention.

Among the cuts ordered is a narration by Bishop Tutu about a young girl in a resettlement camp who told him that if they could not "borrow" food, they drank water to fill their stomachs.

Prof Dugard said this was a "pitiful description which would leave a mark in the mind of even the most complacent person".

Concerning a cut ordered in a scene where Bantu education is referred to as "inferior", Prof Dugard said this claim was supported by the Government's appointment of the De Lange Commission.

Balanced

With regard to a statement by Mr Storey on conscientious objection, Prof Dugard said the issue was not beyond debate and he described Mr Storey's statement as "a balanced plea for reconciliation".

Mr A Badenhorst, appearing for the committee, said South Africa was a "society in transition" and he claimed there was an "honest endeavour by whites in the country to create harmonious race relations".

Robben Isle men to move inland

CAPE TIMES 8/1/80 (327)

Own Correspondent

JOHANNESBURG. — Leeuwkop prison near Johannesburg would not be rebuilt to accommodate prisoners from Robben Island, a spokesman for the Department of Prisons said yesterday.

The prisoners were to be moved to Leeuwkop Prison Farm, north of Johannesburg, following an announcement by the the former Minister of Prisons, Mr J T Kruger, in 1978 that Robben Island would be replaced by a maximum security prison at Leeuwkop.

Mr Kruger had said that among the reasons for replacing Robben Island prison with another on the mainland had been representations that the remoteness of Robben Island made visits difficult. These would be easier at Leeuwkop.

The department spokesman said he did not know when the prisoners from Robben Island would be transferred, but it would not be before alternative accommodation had been found for the present prisoners.

He said, however, that the Diepkloof Prison now being built south of Johannesburg would be completed some time this year.

The spokesman said building had started on August 3, 1979, and four institutions were under construction where 4 250 prisoners would be housed.

"As soon as accommodation is available at Diepkloof, prisoners from the Johannesburg Fort will be transferred, but it is not certain when the Fort will be closed down," the spokesman said.

The new prison would offer better facilities than those presently offered at the old Johannesburg Fort.

Turner: Four years since he was shot dead

By ENRICO KEMP

FOUR years ago Dr Richard Turner, the banned academic and former Nusas leader, was gunned down after answering a midnight knock at the front door of his Durban home.

To date no one has been arrested in connection with the murder of Dr Turner or Mr Stephen Mishali, a former member of the ANC's military wing, who was shot and critically injured outside his home in KwaMashu on the same night.

Police later recovered a bullet and cartridge case from the scene of the Turner shooting.

Charismatic

Acclaimed by friends and former students as a charismatic and brilliant academic, 36-year-old Dr Turner was a lecturer in the University of Natal's faculty of political science at the time of his death. He had graduated from the University of Cape Town in 1963 with a BA honours degree in philosophy, and later had obtained a doctorate from the University of Paris.

His book "Eye of the Needle", a contentious condemnation of capitalism in South Africa, was published in 1972. In it Dr Turner provided a critical analysis of an economy he described as underpinning white privilege, and offered socialist democracy as an alternative.

In February 1973 he and eight other Nusas leaders were each banned for five years on the recommendation of the interim report of the Schlebusch Commission of Inquiry. At the time Dr Turner was serving on the advisory panel of Nusas.

Award

Although he could no longer teach in terms of his banning order, the University of Natal retained Dr Turner on its staff. In 1976 he was awarded the Humboldt Fellowship from Heidelberg University in Germany, but was refused permission by the Minister of Justice to travel abroad to take up the fellowship.

Five years later, on January 8, 1978, Dr Turner was shot dead in full view of his two young daughters, as he went to answer a knock at the front door of his home in Bellair. He died in the arms of his 13-year-old daughter Jan, who tried to give her father mouth-to-mouth resuscitation.

Dr Turner was survived by his wife Fozia, his daughters Jan and Kim and his mother, Mrs Jane Turner, who lives on a farm in the mountains outside Stellenbosch.

CAPE TIMES 8/1/82

Film could bring 'understanding'

327

Own Correspondent

JOHANNESBURG. — A better understanding among whites of black peoples' problems could result from the film made by the South African Council of Churches on resettlements, Professor John Dugard told the Publications Appeal Board in Pretoria yesterday.

Professor Dugard was appearing for Mr Kevin Harris, director of the film, who is appealing against 12 cuts ordered by the Committee for Publications to the film "What we can do for Justice and Peace." Mr Harris produced and directed the film.

Professor Dugard said that if whites could empathize better with blacks who had to face problems of poverty and of famine in the homelands, the chances of peaceful co-existence in South Africa would be so much better.

The Board has reserved judgment.

Yesterday's hearing was attended by the Rev Peter Storey, president of SACC and Bishop Desmond Tutu, general secretary, who both appear in the film.

Professor Dugard said the film refelected Christian concern for the afflicted and he had no doubt people would be upset by what they saw.

He referred to a statement by the Rev C P Brink, a former Moderator of the NGK, who said in 1947 that the church had to concern itself with social justice.

Professor Dugard denied that the film was overtly political and said the issues on which the film dwelt were often covered by the popular press. He handed in press clippings to support his contention.

Concerning a cut ordered to a scene where Bantu Education is referred to as "inferior", Professor Dugard said this claim was supported by the government's appointment of the De Lange Commission, which emphasized the desirability of a uniform education system in South Africa.

Transition

Mr A Badenhorst, appearing for the Publications Committee, said South Africa was a "society in transition" and he claimed there was an "honest endeavour by whites in the country to create harmonious race relations".

He said the narrations in the film were one-sided and added that they created feelings of animosity.

However, Mr Badenhorst said two cuts ordered — one where homelands were referred to as "dumping grounds" and one where the Rev Storey says whites are an "embattled people" — could be retained.

329

RDH

9/1/82

Growing anger at Venda over detainees

By PATRICK LAURENCE

NEARLY half the Lutheran Church's full-time ministers in Venda — including the dean — have been detained, the Acting General Secretary of the Lutheran Church of South Africa, the Rev Reinhardt Schultz, said yesterday.

But the head of Venda's National Force, Brigadier T R Malaudzi, yesterday rejected as untrue reports that a member of the Lutheran Church, Mr D Ralushai, had died in detention.

A telegram to President Patrick Mphephu of Venda from Bishop S E Serote, of the Lutheran Church, demanding that detainees be charged or released, has been ignored so far.

The Venda Government has held at least 15 people in the past two months. Mr Tshifhiwa Muofhe died in detention.

The controversy over Venda's actions escalated yesterday with the publication of an unequivocally critical report in the Afrikaans newspaper, Die Vaderland.

The Afrikaans Press generally reports developments in "homelands" in a positive light, as they are integral to the policy of separate development.

But in a front page report yesterday Die Vaderland said: "Political opponents of the Venda Government are being tortured in a cruel manner and at least two people have already died in detention."

'Malpractices'

The report alleged: "Nepotism and malpractices are rampant in senior government circles. The profits of the gambling tables at the casino . . . are being used to enrich Cabinet members."

The Afrikaans Press had earlier given prominence to the deportation from Venda of a missionary of the NG Kerk in Afrika, Dominee Faure Louw, after he had served in the territory for nearly eight years.

No reasons were given for the deportation but informed observers in Venda deduced it related to Mr Louw's friendship with Mr Muofhe, whose funeral he helped arrange.

Two post mortems were conducted — one in Sibasa and the second in Pretoria.

There are nine full-time Lutheran ministers in Venda. The four detained are Dean T S Farisani, the Rev N Phaswane, the Rev A M Mahamba and the Rev P M Phosiwa.

...ing his proposed marriage to her, he ... over. I just want it to die ...

SEVERE SECURITY MOVES AGAINST LUTHERANS AFTER SIBASA ATTACK

Internal injuries may have killed Venda detainee

10/1/82 FEB 329

THERE ARE indications that Venda detainee Mr Tshifhiwa Moufhe bled to death as a result of internal injuries, the Sunday Express has been reliably informed.

Mr Moufhe, a worker for the Evangelical Lutheran Church, was detained in Sibasa, the Venda capital, in October. He died while in detention on November 14.

Professor Johan Loubser, the South African State pathologist, confirmed to the Sunday Express that he had conducted a post-mortem examination on Mr Tshifhiwa Moufhe on the instructions of Mr J D Visser, Attorney-General of Venda, but refused to discuss it.

Mr Visser told the Sunday Express yesterday the autopsy results were still in the hands of the Venda police who were conducting an investigation.

By JEAN LE MAY
Political Reporter

He expected the investigation to be completed within a fortnight, said Mr Visser. An earlier autopsy was conducted by a doctor in Sibasa.

A pathologist representing Mr Moufhe's family was present at the second autopsy in Pretoria.

Meanwhile the Sunday Express was informed that lawyers representing the family of another detainee, Mr Johnson Murema, who is an interpreter in the Venda Supreme Court, were attempting to bring an application to have his detention declared invalid.

An earlier attempt to bring an interdict forbidding the Venda security police from assaulting detainees failed. The Registrar of the Venda Supreme Court, Mr W van Wyk, ruled that the lawyer attempting to bring the application, Mr Don Nkadimeng of Pietersburg, was not entitled to appear. He was not on the attorney's roll in Venda.

Fifteen people are known to be have been detained in Venda following the attack on Sibasa police station during October.

Brig T R Malaudzi, head of Venda's National Force, denied reports that a second detainee, Mr D Ralushai, had died in detention.

Mr Visser told the Sunday Express no charges had been laid against the other 14 people known to be detained.

The spate of detentions in Venda was aimed largely against the Lutheran Church, which has consistently taken a strong line against Venda independence and does not participate in official functions.

Four out of a total of nine Lutheran ministers in Venda — Dean T S Farisani, the Rev N Phaswane, the Rev A M Mahamba and the Rev P M Phosiwa — have been detained.

Dean Farisani — one-time president of the now banned Black Peoples' Convention — is the godfather of one of the children of Paramount Chief Patrick Mphephu, President of Venda, who attended primary school at Tshakuma Lutheran Mission near Sibasa.

This week a minister of the Nederduitse Gereformeerde Kerk van Afrika, Ds Faure Louw, was expelled from Venda.

He was known to have been a friend of the Moufhe family and reportedly helped arrange Mr Moufhe's funeral.

The Rev Reinhardt Schultz, acting general secretary of the Lutheran Church in South Africa, told the Sunday Express the Venda Government appeared to be conducting a campaign against the Evangelical Lutheran Church in Venda.

Another spokesman said the church had protested to the Venda Government against orders sent to Lutheran ministers to participate in this year's independence anniversary celebrations.

Later, the Venda Government sent out circulars accusing ministers of the church of becoming involved in politics, he said.

The Evangelical Lutheran Church has been active in Venda for almost 120 years and 60% of Venda citizens are members.

Political comment in this issue by C V Day, headlines and subediting by Barry Baxter, posters and design by Les Stephenson, all of 171 Main Street, Johannesburg.

Mandela prisoner swop suggested

ARGUS 11/1/82

327

Argus Correspondent

PARIS. — Madagascar's President Didier Ratsiraka has offered to free South African prisoners held in his island State in return for the release of Nelson Mandela.

The prisoners include two South Africans, John Wight and Dave Marais, who were given five-year sentences in June 1978 by a special military court for allegedly threatening State security.

The two claimed they were forced to land on the island after running low on fuel.

But reports from Madagascar claimed arms were discovered in their Cessna aircraft.

Mr Marais was said by the Malagasy authorities to be a known mercenary who had served in Angola.

But sources here claimed negotiations had been disrupted by an unsuccessful escape bid by Mr Wight and Mr Marais, allegedly with the aid of 100 unidentified mercenaries.

In the interview, Mr Ratsiraka denied violence was engulfing his country.

NEGOTIATIONS

Mr Ratsiraka's offer came in an interview with the French socialist newspaper Le Matin today.

Of the South African prisoners, none of whom he named, Mr Ratsiraka said: 'I will give them to the Amnesty International people when they have arranged the release of Nelson Mandela.'

Reports that negotiations were continuing beween the two governments to swop the two South Africans for Mr Mandela have always been strongly denied by the South African authorities.

Prisoner swop for Mandela offered

(327)

Own Correspondent Sun 11/1/82

PARIS — Madagascan President Didier Ratsiraka has offered in an interview here to free South African prisoners in return for the release of Nelson Mandela.

The prisoners include John Wight and Daye Marais, who were given five-year sentences in June 1978 for allegedly threatening state security.

The two men claimed they were forced to land on the island after running low on fuel, but Madagascar claimed arms were discovered in their Cessna aircraft, and Mr Marais was said by the Malagasy authorities to be a known mercenary who had served in Angola.

Island prisoner: 'I just walked off'

A ROBBEN ISLAND prisoner serving a three-year sentence pleaded guilty in the Cape Town Magistrate's Court of escaping while in detention.

Jerry Sylvester, 30, of Gilbury Road, Woodstock, told the court he had 'just walked away' while he was loading furniture near the offices of the Department of Prisons at Table Bay docks. The furniture was being taken back to Robben Island.

Asked if the guards had not seen him leave, Sylvester replied: 'If they had seen me, they would have blocked me.'

'MISSING FAMILY'

He added: 'I ran out for one reason — I was missing my family and my son.' Sylvester told the court he had been worried about his son, who is crippled and cannot walk.

The case was postponed for sentence to February 9. Sylvester will remain in prison until then.

Mr T Lerm appeared for the State.

Kitson's aunt dead: Murder suspected

ARGUS 14/1/82

(327)

Argus Correspondent

JOHANNESBURG. — Police have opened a murder docket after the body of Mr Steven Kitson's aunt, Mrs Allison Joan Weinberg, was found in her Johannesburg flat yesterday.

The body was found in mysterious circumstances the day after Mr Kitson was deported from South Africa.

Mrs Weinberg, 52, was the sister of Mrs Norma Kitson, Mr Steven Kitson's mother.

His father, David Kitson, is serving a 20-year sentence in Pretoria Central Prison.

The body was found at 6.30 pm by Mr Stephen McConnell, 21, who shared the flat with Mrs Weinberg.

She had slight head injuries and the jaw was bruised.

Some teeth were knocked out.

The body was slumped over the bath in blood-stained water.

There were also blood-stains on her bed.

Police said there were no signs of forced entry to the flat, and initial investigation could not establish whether she had made her own way to the bathroom or been carried there, dead or dying.

A broken chain and a tooth were also found in the bathroom.

MARRIAGE BUREAU

Mrs Weinberg ran a marriage bureau from the flat, and relatives said she was very careful about whom she allowed in.

She was twice divorced and leaves three children.

The flat is in Darragh House, Wanderers Street, Central Johannesburg.

A friend of the Kitsons in London, Mr David Reed, described the circumstances as suspicious.

'We have a tape of Joan (Mrs Weinberg) on the phone to us saying that Steven was being freed, and she was very happy about it.

'She was perfectly all right 24 hours ago.'

(Contd on Page 3, col 4)

JN group claims child violations by

Mercury Correspondent

GENEVA—The United Nations anti-apartheid season has opened with new claims of torture of prisoners, child imprisonment, killings by police and soldiers as well as an updated list of alleged tortures.

The allegations have been gathered in a 223-page dossier by a human rights working group on southern Africa.

Most of the allegations are from South African newspaper reports, but some of the grimmest evidence on prison conditions and military action in Angola comes from escaped prisoners and deserters.

The working group says that all the evidence in the dossier has been corroborated.

The dossier contains a report from a former Robben Island prisoner on ill-treatment of child prisoners. In a document called *The Children of Robben Island*, he alleges that children who arrived in 1977 were beaten and set upon by dogs.

He names the warder allegedly responsible for this. He also names some of a group of 14-year-old boys who in 1978 were kept in isolation until the adult prisoners protested so strongly that an elderly ANC member was allowed to live with them.

He claims children have been kept on Robben Island since 1963 and says that when he arrived at the age of 21, political prioners were thrown in with criminals who were encouraged by warders to abuse them.

Only one bucket was provided for 80 prisoners. Beds were introduced in 1977. Eighty people were crowded into cells designed to accommodate 25.

Conditions on Robben Island are said to have improved since the International Committee of the Red Cross started visiting the prisons. However, the former prisoner points out that because reports of the international body are kept secret, there is no way to counter the Prime Minister's denial that children are kept on Robben Island.

Further reports of ill treatment of children come from

the Anti-Slavery Society which claims that farmers r
cruit under-aged children on a massive scale in the are
of Msinga, Natal.

'Every day the trucks of white farmers cruise along th
banks of the Tugela River picking up children within th
Bantustan for work,' the report says.

The dossier also gives lists of detained children, wo
en and men whose arrests have so far been unreporte
Some of the South West African detainees are said to
in secret camps in the Grootfontein and Otavi areas.

A section on South West Africa contains testimoni
made to an international commission of inquiry by Sou
West African refugees in Angola.

A former Angolan m
cenary attached to the
or 'Buffalo' Batallion, C
Jose Ricardo Belmun
said the unit's instructi
were to destroy scho
hospitals and houses
to kill civilians and ca
in Angola.

Capt Belmundo said
had taken part in sev
operations at the reque
Unita.

He claimed to have b
trained in Pretoria
Durban by French and
raeli officers.

Intolerable

His evidence is cor
rated by that of a Br
deserter from 32 Batal
Mr Trevor Edwards,
said he found the killi
civilians intolerable.

In an article in
Guardian newspape
described how his pla
killed a five-year-old
and her father.

The working grou
compiled a list of tort
from evidence subm
by a former prisone
Swapo official, Mr
Johannes.

In a detailed descri
of torture in South
African jails, he sai
police and the army
different techniques
prison conditions d
ded on who was in ch

Torture

Electric-shock trea
was common, espe
for women. He ha
been tortured in th
with electrodes attac
sensitive parts of his

Another method
hang prisoners up b
arms, hang them
trees, submerge the
river or bury them i
Many prisoners we
fined in zinc cells.

Mr Johannes said
worse to be tortu
South Africans who
regard their black
ers as human bei
claimed there were
police officers esp
trained for torture
other officials were
lowed to carry out t

Special torturers
brought out from
nesburg and Windh

The dossier will
mitted to the Com
of Human Rights
filters up through
system by way of
nomic and Social
to the General A
where resolutions
ning South Africa
ly to be approved.

The Natal Mercury, Thursday, January 14, 1982

Divorcee's body found slumped over blood

Police probe mystery death of Kitson aunt

Star 14/1/87

327

Staff Reporters

Steven Kitson's aunt, Mrs Joan Allison Weinberg (52), may have been murdered in her central Johannesburg flat yesterday.

The police have opened a murder docket after the discovery of her body in her bath the day after Steven Kitson was deported from South Africa amid uproar over his detention by police.

Mrs Weinberg is the sister-in-law of David Kitson, who is serving a 20-year sentence in Pretoria Central Prison.

His son Steven had been visiting him when he was held by police last week.

sons in London, Mr David Reed, described the circumstances of Mrs Weinberg's death as "suspicious."

"We have a tape of Joan (Mrs Weinberg) on the telephone to us saying that Steven (her nephew) was being freed and that she was very happy about it," Mr Reed told reporters.

Colonel Manie van der Linde, head of the Brixton Murder and Robbery Squad, confirmed today that a case of murder was being investigated.

Mrs Weinberg was found in her flat at 6.30 pm yesterday by her flatmate, Mr Stephen McConnell (21).

She had slight injuries on her head and her jaw was bruised.

Some of her teeth had been knocked out. She was slumped over the bath, which was

---

Police to probe death

FROM PAGE 1

ised a radio appeal for people to adopt a granny," said Mrs Goldstein.

Mrs Weinberg ran a marriage bureau from her flat in Darragh House, Wanderers Street. Relatives said she had been "very careful" about whom she allowed in.

She was twice divorced and is survived by three children, two of them in South Africa.

Mrs Weinberg's sister, Mrs Clarice Lockitch, of Bedfordview, said her sister had been "a very peace-loving person."

Mrs Lockitch said she had tried to telephone her other sister, Mrs Norma Kitson, in London last night but could not get hold of her.

She had told Mrs Kitson's husband, instead. He had suggested the news be withheld from Mrs Kitson until the morning because she was under tremendous strain.

14/1/82
377
Star

stained bath



Yesterday's picture of Mr Steven Kitson who was released after six days' detention in South Africa. He was met at London's Heathrow Airport by his mother, Mrs Norma Kitson. Sketches and photographs of Pretoria Central Prison were allegedly found in Mr Kitson's possession.

filled with bloodstained water.

There were also bloodstains on her bed.

Police were unable to establish initially if Mrs Weinberg had made her way to the bathroom by herself or if she had been carried there dead or dying.

A post-mortem will be held today.

A broken chain and a tooth were also found in the bathroom.

Mrs Weinberg organised all visits to David Kitson and made sure he received at least two visitors a month.

She also made arrangements through the prison authorities for David Kitson to continue his studies.

She also arranged for Steven Kitson to see his father. Steven stayed with Mrs Weinberg's son, Mr Robbie Sacks, who was today under sedation.

A friend said he was "too upset" to speak to anybody.

Mrs Lynne Goldstein, a close friend of Mrs Weinberg, said: "The dead woman had been a very good person who had done a lot of good work."

"She ran a Lonely Hearts club and last Christmas she organ-

To Page 3, Col 11



MRS WEINBERG
photographed in 1977

Reports taken from death flat

By CHRIS OLCKERS

POLICE yesterday removed tapes and newspaper clippings from the blood-stained flat of Mrs Joan Alison Weinberg — aunt of Mr Steven Kitson, who was expelled from South Africa on Tuesday night after six days in Security Police detention.

Among the clippings were reports of the escape from Pretoria Central Prison in 1979 by Alexander Moumbaris, Timmothy Jenkins and Steven Lee.

An autopsy yesterday failed to establish the cause of Mrs Weinberg's death.

Mrs Weinberg, 52, was found slumped over her bath with head and facial wounds, in her flat in Darragh House, Wanderers Street, by former flatmate Mr Stephen McConnel, 21, on Wednesday evening.

The autopsy showed that the injuries to her head were not of a nature which could have caused her death.

Yesterday at least 11 detectives spent several hours combing the flat for clues.

Mrs Weinberg, who ran a lonely hearts club from her flat, went to Jan Smuts Airport on Tuesday night where she met Mr Kitson.

Mr Kitson, 25, was detained by Security Police last week after he had visited his father, David Kitson, the longest serving British political prisoner in South Africa.

She was David Kitson's sister-in-law.

On the night before her death Mrs Weinberg told the Rand Daily Mail in an interview how delighted she was that her nephew had been released.

She said he had appeared depressed and reluctant to discuss his detention and that she tried to cheer him up by saying he could have a drink on the plane.

Police yesterday found tape recordings in the flat which they removed and to which detectives were going to listen to find clues for her mystery death.

Security

They also found newspaper cuttings on the escape of Moumbaris, Lee and Jenkins in 1979 from the top security section of the Pretoria Central Prison and reports on the detention of her nephew .

A team of forensic experts from Pretoria and Johannesburg also removed bedding and other objects from the death flat.

Mrs Weinberg, who paid meticulous attention to her dress and looks, had suffered injuries to her head, mouth and jaw.

Police found a tooth in the bathroom as well as a broken gold chain. There were bloodstains on the bed and in the bathroom. She was found slumped over the edge of the bath which was filled with bloodstained water.

Detectives have been unable to establish whether Mrs Weinburg made her own way to the bathroom or whether she had been carried there.

Unplugged

It was also found that one of two telephones in the flat had been unplugged.

The head of Brixton Murder and Robbery Squad, Colonel Manie van der Linde, said last night a team of detectives under the command of Captain Staal Burger was investigating Mrs Weinberg's death.

An autopsy was performed yesterday afternoon but had proved inconclusive, he said.

"The pathologist was unable to establish the exact cause of death. At this stage we have opened a murder docket and are investigating all possibilities.

"Blood and tissue samples have been sent away for laboratory examinations," he said.

MARGARET SMITH reports from London that Tory MP Dr Brian Mawhinney, who returned to Britain from SA yesterday, claims he helped to persuade SA authorities to free Mr Kitson from detention.

Concern

He said on his arrival: "I have been in South Africa for the past 10 days and while there expressed my concern over Mr Kitson's arrest to the SA Department of Foreign Affairs."

He said he had been in South Africa on a combined parliamentary and business visit.

He had been seeing "a very senior Minister" about other matters and had introduced the subject of Mr Kitson's detention.

He refused to identify the Minister.

Dr Mawhinney said he had been given certain assurances at the meeting and that three hours later the British Embassy was told, without any prior warning, that Mr Kitson was to be freed.

She gave hope to the lonely

By JAYNE LA MONT

"ALISON" cared about the lonely thousands who lived in miserable isolation and did not know where to meet people.

She was a matchmaker par excellence — often guest of honour at countless weddings of the people she introduced — and yet this woman, who lived only for other people, may have been a murder victim.

The mystery surrounding the circumstances of Mrs Joan Alison Weinberg's death provides a sharp contrast to the friendly, open woman who headed one of the Reef's most successful lonely hearts' clubs.

Her success formula was to match people of similar interests and socio-economic backgrounds.

The impressive list of clients at the bureau — normally in excess of 1 000 — included all kinds of people.

And even those not looking for romance turned to "Alison" for help when the pangs of loneliness became too much.

Open home

During 1980 festive season she launched an appeal for the public to open their homes to a stranger for Christmas.

At the time of her appeal Mrs Weinberg said: "Johannesburg is a cold-hearted town". But during her life she brought a little warmth into the lives of many lonely people.

Mystery over aunt of Kitson

CAPE TIMES 15/1/82

327

Own Correspondent

JOHANNESBURG. — Police yesterday removed tapes and newspaper clippings from the blood-stained flat of attractive lonely hearts club owner, Mrs Joan Alison Weinburg — aunt of Steven Kitson, who was expelled from South Africa on Tuesday night.

The mystery deepened as an autopsy yesterday failed to establish what caused the death of Mrs Weinberg, who, with head and facial wounds, was found slumped over her bath in her flat in Darragh House, Wanderers Street, on Wednesday evening by a former flatmate, 21-year-old Mr Stephen McConnel.

The autopsy showed the injuries to her head were not of a nature which could have caused her death.

Yesterday, at least 11 detectives spent several hours combing the death flat for clues.

Mrs Weinburg, who ran a lonely hearts club from her flat, went to Jan Smuts Airport on Tuesday night where she met her nephew, Steven Kitson, 25, who was leaving to go back to Britain.

Detained

Mr Kitson was detained by security police after he had visited his father, Mr David Kitson, the longest serving British prisoner in South Africa. She was Mr Kitson's sister-in-law.

On the night before her death Mrs Weinberg told the Rand Daily Mail in an interview how delighted she was that her nephew had been released.

She said he had appeared depressed and reluctant to discuss his detention and that she tried to cheer him up by saying he could have a drink on the aircraft.

They also found newspaper cuttings on the escape of communist prisoners, Moumbaris, Lee and Jenkin in 1979 from the top security section of the Pretoria Central prison and reports on the detention of her nephew.

Bedding

A team of forensic experts from Pretoria and Johannesburg also removed bedding and other objects from the deathflat.

When found, Mrs Weinberg, who paid meticulous attention to her dress and looks, had suffered injuries to her head.

It was also found that one of two telephones in the flat had been unplugged.

● **Margaret Smith** reports from London that Steven Kitson was in a state of shock here yesterday after learning the news of his aunt's violent death in johannesburg.

Still shaken by his detention, the death of Joan Weinberger came as a terrible blow to the 25-year-old engineer.

His mother, Norma, who had campaigned for her son's release, was also severely shocked by the news.

Date set for trial of island coup-bid raiders

327 EDH 9/1/82

By EUGENE HUGO

COLONEL "Mad Mike" Hoare and his 44 mercenaries will be summarily tried in the Durban Supreme Court on March 10 for their alleged hijack of an Air India Boeing.

The Boeing was allegedly used by the mercenaries to make their get-away after the abortive Seychelles coup in November last year.

Key witnesses at the trial could include the Air India pilot, Captain Umesh Saxena, and Seychellois officials who negotiated with the mercenaries on Mahe Island during the short-lived invasion.

Among observers at what is expected to be a show trial could well be members of the special Security Council commission now investigating the Seychelles coup attempt.

It is reported from New York that the commission — diplomats from Ireland, Panama and Japan — hopes to visit the Seychelles, Swaziland and India soon.

Probe

The commission also hopes to include South Africa on its itinerary, but Foreign Affairs sources say there has not yet been any formal approach to the Government.

The UN commission has been ordered to probe the origin, background and financing of the bungled coup.

The mercenaries face charges under South Africa's Civil Aviation Offences Act, which carry minimum sentences of five years and maximum penalties of 30 years imprisonment.

Justice Department sources indicated yesterday the possibility of getting evidence concerning the alleged hijack from the Seychelles would be pursued.

It was also almost certain yesterday South African legal authorities would express their interest in backing up their case against the alleged hijackers with Seychellois witnesses.

Natal Attorney-General, Mr Cecil Rees, is expected to fly to the Seychelles before the March trial to interview prospective witnesses — should he get the go-ahead via diplomatic channels.

Co-operation

The prospect of co-operation between Seychellois and local legal authorities was first raised by President Albert Rene.

This was followed by an invitation from Seychelles Police Commissioner, Mr James Pillay, to Mr Rees to liaise directly with his counterpart in Victoria.

It is understood no direct contact has yet been made with Seychellois legal authorities, but developments are expected within weeks.

The delay could be attributed to the Seychelles offer to exchange their dossier of evidence on the alleged hijack for the extradition of Seychellois exiles allegedly involved in the attempted coup.

Mr Rees would not discuss his investigation yesterday and said he knew nothing about the Security Council commission. "But they are welcome to observe the court case," he said.

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 77 15 Januarie 1982

WET OP VREEMDELINGE, 1937

VANSVERANDERING.—WOLMARANS IN MCKINNON

Dit het die Minister van Binnelandse Aangeleenthede behaag om, kragtens die bepalings van artikel 9 van die Wet op Vreemdelinge, 1937 (Wet 1 van 1937), Jacqueline Diana Wolmarans, woonagtig te Cheyenewoonstelle 201, Devenishstraat, Sunnyside, Pretoria, te magtig om die van McKinnon aan te neem.

No. 81 15 Januarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

No. 82 15 Januarie 1982

PUBLIKASIES OF VOORWERPE.—APPÈL DEUR DIREKTORAAT

Die Direktoraat van Publikasies het op 4 Januarie 1982 kragtens artikel 13 van die Wet op Publikasies, 1974, appèl aangeteken teen die beslissing op 15 Desember 1981 van 'n komitee bedoel in artikel 4 van genoemde Wet dat die ondergenoemde publikasie binne die bedoeling van artikel 47 (2) (a) van genoemde Wet ongewens is:

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer
P81/11/75	*Rough Justice*	Robert Parker.

Die Voorsitter van die Appèlraad oor publikasies het die beslissing van die Komitee van Publikasies opgeskort hangende die uitslag van die appèl.

GOVERNMENT NOTICES

DEPARTMENT OF INTERNAL AFFAIRS

No. 77 15 January 1982

ALIENS ACT, 1973

CHANGE OF SURNAME.—WOLMARANS TO MCKINNON

The Minister of Internal Affairs has been pleased under the provisions of section 9 of the Aliens Act, 1937 (Act 1 of 1937), to authorise Jacqueline Diana Wolmarans, residing at 201 Cheyene Flats, Devenish Street, Sunnyside, Pretoria, to assume the surname of McKinnon.

No. 81 15 January 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

EYS/LIST P82/2

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/11/92	*Movie, The*—Chapter 91	Orbis Publishing Limited, London	(a)
P81/12/11	*Longarm in the Indian Nation* (Longarm—No 5)	Tabor Evans	(a)

No. 82 15 January 1982

PUBLICATIONS OR OBJECTS.—APPEAL BY DIRECTORATE

On 4 January 1982 the Directorate of Publications appealed under section 13 of the Publications Act, 1974, against the decision on 15 December 1981 of a committee referred to in section 4 of the said Act, that the undermentioned publication is undesirable within the meaning of section 47 (2) (a) of the said Act:

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer
P81/11/75	*Rough Justice*	Robert Parker.

The Chairman of the Publications Appeal Board suspended the decision of the Publications Committee until the Board has reached its decision on appeal.

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

PRYS (AVB ingesluit) 30c PRICE (GST included)

As 'n Nuusblad by die Poskantoor Geregistreer BUITELANDS 40c ABROAD *Registered at the Post Office as a Newspaper*

POSVRY · POST FREE

Vol. 199] PRETORIA, 15 JANUARIE / JANUARY 1982 [No. 7994

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 105 15 Januarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

LYS/LIST P82/3

Inskrywing No Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/12/74	Kill the Traitors! (Pamflet/Pamphlet)	African National Congress	(e)
P81/12/74	MK Strikes against Mpimpis! (Pamflet/Pamphlet)	African National Congress	(e)
P81/12/74	Their case is closed . . . (Pamflet/Pamphlet)	Issued by the African National Congress	(e)
P82/1/8	*Struggle for Southern Africa, The*	Martin Plaut, Elaine Unterhalter, David Ward	(e)
P82/1/13	Forward to People's Power: 16 Dec Umkhonto Day (Kleefseël/Sticker)	Nie vermeld nie/Not stated	(e)
P82/1/14	*Ijubu 81*	St Barnabas College, Bosmont, Johannesburg	(e)
P82/1/15	People's Hero: Solomon Mahlangu (Vlugskrif/Leaflet)	African National Congress	(e)
P81/12/74	Habashwe!! Abafe!! Death to the Mpimpis! Death to the Traiters! (Pamflet/Pamphlet)	African National Congress	(e)
P82/1/?	Observe Heroes' Day—December 16th, 1981 (Vlugskrif/Leaflet)	African National Congress	(e)
P82/1/16	*ANC South Africa*—70th Anniversary, 1912–1982, 1982 Diary	African National Congress	(e)

No. 106 15 Januarie 1982

OPSKORTING VAN BESLISSING VAN KOMITEE VAN PUBLIKASIES DEUR VOORSITTER VAN DIE APPÈLRAAD OOR PUBLIKASIES KRAGTENS ARTIKEL 13 (3) (a) VAN DIE WET OP PUBLIKASIES, WET 42 VAN 1974, SOOS GEWYSIG

Die Voorsitter van die Appèlraad oor Publikasies het ingevolge artikel 13 (3) (a) van die Wet op Publikasies, 1974, besluit om die beslissing van 'n komitee kragtens artikel 11 (2) van genoemde Wet dat die publikasie *Scope* van 8 Januarie 1982 ongewens is op te skort totdat die Appèlraad oor die appèl deur Republikeinse Pers teen die komitee se beslissing beslis het.

GOVERNMENT NOTICES

DEPARTMENT OF INTERNAL AFFAIRS

No. 105 15 January 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

No. 106 15 January 1982

SUSPENSION OF DECISION OF PUBLICATIONS COMMITTEE BY THE CHAIRMAN OF THE PUBLICATIONS APPEAL BOARD UNDER SECTION 13 (3) (a) OF THE PUBLICATIONS ACT, ACT 42 OF 1974, AS AMENDED

The Chairman of the Publications Appeal Board has decided under section 13 (3) (a) of the Publications Act, 1974, to suspend the decision of a committee under section 11 (2) of the said Act that the publication *Scope* of 8 January 1982 is undesirable until the Appeal Board has determined the appeal by Republican Press against that decision.

Police sure this was murder



MRS WEINBERG

Staff Reporters

Police are convinced Mrs Joan Allison Weinberg — aunt of British engineer Steven Kitson, whose detention in South Africa caused an international uproar — was murdered.

Even though a post-mortem yesterday shed no light on the cause of her death, Colonel Manie van der Linde, head of the Murder and Robbery Squad, says his detectives believe foul play definitely had a part in her death.

"We are still investigating a murder case," Colonel van der Linde said today.

Mrs Weinberg (52), described by neighbours as courteous, friendly and amazingly good-looking for her age, was found dead in her flat in Wanderers Street, Johannesburg, with her teeth knocked out.

The post-mortem yesterday did not show how she had died.

Her body was found slumped over a blood-stained bath on Wednesday — the day after Mr Steven Kitson left South Africa.

Mr Kitson had been detained by the Security Police for six days. Police said he had photographed and sketched the Pretoria Central Prison where his father David is serving a 20-year term for sabotage.

Police say they are to send parts of Mrs Weinberg's body for laboratory tests to try to determine the exact cause of her death.

Today Colonel van der Linde said that Mr Stephen McConnel (21), who shared a flat with Mrs Weinberg, was now staying with relatives and police hoped to interview him today.

Detectives are still combing the death flat for possible clues. An armed guard has been placed outside the flat in Darragh House.

CLUES

Police have removed tapes and newspaper clippings from Mrs Weinberg's flat. Among the clippings were reports of the escape from Pretoria Central Prison in 1979 by political prisoners Alexandre Moumbaris, Timothy Jenkin and Steven Lee.

Police will listen to the tapes to try to obtain possible clues about her death.

The Star Bureau in London reports that the Foreign Office today confirmed that Mr Kitson asked the British Consular official who visited him during his six-day detention in Pretoria not to publicise how he had been "physically maltreated and mentally tortured."

The statement follows claims in South Africa that if Mr Kitson had been maltreated he would have complained to Mr Robert Miller, who visited him as part of the British Government's attempts to have him freed.

It also explains why, in a private telephone conversation on Sunday with Mr Kitson's mother, Mrs Norma Kitson, Mr Miller would only concede that her son was "shaken" and "dispirited."

The Foreign Office is now in contact with the South African Government over Mr Kitson's allegations of maltreatment "and other aspects of the case."

In Johannesburg, a spokesman for the British Consulate said today that the Foreign Office had instructed that all inquiries be referred to the Foreign Office in London. The consulate therefore declined to comment.

In a statement after visiting Mr Kitson in detention last Saturday, Mr Miller said he had found him in good health.

Meanwhile, information reaching The Star says Mrs Weinberg was in repeated contact with the Security Police about the detention of Mr Kitson.

She "pestered" the Security Police in Pretoria with numerous telephone calls to inquire about her nephew's detention and health.

'Fantastic' support for aid fund for Seychelles men

(327) Star 15/11/82

By Mike Cohen

A fund to cover the legal costs of the 44 raiders involved in the abortive coup attempt in the Seychelles has been started in Durban. Public support has been "fantastic" says one of the men charged.

The fund was started after 39 of the raiders were rearrested recently and charged under the tough Civil Aviation Act. All were granted bail which drained their resources, according to one of the group.

Mr Norman Reeves, a Natal businessman who is responsible for the formation of the fund says it is already having a good response from members of the public and "interested parties". Some money has already been received and a lot more has been promised.

"I believe the public are sympathetic towards their plight. The chaps were only doing a job of work and with the money they earned one cannot call them mercenaries.

"They are basically soldiers who are anti-communist and I believe the majority of South Africans are also anti-communist.

"They have not benefited financially from the operation and that is why I decided to start the fund," Mr Reeves said.

The organisers of the fund have decided to split those charged into groups of 10 and arrange legal representation for each group.

"At this stage although we have not inquired about the costs of legal representation we are looking at about R3 000 a head, which works out to an estimated R120 000," Mr Reeves said.

"The fund will be run by an auditor to ensure the money is controlled."

One of the men charged told The Star he planned to co-ordinate a fund in Johannesburg and described the public support and sympathy as "fantastic."

He said they had intended to pay for their own legal costs but did not have enough money.

Police plea on aunt's mystery death

By CHRIS OLCKERS

POLICE have appealed for help in their investigation into the puzzling death of Mrs Joan Allison Weinberg who detectives believe could have been murdered.

A police spokesman said yesterday they have been unable to find any positive clues to the circumstances of the death of Mrs Weinberg, owner of a lonely hearts club and aunt of British engineer Steven Kitson, who was released this week after being detained by the Security Police.

"We are working around the clock but as yet have failed to come up with anything," he said.

A post mortem earlier this week failed to establish the exact cause of the attractive blonde's death and the spokesman said further intensive pathological tests would only be completed by the end of next week.

Mrs Weinberg's blood-splattered body was found in her flat at Darragh House, Wanderers Street, slumped over her bath, filled with blood-stained water. She had suffered several injuries to her head and face.

Searches

Detectives also found a tooth and a broken chain in the bathroom.

The officer said police would welcome any information which could help to solve the puzzling death.

Yesterday detectives again visited the flat and made further searches for any clues. Police kept guards posted at the flat till late yesterday when relatives were allowed to enter and look through the dead woman's belongings.

People with information which might assist police are asked to contact Captain Staal Burger of the Brixton Murder and Robbery Squad at telephone 354114.

A spokesman for Mrs Weinberg's family said last night that they were being inundated with calls from newspapers asking if they believed there was any link between the death and the detention of her nephew, Mr Steven Kitson.

"We have no reason to believe that any such link exists," said the spokesman. "We have every faith in the Brixton Murder and Robbery Squad, which is in charge of the case in getting to the bottom of it".

Claim

Meanwhile, the Rand Daily Mail Correspondent in London reports that Mr Steven Kitson claimed last night that the two names he gave to his interrogators in South Africa were of people outside the Republic.

He said he had given the names to the African National Congress.

Mr Kitson added: "Despite their interrogation all the police could get out of me was no more than their London operation could have given them anyway.

"As I am not politically involved I was simply not in possession of secret information."

He claimed that this soon became apparent to the police and one of those in charge of him — a Colonel Malan — had called him "a little s...".

Mr Kitson's mother, Norma, her daughter Amandla, and steven are all deeply shocked by the gruesome death of Mrs Joan Weinberg.

She had seen Mr Kitson off at Jan Smuts Airport the day before she died.

He said: "She was esctatic at my release".

She had given no indication of being afraid of an attack and was simply "so happy that I was free", he said.

UN opens its 1982 anti-SA portfolio

GENEVA. — The United Nations anti-apartheid season has opened with new claims of torture, prisoners, child imprisonment, killings by police and soldiers as well an updated list of alleged torturers.

Mail Correspondent

The claims are levelled at the Prisons Services, the South African Defence Force, and the Police.

Those affecting the Prisons Service allege:

- Ill treatment of child prisoners on Robben Island, contrary to previous statements by the Prime Minister, Mr P W Botha, that children are not kept in the political prison;
- Warders urge criminals to abuse political prisoners in their cells;
- The provision of one latrine bucket in a cell for up to 80 prisoners;
- The keeping of 14-year-old boys in isolation;

The allegations are contained in a document called "The Children of Robben Island" written by a former prisoner. He claims that children who arrived in 1977 were beaten and set upon by dogs, and that some were kept in isolation until adult prisoners protested so strongly that an elderly ANC member was allowed to live with them.

He said conditions improved after the International Committee of the Red Cross started visiting the prison.

Untrue

Last night a Prisons Service spokesman said the claims were substantially untrue or otherwise grossly twisted out of proportion.

"In any event this is now 1982, when substantial improvements in prison conditions throughout South Africa, including Robben Island, have been succesfully introduced," he said.

The dossier claims:

- The existence of secret camps in the Otavi and Grootfontein areas for Namibian detainees;
- That the crack 32 Batallion was instructed to destroy schools, hospitals and houses and to kill civilians and cattle in Angola, according to mercenary Captain Jose Richardo Belmundo, and deserter Mr Trevor Edwards, a British subject.

An SADF spokesman commented: "It is interesting to note how heavily these claims rely on a rehash of statements made by two discredited liars, Belmundo and Edwards, early last year.

"Belmundo claims to have been a captain attached to 32 Battalion, but this unit has never had a black captain.

"Edwards, who promoted himself from lance corporal to sergeant when he made his so-called disclosures, has up to now not reacted to an SADF challenge to return to South Africa to stand trial on his own admissions of murder in Angola," he said.

He pointed out that the SADF had produced copies of a document signed by Edwards while, attached to 32 Battalion in which he undertook not to molest or ill-treat civilians.

"It seems that this so-called working group deliberately collected 223 pages of lies, distortions and half-truths to paint Swapo terrorists, who are responsible for the murder of innocent and unarmed people, as the innocent victims of South African oppression," he added.

Evidence

The working group also listed "torturers" from evidence submitted by a former prisoner and Swapo official, Mr Axel Johannes.

He claimed that electric shock treatment was common, especially for women. He said that prisoners were hanged by their arms from trees, submerged in rivers, buried in pits, or confined in zinc cells.

A spokesman for the SA Police division of public relations in Pretoria said if anyone wanted to charge the police with brutality he should approach the police who would investigate complaints.

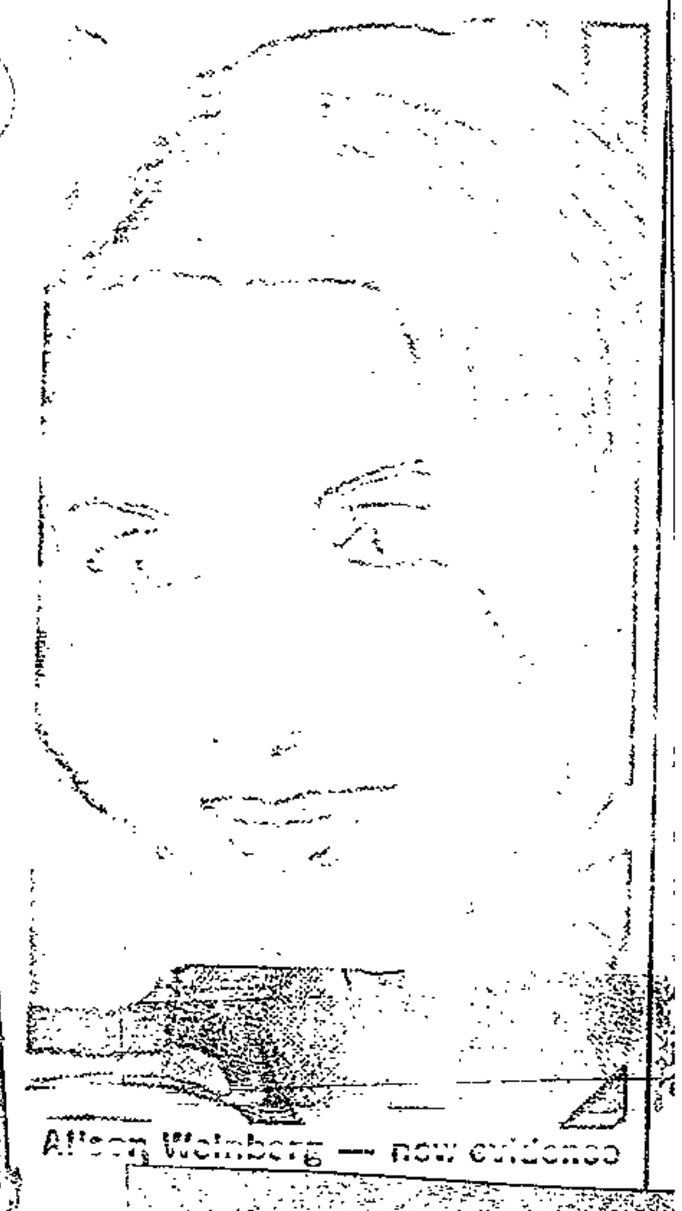
Further reports of ill treatment of children came from the Anti-Slavery Society, which claimed that farmers recruit under-aged children on a massive scale in the area of Msinga, Natal.

The 233-page dossier, compiled by a human rights working group, also gives lists of detained children, women and men whose arrests have so far been unreported.

The allegations will be submitted to the Commission of Human Rights and will eventually filter their way to the General Assembly where resolutions condemning South Africa are likely to be approved.

th riddle: Family and police debunk political plot theory

NELY'S HEART NGEANCE?



Afeem Weinberg — new evidence

And it ruled out a political motive for the killing of Mrs Weinberg in connection with the 1979 escape from Pretoria Central Prison of the three ANC members.

Gang

Police at the Brixton Murder and Robbery Squad yesterday said they were particularly interested in the activities of a gang of three men who appeared to be "casing" the Darragh House flats in central Johannesburg for several days before the murder.

The men, a white, an Indian and a coloured, knocked on the doors of a number of flats, apparently hoping to look into the apartments when the door was opened.

This weekend police were analysing tape recordings taken from the answering service on the marriage bureau telephone in Mrs Weinberg's flat.

In Johannesburg Mrs Weinberg's children completely ruled out the possibility that their mother's death was in any way connected

To Page 2

Six Ulster police hit Republican in connection with the 1979 escape of convicted communists and ANC members Alexandre Moumbaris, Stephen Lee and Timothy Jenkin.

Ulster Outcry

Yesterday, Mrs Kitson blamed "Communist secret police or traitors in South Africa who were encouraged by the Government" for Mrs Weinberg's bloody death.

"It was the act of a desperate and revengeful group of people" she said

South African relatives of the slain woman say, however, that she had no interest in politics and differed deeply from Mrs Kitson's political views.

The family are backed by the South African Police who have also ruled out a political motive.

A high-ranking Pretoria policeman confirmed yesterday that although police had questioned Mrs Weinberg's 21-year-old flatmate, Mr Stephen McConnell, for hours every day since he discovered her body on Wednesday, the investigators were now concentrating on the possibility that the murderer was a dissatisfied client of her Elite marriage bureau.

D. [illegible] ALLEN HAS CLOSE WOMAN [illegible]

THE MURDERED Mrs Allen Weinberg was probably the victim of a [illegible] vengeful client and not of political conspiracy.

[illegible] day that the Black [illegible] been part of a [illegible] Allen has been [illegible] by her [illegible] dren and the South [illegible] Police.

[illegible] spokesmen [illegible] years [illegible] had several [illegible] the car [illegible] ... [illegible] ... [illegible] ...

□ From Page 1

Police have new leads in lonely heart killing

with the visit and detention Mr Steven Kitson.

"She had no political aspirations at all.

"She always arranged Steven's visits to his father for purely humanitarian reasons.

"In fact she was totally opposed to Norma's political views," a Weinberg family spokesman said.

No one in the family believed there was a political reason behind the murder.

"The worrying thing is that there appears to be a lack of motive.

"We are still checking to see whether anything was stolen," the spokesman said.

The attractive blonde, was murdered in her flat in the shadow of St Mary's Cathedral, Johannesburg, soon after 2pm on Wednesday.

□ □ □

She died in the flat her children had begged her to leave because they thought it too dangerous for her to live in the central city.

Mrs Weinberg was found kneeling fully-clothed next to a blood-filled bath.

A tooth and a broken gold chain were found in the bathroom and in the bedroom blood was splattered on the bed.

The State Pathologist, Professor J Scheepers, raised three major points of investigation.

They were:

● What happened in the flat subsequent to the attack in which Mrs Weinberg was struck over the head three times?

● Was she carried into the bathroom and dropped on the floor or did she go there herself taking a pillow and bedspread with her?

● What was the precise mechanism (cause) of death?

There was so much blood in the bath that police could not see the bottom.

When it would not drain they discovered that the plug was blocked by a pillow and bedspread.

Professor Scheepers said that he had not yet determined the precise cause of death.

It would take about a week to establish whether death had been caused by haemorrhaging or some other "mechanism."

"My examination of the body showed that she had been clubbed over the head, but although the skull had been fractured these injuries were not serious enough to cause death.

"She was found kneeling next to the bath with her head slumped over the edge and her hands dangling into the tub.

"We will only know precisely what caused her to die when microscopic examinations are complete," Professor Scheepers said.

This week a picture emerged of Mrs Weinberg as an intelligent, gentle, caring mother who had studied French, German and philosophy at Natal University.

□ □ □

She was the niece of South African born choreographer John Cranko (an intimate friend of Princess Margaret) who became one of the world's leading ballet designers working mainly for the Sadlers Wells and Stuttgart ballet companies before his death in 1973.

Born in Durban she lived for a while with her mother in Bloemfontein before returning to Durban and Natal University in 1948 where she read for a Bachelor of Arts degree which she did not complete.

There she met and married Dr R Sacks, a Johannesburg dentist.

They had a son, Robbie, and were married for six years before being divorced.

Two years later she married Mr Norman Weinberg, the second man she had dated after her divorce.

Together they moved to Johannesburg where Mr Weinberg still lives with his family in an attractive suburban home.

According to an intimate family source the Weinbergs were married for 14 years before divorcing.

Besides Robbie, she had four children, Ruth, Lindy, Tessa, and Avi.

About six years ago, Mrs Weinberg moved into flat 112 in Darragh House, a block of flats and shops owned by the Anglican church, and started running the "Elite" marriage bureau which she had purchased.

Daughter Lindy said she had no idea who murdered her mother. She described Mrs Weinberg as a "peace-loving and much-loved lady".

"My mother was not a lonely person. She was lively and extremely close to her family.

"She was definitely not a socialite," Lindy said.

Lindy described Mr McConnell, her mother's flatmate, as a "very nice guy.

"They met about nine months ago and were extremely fond of each other.

□ □ □

"None of us children thought the relationship strange because of his age.

"We liked him," she said.

Alison Weinberg was a matchmaker par excellence who had been guest of honour at the engagement parties and weddings of people she introduced.

"I used to pair off and arrange dates for my single friends," she once said.

Unlike most people who arrange blind dates, Alison had the knack of picking the right people for one another.

"Seeing I was always pairing off couples, I decided to make it my career — I saw a bureau advertised, found out that it was a reputable establishment, and bought it," she said in a newspaper interview four years ago.

She said, "I have over 1 000 members ranging from 17 to 70 and from all professions.

"When people hear about us they wonder what sort of place this is," she said, "but I'm very careful about choosing members."

But there was another side — that of the woman who was known to many, but who had few real friends.

Johannesburg's night revellers all recognised youthful-looking Alison — the name she preferred — but "just another face in the crowd . . . she didn't stand out as someone special."

Neighbours at Darragh House said that Mrs Weinberg kept herself and her business very much apart from them.

They told of many visitors and "much coming and going".

One neighour recalled however that Mrs Weinberg was "perhaps a little rude as she never said thank you if one held open a door for her."

Barmen, escort agency girls, waitresses, massage parlour workers, hotel managers and others, shown her photograph, recognised Mrs Weinberg.

"She's been here many times," said one hotel worker. "Sometimes she would be in a crowd, other times by herself or with an escort."

Well-groomed Alison often lunched at the President Holiday Inn's plush Transvaal Room — just a stone's throw from where she met her death — and spent many evenings at the exclusive Raffles discotheque in the Rand International hotel.

Escort girls from agencies which abound in the Joubert Park area knew her as well.

P.W. and Leahy DID discuss S

By PETER MAAN

THE disputed discussion between The Prime Minister, Mr P. W. Botha, and the British Ambassador, Sir John Leahy, over the abortive Seychelles coup and the alleged hijacking of an Air India Aircraft DID take place.

In spite of carefully worded denials by the Prime Minister, the Minister of Foreign Affairs, Mr Pik Botha, and a statement issued by the British Embassy, the Sunday Tribune has confirmed that the issue was discussed when Mr Botha met Sir John

But discussion on the matter was started by Mr Botha and not Sir John. In their denials published nation-wide this week the Prime Minister and the Minister of Foreign Affairs denied that the matter was "raised" by Sir John.

And Mr Pik Botha, denied that the ambassadors of the seven countries who are signatories to the Bonn Agreement had expressed their displeasure to South Africa — although the **Sunday Tribune** report never alleged that they had.

The Tribune report last week simply said that other Western ambassadors apart from Sir John had contacted Mr Pik Botha to express their dissatisfaction.

In his statement, Mr Botha confirmed that some diplomats had followed normal procedure and asked for details in terms of the relevant conventions.

The South African Government is also denying the assertion in the report that they had bowed to diplomatic pressure in deciding to re-arrest the mercenaries who had been set free.

However, the view that this is the case is shared by the internationally re
British journa
Economist.

In an article
latest issue he
"It does move
pushed" the Ec
says that for o
Western Power
succeeded in

SUNDAY TRIBUNE, JANUARY 17, 1982

Seychelles

jected
the

In its
dlined
when
nomist
e the
have
laking

the South African Government change its policy. In the past it had seemed impervious to such pressures, and what made the difference "was the implied threat that seven major nations might sever air links with South Africa in accordance with their 1978 Bonn declaration of hijacking."

It said "The American and West German embassies to Pretoria sent representatives to the Foreign Ministry to convey their disapproval. In Washington the State Department issued a statement hinting at an invoking of the Bonn Declaration.

The Economist article concludes: "The about-face is an interesting illustration of South Africa's vulnerability to this form of pressure."



Gen Geldenhuys

327

TRIBUNE probe proves police knew of Weinberg-Ki connection despite the Commissioner's puzzling sta

GENERAL MIKE AMAZING DENI

ements . .

'S IAL

Sunday Tribune 17/1/82

By MARION WHITEHEAD

A SUNDAY TRIBUNE probe this week disclosed that murdered Mrs Joan Weinberg was well known to police through her relationship with expelled detainee Steven Kitson — even though Commissioner Mike Geldenhuys had told the Press his department had no knowledge of the link.

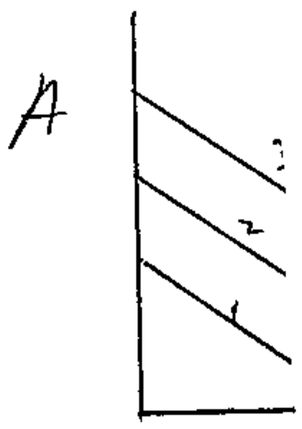
His statement — that police had no knowledge of the Weinberg/Kitson connection until the Press made it public — raises questions about information provided within his own department.

He later also made the extraordinary statement to the pro-



satisfaction than

Where an indf
budget line
combination. N



The household
but can get t
where the indy
budget line. Th
number 3 unless
income effect

The substitution
due to a change
being held
Income effect
to a change i
held constant

In other words
increase the cos
can be used to

The Law of Dimin

number 1.

is tangental to the
the least cost

budget line number 1,
at the lowest good
is tangental to the
can't reach budget line
substitution effect
being.

- consumption changes
price, real income

consumption change due
one, relative prices being

the price of A, will
of A and B, as more money
and/or B.

From Page 1

GEN MIKE'S AMAZING DENIAL

Sunday Tribune 7/11/82

photographs of the prison for use in a future breakout.

On the night of the expulsion, Mrs Weinberg accompanied police to the airport where he was put on a plane to Britain. It was a hush-hush affair and not even Raymond Ticker, Mr Kitson's lawyer, was told of his release and departure.

Mrs Weinberg's joy at the release of her nephew was shortlived. The next day she was found dead in her bloodstained, Johannesburg flat.

Her partially dressed body was slumped over the edge of the bath which was filled with bloody water. She had head and facial wounds and some of her teeth had been knocked out.

Although a post mortem failed to establish the cause of her death, police have opened a murder docket and are engaged an an intensive investigation.

It appears that nothing was stolen from Mrs Weinberg's flat — she was still wearing her watch — and police have removed news paper clippings of the escape from Pretoria Central of terrorists Moumbaris, Jenkins and Lee and dictaphone recordings as well as lists of members of the match-making club she ran from her flat.

Shocked family and friends in Johannesburg told the **Tribune** this week that both Mrs Weinberg and Steve were very "non political" people. They said Mrs Weinberg was humanitarian person who had organised David Kitson's visitors roster out of compassion even though she did not agree with his political views.

"Joan was just a kind do-gooder," said a bewildered friend.

ment Citizen newspaper that: "If certain newspapers want to create the impression that the police murdered Mrs Weinberg or that she could have been politically knocked off, they will be making the mistake of their existence.".

The **Sunday Tribune** has established that Mrs Weinberg was well-known to the Security Police. She was in regular contact with the Security Police to enquire about the health of her nephew, Steven Kitson, who was detained for six days before being expelled from South Africa following an international outcry.

Leader of the Opposition, Van Zyl Slabbert, yesterday labelled General Mike Geldenhuys' statement that they had "never heard of her before her death" as "quite extraordinary" in the circumstances.

Gen Geldenhuys this week said the police had never heard of Mrs Weinberg's connections with the Kitsons until the Press had made it public.

He later told the pro-Government Citizen newspaper that: "If certain newspapers want to create the impression that the police have murdered Mrs Weinberg or that she could have been politically knocked off, they will be making the mistake of their existence."

The **Tribune** has also established that Mrs Weinberg, sister-in-law of David Kitson, South Africa's longest-serving political prisoner, visited him every second month for the past 17 years. On each occasion she signed her name and address in the visitors' book.

She also organised a roster of regular visitors to David in Pretoria Central maximum security prison.

Her frequent phone calls about Steven's detention led to her being labelled "A pain in the neck" by Security Police in Pretoria.

Police detained Mr Kitson while he was visiting his 63-year-old father, claiming he had made sketches and

To Page 3



Mrs Joan Weinberg . . . Security Police called her "a pain in the neck"

Kitson detainees freed

TWO of the four people detained in the wake of Steven Kitson's arrest have been released from detention.

They are Kathy Hunter and Dafne Smith who were released on Friday afternoon, eight days after their arrest.

Miss Hunter's common law husband, Michael Jenkin, brother of Timothy Jenkin — who escaped from Pretoria Central prison in 1979 with Alexander Moumbaris and Stephen Lee — and Ralph Wortley, head of the University of the Witwatersrand's counselling and careers unit, are still being held by security police.

19/11/82

ST Tribune

3

Home in his wheelchair



Mr SIPHIWO MTHIMKULU is wheeled into his Zwide home by Mr WANTU ZENZILE, national president of the Congress of South African Students.

327

E. Post 18/1/82

Big crowd welcomes PE student leader

By JIMMY MATYU

ABOUT 200 people singing freedom songs and giving the Black Power salute greeted the student leader and former Terrorism Act detainee, Mr Siphiwo Mthimkulu, 19, when he arrived home in a wheelchair yesterday.

An investigation is under way because doctors found traces of the rare poison, thallium, in his system after he was admitted, confused and semi-paralysed, to Cape Town's Groote Schuur Hospital.

Home again for the first time in two months, he heard a prayer by a Methodist Church lay preacher, Mr Matthews Ntsalaba, and a speech of thanks to both Mrs Di Bishop, the Progressive Federal Party MPC for Gardens, and Mrs Molly Blackburn, PFP MPC for Walmer, for help they gave to Mr Mthimkulu.

Earlier at the airport, a huge crowd of friends and family met Mr Mthimkulu's plane. Many carried placards, one of which read: "Poisoning people won't stop us".

Mr Mthimkulu spent more than two months at Groote Schuur Hospital being treated for thallium poisoning.

A member of the Congress of South African Students (Cosas), he was detained by the Security Police on May 31. After spending five months in detention under Section 6 of the Terrorism Act, he was released on October 30.

He began complaining about pains in his feet and stomach on the same day. He became confused and lost all his hair after being transferred from Livingstone Hospital to Groote Schuur Hospital.

Medical tests have shown that he was poisoned by thallium, a rare and cumulative poison.

At the airport, Mr Mthimkulu said: "I am happy to be back. I can walk with difficulty a very short distance, but I have to balance by leaning against things. At the moment I have to use a wheelchair and I have to return to Cape Town in three months' time for further tests."

Weinberg death: SAP awaits tests

Star (327) 18/1/82

By Trevor Jones
Crime Staff

Police investigating the murder last week of Mrs Alison Weinberg (52) are still awaiting the results of blood and tissue tests which it is believed hold the key to the cause of her death.

After a post mortem examination the chief State pathologist, Professor J Scheepers decided that although Mrs Weinberg had been hit on the head and had a fractured skull, these injuries were not sufficient to have caused her death.

It was then decided to perform further tests.

Mrs Weinberg's flatmate, Mr Stephen McConnell (21), found her slumped over her blood-filled bath late last Wednesday afternoon.

She had head injuries and some teeth had been knocked out.

Mrs Weinberg's death came shortly after her nephew, Mr Steven Kitson had left the country for London amid uproar over his detention by South African authorities. He had come to visit his father, Mr David Kitson, who is serving a 20-year jail sentence.

Members of the Kitson family in London have linked Mrs Weinberg's murder to some political motive.

But Colonel Manie van der Linde, head of the Brivton Murder and Robbery Squad investigating the case, today ruled out political motives.

"Our investigations so far show no link between Mrs Weinberg's death and the political aspects of her life," he said.

Colonel van der Linde declined to comment on speculation that a mismatched client of Mrs Weinberg's marriage bureau may have been connected to her death.

He said he had "no idea" where reports had originated that a gang of three men had been knocking on doors in Darragh House where Mrs Weinberg lived. Mrs Weinberg is buried at West Park Cemetery yesterday.

Thallium victim welcomed home

PORT ELIZABETH — A cheerful crowd of family, friends and well-wishers greeted a former detainee and student leader, Mr Siphiwo Mtimkulu, at Port Elizabeth airport at the weekend.

Mr Mtimkulu, in a wheel chair, was returning to the city after spending 2½ months undergoing treatment for thallium poisoning at the Groote Schuur Hospital in Cape Town.

After his release from five months' detention on October 30, he complained of severe pains in his legs and stomach. At Groote Schuur he became confused and all his hair fell out. Doctors found he had been poisoned but it is not known how or when.

Passengers who had disembarked from the plane looked on with curiosity at the passenger who had been taken off the plane in a trolley designed for people in wheelchairs.

"I'm really glad to be back. No, I can't walk properly, I can only lean against things at the moment, but the doctors say nature will cure me," said a smiling Mr Mtimkulu.

Asked whether he could continue with his studies, he said: "I won't be able to go back to school in this wheelchair, but I want to continue with private studies at home.

"I will continue with my work in Cosas. Many of the students came to visit me in Cape Town. I don't want to stop," he said. — DDC.

'Riot': Trialist stabbed to death

ARGUS 19/1/82

Argus Bureau

EAST LONDON. — One of the 42 members of the South African Allied Workers' Union who are appearing in court in Zwelitsha near King William's Town has been stabbed to death, Mr Martin Brassey SC, defending, said yesterday.

The unionists, who are facing charges under the Riotous Assemblies Act, incitement to public violence, holding an unlawful gathering and two alternative charges, appeared in the Regional Court yesterday.

In an interview after the hearing Mr Brassey said he understood the man had died in a township fight on November 27.

The first of the accused to testify, Mr Thozamile Maneli, told the court that on September 6 last year he had attended a SAAWU meeting in East London.

Afterwards he had boarded a bus to Mdantsane. At the Mdantsane bus terminus Ciskei police had prevented passengers from alighting and had instructed the bus driver to take them to the charge office.

At the charge office the passengers were searched and a list of names taken.

NO SLOGANS

Under cross-examination Mr Maneli denied he had taken part in the meeting's proceedings. There had been singing and shouting of 'Amandla' at the meeting.

He also denied singing or shouting slogans on the bus while travelling to Mdantsane.

The bus driver, Mr C Pepani, said the unionists had sung on the bus but he could not remember hearing songs mentioning Mandela, a leopard, gunshots or that blood would flow.

He had also not seen any disturbances.

Mr Themelani Kenongo, said in evidence that the only song sung he could remember said 'SAAWU is difficult, it will confuse Charles Sebe.'

He had heard no slogans shouted such as 'Charles Sebe be killed,' 'Mandela is our leader', 'Informers belong to them,' 'Up Mandela, down Ciskeian Government.'

(The trial continues today.)

Censors' ban on books is unpredictable, court told

(327) Star 20/1/82

By Alex Ball

It is impossible to determine if a book will be banned, a Johannesburg regional magistrate, Mr C A Allcock, was told yesterday.

Mr Mike Kirkwood, managing director of Ravan Press, was testifying on behalf of Mr Daniel Francois Roodt (23) of Princess Road, Windsor Park, charged with producing an undesirable publication, "Taaldoos 1 plus 1," last November.

Mr Kirkwood said that as a publisher it was very difficult for him to determine the standards by which censors judged books.

An example of inconsistent censorship criteria was the book "Call Me Not a Man" by Mtutuzeli Matshaba, freely published in "Staffrider" magazine but banned in book form. Another was Christopher Hope's "A Separate Development" banned then unbanned.

"These decisions are so inconsistent that I, as a publisher, would fail if I tried to predict how the censors would react to a book I was publishing."

He would not like to comment on the literary merit of "Taaldoos" as his home language was not Afrikaans.

But he recognised a "literary intention" in the contributions and would include some in "Staffrider." They used literary techniques and were not pornography.

"Taaldoos" could be seen as avant-gardism necessary for literature to renew itself and break new ground.

South Africa had a great need for dialogue and he believed censorship prevented the public hearing many of the voices of new writers.

Could steps be taken to stop works being banned? Mr Kirkwood: "Nothing except pre-censorship, and this is not something the censors encourage."

Swear words in "Taaldoos" had a literary function and should be seen in context.

When pressed by the magistrate he admitted that the cover of "Taaldoos" depicted a finger and a cross-section of female sex organs, and that there was a link between it and the title "Taaldoos."

This should be taken in the humorous spirit intended. He would have consulted the editor of a publication before passing it.

The case continues today.

PE man alleges poisoning: probe goes on

E. Post 2/1/82

327

By SHIRLEY PRESSLY
Crime Reporter

A TOP-LEVEL police investigation into the alleged thallium poisoning of a former detainee from Port Elizabeth, Mr Siphiwo Mthimkulu, is nearly over.

According to the Acting Divisional Criminal Investigation Officer for the Eastern Cape, Col Dan Matthee, the officer conducting the probe, Major Louie Sauer, had nearly finished his task.

Scores of statements had been taken but the investigation had been hampered by Mr Mthimkulu's refusal to make a statement to Major Sauer.

Mr Mthimkulu returned home to Port Elizabeth from Cape Town on Sunday. He was detained on May 31 during anti-Republic Day demonstrations and released on October 20.

He was admitted to Livingstone Hospital, Port Elizabeth, soon after he was released from detention and then transferred to Groote Schuur Hospital in Cape Town where it was found he had thallium in his system.

Thallium is a rare poison which, according to experts, could take seven or eight days to show effects after the ingestion of several small amounts.

Col Matthee said no complaint had been lodged with the police, but a civil claim had been lodged against the State.

THE ARGUS, FRIDAY JANUARY 22 1982

327

UK tests show student leader poisoned

TESTS in Britain have confirmed that the mystery illness which caused a former detainee's hair to fall out was the result of the rare and deadly poison thallium.

The result of tests at New Cross Hospital, London, on specimens taken from Mr Siphiwo Mtimkulu, a Port Elizabeth student leader who spent five months in detention, were received in Cape Town yesterday.

The specimens were taken to England by British neurologist Dr Ross Russell after a visit to South Africa last year.

The tests confirm the findings of Groote Schuur Hospital that Mr Mtimkulu's mystery illness after he was released from detention last year were caused by the deadly rodent poison outlawed in most countries.

Mr Mtimkulu, 21, a member of the Congress of South African Students (Cosas), was detained on May 31 of last year during anti-Republic Day Festival demonstrations after being shot in the arm. He was held for nearly five months under Section Six of the Terrorism Act.

He was released on October 20 and complained of pains in his hands, feet and stomach. Two days after his release he was unable to walk. Mr Mtimkulu was confused when he arrived at Groote Schuur Hospital on November 3.

He lost all his hair and later had to be confined to a wheelchair. Early this year his condition began to improve and he was recently discharged from hospital.

He is expected to return to Groote Schuur Hospital in about six weeks' time for further tests and treatment.

Thallium has accumulative effect in the body. It moves slowly from the tissues where it accumulates in the body.

The source of Mr Mtimkulu's poisoning remains a mystery.

Thallium has been described as a 'homicide's dream.' It is colourless tasteless and odourless.

The most common feature of thallium poisoning is hair loss. At one time it was used medically to induce hair loss in treating patients with severe scalp diseases.

The initial symptoms of thallium poisoning include gastro-intestinal pain, diaorrhea, vomiting, pain in the limbs, dizziness and weakness of the facial muscles.

The symptoms appear between two and five days ofter ingestion of the substance. Hair loss occurs some time after the initial symptoms.

Police are investigating the allegations of poisoning, a spokesman for the police directorate of public relations in Pretoria said today.

'We have opened an investigation as we do with anyone who alleges an attempt was made on his life', the spokesman said.

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

PRYS (AVB ingesluit) 30c PRICE (GST included)

As 'n Nuusblad by die Poskantoor Geregistreer BUITELANDS 40c ABROAD *Registered at the Post Office as a Newspaper*
POSVRY · POST FREE

Vol. 199] PRETORIA, 22 JANUARIE / JANUARY 1982 [No. 8000

GOEWERMENTSKENNISGEWING

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 149 22 Januarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

GOVERNMENT NOTICE

DEPARTMENT OF INTERNAL AFFAIRS

No. 149 22 January 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

LYS/LIST P82/6

Inskrywing No. / Entry No.	Publikasie of voorwerp / Publication or object	Skrywer of voortbringer / Author or producer	Artikel 47 (2) / Section 47 (2)
P81/12/93	*APDUSA*—Vol VII, No 2, October 1981	APDUSA, Lusaka, Zambia	(d) + (e)
P81/12/113	*Castro*	John Griffiths	(e)
P81/12/42	*Ayivve!!*—No 2	Issued by African National Congress	(e)
P82/1/67	Freedom for Nelson Mandela and all Political Prisoners in South Africa! (Kleefseël/Sticker)	World Federation of Democratic Youth	(e)
P82/1/11	*Sport in Racist South Africa*—November 1981: The State of the Game	South African Non-Racial Olympic Committee, London	(e)
P82/1/12	*Forward*—Vol 1, November 1981	ANC Youth	(e)
P82/1/29	*Kim Il Sung*: On the Tasks of the Women's Union	Foreign Languages Publishing House, Pyongyang, Korea	(e)
P82/1/38	*African Youth*—Vol 1, Nos 5/6, August/September 1976	African Youth Movement, New York	(e)
P82/1/42	*Bericht über die tätigkeit Des 3. Zentralkomitees* der Kommunistischen Partei Deutschlands/Marxisten-Leninisten	Verlag Roter Morgen, Dortmund, West Germany	(e)
P82/1/47	*Amanee*—Vol 7/1977, No 3 & 4	National Union of Ghanaian Students (Europe)	(e)

INHOUD

No.		Bladsy No.	Staatskoerant No.
	Binnelandse Aangeleenthede, Departement van		
	Goewermentskennisgewing		
149	Wet op Publikasies (42/1974): Ongewenste publikasies of voorwerpe: Lys P82/6	1	8000

CONTENTS

No.		Page No.	Gazette No.
	Internal Affairs, Department of		
	Government Notice		
149	Publications Act (42/1974): Undesirable publications or objects: List P82/6	1	8000

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001

404—A

8000—1

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 88 22 Januarie 1982

WET OP VREEMDELINGE, 1937

VANSVERANDERING.—BOWMAN IN THOMAS

Dit het die Minister van Binnelandse Aangeleenthede behaag om, kragtens die bepalings van artikel 9 van die Wet op Vreemdelinge, 1937 (Wet 1 van 1937), Henry James Edward Bowman, sy vrou en sy kinders, woonagtig te Strausslaan 71, Retreat, te magtig om die van Thomas aan te neem.

No. 107 22 Januarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

LYS/LIST P82/4

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/12/89	Hickok Belts (Plakkaat/Poster)	Nie vermeld nie/Not stated	(a)
P81/12/90	Sunrise—1981 (Kalender/Calendar)	Sunrise Factory Distributors (Pty) Ltd, Johannesburg	(a)
P81/11/86	*Nice Girls do—and now you can too!*	Dr Irene Kassorla	(a)
P82/1/21	*Motorcycle Mechanics*—October 28th—November 10th, 1981	EMAP National Publications Ltd, Peterborough	(a)
P81/12/58	*Anthology of Erotic Prose, An*	Edited by Derek Parker	(a)
P81/12/79	*Warhead*	Guy N. Smith	(a) + (b)
P81/12/82	*Oriental Erotic Art*	Philip Rawson	(a)
P81/10/83	*Giselle*	Geoffrey Bocca	(a)
P81/11/69	*Savage*	Paul Boorstin	(a)
P82/1/20	Mohaleshoek Motors (Pty) (Ltd) 1982 (Kalender/Calendar)	Nie vermeld nie/Not stated	(a)
P82/1/20	Mohaleshoek Wholesalers (Lesotho) (Pty) (Ltd) 1982 (Kalender/Calendar)	Nie vermeld nie/Not stated	(a)
P82/1/20	P B Jandrell & Sons 1982 (Kalender/Calendar)	Nie vermeld nie/Not stated	(a)

No. 108 22 Januarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

Die Appèlraad oor Publikasies het kragtens artikel 14 (4) van die Wet op Publikasies, 1974, beslis dat die ondergenoemde publikasie of voorwerp binne die bedoeling van artikel 47 (2) van genoemde Wet ongewens is, en het die beslissing van 'n komitee bedoel in artikel 4 van genoemde Wet dat die publikasie of voorwerp nie binne die bedoeling van genoemde artikel 47 (2) ongewens is nie, ter syde gestel:

LYS/LIST P82/5

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/8/13	*Hite Report on Male Sexuality, The*—Part One + Two (Uncorrected Proof)	Shere Hite	(a)

GOVERNMENT NOTICES

DEPARTMENT OF INTERNAL AFFAIRS

No. 88 22 January 1982

ALIENS ACT, 1937

CHANGE OF SURNAME.—BOWMAN TO THOMAS

The Minister of Internal Affairs has been pleased under the provisions of section 9 of the Aliens Act, 1937 (Act 1 of 1937), to authorise Henry James Edward Bowman, his wife and his children, residing at 71 Strauss Avenue, Retreat, to assume the surname of Thomas.

No. 107 22 January 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

No. 108 22 January 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

The Publications Appeal Board decided under section 14 (4) of the Publications Act, 1974, that the undermentioned publication or object is undesirable within the meaning of section 47 (2) of the said Act, and has set aside the decision by a committee referred to in section 4 of the said Act that the publication or object is not undesirable within the meaning of the said section 47 (2):

No. 109 22 Januarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE.—REGSTELLING

In *Staatskoerant* 7986, Goewermentskennisgewing 79 van 8 Januarie 1982, vervang die inskrywing P81/12/96 met die volgende inskrywing:

No. 109 22 January 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS.—CORRECTION

In *Government Gazette* 7986, Government Notice 79 of 8 January 1982, substitute entry P81/12/96 with the following entry:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/12/96	All God's Children (Grammofoonplaat/Gramophone Record)	John Baptiste	(e)

No. 110 22 Januarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

Die Appèlraad oor Publikasies het kragtens artikel 13 (5) (c) van die Wet op Publikasies, 1974, soos gewysig, beslis dat ondergenoemde publikasie nie binne die bedoeling van artikel 47 (2) van die Wet ongewens is nie en het die beslissing van 'n komitee bedoel in artikel 4 van genoemde Wet dat genoemde publikasie binne die bedoeling van artikel 47 (2) (a) van genoemde Wet ongewens is, tersyde gestel, onderhewig aan die voorwaarde dat dit nie in die openbaar vir doeleindes van verspreiding uitgestal mag word nie en dat dit nie reproduseer mag word nie:

No. 110 22 January 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

The Publications Appeal Board has decided under section 13 (5) (c) of the Publications Act, 1974, as amended, that the undermentioned publication is not undesirable within the meaning of section 47 (2) of the Act and set aside the decision of a committee referred to in section 4 of the said Act that the said publication is undesirable within the meaning of section 47 (2) (a) of the said Act, subject to the condition that it may not be displayed in public for purposes of distribution or be reproduced:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
P81/9/164	"Veertien naakte mans by 'n swemgat/ Fourteen nude men at a swimming hole" (Skildery/Painting)	Nie vermeld nie/Not stated	In SK./G.G. 7824, GK./G.N. 2139 van/ of 9/10/81.

No. 111 22 Januarie 1982

VERTOË KRAGTENS ARTIKEL 24 (2) (b)

Die Direktoraat van Publikasies het op 8 Januarie 1982 kragtens artikel 24 (1) (a) van die Wet op Publikasies, 1974, appèl aangeteken teen die goedkeuring deur 'n komitee bedoel in artikel 4 van genoemde Wet van die lokprent "*The Attic*". Die tydperk waarin persone bedoel in artikel 24 (2) (b) van die genoemde Wet vertoë tot die Appèlraad oor Publikasies, Privaatsak X114, Pretoria, ten opsigte van genoemde appèl kan rig, word hierby bepaal as 14 dae vanaf die datum van hierdie kennisgewing.

No. 111 22 January 1982

REPRESENTATIONS UNDER SECTION 24 (2) (b)

On 8 January 1982 the Directorate of Publications under section 24 (1) (a) of the Publications Act, 1974, appealed against the approval by a committee referred to in section 4 of the said Act of the trailer "*The Attic*". The period within which persons referred to in section 24 (2) (b) of the said Act may make representations to the Publications Appeal Board, Private Bag X114, Pretoria, in respect of the said appeal is hereby determined as 14 days from the date of this notice.

Inskrywing No. Entry No.	Lokprent Trailer	Voorlegger Submitter
R81/12/79	*The Attic*	Cine Promotions.

No. 112 22 Januarie 1982

WET OP PUBLIKASIES, 1974

VERTOË KRAGTENS ARTIKEL 24 (2) (b)

Die Direktoraat van Publikasies het op 11 Januarie 1982 kragtens artikel 24 (1) (a) van die Wet op Publikasies, 1974, appèl aangeteken teen die onvoorwaardelike goedkeuring deur 'n komitee bedoel in artikel 4 van genoemde Wet van die ondergenoemde rolprent. Die tydperk waarin persone bedoel in artikel 24 (2) (b) van die genoemde Wet vertoë tot die Appèlraad oor Publikasies, Privaatsak X114, Pretoria, ten opsigte van genoemde appèl kan rig, word hierby bepaal as 10 dae vanaf die datum van hierdie kennisgewing.

No. 112 22 January 1982

PUBLICATIONS ACT, 1974

REPRESENTATIONS UNDER SECTION 24 (2) (b)

On 11 January 1982 the Directorate of Publications under section 24 (1) (a) of the Publications Act, 1974, appealed against the unconditional approval by a committee referred to in section 4 of the said Act of the undermentioned film. The period within which persons referred to in section 24 (2) (b) of the said Act may make representations to the Publications Appeal Board, Private Bag X114, Pretoria, in respect of the said appeal is hereby determined as 10 days from the date of this notice.

Inskrywing No. Entry No.	Rolprent Film	Voorlegger Submitter
R81/12/72.....	*A Woman is a Woman*	Intervision.

DEPARTEMENT VAN BUITELANDSE SAKE EN INLIGTING

No. 100 22 Januarie 1982

ERKENNING AS EREKONSUL

Hierby word bekendgemaak dat aan mnr. Michael Frederick James Smythe met ingang van 1 April 1981 erkenning verleen is as Erekonsul van Colombia in Johannesburg, met die Republiek van Suid-Afrika as sy regsgebied. Mnr. Smythe is die opvolger van mnr. B. C. Penrose.

[72/67/1 (32)]

KANTOOR VAN DIE EERSTE MINISTER

No. 129 22 Januarie 1982

NAAMSVERANDERING.—MINISTER EN DEPARTEMENT VAN GESONDHEID, WELSYN EN PENSIOENE

Hierby word vir algemene inligting bekendgemaak dat dit die Staatspresident behaag het om, kragtens die bevoegdheid hom verleen by artikel 20 (1) van die Grondwet van die Republiek van Suid-Afrika, 1961, goedkeuring te heg aan die verandering met ingang van 1 Januarie 1982 van die benaming van—

(a) Sy Edele dr. L. A. P. A. Munnik van "Minister van Gesondheid, Welsyn en Pensioene" na "Minister van Gesondheid en Welsyn"; en

(b) die "Departement van Gesondheid, Welsyn en Pensioene" na "Departement van Gesondheid en Welsyn".

DEPARTEMENT VAN FINANSIES

No. 87 22 Januarie 1982

Hiermee word bekendgemaak dat die oordragboeke van ondergenoemde plaaslike/binnelandse geregistreerde effekte van 1 Februarie 1982 tot en met 1 Maart 1982 gesluit sal wees en dat die rente betaalbaar op 1 Maart 1982 aan die effektebesitters wat op die datum van sluiting van die oordragboeke geregistreer is, betaal sal word:

Plaaslike Geregistreerde Effekte, 7¾ Persent, 1995.

Binnelandse Geregistreerde Effekte, 12½ Persent, 2003.

Binnelandse Geregistreerde Effekte, 12¾ Persent, 1984.

DEPARTEMENT VAN GEMEENSKAPSONTWIKKELING

No. 99 22 Januarie 1982

WET OP HUURBEHEER, 1976

VERKLARING DAT SEKERE WONINGS, MOTORHUISE EN PARKEERPLEKKE VAN HUURBEHEER ONTHEF IS

Kragtens die bevoegdheid my verleen by artikel 51 (g) van die Wet op Huurbeheer, 1976 (Wet 80 van 1976), verklaar ek, Pierre Cronjé, Adjunk-minister van Gemeenskapsontwikkeling hierby dat—

(a) die woonstelgebou genoem in die Bylae hiervan, vanaf datum van publikasie hiervan van huurbeheer onthef is;

DEPARTMENT OF FOREIGN AFFAIRS AND INFORMATION

No. 100 22 January 1982

RECOGNITION AS HONORARY CONSUL

It is hereby notified that, with effect from 1 April 1981, recognition has been granted to Mr Michael Frederick James Smythe as Honorary Consul of Columbia in Johannesburg with the Republic of South Africa as his area of jurisdiction. Mr Smythe is the successor to Mr B. C. Penrose.

[72/67/1 (32)]

OFFICE OF THE PRIME MINISTER

No. 129 22 January 1982

CHANGE OF DESIGNATION.—MINISTER AND DEPARTMENT OF HEALTH, WELFARE AND PENSIONS

It is hereby notified for general information that the State President has, in terms of the powers vested in him by section 20 (1) of the Republic of South Africa Constitution Act, 1961, been pleased to approve the change in designation, with effect from 1 January 1982 of—

(a) Dr the Honourable L. A. P. A. Munnik from "Minister of Health, Welfare and Pensions" to "Minister of Health and Welfare"; and

(b) the "Department of Health, Welfare and Pensions" to "Department of Health and Welfare".

DEPARTMENT OF FINANCE

No. 87 22 January 1982

Notice is hereby given that the transfer books of the undermentioned local/internal registered stocks will be closed from 1 February 1982 to 1 March 1982, both days inclusive, and that the interest due on 1 March 1982, will be paid to the stockholders registered at the date of closing of transfer books:

Local Registered Stock, 7¾ Per Cent, 1995.

Internal Registered Stock, 12½ Per Cent, 2003.

Internal Registered Stock, 12¾ Per Cent, 1984.

DEPARTMENT OF COMMUNITY DEVELOPMENT

No. 99 22 January 1982

RENT CONTROL ACT, 1976

DECLARATION THAT CERTAIN DWELLINGS, GARAGES AND PARKING SPACES ARE EXEMPTED FROM RENT CONTROL

Under the powers vested in me by section 51 (g) of the Rent Control Act, 1976 (Act 80 of 1976), I, Pierre Cronjé, Deputy Minister of Community Development, hereby declare that—

(a) the block of flats mentioned in the Schedule hereto, is exempted from rent control as from date of publication hereof;

GENERAL NEWS

23/1/82
Star

Political escapers hid in city from hunt

By Tony Stirling

South Africa's three most wanted political escapers, Alexander Moumbaris, Stephen Lee and Timonty Jenkins, sat under the noses of the police for five days before fleeing the country in December 1979.

The three men were serving long sentences in the maximum security section of the Pretoria Prison when they escaped. The Star has ascertained that after their escape the three men made their way to Johannesburg.

From there they are believed to have made their way to Botswana, Lusaka and Europe.

Apparently the escape was highly organised as they were helped by three cells of the banned African National Congress during khe five-day wait in Johannesburg and subsequent escape through security blocks.

The Johannesburger Hotel was used as a rendezvous. The men were separately shifted daily to a different "safe house."

The escapers were disguised, had dyed their hair and were wearing false moustaches but must have been seen by hundreds of people during the hotel visits.

According to the information, the three men and their helpers were not aware their escape was not discovered for 11 hours, otherwise their bid to freedom could have been made that same night.

In the days after the escape, by which time it was assumed they had already reached Swaziland or Botswana, roadblocks were set up on all major exit routes. But somehow the three missed detection.

A number of arrests have recently been made in connection with the escape, and court appearances are expected soon.

PLANS

Meanwhile security sources in Pretoria do not discount the possibility that Mrs Allison Joan Weinberg, aunt of Steven Kitson, might have been murdered because of a possible link to the escapes.

Mr Steven Kitson was detained by the police when he was alleged to have been found in possession of plans of a prison during a visit to his father.

He was then released and flown out of South Africa, and later admitted having named a few contacts during his interrogation. A number of arrests by the security police followed.

HOPE KEEPS 'MOTHER SISULU' GOING

C Herald 23/1/82

327

AFTER 17 years of being banned, with her husband serving a life sentence on Robben Island, two children in exile and one banned and detained, Mrs Albertina Nontsikelelo Sisulu cannot be bitter about the way life is treating her.

By Ryland Fisher

'I cannot be bitter. I know I am in the battle and my hope is to win. I know the course I've taken is just and I shall win in the end,' said the 63-year-old woman affectionately known to many as Mother Sisulu.

Mrs Sisulu visited her husband last week. African National Congress leader, Walter Sisulu, on Robben Island.

Although she had seen him about once a year for the past 17 years, this was the first time she did not have to get special permission as a banned person from the Chief Magistrate of Johannesburg.

She saw her husband for an hour on Saturday morning and an hour on Sunday afternoon. She last saw him in January last year.

'I really enjoyed the visit. Walter was looking well. At least he's keeping up to date with what's happening because they are allowed newspapers and radios.

'I expect to see him again in December when I am able to go on leave again,' said Mrs Sisulu, a nursing sister at Orlando Hospital.

Mrs Sisulu, who was a stalwart in the ANC's Women's League and the Federation of South African Women, said her political involvement started when she met her husband in the early 1940s.

He was a businessman at the time and she described their relationship as 'very ordinary.'

WELL-LIKED

'Even though he always had to attend meetings, he would still find time to take me to bioscope or lunch. He was always well-liked by the older people,' she said.

The Sisulus married in 1944 in the Tsomo District of Transkei where Mrs Sisulu was born.

She joined the ANC's Women's League in 1948. They affiliated to the Federation in 1954.

Apart from the two major political trials her husband was involved in — Treason Trial in 1959 and the Rivonia Trial in 1963/64 — and her husband's detentions, one incident stands out in Mrs Sisulu's mind.

'It was in 1962 when Walter was still banned. His mother, Alice, died and many people came to sympathise. The police found the house full of people and arrested Walter. He was kept from the Monday to the Friday. The funeral was held on the Saturday. We all thought they were not going to release him in time for the funeral,' she said.

The Sisulus have five children. They are Ulyate-Max, 36 (in exile), Mlungisi, 33, Zwelakhe, 31 (former president of the Media Workers' Association of SA, currently detained and banned), Lindiwe, 28 (in exile), and Nonkululeko, 24, presently studying communications at Fort Hare University.

ORTABLE TV SETS

327

Dolinchek awaits aid from SA

By Brendan Nicholson
The Star's Africa
News Service

VICTORIA — Professed South African intelligence agent Martin Dolinchek may go on trial for his life in the Seychelles without the benefit of legal representation.

While the other six mercenaries left behind after the November 25 Mahe airport attack have accepted the services of a local advocate taken on by a Durban group, Dolinchek continues to insist that the South African Government must look after his legal requirements as he is still a serving member of the National Intelligence Service.

A NIS official, Mr F N Fouche, has confirmed that Dolinchek was a member of his staff but said he had resigned just before the abortive Seychelles coup attempt.

The seven have been remanded to February 2.

Therapy facilities lacking' — poison victim

By JIMMY MATYU

THALLIUM poison victim and former Terrorism Act detainee, Mr Siphiwo Mthimkulu, says the physiotherapy equipment at Livingstone Hospital is inadequate to help his recovery.

He is also battling to get a wheelchair.

In order to perform the exercises prescribed for him while he was a patient at Cape Town's Groote Schuur hospital, he needs a Healthmaster Family Exerciser and an exerciser bicycle.

He said today that he had been to the physiotherapy department of the Livingstone Hospital and found it poorly equipped and understaffed.

The deputy Medical Superintendent at the Livingstone Hospital, Dr E W Michaels, said: "We do have a shortage of staff in that department but we hope the position will improve by next month."

He admitted they did not have all the necessary equipment.

Mrs Molly Blackburn, Progressive Federal Party MPC for Walmer, said today Mr Mthimkulu would be delighted were he offered the exercising equipment to enable him to recover at home.

He was discharged from Groote Schuur on January 17 after spending 2½ months undergoing treatment for thallium poisoning — a rare poison that attacks the nervous system.

He was released from police detention on October 30 after five months of being detained under Section 6 of the Terrorism Act. He complained of severe pains in his legs and stomach. After he was transferred from Livingstone Hospital to Groote Schuur on November 3, he became confused, and all his hair fell out.

Mr Mthimkulu said he was told at the hospital he might have to wait from six months to a year before he got a wheelchair.

Another surprise gift for thallium poisoning victim

E. Post 28/1/87 327

Post Reporter

ANOTHER surprise gift, a Healthmaster Family Exerciser, is on its way to Mr Siphiwo Mthimkulu to enable him to exercise at home to help him recover from the effects of thallium poisoning.

Yesterday Mr Mthimkulu received an exerciser bicycle from an anonymous Walmer resident. He also got a wheelchair from the Livingstone Hospital.

The former Terrorism Act detainee, who revealed symptoms of thallium poisoning immediately after being released from detention in October, had complained that there were few therapeutic facilities in Port Elizabeth.

Mrs Molly Blackburn, Progressive Federal Party MPC for Walmer, said today that a Humewood resident had phoned her and offered to buy the excerciser.

"She said I should pick it up tonight and I will deliver it to Siphiwo tomorrow," said Mrs Blackburn.

He was discharged from Groote Schuur Hospital on January 17 after spending 2½ months undergoing treatment for thallium poisoning — a rare poison which attacks the nervous system.

His mother Mrs Nobantu Joyce Mthimkulu, expressed her gratefulness to her son's helpers.

Interdict against solitary fails

CAPE TIMES 28/11/82 327

Own Correspondent

PRETORIA. — An application by five women political prisoners for an interdict restraining the Minister of Prisons, Commissioner of Prisons and Officer-in-Command of the Pretoria Central Prison from keeping them in solitary confinement was dismissed with costs in the Supreme Court here yesterday.

The five applicants — Caesarine Mokhoere, Thandi Modise, Elizabeth Nhlapo, Kate Serokolo and Elizabeth Gumede — made the application befors Mr Justice Eloff. They were convicted under Section 83 of the Terrorism Act.

In their affidavits they claimed they had been kept in solitary confinement as punishment for crimes committed while in prison. Their claim was also that the isolation was not in accordance with the provisions of Section 78 of the Prisons Act.

They submitted that complete isolation without work, restricted exercise, denial of any reading matter save the Bible, restrictions on receipt of letters and visitors and refusal of the right to study were "separately and cumulatively a punishment of the severest kind".

In papers before the court Gumede's case is described as acute as she is over 60 years and suffers from hypertension and finds isolation "so claustrophobic that she screams for long periods".

In his affidavit the Chief Deputy Commissioner of Prisons, Lieutenant-General M C P Brink, said prisoners were grouped in accordance with their behaviour and record of their past conduct while in prison.

Mokhoere had been isolated because of her assault of prison staff members, resisting orders, insulting language, rowdiness, raising the black power salute, and had been guilty of disciplinary contraventions, he said.

The other four had invariably been guilty of taking part in hunger strikes, screaming, disobedience, refusing to wear prison uniforms, aggressiveness, taking other prisoners' food, obscene language, singing freedom songs and refusing to bath.

In his judgment the judge said the applicants had been segregated under various sections "consequent to findings that they displayed or threatened violence".

"There does not seem to me to be any basis for attacking those findings. Those applicants have bad records and frequently misconducted themselves while in prison."

Their files revealed numerous instances of misbehaviour, violence, contravention of regulations and breaches of discipline and they seemed frequently to have flouted prison authority, the judge said.

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

PRYS (AVB ingesluit) 30c PRICE (GST included)

As 'n Nuusblad by die Poskantoor Geregistreer BUITELANDS 40c ABROAD *Registered at the Post Office as a Newspaper*
POSVRY · POST FREE

Vol. 199] PRETORIA, 29 JANUARIE JANUARY 1982 [No. 8010

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 199 29 Januarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

LYS/LIST P82/9

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/1/28	*Zimbabwe: Some Facts about its Liberation Struggle*	Saul Gwakuba Ndlovu	(d) + (e)
P82/1/46	*African Youth*—Vol 1, Nos 9/10, December 1976	African Youth Movement, New York	(e)
P82/1/65	*Pyramid of Nations, The*	Hosea Jaffe	(d) + (e)
P82/1/102	Unity in Action—1912–1982 (Kleefseël/Sticker)	Nie vermeld nie/Not stated	(d)
P82/1/102	Lion of Chiawelo—Petrus Linda Jabane (Kleefseël/Sticker)	Nie vermeld nie/Not stated	(d)
P82/1/102	Heroic Soldier—Steven Ngcobo (Kleefseël/Sticker)	Nie vermeld nie/Not stated	(d)
P82/1/102	People's Hero—Joe Gqabi (Kleefseël/Sticker)	Nie vermeld nie/Not stated	(d)
P82/1/102	Heroic Worker Poet—Vuyisile Mini (Kleefseël/Sticker)	Nie vermeld nie/Not stated	(d)
P82/1/31	*Class Struggle*—Winter 1976–77, No 6	October League, Chicago	(e)
P82/1/59	*Zed Pan Africa Handbook, The*—1982	Zed Press, London	(e)
P82/1/98	Freedom Charter, The—Gedruk binne gewone verkoopspamflet/Printed inside ordinary sales pamphlet (Pamflet/Pamphlet)	Nie vermeld nie/Not stated	(e)
P82/1/99	Unity in Action—70 (Feesgety Groetekaart/Seasonal Greetings Card)	Nie vermeld nie/Not stated	(e)
P82/1/101	Heroes' Week—16–23 December (Plakkaat/Poster)	Mpumalanga Arts Ensemble	(e)

No. 200 29 Januarie 1982

PUBLIKASIES OF VOORWERPE

Die Appèlraad oor Publikasies het kragtens artikel 13 (5) van die Wet op Publikasies, 1974, soos gewysig, beslis dat die ondergenoemde publikasie nie ongewens is nie en het die beslissing van 'n komitee bedoel in artikel 4 van genoemde Wet dat genoemde publikasie binne die bedoeling van artikel 47 (2) (a) van genoemde Wet ongewens is,

GOVERNMENT NOTICES

DEPARTMENT OF INTERNAL AFFAIRS

No. 199 29 January 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

No. 200 29 January 1982

PUBLICATIONS OR OBJECTS

The Publications Appeal Board in terms of section 13 (5) of the Publications Act, 1974, as amended, decided that the undermentioned publication is not undesirable and set aside the decision of a committee referred to in section 4 of the said Act that the said publication is undesirable within the meaning of section 47 (2) (a) of the said Act. The under-

ter syde gestel. Die ondergenoemde inskrywing ten opsigte van die publikasie word hierby geskrap:

mentioned entry in respect of the publication is hereby deleted:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
P81/11/49	3M—1982 (Kalender/Calendar)	Designed and Printed by Rand Printers ..	In SK./G.G. 7936 GK./G.N. 2584 van/of 27/11/81.

ALGEMENE KENNISGEWING

KENNISGEWING 70 VAN 1982

ONTNEMING VAN SUID-AFRIKAANSE BURGERSKAP

Onderstaande opgawe van sertifikate van registrasie of naturalisasie van persone wie se Suid-Afrikaanse burgerskap ingevolge artikels 19, 19*bis*, 20 of 20*bis* van die Wet op Suid-Afrikaanse Burgerskap, 1949 (Wet 44 van 1949), soos gewysig, deur sy Edele die Minister van Binnelandse Aangeleenthede gedurende die tydperk 1 Julie 1981 tot 31 Desember 1981 ontneem is, word hierby ooreenkomstig artikel 39 (1) (b) van bogenoemde Wet gepubliseer:

GENERAL NOTICE

NOTICE 70 OF 1982

DEPRIVATION OF SOUTH AFRICAN CITIZENSHIP

The following return of certificates of registration or naturalisation of persons who have, in terms of sections 19, 19*bis*, 20 or 20*bis* of the South African Citizenship Act, 1949 (Act 44 of 1949), as amended, been deprived of their South African citizenship by the Honourable the Minister of Internal Affairs during the period 1 July 1981 to 31 December 1981, inclusive, is hereby published in accordance with section 39 (1) (b) of the abovementioned Act:

No. van sertifikaat No. of certificate	Naam van persoon Name of person	Geboorte datum Date of birth	Geboorteland Country of birth	Nasionaliteit voor uitreiking van sertifikaat Nationality prior to issue of certificate	Datum van ontneming Date of deprivation	Artikel van Wet Section of Act
40389	Ball, Gerhard Leonard	25/9/03	Duitsland/Germany ...	Burger van Duitsland/Citizen of Germany	8/7/81	19*bis* (1) (a) (ii) (bb)
20771	Dauelsberg, Curt Max.....	14/2/15	Duitsland/Germany ...	Burger van Duitsland/Citizen of Germany	17/9/81	19*bis* (1) (a) (ii) (aa)
2793	Groesser, Hans Gerd Friedrich Hermann Henry	14/11/17	Duitsland/Germany ...	Burger van Duitsland/Citizen of Germany	22/6/81	19*bis* (1) (a) (ii) (bb)
3182	Holtschneider, Hubert Wilhelm	3/11/13	Duitsland/Germany ...	Burger van Duitsland/Citizen of Germany	6/10/81	19*bis* (1) (a) (ii) (bb)
33941	Klaas, Klemens	24/10/22	Duitsland/Germany ...	Burger van Duitsland/Citizen of Germany	30/7/81	19*bis* (1) (a) (ii) (bb)
48572	Kolberg, Kurt.....	10/7/11	Duitsland/Germany ...	Burger van Duitsland/Citizen of Germany	17/9/81	19*bis* (1) (a) (ii) (bb)
4644	Martinick, Anna-Marie Augusté	17/12/21	Duitsland/Germany ...	Burger van Duitsland/Citizen of Germany	10/7/81	19*bis* (1) (a) (ii) (bb)
45333	Muller, Else.....	4/12/20	Duitsland/Germany ...	Burger van Duitsland/Citizen of Germany	24/11/81	19*bis* (1) (a) (ii) (bb)
908	Osterhoff, Diedrich Richard	14/3/25	Duitsland/Germany ...	Burger van Duitsland/Citizen of Germany	7/10/81	19*bis* (1) (a) (ii) (bb)
41200	Samson, Herta Ingeborg	26/9/23	Duitsland/Germany ...	Burger van Duitsland/Citizen of Germany	30/7/81	19*bis* (1) (a) (ii) (bb)
30274	Schwandt, August Friedrich Karl	13/10/12	Duitsland/Germany ...	Burger van Duitsland/Citizen of Germany	26/8/81	19*bis* (1) (a) (ii) (bb)
26726	Schell, August Harry Friedrich Ernst	16/4/28	Duitsland/Germany ...	Burger van Duitsland/Citizen of Germany	17/9/81	19*bis* (1) (a) (ii) (bb)
23242	Steinmets, Hermann Hans Heinrich	23/6/24	Japan/Japan	Burger van Duitsland/Citizen of Germany	27/7/81	19*bis* (1) (a) (ii) (bb)
3165	Thielemann, Wilhelmine Hermine Else	15/7/15	Duitsland/Germany ...	Burger van Duitsland/Citizen of Germany	15/12/81	19*bis* (1) (a) (ii) (bb)
43351	Van Rosenbladt, Theodor Eugene Johann	24/11/09	Finland/Finland	Burger van Duitsland/Citizen of Germany	6/7/81	19*bis* (1) (a) (ii) (bb)
32898	Woermann, Eduard.....	24/11/29	Suidwes-Afrika/South West Africa	Burger van Duitsland/Citizen of Germany	4/11/81	19*bis* (1) (a) (ii) (bb)

KOOP NASIONALE SPAARSERTIFIKATE

BUY NATIONAL SAVINGS CERTIFICATES

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

PRYS (AVB ingesluit) 30c PRICE (GST included)

As 'n Nuusblad by die Poskantoor Geregistreer BUITELANDS 40c ABROAD *Registered at the Post Office as a Newspaper*

POSVRY · POST FREE

Vol. 199] PRETORIA, 29 JANUARIE / JANUARY 1982 [No. 8001

327

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 119 29 Januarie 1982

WET OP VREEMDELINGE, 1937

VANSVERANDERING.—BEZUIDENHOUDT IN DE SOUZA

Dit het die Minister van Binnelandse Aangeleenthede behaag om, kragtens die bepalings van artikel 9 van die Wet op Vreemdelinge, 1937 (Wet 1 van 1937), Allan Etteine Bezuidenhoudt, woonagtig te Sonjastraat 120, Doornkloof, Pretoria, te magtig om die van De Souza aan te neem.

No. 150 29 Januarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 14 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

GOVERNMENT NOTICES

DEPARTMENT OF INTERNAL AFFAIRS

No. 119 29 January 1982

ALIENS ACT, 1937

CHANGE OF SURNAME.—BEZUIDENHOUDT TO DE SOUZA

The Minister of Internal Affairs has been pleased under the provisions of section 9 of the Aliens Act, 1937 (Act 1 of 1937), to authorise Allan Etteine Bezuidenhoudt, residing at 120 Sonja Street, Doornkloof, Pretoria, to assume the surname of De Souza.

No. 150 29 January 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

LYS/LIST P82/7

Inskrywing No. / Entry No.	Publikasie of voorwerp / Publication or object	Skrywer of voortbringer / Author or producer	Artikel 47 (2) / Section 47 (2)
[illegible]	"Cruising the Streets" (Musiekkasset/Music cassette)	Boys Town Gang	(a)
[illegible]	Premier Parts Centre—1982 (Kalender/Calendar)	Nie vermeld nie/Not stated	(a)
[illegible]	*Dancer from the Dance*	Andrew Holleran	(a)
[illegible]	*Genocide at St Honor* (Wehrmacht—No 2)	Horst Weitzer	(a)
[illegible]	*Stern*—No 46, 5 November 1981	Gruner & Jahr A.G. & Co., Hamburg	(a)
[illegible]	K & M Motors Engineering (Pty) Ltd—1982 (Kalender/Calendar)	Calen Gift	(a)

29 Januarie 1982

[illegible]NTE PUBLIKASIE OF VOORWERP

[illegible] Publikasies het kragtens artikel 14 (4) [illegible]blikasies, 1974, beslis dat die ondergeof voorwerp binne die bedoeling van

No. 151 29 January 1982

UNDESIRABLE PUBLICATION OR OBJECT

The Publications Appeal Board decided under section 14 (4) of the Publications Act, 1974, that the undermentioned publication or object is undesirable within the meaning of

artikel 47 (2) van genoemde Wet ongewens is, en het die beslissing van 'n komitee bedoel in artikel 4 van genoemde Wet dat die publikasie of voorwerp nie binne die bedoeling van genoemde artikel 47 (2) ongewens is nie, ter syde gestel:

section 47 (2) of the said Act, and has set aside the decisi by a committee referred to in section 4 of the said Act th the publication or object is not undesirable within the mean ing of the said section 47 (2):

LYS/LIST P82/8

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/8/102	*What Makes a Man Good in Bed?*	Wendy Leigh	(a)

No. 152

29 Januarie 1982

VERBOD OP BESIT VAN ONGEWENSTE PUBLIKASIES

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, wat kragtens artikel 11 (2) van genoemde Wet beslis het dat die ondergenoemde publikasies ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet; het kragtens artikel 9 (3) van genoemde Wet die besit van genoemde publikasies verbied. Genoemde verbod is kragtens artikel 9 (5) van genoemde Wet deur die Appèlraad oor Publikasies bekragtig:

No. 152

29 January 1982

PROHIBITION ON POSSESSION OF UNDESIRABLE PUBLICATIONS

A committee referred to in section 4 of the Publications Act, 1974, which decided under section 11 (2) of the said Act that the undermentioned publications are undesirable within the meaning of section 47 (2) of the said Act, has under section 9 (3) of the said Act, prohibited the possession of the said publications. The said prohibition was confirmed by the Publications Appeal Board under section 9 (5) of the said Act:

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
81/9/103	Indecent Exposure—LD 1076 Side 1+2 (Grammofoonplaat/Gramophone record)	George Carlin.....	(a)+(b)
81/10/28	"Porno Freak"—2036 Side A+B (Grammofoonplaat/Gramophone record)	Blowfly.....	(a)
81/10/29	Blowfly's Party—LP—2034 Side 1+2 (Grammofoonplaat/Gramophone record)	Blowfly.....	(a)
81/10/30	Rappin', Dancin' and Laughin'—2035 Side A+B (Grammofoonplaat/Gramophone record)	Blowfly.....	(a)

lo. 153

29 Januarie 1982

PUBLIKASIES OF VOORWERPE.—VERTOË TEN OPSIGTE VAN APPÈL

Die Direktoraat van Publikasies het op 14 Januarie 1982 ragtens artikel 14 van die Wet op Publikasies, 1974, appèl ngeteken teen die beslissing op 11 Januarie 1982 van 'n mitee bedoel in artikel 4 van genoemde Wet dat die ongenoemde publikasie nie binne die bedoeling van artikel (2) van genoemde Wet ongewens is nie. Die tydperk aarin persone bedoel in artikel 14 (3) (b) van genoemde et vertoë tot die Appèlraad oor Publikasies, Privaatsak 114, Pretoria, ten opsigte van genoemde appèl kan rig, ord hierby bepaal as 14 dae vanaf die datum van hierdie nnisgewing:

No. 153

29 January 1982

PUBLICATIONS OR OBJECTS.—REPRESENTATIONS IN RESPECT OF APPEAL

On 14 January 1982 the Directorate of Publications appealed under section 14 of the Publications Act, 1974, against the decision on 11 January 1982 of the committee referred to in section 4 of the said Act, that the undermentioned publication is not undesirable within the meaning of section 47 (2) of the said Act. The period within which persons referred to in section 14 (3) (b) of the said Act may make representations to the Publications Appeal Board, Private Bag X114, Pretoria, in respect of the said appeal is hereby determined as 14 days from the date of this notice:

nskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer
1/12/34	*Book of Nude Photography, The*	Michael Boys.

. 154

29 Januarie 1982

PUBLIKASIE OF VOORWERP

Die Appèlraad oor Publikasies het kragtens artikel 13 (5) n die Wet op Publikasies, 1974, soos gewysig, beslis dat ondergenoemde publikasie nie ongewens is nie en het beslissing van 'n komitee bedoel in artikel 4 van gede Wet dat genoemde publikasie binne die bedoeling artikel 47 (2) (a) van genoemde Wet ongewens is, ter gestel. Die ondergenoemde inskrywing ten opsigte van publikasie word hierby geskrap:

No. 154

29 January 1982

PUBLICATION OR OBJECT

The Publications Appeal Board in terms of section 13 (5) of the Publications Act, 1974, as amended, decided that the undermentioned publication is not undesirable and set aside the decision of a committee referred to in section 4 of the said Act that the said publication is undesirable within the meaning of section 47 (2) (a) of the said Act. The undermentioned entry in respect of the publication is hereby deleted:

ywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
i/22.....	*Scope*—Vol 17, No 2, January 8, 1982.....	Republican Press (Pty) Ltd, Durban.....	In SK./G.G. 7986 GK./G.N. 79 van/of 8/1/82.

No. 155 29 Januarie 1982

PUBLIKASIES OF VOORWERPE

Die Appèlraad oor Publikasies het kragtens artikel 13 (5) van die Wet op Publikasies, 1974, soos gewysig, beslis dat die ondergenoemde publikasie nie ongewens is nie en het die beslissing van 'n komitee bedoel in artikel 4 van genoemde Wet dat genoemde publikasie binne die bedoeling van artikel 47 (2) (e) van genoemde Wet ongewens is, ter syde gestel. Die ondergenoemde inskrywing ten opsigte van die publikasie word hierby geskrap:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
81/8/128	*Diakonia News*—Vol 6, No 4, August 1981	Diakonia, Durban	In SK./G.G. 7774, GK./G.N. 1934 van/of 4/9/81.

No. 155 29 January 1982

PUBLICATIONS OR OBJECTS

The Publications appeal Board in terms of section 13 (5) of the Publications Act, 1974, as amended, decided that the undermentioned publication is not undesirable and set aside the decision of a committee referred to in section 4 of the said Act that the said publication is undesirable within the meaning of section 47 (2) (e) of the said Act. The undermentioned entry in respect of the publication is hereby deleted:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
81/8/128	*Diakonia News*—Vol 6, No 4, August 1981	Diakonia, Durban	In SK./G.G. 7774, GK./G.N. 1934 van/of 4/9/81.

No. 156 29 Januarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

Die Appèlraad oor Publikasies het kragtens artikel 13 (5) c) van die Wet op Publikasies, 1974, soos gewysig, beslis at ondergenoemde publikasie nie binne die bedoeling van rtikel 47 (2) van die Wet ongewens is nie en het die beslis-ing van 'n komitee bedoel in artikel 4 van genoemde Wet at genoemde publikasie binne die bedoeling van artikel 47 ?) (a) van genoemde Wet ongewens is, tersyde gestel, nderhewig aan die voorwaarde dat dit nie vir doeleindes an verspreiding in die openbaar uitgestal mag word nie.

Die ondergenoemde inskrywing ten opsigte van die pub-asie word hierby geskrap:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
81/10/111	*Color Foto*—9/81, 11 Jahrg, 1 September 1981	Verlag Laterna magica G.m.b.H. & Co. K.G., München	In SK./G.G. 7946, GK./G.N. 2641 van/of 4/12/81.

No. 156 29 January 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

The Publications Appeal Board has decided under section 13 (5) (c) of the Publications Act, 1974, as amended, that the undermentioned publication is not undesirable within the meaning of section 47 (2) of the Act and set aside the decision of a committee referred to in section 4 of the said Act that the said publication is undesirable within the meaning of section 47 (2) (a) of the said Act, subject to the condition that it may not be displayed in public for purposes of distribution.

The undermentioned entry in respect of the publication is hereby deleted:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
81/10/111	*Color Foto*—9/81, 11 Jahrg, 1 September 1981	Verlag Laterna magica G.m.b.H. & Co. K.G., München	In SK./G.G. 7946, GK./G.N. 2641 van/of 4/12/81.

No. 157 29 Januarie 1982

WET OP PUBLIKASIES, 1974

ROLPRENT

Die Appèlraad oor Publikasies het kragtens artikel 24 van lie Wet op Publikasies, 1974, die onvoorwaardelike goedkeuring van die ondergenoemde lokprent deur 'n komitee bedoel in artikel 4 van genoemde Wet gewysig deur bepaal dat 'n sekere weglating aangebring moet word:

Inskrywing No. Entry No.	Lokprent Trailer	Voorlegger Submitter
81/12/79	*The Attic*	Cine Promotions.

No. 157 29 January 1982

PUBLICATIONS ACT, 1974

FILM

The Publications Appeal Board under section 24 of the Publications Act, 1974, varied the unconditional approval of the undermentioned film by a committee referred to in section 4 of the said Act by stipulating that a certain excision be made:

Inskrywing No. Entry No.	Lokprent Trailer	Voorlegger Submitter
81/12/79	*The Attic*	Cine Promotions.

No. 158 29 Januarie 1982

WET OP PUBLIKASIES, 1974

ROLPRENT

Die Appèlraad oor Publikasies het kragtens artikel 24 van ie Wet op Publikasies, 1974, die voorwaardelike goedkeuing van die ondergenoemde rolprent deur 'n komitee bedel in artikel 4 van genoemde Wet gewysig deur bepaal—

(a) dat die ondergenoemde rolprent nie aan persone in die ouderdomsgroep twee tot 21 jaar vertoon mag word nie; en

(b) dat sekere weglatings aangebring moet word.

Inskrywing No. Entry No.	Rolprent Film	Vertoëmaker Representer
R81/9/12	*Lady Chatterley's Lover*	Ster-Kinekor (Edms.) Bpk./(Pty) Ltd.

No. 158 29 January 1982

PUBLICATIONS ACT, 1974

FILM

The Publications Appeal Board under section 24 of the Publications Act, 1974, varied the conditional approval of the undermentioned film by a committee referred to in section 4 of the said Act by stipulating—

(a) that the film shall not be exhibited to persons in the age group two to 21 years; and

(b) that certain excisions be made.

Inskrywing No. Entry No.	Rolprent Film	Vertoëmaker Representer
R81/9/12	*Lady Chatterley's Lover*	Ster-Kinekor (Edms.) Bpk./(Pty) Ltd.

COMMISSIONS PM 29/1/82

Two crucial reports

(327)

Two of the most important events in the coming Parliamentary session will be the release of the reports of the Steyn and Rabie Commissions into the mass media and security legislation respectively.

Journalists fear Steyn will lead to further restrictions on a press already labouring under considerable restraints, while lawyers are hopeful Rabie will recommend some liberalisation of the more draconian provisions of the security laws.

The differing expectations spring from a recognition of the schizophrenic nature of the government — torn between desire for reform and an instinct to retain the status quo and stifle dissent.

The Rabie Commission, under Appellate Division Judge Pieter Rabie, was appointed in 1979 during a period of swelling criticism of the security laws and the way they were being implemented. Among the critics was Nasionale Pers MD (and former SA counsel before the World Court) Dawid de Villiers who called for a thorough review of the security laws. The General Bar Council approached the then Minister of Justice, Alwyn Schlebusch, on the issue and the Association of Law Societies conducted its own investigation into security legislation.

The Law Societies' report, which is believed to be highly critical, was completed shortly before the appointment of the commission and was released to the press. However, government rushed out a special Saturday edition of the *Government Gazette* containing regulations governing the Rabie Commission which were framed in such a way as to prevent newspapers publishing the Law Societies' conclusions.

In these circumstances Rabie was instructed to inquire into and make recommendations on "the necessity, adequacy, fairness and efficacy" of internal security legislation.

Lawyers point out this wording opened the whole field of security legislation and its implementation to the commissioners.

They were also pleased by the composition of the commission which is headed by a Judge of Appeal and includes a commissioner, Schalk van der Merwe, who was a member of the committee which drew up the Association of Law Societies'report.

Other members are the Director-General of the Department of Justice, Johan Coetzer (who has complained about the excessive time Attorney-Generals have to spend on security cases); Sydney McCreath SC; Professor Pieter Oosthuizen of the University of Pretoria; and Neil Barnard, now head of the National Intelligence Service but then an academic.

There is a desire among lawyers and senior Justice Department officials to consolidate the many security laws into a single Act. Some senior lawyers are also hoping that government will build safeguards into any such Act — including provision for judicial supervision of the way police implement the legislation.

No one expects detention without trial provisions to be dropped.

The Steyn report, which is believed to run to some 1 400 pages, includes draft legislation which the commission feels desirable.

The country will have to wait until it is tabled to find out what it contains. However, one of the commissioners, D A S Herbst, called this week for consideration to be given to a proposal that journalists be turned into "professional people."

Such a provision would presumably imply a central disciplinary body established by law, the establishment of examinations which anyone who wished to practise journalism would have to pass, and the drawing up of a "register" of journalists — provisions to which many journalists are unalterably opposed.

Detentions protest: Three in court

CAPE TIMES 20/1/82 (327) (9)

Staff Reporter

THREE women arrested in the City centre yesterday while carrying placards calling for the release of detainees, appeared briefly in the Cape Town Magistrate's Court yesterday.

They were charged under Section 3 (d), Act 52 of the Gatherings and Demonstrations Act of 1973.

Mrs Barbara Adam, 62, of Jorgen Street, Kenilworth, Ms Jennifer Fine, 26, of Arnold Street, Observatory, and Mrs Estelle van Niekerk, 54, of Upper Roos Street, Newlands, were not asked to plead and were released on R100 bail each.

The women were arrested in Castle Street during yesterday's opening of Parliament parade.

In terms of the Act, certain gatherings in a defined area are prohibited. Castle Street falls under the area defined in the Act as "bounded by the following streets in the City of Cape Town, namely Long Street from the point where Long Street, Orange Street and Buitencingel Street meet, up to the point where Long Street and Strand Street meet, Strand Street, Buitenkant Street, Mill Street, Annandale Street and Orange Street up to Long Street again."

The hearing was adjourned to February 12.

Mr W J P Marais was on the Bench. Mr T Lerm prosecuted. The women were not represented.

Lawyers lash SA's 'dismal' record

By MAURITZ MOOLMAN

SOUTH Africa's "shameful record" in human rights was attacked by the Lawyers for Human Rights Association at their annual meeting in Johannesburg on Saturday night.

A panel discussion highlighted detentions without trial, several aspects of the Group Areas Act, and homeland security legislation.

Last year, 1981, was a "dismal" year in the history of personal freedom and human rights, the association said in a statement issued by its secretary, Professor John Dugard.

Squatters

Prof Dugard said examples of these aspects were:

- The "insensitive" treatment of the Nyanga squatters and the use of immigration legislation to deny people access to the courts;
- The involuntary deprivation of millions of Ciskeians of their South African citizenship;
- Incommunicado detention without trial of "scores" of people for long periods;
- Persistent prosecutions under the Group Areas Act of homeless people whom the law forces to live in segregated areas, and;
- The way the governments of Venda, Transkei and Ciskei are using security legislation.

Alarm

These laws, bequeathed by the South African Government, were "not only cause for alarm, but a sad reflection on the testator", Prof Dugard said.

In his opening address, Mr Jan Steyn, executive director of the Urban Foundation, said lawyers had an important role to play in commissions such as the Rabie Commission on security legislation and the Steyn Commission on the mass media.

After Mr J Kriegler, SC, read the Presidential report on human rights, a member of the Johannesburg Bar, Mr I Mohammed, SC, discussed legal defences available to lawyers defending Group Areas Act victims.

And Mr Cassim Salojee, chairman of Actstop, described how Actstop defended the victims.

'1981 dismal year for human rights in SA'

1/2/82 E. Post

(327)

JOHANNESBURG — South Africa's Lawyers for Human Rights association has issued a statement following its annual meeting on Saturday describing 1981 as "a dismal year in the history of personal freedom and the sphere of human rights".

The association was formed in 1980 and represents some 830 black, white and Asian practising lawyers, law graduates or law students.

The secretary, Professor John Dugard of the University of Witwatersrand, issued a statement denouncing the "shameful record" over the past year.

This included, he said, "the involuntary deprivation of millions of Ciskeians of their South African citizenship; the *incommunicado* detention without trial of scores of people for lengthy periods; the persistent prosecutions under the Group Areas Act of homeless people whom the law forces to live in racially segregated areas, where there is inadequate accommodation".

The statement also cited "the insensitive treatment of the Nyanga squatters and the use of immigration legislation to deny people access to the courts; the continued process of forced relocation, and the destruction of established communities such as Pageview and District Six".

Lawyers for Human Rights also castigated "the use to which the Governments of Venda, Transkei and Ciskei are putting the security laws bequeathed to them by the South African Government," adding that his "is not only cause for alarm but a sad reflection on the testator".

"The interests of the entire population are greatly prejudiced by this conduct and policy," the statement said. — Sapa

Star

Weinberg died of asphyxia — police

327

2/2/82

By Mike Cohen, Crime Reporter

Mrs Joan Alison Weinberg, aunt of Mr Steven Kitson who was expelled from South Africa after a short detention, died from suffocation, says a police source.

She was found slumped over a bath with her teeth knocked out in her Wanderers Street, Johannesburg, flat on January 13. She ran a marriage bureau from the premises.

A Brixton Murder and Robbery Squad spokesman said today extensive laboratory tests had proved she died from suffocation.

Police are still investigating the possibility of murder. Initial tests, conducted at the post mortem, failed to provide the answer on the cause of death.

The forensic laboratories in Pretoria were asked to assist and decided she had died of suffocation.

ESCAPE

Mrs Weinberg was found dead the day after Mr Steven Kitson was sent home when his visa had expired.

He had been detained during an investigation into the escape of three political prisoners from the Pretoria Central prison in December 1979.

Mr Kitson, son of Mr David Kitson, who is serving a 20-year term for sabotage, allegedly made sketches of the prison while waiting to see his father.

He had come to South Africa to visit his father.

Better . . . but the suspicion and fear linger on

THIS week two major commission reports were tabled which, if implemented, will greatly change the existing politico-legal order.



PROFESSOR JOHN DUGARD

Director of the Centre for Applied Legal Studies, University of the Witwatersrand, looks at the Rabie Report

The Steyn Commission's report on the media is characterised by the breadth — or over-reach — of its approach.

The Rabie Commission's report errs on the other side.

The six-man commission, has presented a tight, narrow report that offers some hope of relief; but, at the same time, evades many of the major issues.

The Rabie report does not deny that many of our security laws are unjust and represent a departure from recognised principles of criminal justice.

Nevertheless, it accepts that in the prevailing circumstances such laws are a necessary evil.

However, while it recognises that South Africa is in a state of emergency, it rejects the suggestion that a formal state of emergency be declared as this would be counter-productive and cause harm to the economy.

Consequently, it favours emergency measures as part of the ordinary law of the land: a permanent state of emergency.

As might be expected from a commission dominated by lawyers, the report is concerned about fair-trial procedures.

Consequently, it recommends a number of changes designed to improve the quality of justice when a person is brought to trial.

□ □ □

The existing vague and sweeping definition of "terrorism" — which has resulted in inflammatory poetry reading being judged as terrorism — is to be replaced by one that requires an element of violent conduct.

The person charged with terrorism will no longer be required to prove his innocence beyond a reasonable doubt in certain circumstances, but only on a balance of probabilities.

Five-year minimum jail sentences for terrorism, sabotage and certain offences under the Internal Security Act are to be removed and the full discretion of the courts in matters of sentencing is to be restored.

Some one acquitted of terrorism or sabotage may no longer be tried for another crime on the same facts — which means that the rule against "double jeopardy" will apply to the security laws as it does in other cases.

These suggested reforms are laudable.

On the "partly positive" side the report recommends review committees for banning orders and preventive detention under the Internal Security Act, but this committee has hardly instilled public confidence in the system.

□ □ □

Its members are unidentified; its deliberations are in secret; and its recommendations are not binding on the detaining authority — the Minister of Justice.

The Rabie report, however, recommends that where the Minister refuses to follow a recommendation from a review committee favourable to the banned person or detainee, the matter should be referred to the Chief Justice (or another Judge of Appeal) for further consideration and that his decision will be final.

Although such a judge's powers would be circumscribed, this judicial intervention would at least lend some credibility to the system.

If confidence in the review committees themselves is to be restored, however, it will be necessary to identify its members so that the public can judge their qualifications for the job.

There is already too much secrecy in the system: only a greater openness in the operations of the review committee will produce public confidence in the measure.

Pleas for the review of banning orders and preventive detention by the ordinary courts are rejected.

So are suggestions that lawyers should be able to present arguments before review committees on behalf of banned or detained persons.

On the negative side, the Rabie report fails to deal with a number of issues that seem to fall squarely within its terms of reference — to examine the necessity, adequacy, fairness and efficacy of legislation relating to the protection of internal security.

Its socio-political perspective is narrow, to put it mildly.

It refuses to examine the serious charge that the security laws are applied more harshly against blacks than whites.

It likewise declines to seriously consider the accusation that the existing security laws are counter-productive in that their severity has alienated a large section of the community and driven many to engage in subversion.

Other questions that warranted attention were:

● Should regional magistrates be allowed to try cases of terrorism, subversion or sabotage?

As these officers form part of the bureaucracy they are surely not well suited to try politically-charged crimes involving a conflict between individual and executive.

● Is it desirable that judges sitting alone (with or without assessors) should try serious charges of terrorism or treason?

● Should all judges in a particular division be obliged to hear terrorism, subversion or sabotage cases on a basis of rotation or should the prevailing practice be maintained according to which a small group of judges seem to preside over the majority of such trials?

Is there not some merit in constituting special criminal courts comprising three judges to hear serious charges under the security laws?

After all, statutory authority exists for such courts but none has been constituted since a special criminal court of three judges acquitted 30 people in the great Treason Trial of 1956-1961.

The constitution of courts in security cases is a delicate matter, but should not have been sidestepped.

The same applies to the remission of sentences for persons sentenced to long terms of imprisonment for security law offences.

Why are they still denied a privilege that is not denied to common law murderers, rapists and robbers?

Undoubtedly the greatest weakness of the Rabie report relates to the treatment of detainees.

□ □ □

The report recommends the retention of Section 6 of the Terrorism Act which allows a person to be detained indefinitely in police custody for the purposes of interrogation.

Here the commission accepted the police evidence that such a power was essential for its investigations into subversion and paid scant attention to the arguments against this power.

Sure, the report recommends a number of safeguards — visits by magistrates, special State inspectors and district surgeons — that are already the practice if not the law.

Furthermore, it recommends the review of such detentions by the Minister after 30 days (hardly a safeguard) and by a review committee after six months.

But the Report fails to answer the basic question: is the system of persistent interrogation in solitary confinement for an indefinite period as authorised by Section 6 of the Terrorism Act a form of mental torture or inhuman treatment?

Most civilised legal systems believe that it is. The US Supreme Court believes that it is.

So does the European Court of Human Rights which in 1978 castigated various forms of in-depth interrogations employed by the British authorities in Northern Ireland as "inhuman and degrading treatment" in violation of Britain's obligations under the European Convention on Human Rights.

And of course psychiatrists have no hesitation in describing this tampering with the mind as a more serious form of torture than the rack and the thumbscrew.

The British authorities have done their best to counter allegations of mental torture in Northern Ireland.

A detainee may not be held for longer than five days in police custody for the purposes of interrogation.

Moreover in terms of the 1979 Bennett Committee Report into Police Interrogation Procedures in Northern Ireland, which today guides police conduct, detainees are allowed visits from their lawyers after 48 hours, interrogations are to be monitored by closed-circuit TV, police "interviews should not last longer than the interval between normal meal times, or extend over meal breaks, or continue after midnight except for urgent operational reasons".

And "not more than two officers at a time, or six in all, should interview one prisoner".

Although the Rabie report cites various other reports on the security laws in Northern Ireland, it does not cite the Bennett Report on the interrogation of detainees.

The inevitable question is why not?

Surely the 40 deaths in detention under the security laws warranted more attention?

Surely the evidence — now confirmed by the tragic death in detention of Dr Neil Aggett — that Section 6 produces an environment of intimidation tantamount to mental torture warranted detailed investigation?

The Rabie Commission's report is a disappointment as it fails to come to grips with the harsh realities of the operation of the security laws.

Even if its recommendations are all translated into law, our security legislation will still be viewed with fear and suspicion and continue to alienate large sections of the community at home and our friends abroad.

ery hit on Bush car an accident – FBI

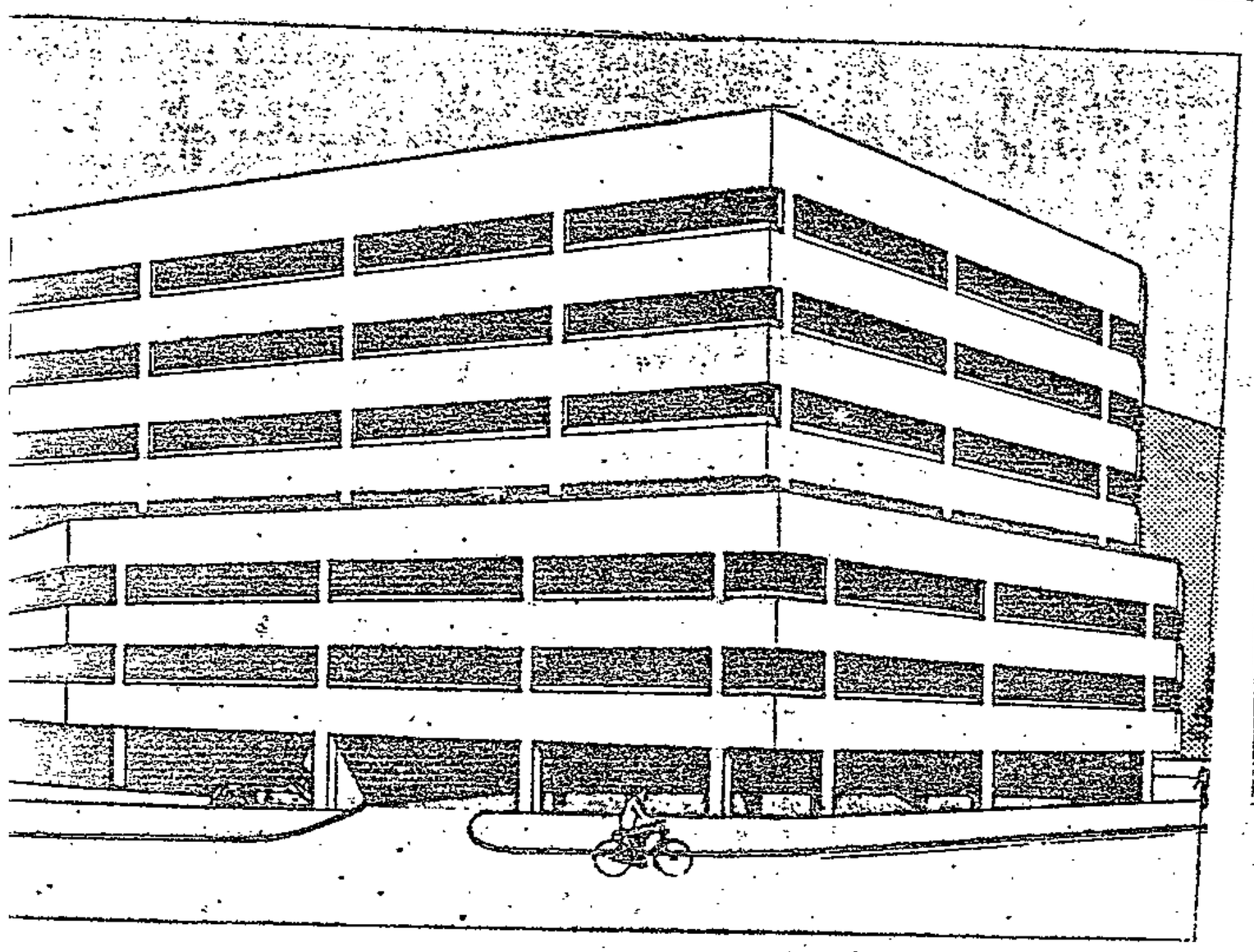
— Federal
y 99 percent
ncident yester-
he car of the
Vice-President,
was hit by a
s an accident,
on attempt.

Washington's Security services still jittery from the attempt on President Reagan's life last March, mounted a large-scale operation when the car carrying Mr Bush was hit by the still unidentified missile about 1,5 km from the White House.

Security agencies said last night the investigation was still open but the FBI had ruled out the use of any sort of gun and they were '99 percent sure' the incident was accidental.

Laboratory tests found no metal fragments in the torn vinyl on the car's roof and the FBI concluded that 'it was a rock or some similar type object.'

Later the FBI said clay and cement traces from the car roof matched building material at an office complex under construction along the route taken by Mr Bush's car. — Sapa-Reuter.



block planned on site of Doll House

orey office block will be built on the site of the Doll House, Mouille ial and General-Volkskas if the City Council approves the plans. The pected to cost about R6-m and the agents, Richard Ellis, say it will ffice block in Cape Town on the seafront. Total growth area will be 7 000 sq m.

RIGHT: Mr and Mrs

Man held

Crime Reporter

DETECTIVES arrested a 37-year-old man at Retreat Magistrate's Court yesterday, just before he was to appear on an armed robbery charge, in connection with the death of Sea Point attorney Mr Izak Resnick.

Mr Resnick, an 83-year-old bachelor, was found stabbed in the heart in his seventh-floor Sea Point flat on Monday.

Police have recovered a home-made knife, believed to have been used in the stabbing, and goods allegedly stolen from Mr Resnick.

A man is due to appear in Cape Town Magistrate's Court soon

Meeting ARGUS 3/2/82 Security laws Minister 327

Argus Correspondent

DURBAN. — Top representatives of South Africa's legal organisations will meet the Minister of Justice, Mr Kobie Coetsee, in Cape Town tomorrow to express concern at the application of security laws.

Mr Graham Cox, president of the Natal Law Society and a member of the delegation said today they would also express their concern at the authorities' refusal to allow certain lawyers access to colleagues being held in detnetion.

Mr Cox will be accompanied by Mr J E Knoll, president of the Association of Law Societies of South Africa, and Mr R M Marais, SC, president of the Bar Council of South Africa.

Mr Cox said the two major principles motivating the deputation was that no person should be deprived of his liberty until found guilty in a court of competent jurisdiction or

(Continued from Page 1)

mation to the Minister and the directorate, which the directorate would evaluate and process before advising the Minister on preventive security measures.

Proposals in the 254-page report include replacing existing security offences with three offences labelled terrorism, subversion and sabotage.

Harbouring, assisting or failing to report the whereabouts of anyone involved in the three offences will carry the same penalties.

Detention

While maintaining the existing system of detention a new form has been recommended allowing policemen to detain people for 48 hours — or for 14 days with a warrant from a magistrate.

As in the Steyn report, the Rabie Commission is also highly critical of Mwasa (the black journalists' trade union) and black newspapers, accusing them of incitement.

Sentences

The commission rejected objections to many aspects of security legislation made by the Newspaper Press Union, as being unfounded or unavoidable.

Other harsh measures the commission has recommended be toned down are minimum sentences which it felt should be removed and the necessity of the accused to rebut certain presumptions, and the removal of legislation which enables a person to be charged with an offence more than once.

Intimidation has been suggested as a serious offence carrying a maximum penalty of R20 000 or 10 years in prison.

The commission also recommended it should be assumed the ANC and PAC are committed to violence.

More reports, page 4.



SECRET COURT TO BE AXED

Security laws report: Early response promised

MAJOR legislative weapons to control internal security, including bannings and detentions, should be retained, the Rabie Commission of Inquiry, investigating security laws, has found.

The report of the Commission, chaired by Mr Justice P J Rabie, was tabled in Parliament today close on the heels of the Steyn report on the mass media.

The two reports will be the subject of a special debate in Parliament soon.

The main finding of the Rabie Commission was that existing internal security legislation should remain on the statute books, extended in some areas but toned down in others.

Revamp

The commission has recommended a vast revamping of the laws, including a proposed 'carpet bag' draft Bill which will replace a number of existing security laws.

As was the case with the Steyn report, the Rabie report has placed great emphasis on the threat against South Africa.

Whereas the Steyn report was prepared to make political recommendations to the Government the Rabie Commission stopped short.

It committed itself to saying the removal of the problem lay in the first place in solutions in the socio-economic and political terrains on which it could not make recommendations.

Although the commission has recommended a tightening up in a number of areas it has also suggested an easing on some of the harsher measures including the review of the banning of people, organisations and publications, and detentions.

Modifications have been suggested to give greater protection to detainees with provision for inspectors of detainees, private visits by a magistrate every two weeks (in spite of police requests for this to be scrapped), fortnightly checks by district surgeons, six-monthly reviews, a 30-day limit on detention after which the Minister must renew the order and possible visits by ordinary people.

THE Minister of Justice, Mr Kobie Coetsee, has promised a 'clear and early response' by the Government to the Rabie Commission's report on security legislation.

The Government's response would probably be made during the present session of Parliament, he said when handing the report to the Press.

He said the most important feature of the report was that it strove to create an element of fairness and left ample provision for review.

The Government would make a thorough study of the report which would also be distributed to other bodies concerned. — Sapa.

New ministry

Another major recommendation was that the Ministry of Police be replaced by a Ministry of Law and Order. The new ministry would be split into two parts — the South African Police and a directorate of internal security which would operate independently.

This would enable security administration which falls under the Department of Justice to be removed which the commission felt was damaging the image of the ministry.

In the new department police would give infor-

(Contd. on Page 3, col. 9)

Political Correspondent

ARGUS 3/2/82

Rabie suggests changes in law to protect detainees

Retention of detention clauses in South African security legislation was essential although extent detention was measure" the Rabie Commission has found.

But it has recommended several changes to protect detainees.

The commission says it found that to a large extent detention was "the only weapon of the police for anticipating and preventing terrorist and other subversive activities."

The commission relies heavily on the use of detention without trial in other countries, particularly in Northern Ireland to support its arguments and extensively quotes documents on detention without trial from Britain and Canada.

The commission said there had been three basic arguments either opposing or seeking to soften detention.

SECURITY PROBE

On detentions

Firstly there was the argument that it was "abhorrent" and there was no place for it in a civilised country.

This argument was rejected on the basis of the requirement for the security of the State. The commission referred in detail to similar provisions in other countries.

The second was that the information that caused a person to be detained should be put before a court and that the court should make a decision on the person's guilt.

The commission also rejected this argument and relied on overseas precedents which found that reliable information in possession of the authorities was not "legally admissable evidence."

Thirdly there was the argument that the courts and not a Cabinet Minister should have the power to place people in detention.

Again the commission relied on precedents in other countries that the Government had to exercise "its right to govern" with no independent or extra-governmental body assuming this role.

The commission emphasises, however, that detention should not

'Carry on banning . . .'

It was recommended that the use of restriction or banning orders be continued.

The commission found that evidence proved it was necessary in the interests of the State to continue to place restrictions on people.

However, the Commission did not outline its reasons, apart from saying that banning orders were a "useful weapon" against people who threatened the safety of the State but whose actions did not warrant the more drastic measure of "preventive detention."

The commission details administrative steps from local police level through to the Minister of Justice

SECURITY PROBE

On restrictions

that are taken before a person is restricted.

It also points out that 130 people were banned in September, 1981, of whom 37 were not in South Africa.

The Commission also found the listing of communists on a piecemeal basis in the Government Gazette caused confusion and recommended that the list be consolidated and published at least

2-part Ministry urged for police and security

SECURITY PROBE

On law and order

Star 3/2/82

The commission has recommended that the Ministry of Police should be replaced by a Ministry for Law and Order divided into two administrative departments — the police and a directorate of internal security.

This would remove the administration of security legislation from the Minister of Justice who, the commission feels, should be seen to be the protector of citizens' interests.

It was difficult for him to maintain this image if he had to adminster security legislation. The loss of this image could be reflected on the courts.

Also the Minister of Justice was not as involved with the daily administration of internal security as was the Minister of Police who was therefore in a better position to make decisions.

The commission recommended that the two departments of the Ministry of Law and Order should be completely separate.

"The police should furnish the Minister and the directorate (of internal security) with information concerning security matters and the directorate should process and evaluate the information and advise the Minister.

Members of the directorate should be civilians and not members of the police or army. The report recommends that they be seconded from the Department of Justice.



SECURITY PROBE

On intimidation

Tough new measures on intimidation

A new measure to combat intimidation on a wider front than is possible under existing law has been proposed by the Rabie Commission into security legislation.

The commission's draft Intimidation Bill lays down a fine of up to R20 000 or a prison sentence of up to 10 years for certain forms of intimidation.

There are provisions against people being assaulted, injured or materially harmed to force them to do or not to do something or to adopt or abandon a specific viewpoint.

Such threats are also subject to the penalties. The onus is placed on the accused to give a lawful reason for his actions.

The draft Bill will also revoke some of the existing articles of the Riotous Assemblies Act.

Giving an example, the commission says intimidation happened when people persuaded others by means of threats to achieve an object prejudicial to the interests or safety of the State.

On political intimidation, the commission deals specifically with recent cases of political violence and intimidation committed, it says, in the name of the "Wit Kommando" and the "South African Liberation Support Cadre" (Salsca).

Many reports about the Wit Kommando's activities had appeared in the Press and certain people had appeared in connection with the movement's alleged activities, which underlined the fact that there were insufficient provisions in existing legislation to combat and punish intimidation.

The Wit Kommando first came to the public's attention after a bomb explosion in the office of Professor J Lombard, of the University

its citizens.

The commission has recommended several changes to the law to provide for better protection of detainees.

These include a magistrate visiting detainees in private at least every two weeks, district surgeons visiting detainees at two-week intervals and the appointment of inspectors of detainees who would make written reports and recommendations on detainees to the Minister.

Also included is that discretion be given to the Commissioner of Police to allow other people access to a detainee and that a limit of 30 days be placed on the period of detention unless the Minister, on the written advice of the Commissioner of Police, is satisfied further detention is necessary.

"After six months of detention police must give reasons for further detentions to a board of review.

"The board in turn, which may hear representations from the detainee, would then have to submit a report to the Minister."

SECURITY PROBE

On postal surveillance

Tapping 'must be responsible'

It was found that telephone tapping and the interception of post is an essential means of protecting the security of the State but has proposed some changes.

The commission says that since the interception of postal articles, telegrams and telephone calls may be a serious invasion of privacy, it should be employed "with great care and responsibility."

It finds that the present provision under which the decision whether to intercept may be delegated by the Minister of Posts and Telecommunications to an officer in his department, is unacceptable.

It recommends that the responsibility for taking such decisions should be assigned to the Ministers responsible for the three security services such as the National Intelligence Service, the Police and the Defence Force but that in cases of urgency, if the Minister concerned is not available may authorise someone else to take the decision.

The commission also recommends that interception should be permitted for a maximum period of six months and that at the end of that period it should be considered whether a further period of interception

An old picture of Mr Justice Rabie

SECURITY PROBE

On petrol bombs

An urgent need to ban 'the bomb'

Police expect the use of petrol bombs to escalate — but there are no laws to ban the bombs.

The commission found that this was a "clearly unsatisfactory position" and wants measures to declare petrol bombs illegal promulgated as soon as possible.

However it feels incompetent to do this itself because of a lack of technical knowledge about the bombs.

The commission says last year in disturbances on the Witwatersrand numerous petrol bombs were used to damage property. Police discovered caches of the bombs ready to be used.

A petrol bomb as explained to the commission was more of an incendiary thing than a bomb, the commission says.

It consisted of a bottle with petrol sometimes mixed with soap, rubber, oil, sand or chemicals) inside and a fuse outside. This is lobbed at a target to cause a fire.

"The commission was told that although it was clear that the petrol bombs which police found were meant for unlawful purposes, the people concerned could not be charged with possession thereof because there are no statutory regulations which prohibit this or punish it," the commission said.

Expert in world affairs

Mr Justice Pieter Jacobus Rabie is a product of Stellenbosch University and the University of Michigan and has had wide experience in the legal field both in South Africa and abroad.

In 1976 he chaired the South African Law Commission which embarked on a four-year study of divorce legislation and proposed a new set of rules for the dissolution of marriage.

Mr Justice Rabie was one of three senior advocates chosen to present South Africa's case at the World Court.

He was born in Jacobsdal in the Free State and matriculated at the Koffiefontein High School. After qualifying in law he obtained a doctorate in classics. He began practising as an advocate in 1949 and was appointed as a judge in the Transvaal Division of the Supreme Court in February 1966, having taken silk in 1962.

Mr Justice Rabie is married to the sister of controversial Afrikaans author Etienne Leroux and is currently an appeal court judge in Bloemfontein.

after certain warning letters were sent to those in favour of race integration and black domination.

There were subsequent bomb explosions in Port Elizabeth and Durban.

The commissions says that when the report was written nothing was known about the identity and composition of the organisation.

According to the Commission, "there can be no doubt that this gives librarians, students and researchers trying problems."

The Minister should be compelled by law to publish a list of affected people annually. This list would be used to determine whether a library was guilty of an offence, the Commission says.

declared that all members of the black consciousness movement who were journalists were also propagandists," the question being only "whether a journalist was a 'collaborationist propagandist' or a 'revolutionary propagandist'."

"In Post and Sunday Post there were regular writings about what

tance, or even revolt."

The commission says The Sowetan supports the attitudes of Azapo that overseas sportsmen should not come to South Africa.

The policy of Post and Sunday Post is continued by The Sowetan but, "taken as a whole, in somewhat less exaggerated and militant language . . ."

Concern at flow of unlawful publications

SECURITY PROBE

On banned publications

There are sufficient African National Congress, Pan-Africanist Congress and South African Communist Party publications arriving in South Africa to be of concern, the Rabie Commission says.

The commission lists the main publications of these three unlawful organisations.

The most important SACP publications are "The African Communist," published quarterly in London, and "Inkululeko-Freedom," secretly put together and distributed in South Africa each month from material sent from overseas.

The ANC mouthpiece, "Sechaba," now appears monthly and is printed in East Germany. "Mayibuye" and "Jane Shanti" are also ANC publications, the latter aimed at Indian readership.

The commission lists the PAC's main publication as "Azania News", is published quarterly from Dar-es-Salaam.

The commission says SACP and ANC publications are sent in great volume to South Africa "mostly through normal channels" although "other methods" are also used.

"There are continually steps taken to prevent these publications — which are prohibited in the Republic — from reaching their destination. But apparently not all copies are intercepted.

"Exact amounts of how many are not intercepted are, naturally, unknown. But according to evidence given to us it must be accepted that the amount is great enough to be of concern."

SECURITY PROBE

On demos

Curbs on demos wanted

Legislation to prohibit demonstrations at or near court buildings has been proposed.

The commission says in its report that such demonstrations, often with considerable disorder, took place at or near court buildings and disrupted or delayed court proceedings.

There was a need for a measure prohibiting the holding of demonstrations—connected or coinciding with court proceedings—at or within a radius of 500 m of any court building.

45 killed, 331 hurt in unrest

Several months of internal unrest in various parts of the country in 1980 showed that the danger of widespread unrest was just under the surface and that the authorities must take cognisance of this, the commission says.

The unrest, the longest period of unrest since the 1976 riots which started in Soweto in 1976, was connected with a coloured, black and Indian schools boycott, some labour troubles and a bus boycott in Cape Town.

The report concentrates on the schools boycott.

According to police evidence to the commission, seven people were killed by rioters and 127 injured up to the end of August 1980.

In police actions 38 people were [illegible] damage to

SECURITY PROBE

On public unrest

property amounted to R5,5 million.

Various reasons, such as agitators and socio-economic factors, were given.

The report says that in the Peninsula the original grievances about coloured education soon became entangled with matters such as the bus boycott and a strike in the meat industry.

Violence, sometimes serious violence, was used.

There was evidence to the commission of cases where children told their parents that they (the children) had through violence achieved more concessions [illegible]

ties than the parents had achieved after long negotiations.

"Several witnesses had told the commission that their children had not of their own free will taken part in the boycott and there were many instances of intimidation."

The report also refers to civil disobedience and the danger of violence.

It says that in the past few years leaders in certain church organisations had said that, in order to move the Government to bring about political changes to give black groups a share in the government of [illegible]

initiate a civil disobedience campaign on a large scale.

Those in favour of the planned campaign declared that they were in favour of non-violent action, but the question was whether there was not the danger that a proposed peaceful campaign would eventually lead to violence when the authorities made it clear they were not prepared to accede to the demands.

The commission found that this could in fact happen.

As far as the authorities were concerned, there was little reason to believe there would be much sympathy for such a campaign.

It would therefore be unrealistic not to regard a civil disobedience campaign as a potential danger to the maintenance of authority and order in the future.

Boxing ace convicted

By Alexander Ball

Cameron Adams (25), the former Transvaal middleweight boxing champion, was convicted in the Rand Supreme Court today on two counts of murder, one of attempted murder and one of attempted assault with intent to do grievous bodily harm.

Mr Justice Curlewis, assisted by two assessors, found Vincent Stuurman (23), of Du Plessis Street, Westbury, Johannesburg, guilty on one charge of murder and one of attempted murder.

Both men were also convicted of unlawful possession of firearms and ammunition.

Sentence was expected today.

Adams, of Westbury Extension, was found guilty of the murder of Mr Henry Richardson at a shebeen in Newclare on February 13 last year. He was also convicted of attempted assault on Ms Elizabeth Doorns on the same day.

Adams and Stuurman, the self-confessed leader of the Spalding gang, were found guilty of the murder of Mr Glen Nelson and the attempted murder of Mr Farre Adams and Mr Andrew Mathew August 8.

They pleaded not guilty to a the charges.

Yesterday Adams told the cou he had shot Mr Richardson but sai it was in self-defence.

Adams said he was sitting a drinking in the sitting room when M Richardson, who he knew as a mem ber of the Fast Guns, came in ar pointed a gun at him.

"I jumped up, grabbed the gu and a fight ensued," Adams said.

As they fought a shot went off and Mr Richardson fell.

Five bullets were found in his body.

Adams said the Fast Guns were demanding half his boxing winnings He refused and they tried to kill him twice.

Adams said the mur derer of Mr Nelson was a Mr Simon van Rooy en, a "hired killer" in the employ of the Fa Guns.

He said Mr van Rooyen had been hired by the gang to kill him, but they had become friends.

Adams said he had heard that Mr van Rooyen had killed Mr Nelson, who was a member of the Fast Guns.

PFP brings case to disqualify Bekker

Chief Reporter

The registrar of the Rand Supreme Court yesterday opened a file for an urgent application to disqualify the National Party candidate in Von Brandis, Mr Hennie Bekker, from standing in next month's Johannesburg municipal election.

The application is being brought by Mrs Molly Kopel, the Progressive Federal Party candidate in the centre city ward.

It asks that the court order Mr Don Marshall, city secretary and electoral returning officer, to strike Mr Bekker off the municipal voters' roll and list of candidates.

The application also requests the court to order Mr Sarel Cilliers, electoral officer for the central Witwatersrand, to strike Mr Bekker off the parliamentary voters' roll. It asks that Mr Bekker be ordered to pay costs.

The PFP maintains Mr Bekker supplied false addresses on his nomination form and therefore failed to fill in the form correctly.

If also claims that he was not entitled to register as a voter in Johannesburg as he lived in Roodepoort and he should therefore be struck off the municipal role. The PFP maintains Mr Bekker neither lives in Johannesburg nor owns property in the area.

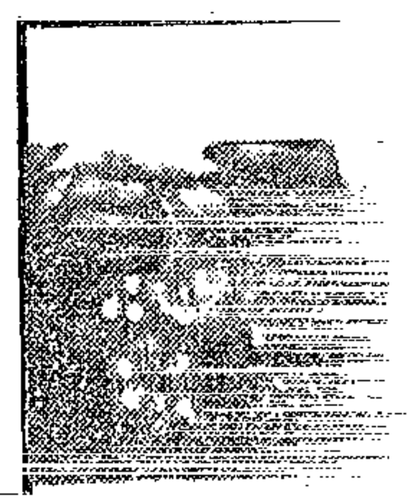
The application is ex-

Farmer fined

BLOEMFONTEIN — A 36-year-old Namibia farmer who pleaded guilty to taking part in an illicit transaction involving 103 rough, u t-cut diamonds valued at R16 237 in Bloemfontein on October 1 last year

Lady of note

LONDON — Bank staff in St Ives, Cornwall, kept an eye on Sarah Kettle (16) at a top dinner dance — she had borrowed R7 500 in five-pound notes from her father's bank to pin to her clothes.



Reports by Peter Sullivan, Bruce Cameron, Leon Marshall and Tos Wentzel in Cape Town.

327

3/2/82

SECURITY PROBE

Review ban on people, publications, organisations

Star

An extensive system of reviewing bannings of people, publications and organisations as well as detentions without trial has been recommended by the Rabie Commission.

The commission said that in view of the powers conferred on the contemplated Minister of Law and Order, it was essential for the powers to be exercised with great care and not be exceeded.

It recommended a system of review of orders "imposing certain restrictions on any person, ordering the preventive detention of any person, declaring any organisation to be unlawful or prohibiting any publication."

It has also recommended that before an organisation or publication is banned the Minister should consider reports on investigations by an advisory committee.

CHIEF JUSTICE

The commission recommended that the State President should appoint a board of jurists to review cases of people banned or detained under security legislation.

In the case of banned organisations and publications the Minister might be petitioned to submit banning orders to the Chief Justice for review.

The board to review cases of banned or detained people should have three members, all

SECURITY PROBE

On reviews

and with the chairman a judge, former judge, former chief magistrate or magistrate of the regional court or any person qualified as an advocate involved in applying the law for at least 10 years.

The board of review would decide whom and what evidence to call including whether it should even take evidence from the person affected.

ASSISTANCE

No legal representation should be allowed for the affected person, who should be "entitled" to legal assistance in preparing documents.

The decision of the review board would be submitted to the Minister who would not be obliged to adhere to its recommendations. If his decision resulted in stricter provisions than those recommended, all documents would have to be submitted to the Chief Justice.

He could set aside steps taken by the Minister if "the Minister exceeded the powers conferred on him, acted in bad faith or based his decisions on considerations other than those contemplated in the statutory provisions."

Review for people in detention would be at six monthly intervals and for other cases once

On defence

'Omkeer a threat to State'

Attempts to encourage young men serving in the Defence Force to desert or to refuse to undergo training was a form of undermining of the authority of the State, the Rabie Commission has found.

The Steyn Commission dealt with the matter but the Rabie Commission said it was referring to it in passing, as it was a matter affecting the security of the State.

The report points out that objections to the Defence Act, which makes it an offence to encourage anyone to desert or to refuse to serve, were that it inhibited serious academic discussion or religious, philosophical and legal problems of civil obedience.

It deals with the activities of overseas organisations who have tried to persuade young people not to serve in the Defence Force or to desert and finds that some of them have connections with the ANC and the South African Communist Party.

Among them are the South African Liberation Support Committee (SALSCOM) in the United States and Britain and the Committee on South African War Resisters in Britain and Holland.

These movements published magazines such as "Register" and "Omkeer".

Commission urges rev

Political Staff

AN extensive system of reviewing bannings of people, publications and organisations as well as detentions without trial is recommended by the Rabie Commission.

The commission said that in view of the powers which could be conferred on the contemplated Minister of Law and Order, it was essential that they be exercised with great care and not exceeded.

It recommended a system to review orders 'imposing certain restrictions on any person, ordering the preventive detention of any person, declaring any organisation to be unlawful or prohibiting any publication.'

It also recommended that before an organisation or publication was banned the Minister consider reports on investigations by an advisory committee.

It recommended that the State President appoint a board of review to review cases of people banned or detained under security legislation.

The commission recommended that the board have three members all legally qualified, with the chairman a judge or former judge or a former chief magistrate or magistrate of the Regional Court or any person qualified as an advocate who had been involved in applying the law for at least 10 years.

The board would decide whom and what evidence to call, including whether it should take evidence from the person affected.

The commission makes no allowance for cross-examination, and recommends that no legal representation be allowed the affected person, although he or she should be 'entitled' to legal assistance in preparing documents.

3/2/82 Ag 327

Black papers, newsmen under fire

Detentions 'essential'

Political Correspondent

BLACK newspapers and black journalists come under heavy fire from the Rabie Commission.

While most of the commission's proof of the militancy of black journalists is taken from the now banned Post and Sunday Post, it says The Sowetan is continuing with these policies but not as exaggeratedly.

As far as the black trade union, Mwasa, is concerned, the commission notes its predecessor, Wasa, was the 'information and propaganda-wing of the black consciousness movement' and Mwasa could be expected to continue with this function.

SISULU

It deals at length with Zwelakhe Sisulu, former president of Mwasa.

It says: 'Sisulu, ... declared that all members of the black consciousness movement who were journalists were also propagandists.'

'In the South African situation, he said, black journalists could not but be propagandists, the question was only whether a journalist was a "collaborationist propagandist" or a "revolutionary propagandist."'

The commission goes on to say: 'How these journalists — and the black newspapers where they work — see their task would be obvious to any regular reader of the newspapers.

INJUSTICE

'In Post and Sunday Post there were regular writings about what was seen as unfairness and injustice in the lives of blacks, and it is no exaggeration to say that few days passed without attention being focused on what was seen as a particular grievance in black community life, for instance education facilities, labour opportunities, local transport, local government, housing, influx control, police action and security laws.

'Reporting about and commentary on these things was often in such crass, exaggerated, militant and emotional language that it could hardly leave any doubt that it was meant to foster a spirit of unhappiness, or resistance, or even revolt.'

It goes on to say The Sowetan supports the attitudes of Azapo that overseas sportsmen should not come to South Africa.

The policy of Post and Sunday Post is continued by The Sowetan but 'taken as a whole, in somewhat less exaggerated and militant language.'

Commission appointed in August 1980

Political Correspondent

THE commission of inquiry into security legislation was appointed in August 1980.

Its terms of reference were to inquire into and to report and make recommendations on the necessity, adequacy, fairness and efficiency of legislation affecting internal security.

The chairman was Mr Justice P J Rabie and the other members were Professor L D Barnard (who was later replaced by Professor C F Nieuwoudt when Professor Barnard became Secretary of National Security), Mr J P J Coetzer, SC, Mr S W McCreath, SC, Professor P Oosthuizen and Mr S W van der Merwe.

'No laws to ban petrol bombs'

Political Staff

POLICE expect the use of petrol bombs to escalate — but there are no laws to ban the bombs.

If this is indeed so, the Rabie Commission has said, it is clearly an unsatisfactory position.

The commission wants measures to declare petrol bombs illegal promulgated as soon as possible.

However, it feels incompetent to do this itself because of a lack of technical knowledge about the bombs.

The commission says last year in disturbances on the Witwatersrand, numerous petrol bombs were used to damage property.

Police discovered caches of these bombs ready to be used.

A petrol bomb as explained to the commission was more of an incendiary thing than a bomb, the commission says.

It consisted of a bottle with petrol (sometimes mixed with soap, rubber, oil, sand or chemicals) inside and a fuse outside.

This is lobbed at a target to cause a fire.

'The commission was told that, although it was clear that the petrol bombs which police found were meant for unlawful purposes, the people concerned could not be charged with possession thereof because there are no statutory regulations which prohibit this or punish it,' the commission said.

'Ministry for Law and Order'

Political Staff

THE RABIE Commission has recommended that the Ministry of Police be replaced by a ministry for law and order, divided into two administrative departments.

The two components would be the South African Police and a directorate of internal security.

The motive is to remove the administration of security legislation from the Minister of Justice, who the commission feels should be seen as the protector of citizens' interests.

DIFFICULTY

It is believed difficult for him to maintain this image if he has to administer security legislation.

It is also claimed that the loss of this image could be projected on the courts.

The commission also says the Minister of Justice is not as involved with the daily administration of internal security as is the Minister of Police, who is therefore in a better position to make decisions.

The commission recommends that the two departments of a ministry of law and order be 'completely separate.'

EVALUATION

'The police should furnish the Minister and the directorate (of internal security) with information concerning security matters and the directorate should process and evaluate the information and advise the Minister on the question of the necessity of applying preventive security measures.'

The members of the directorate should be civilians, not members of either the police or the army.

It is recommended that they be seconded from the Department of Justice.

'The director should be an experienced man with legal training, and his senior staff should also as far as possible be men who have legal training.'

Political Staff

RETENTION of the detention clauses in South African security legislation was essential although a 'very drastic measure,' the Rabie Commission has found.

But it has recommended a number of changes aimed at protecting detainees.

The commission says that on the strength of the evidence it found that to a large extent detention was the only 'weapon of the police for anticipating and preventing terrorist and other subversive activities ...'

The commission relies heavily on the use of detention without trial in other countries, and in particularly in Northern Ireland, to support its arguments.

It quotes extensively from documents on detention without trial drawn up in Britain and Canada.

The commission said there had been three basic arguments either opposing or seeking to soften detention.

First, there was the argument that it was abhorrent and there was no place for it in a civilised country.

The argument was rejected on the basis of the requirement of the security of the state. The commission referred in detail to similar provisions in other countries to back its decision.

The second was that the information that caused a person to be detained should be laid before a court — and the court should make a decision on the person's guilt.

The commission also rejected this argument, relying on overseas precedents where it was found that reliable information in possession of the authorities was no 'legally admissible evidence.'

Third, the argument was used that the courts and not a Cabinet Minister should have the power to place people in detention.

Again, the commission relied on precedents in other countries in which it had been found that the Government had to exercise 'its right to govern' with no independent or extra-governmental body assuming this role.

The commission emphasises, however, that detention should not be seen as a punishment but to protect the safety of the state and its citizens.

The commission has recommended a number of changes to the law to provide better protection for detainees.

These include:

- A magistrate visiting detainees in private at least every two weeks.
- District surgeons visiting detainees at two-week intervals.
- The appointment of inspectors of detainees who would make written reports and recommendation on detainees to the Minister.
- The discretion being given to the Commissioner of Police to allow other people access to a detainee.
- A limit of 30 days being placed on the period of detention unless the Minister, on the written advice of the Commissioner of Police, is satisfied further detention is necessary.
- After six months of detention police must give reasons for further detentions to a board of review. The board, which may hear representations from the detainee, would then have to submit a report to the Minister.

Bill to combat intimidation urged

Political Correspondent

A NEW measure to combat intimidation on a wider front than is possible under existing legislation has been proposed by the Rabie Commission into security legislation.

The commission's draft Intimidation Bill lays down a fine of up to R20 000 or a prison sentence of up to ten years for certain forms of intimidation.

There are privisions against people being assaulted, injured or materially harmed in order to force them to do or not to do something or to adopt or abandon a specific viewpoint.

Threats of such harm are also made subject to the penalties.

The onus is placed on the accused to give a lawful reason for his actions.

The draft Bill will also revoke some of the existing articles of the Riotous Assemblies Act.

In its report the commission says that intimidation often occurs in cases where one person intimidates another in order to achieve an object which is prejudicial to the interests or safety of the State.

Referring to political intimidation, the Commission deals specifically with recent cases of political violence and intimidation committed, it says, in the name of the Wit Kommando and the South African Liberation Support Cadre (Salsca).

It points out that many reports about the activities of the Wit Kommando have appeared in the Press and that certain people had appeared in connection with alleged activities of the movement.

The organisation's alleged activities underlined the fact that there were insufficient provisions in existing legislation to combat and punish intimidation.

The Wit Kommando first came to the public's attention after a bomb explosion in the office of Professor J Lombard of the University of Pretoria on August 15, 1980, and certain letters that were subsequently sent out warning those who were in favour of race integration and black domination.

Political Correspondent

ATTEMPTS to encourage young men serving in the Defence Force to desert or to refuse to undrgo training was a form of undermining of the authority of the State, the Rabie Commission has found.

The report said objections to the Defence Act, which made it an offence to encourage anyone to desert or to refuse to serve, were that it inhibited serious academic discussion of religious, philosophical and legal problems of civil obedience.

Threat to authority of State

It deals with the activities of organisations overseas who have tried to persuade young men not to serve in the Defence Force or to desert and finds that some of them have connections with the ANC and the South African Community Party.

Security laws: Objections b

... to publish any unfri...

3/2/82 Argus (327)

ew of bannings

The review board decision would be submitted to the Minister.

The Minister would not be obliged to adhere to its recommendations, and if his decision resulted in stricter provisions than those recommended, all documents would have to be submitted to the Chief Justice.

The Chief Justice could set aside steps taken by the Minister if he were 'satisfied that the Minister exceeded the powers conferred on him, acted in bad faith or based his decisions on considerations other than those contemplated in the statutory provisions.'

Review for people in detention would be at six-monthly intervals and in other cases once a year, except if the banning or restriction order were challenged in court.

Regarding bannings of organisations or publications, the commission recommends that the advisory committee to the Minister be constituted in much the same way as the review board.

The committee would advise the Minister on whether to ban an organisation or publication.

Again, the Minister would not be obliged to accept a recommendation.

However, he could be petitioned to submit a banning decision to the Chief Justice for review. The Chief Justice would have the power to set aside the order.

Hearings of the board of review and the advisory committee would be closed to the public.

As with the review board, the advisory committee could decide whom or what evidence to call.

Danger of wide unrest 'just below surface'

Political Correspondent

SEVERAL months of internal unrest in various parts of South Africa in 1980 showed that the danger of widespread unrest was just below the surface and that the authorities had had to take cognisance of this, the Rabie Commission on Security Legislation says in its report which was tabled in Parliament today.

The unrest — the longest period of unrest since the riots which started in Soweto in 1976 — was connected with a schools boycott by coloured, black and Indian pupils, some labour unrest and a bus boycott in Cape Town.

45 DEATHS

The report concentrates on the schools boycott.

According to police evidence to the commission seven people were killed by rioters and 127 injured up to the end of August 1980.

In police actions 38 people were killed and 504 injured. Damage to property amounted to R5.5-million.

Various reasons were given for the unrest, among them agitation and socio-economic factors.

The report says that in the Peninsula the original grievances about coloured education soon became entangled with matters such as as the bus boycott and a strike in the meat industry.

MORE GAINED

Violence, sometimes serious violence, was used.

There was evidence to the commission of cases where children had told their parents that they (the children) had, through violence, achieved more concessions from the authorities than the parents had after long negotiations.

Several witnesses had told the commission that their children had not of their own free will taken part in the boycott and there were many instances of intimidation.

DISOBEDIENCE

The report also refers to civil disobedience and the danger of violence.

It says that in the past few years leaders in certain church organisations had said that, in order to move the Government to bring about political changes to give non-white groups a share in the government of the country, the church should initiate a civil disobedience campaign on a large scale.

Those in favour of the planned campaign declared that they were in favour of non-violent action, but the question was whether there was not the danger that a proposed peaceful campaign would not eventually lead to violence, when the authorities made it clear that it was not prepared to accede to the demands.

The commission found that this could in fact happen.

'Punishment should be left to the courts'

Political Correspondent

THE Rabie Commission has sought to tone down some of the harsh provisions in existing legislation and to bring it more into line with accepted legal practice.

The commission, which has produced a draft Internal Security Bill, says it is fuly aware of the seriousness of the offences involved but believes punishment should be left to courts.

It has, therefore, not made provision for a minimum penalty clause for proposed offences of terrorism, subversion, sabotage and assistance to terrorists.

This is in contrast with the present position in the case of offences for taking part in terrorist activities and sabotage.

JUVENILES

The commission also believes punishment of juveniles appearing on terrorist or sabotage charges should be left to the courts. At present they cannot, in terms of the Criminal Procedure Act, be treated as such.

The minimum penalty at present in the Internal Security Act is also scrapped in the draft measure.

Some of the present presumptions and quantums of proof required will also be modified.

The commission is of the opinion that, unlike the position in the Terrorism Act of 1967, which requires certain presumptions to be rebutted with proof beyond reasonable doubt, the normal rule of law ought to apply that a presumption created by law may be rebutted with the proof on a preponderance of probabilities.

FALL AWAY

In the case of the Internal Security Act of 1950, which has been incorporated in the draft measure the commission recommends that the provisions which require that an accused person shall rebut a presumption with proof beyond reasonable doubt should fall away.

The commission favours courts taking notice that the objects of organisations like the ANC, its militant wing, Umkhonto we Sizwe, and the PAC, are to overthrow by violence or to endanger the State.

Existing provisions that a person who has been acquitted on a charge of sabotage or taking part in terrorist activities, may again be charged on the facts with which he was indicted in the first place, are in conflict with the 'res judicata' principle, the report says.

This is embodied in Section 106 of the Criminal Procedure Act. Provisions conflicting with this in security legislation provisions have not been included in the commission's draft.

'Support for ANC hard to assess'

Political Staff

THE AMOUNT of support the African National Congress has in the black community could not be determined by the Rabie Commission.

A large part of the commission's report is devoted to the ANC, its history, membership, aims, youth movement and links.

Under a section headed Sympathy with the ANC in general, the commission says funerals especially show how much support the ANC has.

NEWSPAPER

It says the ANC newspaper Sechaba said a funeral, of Mrs Lilian Ngoyi, had re-affirmed that the movement was rooted in the masses.

Whether this was true the commission had been unable to determine. It had also been unable to determine how large or general the support was.

'We also do not want to discuss that question here,' the commission says.

'The point we want to make is that more and more of all sorts of opportunities are being used to keep the ANC under the attention of the black community, and by this to seek support for it.

EMOTIONAL

'The opportunities mostly used for this are those which lend themselves to political and emotional utterances, such as funerals of well-known people and commemorative days.'

Bishop Desmond Tutu lends support to these things, the commission says, and quotes an article he wrote for the Sowetan of June 16 last year.

The article said: 'Have you ever seen anything like what borders on recklessness in (young blacks') confrontation with and lack of fear of the police . . . as they display with increasing daring what everybody knows are ANC insignia, rosettes and flags, their leaders making fiery speeches, and giving heroes' funerals to those whom the authorities call terrorists.'

Phone tapping 'means of protecting State'

Political Correspondent

THE Rabie Commission on security legislation has found that telephone tapping and the interception of post is an essential means of protecting the security of the State, but it has proposed some changes.

The Commission says that, since the interception of postal articles, telegrams and communications by telephone may be a serious invasion of the privacy of individuals, it should be employed with great care and responsibility.

It finds that the present provision under which the function of deciding whether interception is essential in the interests of the security of the country may be delegated by the Minister of Posts and Telecommunications to an officer in his department, is unsatisfactory.

RESPONSIBILITY

It recommends that the responsibility for taking such decisions should be assigned to the Ministers responsible for the three security services such as the National Intelligence Service, the Police and the Defence Force, but that in cases of urgency, if the Minister concerned is not available, he may authorise someone else to take the necessary decision.

The Commission also recommends that interception should be permitted for a maximum period of six months at a time and that, at the expiration of that time, it should be considered afresh whether a further period of interception should be permitted.

IMPRACTICAL

The Commission also finds that the present provision that a communication by telephone to or from a particular person may be intercepted is unsatisfactory and impractical and recommends that interception to and from a particular telephone should be permitted.

All communications on such a line would be included.

Secrets: New Bill urged

PENALTIES of up to 20 years' imprisonment for obtaining, divulging and publishing official secrets are contained in a new Officials Secrets Bill recommended by the Rabie Commission.

The Bill is one of three streamlined security bills suggested by the commission which also recommends the scrapping of a list of acts and amendments acts dealing with security matters.

The proposed draft bill on official secrets, named the Protection of Certain Information Draft Bill, makes it an offence to withhold information from the State on matters affecting its security.

Ban on demos at courts urged

Political Correspondent

LEGISLATION to prohibit demonstrations at or near court buildings has been proposed by the Rabie Commission.

The commission says that such demonstrations, which were often accompanied with considerable disorderliness, often took place at or near court buildings and disrupted or delayed court proceedings.

There was a need for a measure prohibiting 'the holding, in a building in which a court is in session, or at any place in the open air within a radius of 500 m of any court building, of demonstrations which are connected with or coincide with any court proceedings or an inquest.'

The measure proposed by the commission prohibits the convening, attendance, organisation or promotion of such demonstrations.

'Demonstrations of the kind mentioned take place mostly at proceedings connected with security legislation, but they also accur in other cases and the commission therefore considers that it would be appropriate to embody a measure as proposed by it in a separate Act or in the Criminal Procedure Act.'

'Books ban should remain'

Political Staff

THE complicated ban on books written by banned people should remain in force, the Rabie Commission has recommended.

While noting that keeping a list of banned people was at times almost impossible, it found the prohibition of their publications was still necessary.

Evidence given to the commission was that librarians found it almost impossible to keep track of bannings and to keep books by banned people off their shelves.

The commission suggested that the Government be compelled by law to publish a list once a year of people whose works may not be distributed.

These are people who are 'named' under sections of the Internal Security Act.

'There can be no doubt that this gives librarians and students and researchers trying problems,' the commission says.

It is difficult enough to keep books authorised by these people off shelves, but sometimes a single chapter or quotation appears in a book by another author and it should be put away as well.

The commission says it gave 'serious thought' to scrapping the section, but decided good grounds existed for retaining it to protect peace and good order.

However, the Minister should be compelled by law to publish a list of affected people annually and this list to determine whether a library is guilty of an offence.

Forensic tests (327) room 3/4/82 suggest murder

Mail Reporter

POLICE still believe that Mrs Joan Allison Weinberg was murdered and extensive forensic and pathological tests have shown that the frail owner of a lonely hearts club died as a result of suffocation.

Murder and Robbery Squad detectives called the help of the crack forensic unit of the SAP after a post mortem failed to establish the exact cause of death.

Mrs Weinberg, aunt of Mr Steven Kitson who was expelled from South Africa on January 12 only a day before she was found dead in her Wanderers Street flat, had suffered extensive injuries to her head and face but it was found that they had not caused her death.

Slumped

Mrs Weinberg was found slumped over a bath in her blood-splattered Darragh House flat on the evening of January 13.

Some of her teeth had been knocked out and blood was found in the bedroom and bathroom. The bath was filled with bloodstained water.

Mrs Weinberg had been visited by her nephew, Mr Steve Kitson, just before he was detained during an investigation into the daring escape of three political prisoners from the Pretoria Central Prison in 1979.

SECURITY PROBE

On the Press

321

3/2/72

after

Report dismisses most NPU objections

Objections by newspapers to the many pitfalls in the country's security laws have been largely dismissed by the Rabie Commissior

Fears and complaints put by the newspaper Press Union (NPU) to the Commission were in some cases unfounded while the measures were in other cases unavoidable, the Commission found.

The Commission's report, tabled in Parliament yesterday, says the NPU's criticism of Acts on the basis that newspapers could unwittingly or unintentionally transgress them, did not always take into account the elements that constituted the offence or the fact that intent or negligence were prerequisites.

This was largely the case with regard to the criticism that the offence of promoting communism, as provided for under the Internal Security Act, was so wide that a report on the aims of a legitimate organisation could be misconstrued as a report on the activities of an illegal organisation.

The Commission believes the provisions of the Act are necessary and should therefore remain unaltered.

The Commission declined to take a stand on the NPU's strong complaint against the provision in the Police Act which makes it an offence to publish any untruth about the police force.

The NPU described the section as possibly the most dangerous invasion of Press freedom, but the Commission decided that the provision did not fall within its terms of reference of security legislation.

The commission recommended that a section in the Police Act prohibiting publication of details about police operations be withdrawn because it goes too wide. It has suggested a new and more definite definition for the offence to be included in a new "protection of certain information bill."

The Commission rejected criticism of a measure proposing a news black-out on arrests or detentions in terms of the Terrorism Act or for sabotage offences.

It says it does not doubt that in certain circumstances publication of arrests could be against the interest of the State.

The Commission found it difficult to understand why newspapers complained about the care they had to take that reports on sabotage were not seen as encouragement or incitement to commit such offences. The law applied to all, and nobody was allowed to incite another person to commit an offence.

The NPU told the Commission that the banning of The World and Weekend World newspapers was unjustified, but the Commission found that it was not within its terms of reference to consider the issue.

The Commission similarly declined to consider the merits of charges by the NPU that the restriction and the preventive detention provisions of the Terrorism Act and the Internal Security Act were used to intimate journalists.

It believes, however, the measures should be retained, although provision should be made to review them. Although NPU charges have not been considered the Commission says that if action is taken against journalists purely because they are journalists it would amount to an abuse of the power.

Security Report

On terrorism

Call to divide terror offences

The Rabie Commission has recommended that laws dealing with terrorism and sabotage be placed by legislation to distinguish between the offences of terrorism, sabotage and subversion.

The unsatisfactory aspects in the existing legislation included the wide scope of the laws, which resulted in uncertainty about offences.

There were also overlapping provisions in the laws.

The Commission said terrorism should be defined as the intention of a person to overthrow or endanger the State or bring about change through violence.

Conviction would carry the death penalty.

Subversion clauses would entail conviction for a person who encouraged another person to commit acts of terrorism or sabotage.

If the encouragement resulted in violence the penalty would be a maximum of 25 years' imprisonment.

If violence was not involved a maximum of 20 years' imprisonment could be imposed.

Sabotage against vulnerable and strategic installations would carry a maximum penalty of 20 years' imprisonment.

The Commission also recommended that anyone giving assistance to or failing to report to the police anyone involved in terrorism, subversion or sabotage should be liable to the same penalty as the person who committed the offence.

Long list of changes

Security Report

On laws

The Acts which are affected by the Rabie report in part or in full are: The Suppression of Communism Act of 1950, The Suppression of Communism Amendment Act of 1951, The Criminal Law Amendment Act of 1953, The Riotous Assemblies and Suppression of Communism Amendment Act of 1954, The Riotous Assemblies Act of 1956, The Unlawful Organisations Act of 1960, The General Law Amendment Act of 1961-64, The Suppression of Communism Amendment Act of 1965/6, The General Law Amendment Act of 1966, The Suppression of Communism Amendment Act of 1967, The Terrorism Act of 1967, and the General Law Amendment Act of 1967.

SECURITY PROBE

On legal practice

Report makes security laws less harsh

The Commission has sought to tone down some of the harsh provisions in existing security legislation and to bring it more into line with accepted legal practice.

The Commission, which has produced a draft Internal Security Bill, says that while fully aware of the seriousness of the offences involved, it believes that the question of punishment should be left to the discretion of the courts.

It has consequently not made provision for a minimum penalty clause in the case of proposed offences of terrorism, subversion, sabotage and assistance to terrorists.

This is in contrast with the present position in the case of offences of participation in terrorist activities and sabotage.

The consideration that the question of punishment should be left to the courts is also applied in the case of juveniles appearing on terrorist or sabotage charges. At present they cannot, in terms of the Criminal Procedure Act be treated as such.

The minimum penalty at present in the Internal Security Act is also scrapped in the new draft measure.

Some of the present presumptions and proof required will also be modified.

The Commission is of the opinion that the normal rule of law ought to apply, that a presumption created by law may be rebutted with the proof of probabilities. The Terrorism Act of 1967 requires certain presumptions to be rebutted with proof beyond reasonable doubt.

The Commission is in favour of the courts taking notice of the fact that the objects of certain organisations such as the ANC, its militant wing Umkhonto We Sizwe and the PAC, are to overthrow by violence or to endanger the authority of the State.

Existing provisions that a person acquitted of terrorism may again be charged, are in conflict with the 'res judicta' principle, the report states.

ALL reports on these pages by Ormonde Pollok, Barry Streek, Michael Acott, Rob Nuttall and Sapa

Telex taps could be next

STRICTER control of telephone tapping and the interception of mail in the interests of State security are among recommendations contained in the report.

Other recommendations included that authority to tap the telephone of a particular person be changed to a particular telephone number and that the definition of telephone line be broadened to telecommunication line to enable monitoring of telex and facsimile messages sent through Post Office channels.

The commission found these activities remained essential but said they should be used with great care because of the "serious invasion of the privacy of individuals".

It dismissed suggestions that permisson for these activities be obtained from a legal official or that they be subjected to judicial control or review.

But it also rejected as unsatisfactory the present arrangement whereby a "functionary" — a minister on the State Security Council or a senior Post Office official — could authorise a written request if satisfied that phone tapping or mail interception was in the interests of State security.



FLASHBACK . . . to June 1980. The Rabie Commission report says disturbances which might lead to violence should be terminated as soon as possible.

Coercion: Common law not sufficient

THE common law and existing statutory measures are insufficient to combat intimidation, says the Rabie Commission.

There w

SA's new-look Law and Order

THE Rabie Commission, under Mr Justice P J Rabie, has proposed the repeal of a large section of South Africa's security legislation, and its consolidation in a new Internal Security law.

The proposed Bill covers a wide field, providing for the safety of the State and the maintenance of law and order as well as the appointment of a Director of Internal Security falling under the control of a newly-created Ministry which would include the former D

Security must be apart from Justice



LE GRANGE



COETSEE

CONTROL of security legislation should be moved from the Minister of Justice to the Minister of Police and a new Department of Law and Order created to replace the Department of Police.

The switch is recommended by the commission to avoid the possibility of the Minister of Justice being compromised by having to impose controversial measures.

The present Minister of Police is Mr Louis le Grange and the present Minister of Justice is Mr Kobie Coetsee.

4/2/82

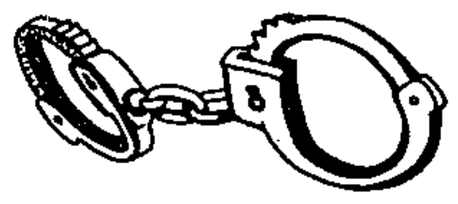
The commission heard in evidenc that the implementation of securit measures by the Minister of Justic had a detrimental effect on the in age abroad of impartiality of the l gal system in South Africa.

The Minister of Law and Orde would be the head of two directo ates, one for police and one for inte nal security.

By way of motivation t commission says administr tion and control of securi legislation now falls large under the Minister of Justic but because of rationalistio he no longer has the clo contact with security ma ters as applied previously.

"In this situation the Mini ter of Police is possib better equipped to evalua the security threat and control security measures says the report.

In terms of the responsib ities of the Minister of Ju tice he was seen as the figu keeping a "watchful eye"



The commission said this authority should only be vested in those directly responsible for protecting State security — the Prime Minister, the Minister of Police and the Minister of Defence.

The minister taking this decision should then inform the Minister of Posts and Telecommunications, who provided the necesssary facilities.

Where ministers empowered to authorise phone tapping or mail interception would not be available, they should be able to authorise a deputy for a specific and limited period.

The commission also recommended that the period of the scrutiny, at present unlimited, be restricted to six months. The matter would then have to be reconsidered and a new decision taken.

The commission said it was not empowered to investigate a complaint by the Newspaper Press Union that monitoring of mail and telephone calls occurred "on an almost routine basis".

If this were true, the report stated, it was not authorised under existing regulations.

... to combat intimidation on a much wider front than was now possible, it said.

Intimidation often occurred in cases where one person intimidated another to achieve an object which could be prejudicial to the interests or safety of the State, and the measure proposed by the commission could, for that reason, probably be incorporated in an Act relating to the protection of internal security.

But it also occurred in many other cases and the commission considered it would be appropriate to embody such a measure in a separate Act which could be called the Intimidation Act.

The effect of the proposal was that any person who, without lawful reason and with intent to compel or induce a particular person to do or abstain from doing any act, would be guilty of an offence.

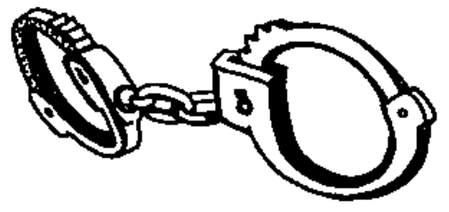
An offence would also be committed if any person coerced another into adopting or abandoning a particular standpoint, assaulted injured or caused damage to that person or any other person, or in any way threatened to kill, assault, injure or cause damage to that person or any other person.

The maximum penalty proposed was R20 000, or 10 years imprisonment, or both. — Sapa.

... justice.

Here is a summary of how much of the country's existing and proposed security legislation would look if the Bill became law:

- Prison sentences of 20 to 25 years could await anyone found guilty of terrorism, sabotage, subversion and other related crimes against the State and the public.
- Action could be taken against certain organisations and certain publications engaged in activities which could endanger the public or safety of the State.



If the Minister concerned was convinced that such organisations, publications or periodicals were busy with crimes of this kind, or indicated that they were propagating the principles or the promotion of communism, he could declare them illegal by notice in the Government Gazette.

Also, if the Minister suspected that the activities, aims, control or identity of an organisation or publication were of such a nature that they should be declared illegal, he could give written consent to someone to investigate their activities.

He would have the right to enter any premises without prior notice to make inquiries or to do whatever he considered necessary.

The investigating officer would be able to demand at any time to be handed any document, copy, periodical or other publication on the premises of the organisation concerned for his perusal.

Any person questioned by him could, in terms of the provisions of the proposed Bill, be entitled to all the privileges of someone giving evidence before a division of the Supreme Court of South Africa.

The Draft Bill also provides for the appointment of an advisory committee, appointed by the State President on the recommendation of the Minister of Justice, which would consist of a Supreme Court judge, or a person who has occupied such a post, a magistrate, or someone who was in such a position in a regional division, or any other person who, by nature of his qualifications was allowed to practise as an attorney and who had 10 years' uninterrupted service in law.

Provision is also made for the appointment to the advisory committee of two other persons, one of whom must have a degree or diploma in law.

The committee would be required to advise the Minister on whether action should be taken against certain periodicals or other publications or whether an organisation should be declared illegal.

No court of law would be authorised to give judgment on the activities or recommendations of an advisory committee.

Any person refusing to take the oath or make an affirmation or who belittled or who anticipated any findings of the committee aimed at influencing it would be guilty of an offence and liable to a fine of R500 or six months imprisonment, or both.

From the date an organisation was declared illegal, no office bearer, official or member could become or remain a member, or display anything indicating he was a member or official of the illegal organisation.

The proposed legislation also provides for a limitation on the registration of newspapers. No newspaper could, in terms of the existing Act on newspaper registration, be registered unless:

- A period of 21 days had that a ban would not be placed on that newspaper.
- The Minister could prohibit expired after the date of an application for registration to the Director-General of Internal Affairs, or
- Unless the owner of the newspaper deposited at least R40 000 with the Minister within the period determined by him if he was not convinced

any person from being in a certain place at a certain time if he was convinced that that person was participating in activities which could endanger the safety of the State or the maintenance of law and order.

Such a person could also be prohibited from seeing visitors. A ban of this kind would not prevent the person concerned from consulting an advocate or lawyer.

Any person banned from a certain area, and who did not remain in the area in which he was confined, could be arrested by a member of the South African Police, without a warrant.

- The draft Bill provides for a police officer to inform the commissioner of police as soon as possible of the arrest of a security suspect. He, in turn, would inform the Minister. Once a month the Minister would have to be informed why the person had not yet been released.



If a person had not been released after six months, the appointed officer would have to give reasons before a board of review as to why the person was still being detained.

- The proposed legislation provides for a magistrate to ban or set certain conditions for the holding of meetings if he feared they might seriously endanger public order.

Firearms or other weapons which could cause death or serious bodily harm must not be used unless other methods failed.

- A person could be guilty of terrorism and, if found guilty, be given sentences as for high treason, if he deliberately tried to overthrow the State or endangered it or committed other acts of terrorism or subversion.

People convicted of crimes of this nature could, in terms of the proposed Bill, be imprisoned for a period of at least 20 years or, if the court found that he could have foreseen the possibility of violence, to at least 25 years.

- Anyone found guilty of promoting the aims of communism ... years

citizen and who was expecte to act to remedy any i fringement of those rights.

"The argument is that the Minister of Justice is r sponsible for implementin the country's security me sures, it is difficult for him t live up to his image as a pr tector of the rights of the pe ple," says the report.

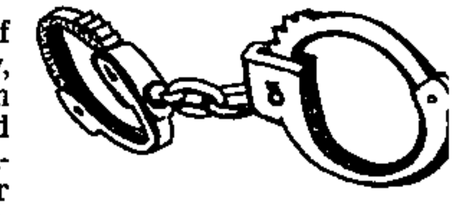
"By carrying out suc measures he must of necess ty take decisions and issu instructions which are b their very nature controve sial and by the same arg ment, he must eventually b come a figure of controvers himself."

The commission supporte this argument.

It recommended that new Department of Law an Order be created to replac the Department of Police The responsible Ministe would head two directorie for internal security and pc lice. The Directorate of In ternal Security should b wholly independent of the Di rectorate of Police.

The Director of Interna Security, preferably draw from the civil service, shoul be an advocate and have th status equal to that of an At torney-General. Although h could be drawn from the De partment of Justice, h should specifically not com from the Police or the De fence Force.

He should be assisted b deputy directors and assis tants who should also hav legal qualifications. Thei task would be to advise th Minister of proposed preven tative security actions to b undertaken by the police o other security services.



The Director of Interna Security or his appointed re presentative should have th right to appear at proceed ings of a proposed board o review and to cross-examine witnesses. The commissior said it considered the possi bility of giving the Directo power to implement certair detention and restrictio

Commision rejects plea for abolition of Section Six

THE Rabie Commission has rejected pleas for the abolition of Section Six of the Terrorism Act, which provides for lengthy detention for the purposes of interrogation.

But although detention for interrogation purposes had to be retained, there should be certain modifications to protect detainees, the commission said.

Short term detention in terms of Section 22 of the General Law Amendment Act overlapped with Section Six of the Terrorism Act and should be scrapped, the report said.

The commission recommended the Government make several changes to the provisions of Section Six, including limiting the period of detention to 30 days unless the Minister responsible authorises extended detention in writing.

But the Minister may only do so if he believes that extended detention is necessary for continued interrogation.

"Detention for the purposes of interrogation, as provided in Section Six of the Terrorism Act, 1967, is a very drastic measure and one would not wish to retain it without compelling reasons," says the commission.

"The commission finds on the strength of evidence given before it that information obtained from persons in detention is the most important and, to a large extent, the only weapon of the police for anticipating and preventing terroristic and other subversive activities."

The commission said it found it essential to retain the measure.

It recommends that the following measures be incorporated in the amended law to act as a check:

- **A detainee must be visited at least once a fortnight by a magistrate and by a district surgeon.**
- **Provision should be made for an inspectorate to visit detainees and report his findings to the Minister of Law and Order.**

"And if he is of the opinion that an offence may have been committed in respect of a detainee, he shall furnish the Attorney-General concerned with a copy of his report."

- **Giving the Commissioner of Police discretion to decide if a detainee may be visited by relatives or legal representatives.**

The proposed measure stipulates that if a detainee has not been released after six months of detention the police must provide reasons for his continued detention to a review board.

The review board should also consider any written representations made to it by the detainee and may in addition hear evidence from him. The review board should then submit a report on its findings to the Minister of Law and Order.

It is recommended a review board consist of three members, under the chairmanship of a judge or former judge, or a former chief magistrate or regional magistrate, or a qualified advocate who has been concerned in the application of the law continuously for at least 10 years. — Sapa.

4/2/82 EDM 527

HERE are the Acts the commission proposes should be repealed and consolidated in the new legislation:

- **The suppression of Communism Act of 1950.**
- **The Suppression of Communism Amendment Act of 1951.**
- **The Criminal Law Amendment Act of 1953.**
- **The Riotous Assemblies and Suppression of Communism Amendment Act of 1954.**
- **The Riotous Assemblies Act of 1956**
- **The Unlawful Organisations Act of 1960.**
- **The General Law Amendment Act of 1961-64.**
- **The Suppression of Communism Amendment Act of 1965/6.**
- **The General Law Amendment Act of 1966.**
- **The Suppression of Communism Amendment Act of 1967.**
- **The Terrorism Act of 1967.**
- **The General Law Amendment Act of 1967.**

Civil disobedience 'would lead to unrest'

A CIVIL disobedience campaign, as advocated by some church leaders, would lead to unrest and eventually violence, says the Rabie Commission.

Over the last year or so a number of church leaders had talked about a civil disobedience programme to force changes so that black people would obtain a share in the government.

The secretary-general of the South African Council of Churches, Bishop Desmond Tutu, had on more than one occasion raised civil disobedience as a method to bring about radical changes.

The subject had also been raised at a SACC conference at Hammanskraal in 1979. The supporters of civil disobedience stressed their campaign should be regarded as non-violent, but, the commission said, the question was whether there was not a danger that this so-called peaceful campaign would lead to violence.

"In other words, when it appears that the civil disobedience campaign is not having the anticipated success there is no guarantee that it will not lead to the use of more drastic means, including more violence," the commission said.

It quoted from editorials from the Cape Times, the Sunday Times and Die Burger all of which warned against the potential dangers of civil disobedience. "We regard these views as reasonable.

"In our view it is realistic to expect that a large-scale civil disobedience campaign, as is envisaged, can lead to unrest and eventually violence.

"As far as the authorities are concerned, there is, we believe, little reason to entertain much sympathy with such a campaign."

South Africa had already experienced one civil disobedience campaign in 1953 which eventually ended up in the disastrous events at Sharpeville.

"A person naturally cannot say for certainty what will occur in the future, but we have no doubt that it would be unrealistic not to regard such a civil disobedience campaign as a potential danger to the preservation of law and order," the commission said.

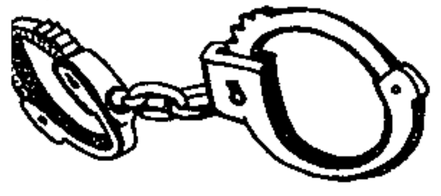
Minimum penalties:

Same penalty for aiding

NYONE aiding another person in the commission of terrorism, subversion or sabotage will be liable to the same penalties as the person who committed the act.

his is included in the provisions of draft legislation proposed by the Rabie Commission.

he report of the commission says the necessity for combatting these crimes also entails the necessity of preventing the assisting of persons who "commit or intend to commit" these offences.



The legislation provides that a person commits an offence if he suspects any other person has committed, or intends to commit terrorism, subversion or sabotage and he harbours or conceals or in any other way assists that person, or, if knowing where the person is, fails to report this to the police.

This amounts to an extension of the provision of Section 3 of the Terrorism Act which does not require reporting to the police.

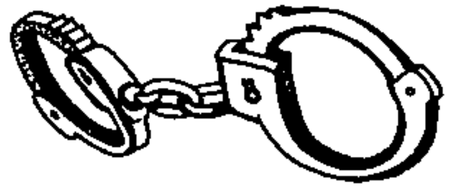
The commission recommends the person who gives this aid "should be liable to the same penalty as that to which the person whom he harboured or assisted in any way, or whose presence he failed to report or cause to be reported, wold have been liable on conviction of the offence he intended committing or committed".

The commission also says it is necessary to continue to combat the "furthering of the achievement of the objects of communism" and that this should be a crime.

In defining communism, the commission says it is the teaching of Marxist socialism as interpreted by Lenin or Trotsky, the Third Communist International, or the Communist Information Bureau.

It also includes plans for the

- **"Establishment of a despotic system of government based on a dictatorship of the proletariat in which only one political organisation is recognised.**
- **"The bringing about of political, industrial, social or economic changes in the Republic through the promotion of riots and disorder.**
- **"The bringing about of political, industrial, social or economic changes in the Republic in accordance with the directions, or under the guidance or in co-operation with a foreign government or foreign or international organisation which aims to establish a system (as described above) in the Republic.**



- **"The encouragement of a spirit of hostility between the white and non-white races of the Republic wth an eye to achieving objectives (as set out above)."**

The report also describes a "communist", among other things, as a person who at any time, before or after the introduction of the draft legislation, testified that he was a communist.

A person can also be declared a communist by the State President after being given the chance of making representations to him. A person will also be regarded as a communist if he has been an active supporter of an organisation propagating the aims of communism.

Banned persons not probed

THE Rabie Commission refused to investigate individual cases of banned people.

It said it had been asked to review the cases of people who had been restricted in terms of the Internal Security Act.

"To give effect to such requests, the commission would have had to investigate the facts and circumstances of each individual case which lead to the particular actions.

"It is not actually part of the commission's mandate. It is our task to investigate the existing legislation and not to investigate the actions taken in terms of them," the commission said.

The commission also said it had been asked to review laws on the grounds that they were a damper on the articulation of black aspirations and for this reason it was asked to relax or scrap them.

"As far as suggestions of this nature are concerned, it is the view of the commission that it cannot involve itself in the political arena."

no provision

THE question of punishment should be left to the discretion of the courts, says the Rabie Commission.

The commission says that while fully aware of the seriousness of the offences, it has made no provision for minimum penalty clauses in proposed legislation to supplant existing measures to combat terrorism, subversion, sabotage and assistance to terrorists.

The consideration that the question of punishment should be left to the courts also held good in the case of existing provisions which had the effect that, in the case of offences of participation in terrorist activities and sabotage, a juvenile might not be dealt with as a juvenile as provided in the Criminal Procedure Act of 1977.

Consequently this provision had not been included in the draft legislation.

The commission also recommended the omission of the minimum penalty provision in the clause dealing with offences which contained the elements of Section 11 of the Internal Security Act of 1950.

The conclusion was reached by the commission that it was necessary to provide for certain presumptions which could assist the State in prosecutions for proposed offences of terrorism and subversion.

"The commission is of the opinion that unlike the position in the Terrorism Act of 1967, which requires certain presumptions to be rebutted with proof beyond reasonable doubt, the normal rule of our law ought to apply that a presumption created by law may be rebutted with proof on a preponderance of probabilities."

The same recommendation is made in regard to the clause in the draft Bill dealing with offences.

The report said it was clear from information before the commission that it was the aim of organisations such as the African National Congress, its military wing, Umkhonto We Sizwe, the South African Communist Party and the Pan Africanist Congress to overthrow the authority of the State and the existing order by violence, and that they said so themselves.

Since the State was often obliged to adduce proof in relation to the ANC (which could also happen in the case of the other organisations) of this fact, a fact which cannot be denied, the commission felt that, if it was relevant for the purposes of any prosecution in terms of an offence of terrorism or subversion, the court should take notice of the fact that the objects of the organisations were to overthrow the State.

The commission made recommendations about existing provisions to the effect that a person acquitted on a charge of sabotage or participating in terrorist activities might again be arraigned on a charge arising out of the facts with which he was charged in the first place.

This was in conflict with the res judicata principle embodied in Section 106 of the Criminal Procedure Act of 1977 and was inequitable.

Such provisions had therefore not been included in the draft legislation.

The report said that in the combating of terrorism and certain other offences which were a threat to the security of the State or public order, procedural rules which ordinarily applied to the investigation and trial of crimes could not suffice.

Certain extraordinary measures had to be resorted to.

"The most important of the existing measures in this regard which the commission considered should be retained were those which provided for the detention of persons for the purpose of interrogation and as witnesses for the State."

imprisonment.

- A fine of at least R5 000 or five years imprisonment, or both, is provided for anyone found guilty of inciting, advising, encouraging or assisting in committee an offence by way of protest campaigns against an Act or the repeal or amendment of an Act.
- Similar fines are provided for persons found guilty of accepting or asking for funds from abroad, or internally, to support campaigns against an act or its repeal.

"This would have had certain advantages and would, to some extent, have removed proposed security measures from the political arena. The Minister would, of course, have had to accept final responsibility.

"The commission, however, decided that decisions of this nature should remain the direct responsibility of a Cabinet Minister," concluded the report.

Laws will not put end to unrest and violence

SECURITY laws alone are no guarantee for the preservation of law and order, the Rabie Commission has found.

The solution for the problems which led to violence and unrest were to be found firstly in the socio-economic and political terrain, the report said.

The commission was "convinced the security legislation alone was no guarantee in the end for the preservation of law and order in the country.

"Laws that were drafted to combat and control unrest and violence cannot eliminate the circumstances which lead to the unrest and violence.

"It is well-known that the existing security laws will not put an end to unrest and violence," the commission said.

The commission wanted to emphasise that the laws which it felt should be kept or retained were concerned with law and order, and should not be seen as a solution for the problems which lead to violence and unrest.

"The elimination of those problems, it seems, is to be found in the first place in solutions on a socio-economic and political terrain, on which the commission does not express itself," it said.

The commission said earlier that it would be simplistic to blame the unrest and school boycotts in 1980 on agitators who sought confrontation with the Government.

It could accepted that the boycott action had been exploited by certain people for their own ends "but all the events cannot only be regarded as work of agitators.

"Such a view of the situation will provide little comfort, from a security point of view, because it would mean there are large parts of the country which are fruitful areas for the agitators to sow the seed of unrest.

"We reckon that it apparently can indeed be said that socio-economic as well as political factors have provided the foundation of unrest but we find it unnecessary to investigate the matter further to try to determine how large a role each of these factors has played."

This meant that a possible source of unrest would continue to exist, the commission said.

ARGUS 4/2/82

327

Unrest causes must go—Rabie

Political Correspondent

THE RABIE commission on security legislation has found that this legislation alone cannot in the long run guarantee law and order.

It says this does not justify a suggestion that the legislation — also any attempt to change it — served no purpose until the alleged basic cause of unrest was removed.

The report tabled yesterday, says the commission had to judge the whole question of security legislation, in the light of circumstances at present and in the foreseeable future.

If security legislation were necessary in this period, it could not be said that reviewing it had no use.

It was known that the Government was busy with constitutional adaptations, and that a process of consultation in this regard could not be completed overnight.

All who expressed opinions on this to the commission agreed that sufficient opportunity for calm deliberation must be given. This demanded a period of the greatest calm and order in the country.

In these circumstances, the commission rejected the suggestion that it would be useless to try to change or improve existing security legislation until the ground-cause of unrest had been removed.

According to some representations, this ground-cause was the fact that non-white population groups had no share in the decision-making processes.

The report said that while the removal of security problems lay in the first place in solutions to socio-economic and political problems, it could not make recommendations on this.

'ANC campaign will intensify'

RDM 37 4/2/82

THE campaign of violence by the banned African National Congress would increase and intensify in the future, the Rabie Commission has found.

The ANC strategy was, according to evidence given to the commission by the South African Police, to institute acts of sabotage against strategic targets which would be of such an extent that it would create considerable reaction to impress people.

The commission, whose report was tabled in Parliament yesterday, said the ANC had a militarily trained force of about 1 600 people and that about 20 men were leaving South Africa every month to join them.

Commission considers banned body's support

ONLY a very small minority of the black community was sympathetic to the banned African National Congress, the Rabie Commission has found.

But this minority was not so small that it could be ignored from a security point of view, the commission added.

"It was said in evidence before us that those people in the black community who had pro-ANC feelings, particularly those who supported the ANC's violence, constituted a very small minority of that community and that their influence should not be overestimated.

"The commission is prepared to accept the evidence that those who harbour such feelings constituted a very small minority of the black community, but at the same time there was considerable evidence given which showed that they were not so small that they could be ignored, when the issue is examined from a security point of view.

"A disturbing aspect of this situation is the fact there are often reports in certain newspapers which could leave members of the public with a very different impression of sympathy with the ANC and its activities in the Republic," the commission said.

An example of this was the image of Solomon Mahlangu, who had been condemned to death for murder. He had been praised as a freedom fighter.

The impression had also been created that the ANC flag was the black flag.

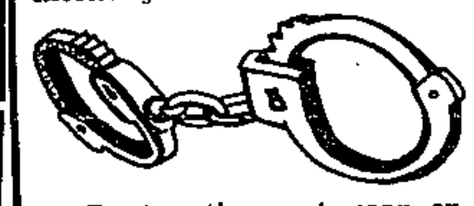
It also had to be considered that those who sympathised with the ANC and its activities but were not necessarily involved in violent actions would help ANC men to come into the country or protect them in one way or another.

"Such an attitude on the part of members of the public must necessarily complicate the task of the South African Police, who are trying to prevent sabotage and terrorism and to capture those involved," the commission said.

Although no member of the banned Pan-Africanist Congress had been arrested since 1978 and although the PAC was not a serious threat, there were signs of revival and these could not be ignored.

Police evidence was that the PAC had an operational force of about 300 and recently 41 young men had gone to Lesotho to join them.

"In our opinion it must be expected that the activities of the ANC will not only continue but they will also increase in extent and intensity.



"During the past year or two there have been indications of an intensification of ANC activities," the commission said.

This included the despatch of arms and ammunition over the borders, greater efforts to send propaganda literature to South Africa, attempts to infiltrate all sorts of organisations and attempts to obtain technological information about the Republic.

As with the South African Communist Party, there could be no doubt that the ANC's aim was the violent overthrow of the Government.

The recent independence of Zimbabwe had added to the security problems facing South Africa, the commission said.

Although the Prime Minister of Zimbabwe had said the ANC would not be allowed bases in his country, this did not mean that ANC men would not slip into South Africa from Zimbabwe.

"It is a danger which the Republic must take note of and against which it, according to information before us, must already watch.

"Out of the nature of the matter, this means that a much longer border than before must be watched, and it increases the burden, which is already considerable and which rests on the South African Police and the security forces in general," the commission said.

The police said in evidence that between the 1976 disturbances and the end of 1979, 5 000 "or perhaps even 6 000" black people, mostly youths, had left South Africa and that about 2 000 of these had joined the ANC.

Between 1976 and 1977, about 500 ANC members and supporters had undergone military training in Angola. At present the numbers at the camp ranged from about 30 to 100.



"Angola houses the most important camp where ANC men receive military training.

"In Maputo, a forward advance base, ANC men receive instructions over the sabotage of targets in South Africa.

"In Zambia there were — until very recently, in any event — two camps to which ANC recruits were sent from time to time in small groups to train together with Joshua Nkomo's Zipra forces."



OLIVER TAMBO . . . President of the banned African National Congress.

ANC men were also trained in Moscow as officers and there were specialist camps on the Crimean Peninsula. There was also a camp in East Germany where ANC men received training as specialist saboteurs.

People who were trained in Angola usually went to Botswana first before entering the Republic or they went to Mozambique and infiltrated South Africa from there, often through Swaziland.

The commission said the ANC had representatives in 32 countries and it received help from the Soviet Union and other communist countries.

It also found that there were close links between the ANC and the SACP.

The police told the commission that although the PAC had not been very active for some time, it could carry out a spectacular deed of sabotage to try to make up for lost ground.

The offence of subversio would concern acts which en dangered or prejudiced the State, or society, while not necessarily involving violence.

If violence, which should have been foreseen as a reasonable possibility, did result, the penalty would be more severe — up to 25 years jail, as opposed to a maximum of 20 years if no violence is involved.

The offence of sabotage would be an act, or attempt or conspiracy to commit an act, which destroyed or damaged vulnerable or strategic buildings and installations, and impeded essential services.

The penalty would be imprisonment for up to 2(years.

It should also be an offence if a person harbours, conceals or assists any other person whom he suspects to have committed or to intend t commit terrorism, sabotag or subversion. Penaltie would be the same as if h himself had committed or in tended committing the of fence.

Furthering the objects c communism would continu to be a crime, but the terr "communism" is redefined.

Call for Official Secrets Act to be changed

A COMPLETE overhaul the provisions of the Of cial Secrets Act, and i replacement by a mo

Black Consciousness comes under attack

4/2/82 RM 327

THE excessive and militant language of the Azanian Peoples' Organisation (Azapo) was creating a spirit of dissatisfaction and even rebelliousness which could lead to unrest.

The Rabie Commission said in its report that it was clear that Azapo was trying to obtain political leadership of the Black Consciousness Movement and was campaigning for a radical transformation of the South African situation".

Azapo was "apparently prepared to use all possible means to put pressure on the authorities, even if it meant that the country was weakened by this and placed in danger".

The organisation's appeal to the US Government not to use its veto right to prevent economic sanctions being imposed on South Africa could not be seen in any other light.

"As far as the activities of the Black Consciousness Movement, and by name Azapo, are concerned, the evidence shows that its supporters are trying to develop a spirit of militancy and opposition, and even rebelliousness, against the authorities, a standpoint that there is little, even no, point of consultation or negotiation with the authorities as a means of getting rid of grievances and that confrontation is the encouraged way to follow.

"Azapo and the members of the Black Consciousness group who work at newspapers continually let the light fall on situations which are regarded as conflict points in the black community.

"There is nothing illicit in emphasising grievances but in most cases it is done in such drastic, excessive and militant language that there can be little doubt about an intention to promote a spirit of dissatisfaction and resistance, even rebelliousness.



"Where such a spirit is developed among members of the public, the possibility that it will lead to unrest and a disruption of law and order cannot be ruled out," the commission said.

It said Azapo was not in favour merely of a racially integrated society but for "a radical transformation of the South African society".

Integration would merely create a black middle class which its supporters believed would protect Capitalist society.

The use of violence was not named by Azapo as a method to achieve its aims but there could be little doubt that Azapo would use all means available to it to eventually achieve its aims and force interim changes.

During 1980 Azapo had been involved in the organisation and encouragement of the school boycotts.

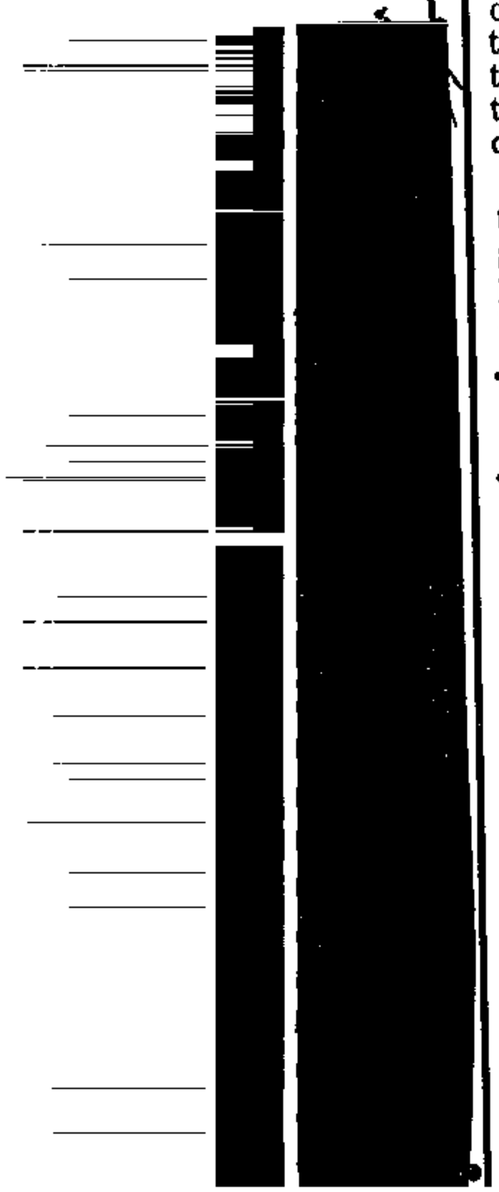
Together with Cosas it had made calls on pupils to support the boycotts.

"The view that black people in Soweto and elsewhere — particularly the youth — have become more black conscious where the Black Conscious Movement has been active, is consistent with the evidence the commission heard on the matter.

"At the same time, the evidence showed that particularly among the black youth there had been an increase in anti-white feelings during this period," the commission said.

It also said that in newspapers where Black Consciousness journalists worked there could be little doubt that articles written about grievances were written in such emotional language that they encourage a spirit of resistance among the people.

Readers' Letters and Just in Passing by A B Hughes will reappear tomorrow.



No regular reviews

THE Rabie Commission has rejected representations by the Side Bar Council that security legislation should be valid for only one year and that there should be a permanent body to review its continued relevance.

It says that laws combating such crimes as treason, communism, terrorism and sabotage will continue to be needed and that there would be little point in making them valid for a year simply to have them revalidated at the end of every period.

However, it concedes that there are a multitude of security laws and that there is a need for consolidation.

It says that when considering the period over which the law should apply, attention woud have to be paid to the current circumstances or the threat the law is aimed at curbing.

The commission said it was difficult to see what merit the one-year system would have over one in which, depending on circumstances, the law could be adapted, amended or even repealed.

The commission recommends the extension of the Riotous Assemblies Act which at present prohibits fostering bad relations between whites and other races.

It says this should apply to creating bad relations between all races.

Similar reasoning is applied by the commission to anti-communist and terrorist laws and to detention laws.

The commission said that the security laws were often criticised as being "apartheid laws" which were introduced simply to maintain an unjust system.

It expected that its proposed legislation would be criticised in the same way.

sure, are recommended by the Rabie Commission.

The commission's report notes numerous complaints about the vagueness, wideness and "scarecrow nature" of many of the Act's provisions.

These included complaints that they gagged newspapers unnecessarily and hindered academic researchers.

It recommended the Act be replaced by a new measure called "The Protection of Certain Information Act".

The term "Official Secrets" is dropped because, the commission says, South African law contains no comprehensive definition of an official secret and it would be impossible to do so satisfactorily.

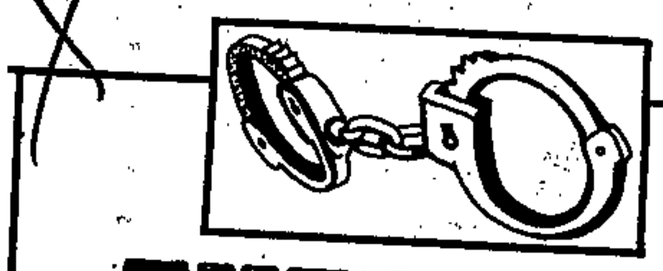
Proposed changes include:

- Replacement of "an enemy" to whom information may be useful to "a foreign state". It also recommends prohibiting the passing of information to illegal organisations such as the ANC and the PAC.
- Specifying it is to be an offence if information is gathered with the intension of passing it on to a foreign power. This meets criticism of present widespread provisions prohibiting disclosure of information which could directly or indirectly be useful to an enemy.
- A distinction between information prejudicial to the interests of the State and information whose disclosure would have little or no such effect.
- Extension of the ability to hold a trial in camera where the security of the State is affected to include cases which could prejudice State interests, such as international relations.

The commission recommends that any banned organisation be regarded as "a hostile organisation" for the purposes of the Act.

Its proposed legislation also empowers the State President to declare any organisation abroad a hostile organisation.

The commission proposes a maximum penalty of 20 years' imprisonment for contravention of the new measure.



THE RABIE REPORT

Security laws: New penalties proposed

CERTAIN aspects of the country's security laws could be regarded as strict and even drastic in normal, peaceful circumstances, says the Rabie Commission.

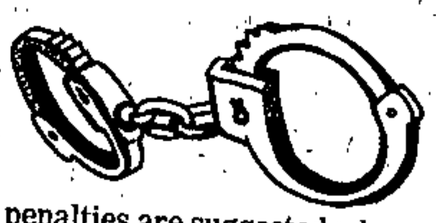
However, it believes it has overcome this problem in its definitions of terrorism, subversion and sabotage which are included in proposed legislation contained in its report.

Proposed penalties are:

- Terrorism — same as treason;
- Subversion — maximum 20 years imprisonment if violence not involved, 25 years if it is, and
- Sabotage — maximum 20 years.

In the commission's opinion it can no longer be said, as is alleged of existing laws, that the new measures are too drastic or that "innocent behaviour" can be included.

In its new definition of terrorism, an element of violence is involved in all situations. Subversion does not necessarily have to involve violence, but, in terms of the proposed legislation, heavier



penalties are suggested when violence is involved.

In these crimes the State or public would have to be endangered.

The commission says that existing laws were often criticised as being too vague in definition and as a result relatively "innocent" people could become involved in serious terrorism charges.

The commission was not prepared to accept representations that these measures were not justified, even though a state of emergency had not been declared.

Terrorism is envisaged as being an act committed by a person intending to overthrow or endanger the State authority, or to bring about any constitutional, political, industrial, social or economic aim or change, or an act of violence, or threat of violence.

The penalty would be the same as that imposed for

RABIE COMMISSION REPORT

'Switch security control to Police'

Political Staff

THE government has been advised by the Rabie Commission to remove control of security legislation from the Minister of Justice and to transfer it to the Minister of Police.

The switch is recommended to avoid the possibility of the Minister of Justice being compromised by having to impose controversial measures, says the report of the commission.

The proposed reorganization would include the creation of a post for a Director of Internal Security, preferably drawn from the civil service.

He should be an advocate and have status equal to that of an attorney-general.

Motivating the recommendations, the Rabie Commission says that administration and control of security legislation now fall largely under the Minister of Justice, but because of rationalization, he no longer has close contact with security matters as applied previously.

'Detrimental effect'

"In this situation, the Minister of Police is possibly better equipped to evaluate the security threat and to control security measures," says the report.

The commission heard in evidence that the implementation of security measures by the Minister of Justice had a detrimental effect on the image abroad of impartiality of the legal system in South Africa.

In terms of the responsibilities of the Minister of Justice, he was seen as the figure keeping a "watchful eye" on the rights and interests of the citizen and who was expected to act to remedy any infringement of those rights.

"The argument is that if the Minister of Justice is responsible for implementing the country's security measures, it is difficult for him to live up to his image as a protector of the rights of the people," says the report.

"By carrying out such measures, he must of necessity take decisions and issue instructions which are by their very nature controversial and by the same argument, he must eventually become a figure of controvery himself."

The commission supported the argument, says the report. It recommended that a new Department of Law and Order be created to replace the Department of Police.

The responsible minister would be head of two directorates, one for police and one for internal security.

The Directorate of Internal Security should be wholly independent of the Directorate of Police.

Preventive security actions

The Director, who could be drawn from the Department of Justice, but who should specifically not come from the police or the defence force, should be assisted by Deputy Directors and assistants who should also have legal qualifications.

Their task would be to advise the Minister of proposed preventive security actions to be undertaken by the police or other security services.

The Director of Internal Security or his appointed representative should have the right to appear at proceedings of a proposed board of review and to cross-examine witnesses.

The commission said it considered the possibility of giving the Director power to implement certain detention and restriction measures.

"This would have had certain advantages and would, to some extent, have removed proposed security measures from the political arena. The minister would, of course, have had to accept final responsibility.

"The commission, however, decided that decisions of this nature should remain the direct responsibility of a cabinet minister," concluded the report.

More control on phone, mail scrutiny

Political Correspondent

THE Rabie Commission has recommended stricter control of telephone tapping and the interception of mail in the interests of state security.

The commission found these activities remained essential, but said they should be used with great care because of the "serious invasion of the privacy of individuals".

It dismissed suggestions that permisson for these activities be obtained from a legal official or that

and Telecommunications, who provided the necessary facilities.

Where ministers empowered to authorize phone tapping or mail interception would not be available, they should be able to authorize a deputy for a specific and limited period.

The commission also recommended that the period of scrutiny, at present unlimited, be restricted to six months. The matter would then have to be reconsidered and a new

48-hour arrest powers urged

Political Staff

POLICEMEN with the rank of warrant officer or higher should get the power to detain people for up to 48 hours, without a warrant of arrest, if it is suspected that they may contribute to public disturbances, says the Rabie commission.

The measure should replace section 22 of the General Law Amendment Act which at present gives policemen

But it also rejected as unsatisfactory the present arrangement whereby a "functionary" — a minister on the State Security Council or a senior Post Office official — could authorize a written request if satisfied that phone tapping or mail interception was in the interests of state security.

The commission said this authority should be vested only in those directly responsible for protecting state security — the Prime Minister, the Minister of Police and the Minister of Defence.

The minister taking this decision should then inform the Minister of Posts

Other recommendations included that authority to tap the telephone of a particular person be changed to a particular telephone number and that the definition of telephone line be broadened to telecommunication line to enable monitoring of telex and facsimile messages sent through post office channels.

The commission said it was not empowered to investigate a complaint by the Newspaper Press Union that monitoring of mail and telephone calls occurred "on an almost routine basis". If this was true, the report stated, it was not authorized under existing regulations.

Ulster solution for SA funerals?

EMERGENCY provisions used in Northern Ireland to control gatherings and funerals have been proposed for South Africa by the Rabie Commission.

In proposing the retention of measures to ban gatherings, the commission proposed that magistrates have permission to impose conditions for gatherings they would otherwise not have permitted.

This would contribute to the orderly passage of certain gatherings which sometimes lead to disorderliness and violence but which cannot be banned.

"The commission is thinking particularly about funerals and memorial services which sometimes take place in circumstances which arouse emotions and can lead to disorderliness and violence."

It says the fact that funerals sometimes end in violence is not peculiar to South Africa and refers to the Northern Ireland (Emergency Provisions) Act.

This Act includes provisions for funerals which, if "it appears to an officer of the Royal Ulster Constabulary not below the rank of chief inspector that a funeral" may cause serious public disorder or make "undue demands on ... Her Majesty's forces or the police", the officer may impose conditions on the organizers and participants which include:

"Prescribing the route to be taken by the funeral; prohibiting the funeral from entering any place specified in the directions; requiring persons taking part in the funeral to travel in vehicles."

Pleas on section 6 rejected

THE Rabie commission has rejected pleas for the abolition of section six of the Terrorism Act, but has found that short term detention in terms of section 22 of the General Law Amendment Act overlaps with section six and should be scrapped.

It recommends that these measures be incorporated in the new law: A detainee must be visited at least once a fortnight by a magistrate and a district surgeon; an inspector should visit detainees and report his findings to the Minister of Law and Order; the Commissioner of Police should be given discretion to decide if a detainee may be visited by relatives or lawyers; the police must provide reasons for continued detention to a review board if a detainee is not released after six months, and the board may hear evidence from and consider any written representations made by the detainee.

... lieutenant-colonel or higher the right to hold people for 48 hours if it is suspected that they may be terrorists, or have contravened the Internal Security Act or the General Law Amendment Act.

Schoolchildren

The commission says that in public disturbances, reason for short-term detention on these grounds will often not exist, "especially if it is remembered that it is often young people or schoolchildren who are involved in public disturbances.

"The commission believes that disturbances which are accompanied by or may lead to violence should be terminated as soon as possible. It believes there is a need for a measure which could serve to quell disturbances at an early stage and which at the same time would not encroach unduly on the liberty of individuals."

Criticism

Section 22 of the General Law Amendment Act, giving high ranking police officers powers to detain suspected terrorists or those suspected of comitting sabotage, was not suitable for the prevention of disturbances, says the commission.

"Where these measures were used in the past in disturbances involving young people, there was the criticism that the authorities were acting irresponsibly because youths were being treated as terrorists.

Magistrate

"The commission recommends that a measure be adopted to give policemen with the rank of warrant officer and higher the power to arrest a person without a warrant if he is of the opinion that the person may contribute towards the continuation of public disturbance, disorder, riots or public violence."

The measure proposed by the commission states that the person arrested under this provision must be released after 48 hour's detention unless a magistrate issues a warrant for his continued detention.

Unionists fear proposed law

Star 4/2/82

327

132

Labour Reporter

Trade unionists fear the Rabie Commission's recommendation to designate a new crime, "intimidation," could be used against them.

This recommendation would prohibit anyone from compelling or inducing another to do any act or forcing another to adopt or abandon a certain viewpoint.

The commission report says anyone guilty of this crime would face a R20 000 fine or 10 years' imprisonment, or both.

Many trade unionists were arrested last year during industrial unrest and were often charged under the Riotous Assemblies Act for intimidating workers.

Under South African law, picketing is illegal but trade unionists feel it is an essential right of workers not only to withhold their labour through strikes but to protest through picketing.

The picket line serves to prevent others from entering a strike-hit company and breaking the strike, as well as serving as a "moral" protest.

In Port Elizabeth, former Post Office workers are appearing in the magistrate's court this month on charges of intimidating other workers. Some have been fined or received suspended sentences.

Under the "intimidation law" proposed by the Rabie Commission they would face heavier penalties.

Unionists fear application of this proposal would seriously hamper striking workers

● See Page 23.

'Security report fairer'

By Chris van Gass
Pretoria Bureau

The Rabie Commission's recommendations on security legislation make security laws appear fairer and more effective, says Professor Mike Hough, the director of the Pretoria University Institute for Strategic Studies and an expert on security.

He said the recommendations "in general" appeared to have many positive aspects in countering insurgency.

Professor Hough said the obvious motives of the commission had been twofold. They suggested fairer changes to laws relating to bannings and detentions, which would make them less prone to criticism, while on the other hand tightening the loopholes.

One of the suggestions which could make the application of counter-insurgency measures more effective was the redefinition of terrorism.

It could now be possible for the applications of the law being applied more effectively to either left-wing or right-wing terrorism.

Another important recommendation was that for legislation on intimidation.

As a possible example of its application, said Professor Hough, intimidation with a political motive such as even the tarring and feathering of a person, could create more scope for the State to prosecute.

Another positive aspect suggested by the Commission was the suggestion to restore the proper functions of the court by creating a ministry of law and order, so splitting the functions of the Department of Justice and Police.

Star 4/2/82 (327) 351 269

Torture claims denied

Railway workers tell of shocks and beatings

Three railway workers told a Johannesburg magistrate yesterday that Railway Police assaulted them to try to make them admit that they had stolen beer from a truck at Kazerne.

Appearing before the magistrate, Mr P B Luyt, charged with assault were Sergeant Pieter Joshua Aucamp (20), of St Albans Street Mayfair; Constable Frederick Wilhelmus Craucamp (20), of Raypon Place, South Hills; and Constable Gert Hendrik van Rooyen, of Clarence Place, Clarence Street, Troyeville.

They all pleaded not guilty.

Mr Johannes Mokolwane told the court that he was taken by Sergeant Aucamp, with fellow workers Mr Abel Modima and Mr Justice Majafi, to the Kazerne charge office on December 16 1981. There each was taken in turn into a room and questioned.

The three witnessess said they were handcuffed to a chair, given electric shocks and beaten by the accused.

The men also testified that they were treated by a Railway doctor on the following day for injuries and electric shock burns and were booked off work for two weeks.

Sergeant Marius Smit said he was in charge at Kazerne charge office on December 16 when the three men were brought in by Sergeant Aucamp.

"Sergeant Aucamp brought the men to the charge office and took them away to the Jeppe police cells afterwards and was never alone with them," Sergeant Smit said.

"A Sergeant Botha and I questioned the men and they were not assaulted in my presence.

"Constable Craucamp did duty that day three kilometers from the charge office and could not have been present when the men were questioned.

"Constable van Rooyen was off duty and in Port Elizabeth on December 16," Sergeant Smit told the court.

The case was postponed to February 25 when further State witnesses will be called.

Plea to tighten security laws

SAPA (327 words) 4/2/82

POLITICAL STAFF

THE Rabie Commission yesterday recommended a major streamlining of South Africa's security laws.

Tough new penalties and the continuation of existing measures were contrasted with proposed concessions to security law suspects.

The commission said there was "no doubt" that security laws were necessary, and that "generally speaking" existing legislation was adequate, but that additional measures were needed.

The report also detailed for the first time police estimates of the ANC's military strength and the extent of the exodus from South Africa of ANC recruits.

It said the ANC had a trained military force of about 1 600 people. About 20 men a month were leaving to join them.

In the commission's opinion, ANC activities were expected to continue and increase in extent and intensity.

The Minister of Justice, Mr Kobie Coetsee, yesterday promised a "clear and early" Government response to the report.

But the Opposition spokesman on civil rights, Mrs Helen Suzman said the report had shattered hope that the commission would return South Africa to the Rule of Law.

"It recommends the retention of our most Draconian law — Section Six of the Terrorism Act which enables the police to detain people in solitary confinement for an indefinite period for purposes of interrogation," she said.

If the report is accepted by the Government it will mean:

● The consolidation of security legislation into three Acts and the scrapping of several security laws.

● The establishment of a Ministry of Law and Order to administer security laws through a Directorate of Internal Security and the existing police force.

The report also:

● Recommended stiffer penalties for persons convicted under the security laws.

● Rejected representations from the Side Bar Council that security laws be valid for only a year, and that there be a permanent body to review the continued relevance of the legislation.

● Proposed that the Riotous Assemblies Act be extended to prohibit the fostering of bad relations between all races, and not just between whites and other races.

● Redefined the terms "terrorism", "subversion" and "sabotage" to overcome critisism that the secufity laws were too strict for normal peaceful circumstances.

Small

● Found that only a very small percentage of blacks sympathised with the ANC — but that the group was not so small that it could be ignored from a security point of view.

● Justified its backing of continued detention without trial by saying: "The commission finds that information obtained from persons in detention is the most important and, to a large extent, the only weapon of the police for anticipating and preventing terrorist and other subversive activities, and also that information obtained in this way may, in appropriate cases, be used as evidence."

● Recommended stricter control on telephone tapping and the interception of mail, but rejected suggestions that these activities be subject to judicial control.

● Attacked the Azanian ople's Organisation apo) for campaigning for radical transformation of South African situation."

The concessions recom- included:

● The scrapping of mini- penalities for contra- ions of security laws, and ving the question of sen- es to the courts.

● That a person appearing court under security laws able to rebut certain pre- ptions on the "prepon- ence of probabilities" in- ead of "beyond all asonable doubt", as at pre- under the Terror Act.

● A rethink of existing pro- ions whereby a person ac- ted of sabotage or terror- can be re-prosecuted on charge arising out of the ts of the first case.

● Recommended modifi- ations to the length of time tainees may be held and ecommended that Ministe- al approval be essential for ntinued detention after 30 ys.

● Recommended the con- nation of the "drastic mea- e" of detention without al for interrogation, but with certain modifications to procedures including a tention review board head- by a judge.

The board could review detentions every six months. An inspector could be appointed to visit detainees and report to the Minister on their condition, and to the Attorney-general on any suspected offences against detainees.

● See Pages 8 and 9

Annual security laws review rejected

Political Staff

THE Rabie Commission has rejected representations by the Side Bar Council that security legislation should be valid for only one year and that there should be a permanent body to review its continued relevance.

It says that laws combating such crimes as treason, communism, terrorism and sabotage will continue to be needed and that there would be little point in making them valid for a year simply to have them revalidated at the end of every period.

Consolidation

However, it concedes there are a multitude of security laws and that there is a need for consolidation.

It says that when considering the period over which the law should apply, attention would have to be paid to the current circumstances or the threat the law is aimed at curbing.

The commission said it was difficult to see what merit the one-year system would have over one in which, depending on circumstances, the law could be adapted, amended or even repealed.

Assemblies

"Decisions over the validity of security laws is the function of the law maker and it is a task for which he, with all the information available to him, is best suited," said the report.

The commission recommends the extension of the Riotous Assemblies Act which at present prohibits fostering bad relations between whites and other races.

It says this should apply to creating bad relations between all races.

"The problem involved here is not a temporary one and in the circum-

Azapo 'campaigning for radical change'

THE EXCESSIVE and militant language of the Azanian Peoples' Organization (Azapo) was creating a spirit of dissatisfaction and even rebelliousness which could lead to unrest, the Rabie Commission said in its report.

The commission said it was clear that Azapo was trying to obtain political leadership of the black-consciousness movement and was campaigning for "a radical transformation of the South African situation".

Azapo was "apparently prepared to use all possible means to put pressure on the authorities, even if it meant that the country was weakened by this and placed in danger".

The organization's appeal to the US Government not to use its veto right to prevent economic sanctions being imposed on South Africa could not be seen in any other light.

"As far as the activities of the black-consciousness movement, and by name Azapo, are concerned, the evidence shows that its supporters are trying to develop a spirit of militancy and opposition, and even rebelliousness, against the authorities, a standpoint that there is little — even no — point of consultation or negotiation with the authorities as a means of getting rid of grievances and that confrontation is the encouraged way to follow.

"Azapo and the members of the black consciousness-group who work at newspapers continually let the light fall on situations which are regarded as conflict points in the black community.

"There is nothing illicit in emphasizing grievances, but in most cases it is done in such drastic, excessive and militant language that there can be little doubt about an intention to promote a spirit of dissatisfaction and resistance, even rebelliousness.

"Where such a spirit is developed among members of the public, the possibility that it will lead to unrest and a disruption of law and order cannot be ruled out," the commission said.

It said Azapo was not in favour merely of a racially integrated society, but was for "a radical transformation of the South African society". Integration would merely create a black middle class which its supporters believed would protect capitalist society.

The use of violence was not named by Azapo as a method to achieve its aims but there could be little doubt that Azapo would use all means available to it to eventually achieve its aims and force interim changes.

During 1980, Azapo had been involved in the organization and encouragement of the school boycotts. Together with the Congress of South African Students (Cosas) it had made calls on pupils to support the boycotts.

"The view that black people in Soweto and elsewhere — particularly the youth — have become more black conscious where the black-consciousness movement has been active is consistent with the evidence the commission heard on the matter.

"At the same time the evidence showed that particularly among the black youth there had been an increase in anti-white feelings during this period," the commission said.

It also said that in newspapers where black-conciousness journalists worked there could be little doubt that articles written about grievances were written in such emotional language that they encouraged a spirit of resistance among the people.

ANC: 1 600 trained and more joining

Political Staff

THE CAMPAIGN of violence by the banned African National Congress (ANC) would increase and intensify in the future, the Rabie Commission has found.

The ANC strategy was, according to evidence given to the commission by the South African Police, to institute acts of sabotage against strategic targets which would be of such an extent that it would create considerable reaction to impress people.

The commission said the ANC had a militarily trained force of about 1 600 people and that about 20 men were leaving South Africa every month to join them.

Although no member of the banned Pan Africanist Congress had been arrested since 1978 and although the PAC was not a serious threat, there were signs of revival and these could not be ignored.



Mr Robert Mugabe . . . "no ANC bases".

paganda literature to South Africa, attempts to infiltrate all sorts of organizations and attempts to obtain technological information about the Republic.

As with the South African Communist Party, there could be no doubt that the ANC's aim was the violent overthrow of the government.

The recent independence of Zimbabwe had added to the security problems facing South Africa, the commission said.

Although the Prime Minister of Zimbabwe, Mr on the South African Police and the security forces in general," the commission said.

The police said in evidence that between the 1976 disturbances and the end of 1979, 5 000 "or perhaps even 6 000" black people, mostly youths, had left South Africa and that about 2 000 of these had joined the ANC.

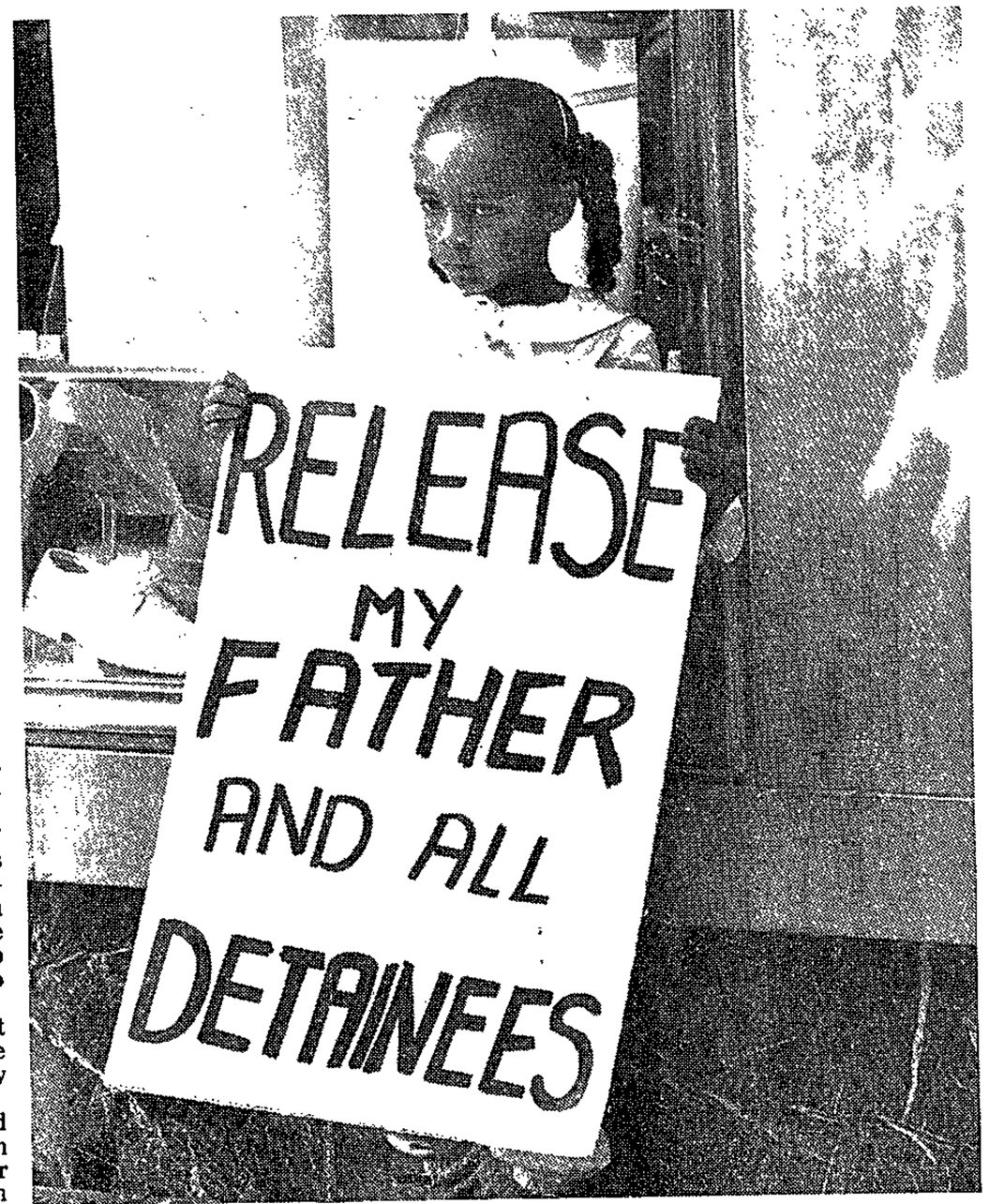
Between 1976 and 1977 about 500 ANC members and supporters had undergone military training in Angola. At present the numbers at the camp ranged from about 30 to 100.

"Angola houses the most important camp where ANC men receive military training.

"In Maputo, a forward advance base, ANC men receive instructions over the sabotage of targets in South Africa.

"In Zambia there were — until very recently, in any event — two camps to which ANC recruits were sent from time to time in small groups to train together with Joshua Nkomo's Zipra forces."

Moscow



Many children in South Africa grow up with the knowledge that a member of their family has been detained under security legislation. Detention is a fact of life for eight-year-old Leila Issel, whose father, community leader, Mr Johnny Issel, is detained. After holding a placard calling for his release during the opening of Parliament last Friday, she was arrested. She was later released.

'Terrorism, sabotage, subversion' defined

Political Staff

CERTAIN aspects of the country's security laws could be regarded as strict and even drastic in normal, peaceful circumstances, says the Rabie Commission.

However, it believes that it has overcome this problem in its definitions of terrorism, subversion and sabotage which are included in proposed legislation contained in its report.

Proposed penalties for terrorism are — the same as for treason and subversion — a maximum of 20 years' imprisonment if violence is not involved, 25 years if it is, and for sabotage, a maximum 20 years.

It says that in its opinion, it can no longer be said, as is alleged of existing laws, that the new measures are too drastic or that "innocent behaviour" can be included.

In its new definition of terrorism, an element of violence is involved in all situations. Subversion does not necessarily have to involve violence, but, in terms of the proposed legislation, heavier penalties are suggested when violence is involved.

'Character of state of emergency'

In these crimes the state or public would have to be endangered.

The commission said existing laws were often criticized as being too vague in definition and as a result relatively "innocent" people could become involved in serious terrorism charges.

Another criticism voiced in commission hearings was that measures were being applied which had the character of a state of emergency but one had not been declared.

The commission was not prepared to accept representations that these measures were not justified, even though a state of emergency had not been declared.

In a summary of its main findings and recommendations released with the commission report, this is how terrorism, subversion and sabotage are described:

● Terrorism: "The proposed offence of terrorism, briefly, consists in the commission by a person with intent to overthrow or endanger the state authority or to achieve, bring about or promote any constitutional, political, industrial, social or economic aim or change in the Republic of an act of violence or in his threatening or attempting to commit such act or in his performance of any act which is aimed at such act or threat of violence.

"The penalty proposed by the commission is the penalty which may be imposed on conviction of treason."

● Subversion: "The proposed offence of subversion consists in the commission by a person with intent as in the case of the proposed offence of terrorism of any one or more of the acts referred to in paragraphs (a) to (i) of clause 54 (2) of the draft bill or in his conspiring with or inciting or encouraging any other person to commit any one or more of such acts.

'Impeding of essential services'

"The acts concerned — acts which endanger or prejudice the state or society — do not necessarily involve violence, but if the accused's act did result in the commission of violence and he should have foreseen the commission of violence as a reasonable possibility, he will be liable to a more severe penalty (ie imprisonment for a period not exceeding 25 years) than that to which he would have been liable had violence not been committed (ie imprisonment for a period not exceeding 20 years.)

● Sabotage: "The proposed offence of sabotage consists in the commission by a person of an act (or his attempting or conspiring with or inciting or encouraging any other person to commit an act) with intent to bring about any of the results referred to in paragraphs (a) to (f) of clause 54 (3) of the draft bill.

"These results, briefly, relate to the destruction or damaging of vulnerable and strategic buildings and installations as well as the impeding of essential services.

"The penalty proposed for the commission of the offence is imprisonment for a period not exceeding 20 years."

trained in Moscow as officers and there were specialist camps on the Crimean Peninsula. There was also a camp in East Germany where ANC men received training as specialist saboteurs.

People who were trained in Angola usually went to Botswana first before entering the Republic or they went to Mozambique and infiltrated South Africa from there, often through Swaziland.

The commission said the ANC had representatives in 32 countries and it received help from Russia and other communist countries.

It also found that there were close links between the ANC and the SACP.

The police told the commission that although the PAC had not been very active for some time it could carry out a spectacular deed of sabotage to try to make up for lost ground.

12 Acts may be repealed

THE 12 Acts which are recommended for repeal in part or in full are: The Suppression of Communism Act of 1950; The Suppression of Communism Amendment Act of 1951; The Criminal Law Amendment Act of 1953; The Riotous Assemblies and Suppression of Communism Amendment Act of 1954; The Riotous Assemblies Act of 1956; The Unlawful Organizations Act of 1960; The General Law Amendment Act of 1961-64; The Suppression of Communism Amendment Act of 1965/6; The General Law Amendment Act of 1964; The Suppression of Communism Amendment Act of 1967; The Terrorism Act of 1967 and The General Law Amendment Act of 1967.

Assisting a terrorist 'is terrorism'

Political Staff

ANYONE aiding another person in the commission of terrorism, subversion or sabotage will be liable to the same penalties as the person who committed the act, in terms of draft legislation proposed by the Rabie Commission.

It says the necessity for combating these crimes also entails the necessity of preventing the rendering of assistance to persons who "commit or intend to commit" these offences.

The legislation provides that a person commits an offence if he suspects that any other person has committed or intends to commit terrorism, subversion or sabotage and he harbours or conceals or in any other way assists that person, or, if knowing where the person is, fails to report this to the police.

This amounts to an extension of the provision of Section 3 of the Terrorism Act which does not require reporting to the police.

'Same offence'

The commission recommends that the person who gives this aid "should be liable to the same penalty as that to which the person whom he harboured or assisted in any way or whose presence he failed to report or cause to be reported, would have been liable on conviction of the offence he intended committing or committed".

The commission also says it is necessary to continue to combat the "furthering of the achievement of the objects of communism" and that this should be a crime.

In defining communism, the commission says it is the teaching of Marxist socialism as interpreted by Lenin or Trotsky, the Third Communist International or the Communist Information Bureau.

It also includes: Plans for the "establishment of a despotic system of government based on a dictatorship of the proletariat in which only one political organization is recognized";

"The bringing about of political, industrial, social or economic changes in the Republic through the promotion of riots and disorder;

'Hostility'

"The bringing about of political, industrial, social or economic changes in the Republic in accordance with the directions, or under the guidance or in co-operation with a foreign government or foreign or international organization which aims to establish a system (as described above) in the Republic;

"The encouragement of a spirit of hostility between the white and non-white races of the Republic with an eye to achieving objectives as set out above."

The report also describes "communist", among other things, as a person who at any time, before or after the introduction of the draft legislation, testified that he was a communist.

A person can also be declared to be a communist by the State President after being given the chance of making representations to him. A person will also be regarded to be a communist if he has been an active supporter of an organization propagating the aims of communism.

Warning on civil resistance

Political Staff

A CIVIL-disobedience campaign, as advocated by some church leaders, would lead to unrest and eventually violence, the Rabie Commission said in its report.

Over the past year or so, a number of church leaders had talked about a civil-disobedience programme to force changes so that black people would obtain a share in the government.

The secretary-general of the South African Council of Churches (SACC), Bishop Desmond Tutu, had on more than one occasion raised civil disobedience as a method to bring about radical changes.

The subject had also been raised at a SACC conference at Hammanskraal in 1979.

The supporters of civil disobedience emphasized that their campaign should be regarded as non-violent but, the commission said, the question was whether there was not a danger that this so-called peaceful campaign would lead to violence.

'No guarantee'

"In other words, when it appears that the civil-disobedience campaign is not having the anticipated success, there is no guarantee that it will not lead to the use of more drastic means, including more violence," the commission said.

It quoted editorials from the Cape Times, the Sunday Times and the Burger all of which warned against the potential dangers of civil disobedience.

"We regards these views as reasonable. In our view it is realistic to expect that a large-scale civil-disobedience campaign, as is envisaged, can lead to unrest and eventually violence.

'Revise scarecrow Secrets Act' call

By MICHAEL ACOTT
Political Correspondent

A COMPLETE overhaul of the provisions of the Official Secrets Act, and its replacement by a more carefully worded measure, are recommended by the Rabie Commission.

The commission's report notes numerous complaints about the vagueness, wideness and "scarecrow nature" of many of the Act's provisions. These included complaints that they gagged newspapers unnecessarily and hindered academic researchers.

It recommended that the Act be replaced by a new measure called "The Protection of Certain Information Act".

Changes

The term "official secrets" is dropped because, the commission says, South African law does not comprehensively define an official secret and it would be impossible to do so satisfactorily.

Proposed changes include:

● Replacement of "an enemy" to whom information may be useful by "a foreign state". It also recommends prohibiting the passing of information to illegal organization such as the ANC and the PAC.

● Specifying that it is to be an offence if information is gathered with the intention of passing it on to a foreign power.

Banned groups

● A distinction between information prejudicial to the interests of the state and information whose disclosure would have little or no such effect.

● Extension of the ability to hold a trial in camera where the security of the state is affected to include cases which could prejudice state interests, such as international relations.

The commission recommends that any banned organization be regarded as "a hostile organization" in the Act. Its proposed legislation also empowers the State President to declare any organization abroad "hostile". The commission proposes a maximum penalty of 20 years' imprisonment for contravention of the new Act.

No probe of banned

Political Staff

THE Rabie commission refused to investigate individual cases of banned people.

It said in its report that it had been asked to review the cases of people who had been restricted in terms of the Internal Security Act.

"To give effect to such requests, the commission would have had to investigate the facts and circumstances of each individual case which lead to the particular actions.

"It is not actually part of the commission's mandate.

"It is our task to investigate the existing legislation and not to investigate the actions taken in terms of them," the commission said.

The commission also said it had been asked to review laws on the grounds that they were a damper on the articulation of black aspirations and for this reason it was asked to relax or scrap them.

"As far as suggestions of this nature are concerned, it is the view of the commission that it cannot involve itself in the political arena."

Laws no answer to problems

Political Staff

SECURITY laws alone are no guarantee for the preservation of law and order, the Rabie Commission has found.

The commission said it was "convinced that the security legislation alone was no guarantee in the end for the preservation of law and order in the country".

"This view is actually self-explanatory: Laws that were drafted to combat and control unrest and violence cannot eliminate the circumstances which lead to the unrest and violence."

The commission said it wanted to emphasize that the laws which it felt should be retained were concerned with law and order and should not be seen as a solution for the problems which lead to violence and unrest.

Socio-economic

"The elimination of those problems, it seems, is to be found in the first place in solutions on a socio-economic and political terrain, on which the commission does not express itself," it said.

It would be simplistic to blame the unrest and school boycotts in 1980 on agitators.

The commission could accept that the boycott action had been exploited by certain people for their own ends, "but all the events cannot only be regarded as work of agitators".

"Such a view of the situation will provide little comfort from a security point of view because it would mean there are large parts of the country which are fruitful areas for the agitators to sow the seeds of unrest, and therefore can do so again in the future."

4/2/82 CT

321

'Small group of blacks' support ANC

Political Staff

ONLY a very small minority of the black community were sympathetic to the banned African National Congress (ANC), the Rabie Commission has found.

But this minority was not so small that it could be ignored from a security point of view, the commission added.

"It was said in evidence before us that those people in the black community who had pro-ANC feelings, particularly those who supported the ANC's violence, constituted a very small minority of that community and that their influence should not be over-estimated.

"The commission is prepared to accept the evidence that those who harbour such feelings constituted a very small minority of the black community but at the same time there was considerable evidence given which showed that they were not so small that they could be ignored when the issue is examined from a security point of view.

"A disturbing aspect of this situation is the fact there are often reports in certain newspapers which could leave members of the public with a very different impression of sympathy with the ANC and its activities in the Republic," the commission said.

An example of this was the image of Solomon Mahlangu, who had been condemmed to death for murder. He had been praised as a freedom fighter.

The impression had also been created that the ANC flag was the flag of all blacks.

It also had to be considered that those who sympathized with the ANC and its activities but were not necessarily involved in violent actions would help ANC men to come into the country or protect them in one way or another.

"Such an attitude on the part of members of the public must necessarily complicate the task of the South African Police who are trying to prevent sabotage and terrorism and to capture those involved," the commission said.

sense to suggest that it is an issue which can be curbed with measures which apply for only a limited period and which must of necessity be renewed at the end of the period," says the report.

Similar reasoning is applied by the commission to anti-communist and terrorist laws and to detention laws.

The commission said the security laws were often criticized as being "apartheid laws" which were introduced simply to maintain an unjust system.

It expected that its proposed legislation would be criticized in the same way.

Police evidence was that the PAC had an operational force of about 300 and recently 41 young men had gone to Lesotho to join them.

"In our opinion it must be expected that the activities of the ANC will not only continue but they will also increase in extent and intensity.

"During the past year or two there have been indications of an intensification of ANC activities," the commission said.

This included the despatch of arms and ammunition over the borders, greater efforts to send pro-

Robert Mugabe, had said the ANC would not be allowed bases in his country, this did not mean that ANC men would not slip into South Africa from Zimbabwe.

Longer border

"It is a danger which the Republic must take note of and against which it, according to information before us, must already watch.

"Out of the nature of the matter this means that a much longer border than before must be watched, and it increases the burden, which is already considerable and which rests

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

PRYS (AVB ingesluit) 30c PRICE (GST included)

As 'n Nuusblad by die Poskantoor Geregistreer BUITELANDS 40c ABROAD *Registered at the Post Office as a Newspaper*

POSVRY · POST FREE

Vol. 200] PRETORIA, 5 FEBRUARIE FEBRUARY 1982 [No. 8017

GOEWERMENTSKENNISGEWING

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 234 5 Februarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

GOVERNMENT NOTICE

DEPARTMENT OF INTERNAL AFFAIRS

No. 234 5 February 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

LYS/LIST P82/13

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/1/34	*Kampf der Völker Afrikas gegen Kolonialismus, Imperialismus und Neokolonialismus, Der*	Rote Hilfe, Westberlin	(e)
P82/1/68	*Muslim News*—Vol 21, No 23, December 11, 1981	Muslim News Publications, Athlone	(e)
P82/1/82	*New Africa News*—No 33, January–February 1982	New Africa News Collective, Victoria, Australia	(e)
P82/1/86	*Arbeitereinheit siegt über Militaristen*	Dietz Verlag G.m.b.H., Berlin	(e)
P82/1/89	*General Francos Leidenswege. V wie Vietnam—2 Stücke*	Armand Gatti	(b) + (e)
P82/1/91	*African Red Family*—Volume two, No 4	Hamibantu Publications, London; Lagos, Nigeria	(e)
P82/1/105	*Albanian Telegraphic Agency*—News Bulletin—Nr 357—15th year, Wednesday, December 23, 1981	Albanian Telegraphic Agency, Tirana	(e)

INHOUD

No.		*Bladsy No.*	*Staatskoerant No.*
Binnelandse Aangeleenthede, Departement van			
Goewermentskennisgewing			
234	Wet op Publikasies (42/1974): Ongewenste publikasies of voorwerpe: Lys P82/13	1	8017

CONTENTS

No.		*Page No.*	*Gazette No.*
Internal Affairs, Department of			
Government Notice			
234	Publications Act (42/1974): Undesirable publications or objects: List P82/13	1	8017

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001

454—A

8017—1

(e) kantoor;

(f) plekke van aanbidding;

(g) werkwinkel vir slegs—

(i) motorherstelwerk;

(ii) herstel van slotte en maak van sleutels;

(iii) herstel van televisie-, elektriese of huishoudelike toestelle en apparate; en

(iv) opbou of monteer van fietse met die doel om dit in die kleinhandel te verkoop of die herstel van fietse

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Sesde dag van Januarie Eenduisend Negehonderd Twee-en-tagtig.

M. VILJOEN, Staatspresident

Op las van die Staatspresident-in-rade:

S. F. KOTZÉ.

BYLAE

ARTIKEL 19-GEBRUIKSGEBIED

Begin by Baken A (Kaart A6053/76) van Gedeelte 446 ('n gedeelte van Gedeelte 2) van die plaas Town and Townlands of Potchefstroom 435 IQ; daarvandaan in 'n reguit lyn na Baken A (Kaart A4136/81) van Gedeelte 471 ('n gedeelte van Gedeelte 2) van genoemde plaas; daarvandaan algemeen noordooswaarts, ooswaarts, suidwaarts, noordweswaarts en noordwaarts met die grense van genoemde Gedeeltes 446 en 471 langs, sodat hulle by hierdie gebied ingesluit word, tot by Baken A van genoemde Gedeelte 446, die beginpunt.

(e) office;

(f) places of worship;

(g) workshop only for—

(i) motor repairs;

(ii) repair of locks and cutting of keys;

(iii) repair of television-, electrical- or domestic appliances and apparatus;

(iv) constructing and assembling of cycles for the purpose of selling it in the retail business or the repair of cycles.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Sixth day of January, One thousand Nine hundred and Eighty-two.

M. VILJOEN, State President.

By Order of the State President-in-Council:

S. F. KOTZÉ.

SCHEDULE

SECTION 19 USE AREA

Beginning at Beacon A (Diagram A6053/76) of Portion 446 (a portion of Portion 2) of the farm Town and Townlands of Potchefstroom 435 IQ; thence in a straight line to Beacon A (Diagram A4136/81) of Portion 471 (a portion of Portion 2) of the said farm; thence generally north-eastwards, eastwards, southwards, north-westwards and northwards along the boundaries of the said Portions 446 and 471, so as to include them in this area, to Beacon A of the said Portion 446, the point of beginning.

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 201 5 Februarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

GOVERNMENT NOTICES

DEPARTMENT OF INTERNAL AFFAIRS

No. 201 5 February 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

LYS/LIST P82/10

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/1/51	*Captured Women*	Jeff Dunas	(a)
P82/1/55	Naughty Underwear (Katalogus/Catalogue)	Score	(a)
P82/1/55	*Price List—Adults Only*	Score	(a)
P81/12/13	*Dochtertje van de Wasvrouw, Het* (d.i. die 1981-uitgawe met die no ISBN 90 214 9500 7/i.e. the 1981 edition with the no ISBN 90 214 9500 7)	Guus Kuijer	(a)
P81/12/112	*Customs*	Lisa Zeidner	(a)+(b)

No. 202 5 Februarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

Die Appèlraad oor Publikasies het kragtens artikel 14 (4) van die Wet op Publikasies, 1974, beslis dat die ondergenoemde publikasies of voorwerpe binne die bedoeling van artikel 47 (2) van genoemde Wet ongewens is, en het die beslissing van 'n komitee bedoel in artikel 4 van genoemde Wet dat die publikasies of voorwerpe nie binne die bedoeling van genoemde artikel 47 (2) ongewens is nie, ter syde gestel:

No. 202 5 February 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

The Publications Appeal Board decided under section 14 (4) of the Publications Act, 1974, that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act, and has set aside the decision of a committee referred to in section 4 of the said Act that the publications or objects are not undesirable within the meaning of the said section 47 (2)

LYS/LIST P82/11

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/8/110	*Captive Passions*	Fern Michaels	(a)
P81/8/111	*Captive Splendors*	Fern Michaels	(a)

No. 203 5 Februarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

Die Appèlraad oor Publikasies het kragtens artikel 15 van die Wet op Publikasies, 1974, beslis dat die ondergenoemde publikasies of voorwerpe binne die bedoeling van artikel 47 (2) van genoemde Wet ongewens is, en het die beslissing van 'n komitee bedoel in artikel 4 van genoemde Wet dat die publikasies of voorwerpe nie binne die bedoeling van genoemde artikel 47 (2) ongewens is nie, ter syde gestel.

No. 203 5 February 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

The Publications Appeal Board decided under section 15 of the Publications Act, 1974, that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act, and has set aside the decision by a committee referred to in section 4 of the said Act that the publications or objects are not undesirable within the meaning of the said section 47 (2).

LYS/LIST P82/12

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/9/134	*Capitol Hell* (The Penetrator—No 3)	Lionel Derrick	(a)
P81/9/136	*Mardi Gras Massacre* (The Penetrator—No 5)	Lionel Derrick	(a)
P81/9/137	*Tokyo Purple* (The Penetrator—No 6)	Lionel Derrick	(a)

No. 204 5 Februarie 1982

WET OP PUBLIKASIES, 1974

ROLPRENT

Die Appèlraad oor Publikasies het kragtens artikel 24 van die Wet op Publikasies, 1974, die voorwaardelike goedkeuring van die ondergenoemde rolprent deur 'n komitee bedoel in artikel 4 van genoemde Wet gewysig deur bepaal—

(a) dat die ondergenoemde rolprent nie aan persone in die ouderdomgroep 2–18 jaar vertoon mag word nie; en

(b) dat addisionele weglatings aangebring moet word.

No. 204 5 February 1982

PUBLICATIONS ACT, 1974

FILM

The Publications Appeal Board under section 24 of the Publications Act, 1974, varied the conditional approval of the undermentioned film by a committee referred to in section 4 of the said Act by stipulating—

(a) that the film shall not be exhibited to persons in the age group 2–18 years; and

(b) that additional excisions be made.

Inkrywing No. Entry No.	Rolprent Film	Vertoëmaker Representer
R81/10/132	*Mr No Legs*	Filmfare International.

No. 205 5 Februarie 1982

WET OP PUBLIKASIES, 1974

AFKEURING VAN ROLPRENT

Die Appèlraad oor Publikasies het kragtens artikel 24 van die Wet op Publikasies, 1974—

(a) beslis dat die ondergenoemde rolprent binne die bedoeling van artikel 47 (2) (a) van genoemde Wet ongewens is;

(b) die rolprent afgekeur; en

(c) die voorwaardelike goedkeuring van die rolprent deur 'n komitee bedoel in artikel 4 van die genoemde Wet, tersyde gestel.

No. 205 5 February 1982

PUBLICATIONS ACT, 1974

REJECTION OF FILM

The Publications Appeal Board under section 24 of the Publications Act, 1974—

(a) decided that the undermentioned film is undesirable within the meaning of section 47 (2) (a) of the said Act;

(b) rejected the film; and

(c) set aside the conditional approval of the film by a committee referred to in section 4 of the said Act.

Inskrywing No. Entry No.	Rolprent Film	Vertoëmaker Representer
R81/11/21	*The Minx*	Filmfare International.

LYS/LIST P82/11

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/8/110	*Captive Passions*	Fern Michaels	(a)
P81/8/111	*Captive Splendors*	Fern Michaels	(a)

No. 203 5 Februarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

Die Appèlraad oor Publikasies het kragtens artikel 15 van die Wet op Publikasies, 1974, beslis dat die ondergenoemde publikasies of voorwerpe binne die bedoeling van artikel 47 (2) van genoemde Wet ongewens is, en het die beslissing van 'n komitee bedoel in artikel 4 van genoemde Wet dat die publikasies of voorwerpe nie binne die bedoeling van genoemde artikel 47 (2) ongewens is nie, ter syde gestel.

No. 203 5 February 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

The Publications Appeal Board decided under section 15 of the Publications Act, 1974, that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act, and has set aside the decision by a committee referred to in section 4 of the said Act that the publications or objects are not undesirable within the meaning of the said section 47 (2).

LYS/LIST P82/12

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/9/134	*Capitol Hell* (The Penetrator—No 3)	Lionel Derrick	(a)
P81/9/136	*Mardi Gras Massacre* (The Penetrator—No 5)	Lionel Derrick	(a)
P81/9/137	*Tokyo Purple* (The Penetrator—No 6)	Lionel Derrick	(a)

No. 204 5 Februarie 1982

WET OP PUBLIKASIES, 1974

ROLPRENT

Die Appèlraad oor Publikasies het kragtens artikel 24 van die Wet op Publikasies, 1974, die voorwaardelike goedkeuring van die ondergenoemde rolprent deur 'n komitee bedoel in artikel 4 van genoemde Wet gewysig deur bepaal—

(a) dat die ondergenoemde rolprent nie aan persone in die ouderdomgroep 2–18 jaar vertoon mag word nie; en

(b) dat addisionele weglatings aangebring moet word.

No. 204 5 February 1982

PUBLICATIONS ACT, 1974

FILM

The Publications Appeal Board under section 24 of the Publications Act, 1974, varied the conditional approval of the undermentioned film by a committee referred to in section 4 of the said Act by stipulating—

(a) that the film shall not be exhibited to persons in the age group 2–18 years; and

(b) that additional excisions be made.

Inskrywing No. Entry No.	Rolprent Film	Vertoëmaker Representer
R81/10/132	*Mr No Legs*	Filmfare International.

No. 205 5 Februarie 1982

WET OP PUBLIKASIES, 1974

AFKEURING VAN ROLPRENT

Die Appèlraad oor Publikasies het kragtens artikel 24 van die Wet op Publikasies, 1974—

(a) beslis dat die ondergenoemde rolprent binne die bedoeling van artikel 47 (2) (a) van genoemde Wet ongewens is;

(b) die rolprent afgekeur; en

(c) die voorwaardelike goedkeuring van die rolprent deur 'n komitee bedoel in artikel 4 van die genoemde Wet, tersyde gestel.

No. 205 5 February 1982

PUBLICATIONS ACT, 1974

REJECTION OF FILM

The Publications Appeal Board under section 24 of the Publications Act, 1974—

(a) decided that the undermentioned film is undesirable within the meaning of section 47 (2) (a) of the said Act;

(b) rejected the film; and

(c) set aside the conditional approval of the film by a committee referred to in section 4 of the said Act.

Inskrywing No. Entry No.	Rolprent Film	Vertoëmaker Representer
R81/11/21	*The Minx*	Filmfare International.

No. 206 5 Februarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE.—REGSTELLING

In *Staatskoerant* 7995, Goewermentskennisgewing 107 van 22 Januarie 1982, skrap inskrywing P81/10/83.

No. 206 5 February 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS.—CORRECTION

In *Government Gazette* 7995, Government Notice 107 of 22 January 1982, delete entry P81/10/83.

DEPARTEMENT VAN BUITELANDSE SAKE EN INLIGTING

No. 182 5 Februarie 1982

ERKENNING AS EREKONSUL-GENERAAL

Hierby word bekendgemaak dat aan mnr. Herbert Krottenberger met ingang van 1 Januarie 1982 erkenning verleen is as Erekonsul-generaal van Oostenryk in Johannesburg met die provinsies, Transvaal en die Oranje-Vrystaat as sy regsgebied. Mnr. Krottenberger is die opvolger van dr. C. G. Ferreira.

[72/15/3 (32)]

DEPARTMENT OF FOREIGN AFFAIRS AND INFORMATION

No. 182 5 February 1982

RECOGNITION AS HONORARY CONSUL-GENERAL

It is hereby notified that, with effect from 1 January 1982, recognition has been granted to Mr Herbert Krottenberger as Honorary Consul-General of Austria in Johannesburg, with the Provinces of the Transvaal and the Orange Free State as his area of jurisdiction. Mr Krottenberger is the successor to Dr C. G. Ferreira.

[72/15/3 (32)]

No. 183 5 Februarie 1982

Hierby word bekendgemaak dat ondergenoemde persone ingevolge artikel 4 van die Wet op Diplomatieke Voorregte, 1951 (Wet 71 van 1951), geregistreer is as geregtig op diplomatieke immuniteit kragtens genoemde Wet:

1. *Ambassade van Chili.*

Mnr. P. Montero.
Mev. M. O. Montero.
Jongeheer C. F. Montero.
Jongejuffrou M. P. Montero.
Jongeheer P. Montero.
Jongejuffrou M. C. Montero.

2. *Ambassade van die Republiek China.*

Mnr. H-I. Lee.
Mev. C. P-W. Lee.

3. *Ambassade van Israel.*

Mnr. A. Ezra.
Mev. N. Ezra.
Jongeheer A. Ezra.
Jongeheer A. Ezra.
Mnr. O. Goel.
Mev. L. Goel.
Jongejuffrou S. Goel.
Jongeheer N. Goel.

4. *Ambassade van Nederland.*

Jongejuffrou C. T. M. Nijenhuis.
Mnr. J. G. van Dam.

5. *Ambassade van Oostenryk.*

Mev. R. Hauser.

6. *Ambassade van die Verenigde Koninkryk van Groot-Brittanje en Noord-Ierland.*

Mnr. T. J. B. Cunliffe.
Mev. A. E. Cunliffe.

7. *Ambassade van die Verenigde State van Amerika.*

Mnr. M. L. Bates.

8. *Ambassade van die Republiek van Venda.*

Mev. M. E. Netile.
Jongeheer N. R. Netile.

No. 183 5 February 1982

It is hereby notified that the following persons are registered in terms of section 4 of the Diplomatic Privileges Act 1951 (Act 71 of 1951), as being entitled to diplomatic immunity under the said Act:

1. *Embassy of Chili.*

Mr P. Montero.
Mrs M. O. Montero.
Master C. F. Montero.
Miss M. P. Montero.
Master P. Montero.
Miss M. C. Montero.

2. *Embassy of the Republic of China.*

Mr H-I. Lee.
Mrs C. P-W. Lee.

3. *Embassy of Israel.*

Mr A. Ezra.
Mrs N. Ezra.
Master A. Ezra.
Master A. Ezra.
Mr O. Goel.
Mrs L. Goel.
Miss S. Goel.
Master N. Goel.

4. *Embassy of The Netherlands.*

Miss C. T. M. Nijenhuis.
Mr J. G. van Dam.

5. *Embassy of Austria.*

Mrs R. Hauser.

6. *Embassy of the United Kindom of Great Britian and Northern Ireland.*

Mr T. J. B. Cunliffe.
Mrs A. E. Cunliffe.

7. *Embassy of the United States of America.*

Mr M. L. Bates.

8. *Embassy of the Republic of Venda.*

Mrs M. E. Netile.
Master N. R. Netile.

SECURITY LEGISLATION

Perspective on law and order

There was always something inevitable about the outcome of the Rabie Commission's investigation into SA's security legislation. The report was tabled in Parliament this week.

During the 30 months the six-man commission devoted to analysing some 35 security-related laws, the local security situation has deteriorated appreciably. Almost weekly there have been reports of sabotage attempts, urban terrorism, and discoveries of arms caches. The best-informed analyses of the SA situation indicated that the Republic had ample economic and military muscle to withstand most forms of conventional attack. Even so, the best-case scenario appeared to be that SA would have to reconcile itself to a long-term state of internal unrest.

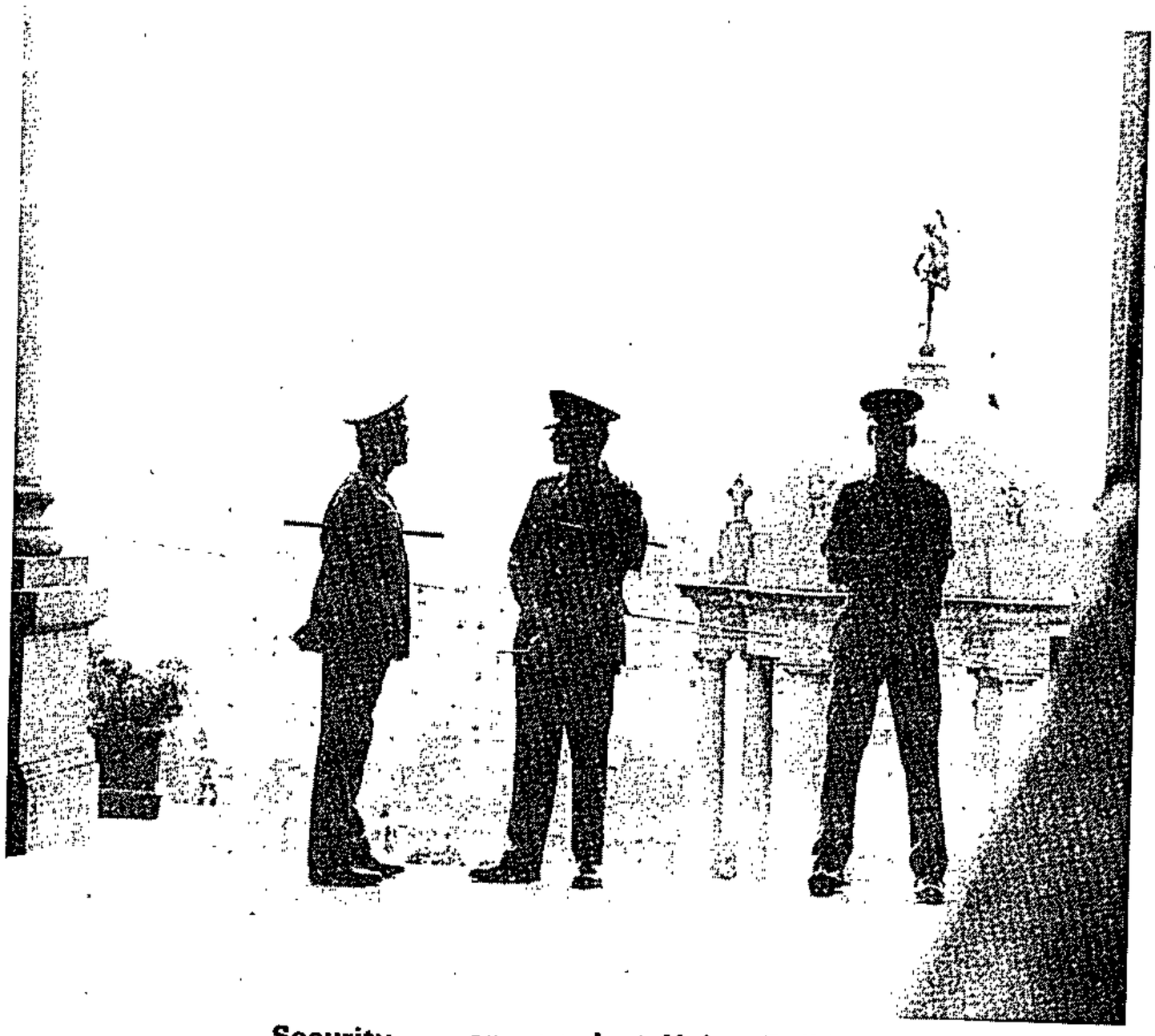
At the other end of the scale, it could not have escaped the notice of Judge Pieter Rabie and his commissioners that domestic and foreign protest against summary arrest and detention without trial was growing. The fact that trade union leaders appeared to bear the brunt of the security clamp-down provoked sharp criticism from even normally discreet business leaders.

Rabie's report and recommendations reflect the nearest thing to a balanced response the commissioners were capable of under the circumstances. There was never any doubt that, after 20 years on the statute book, some of the country's more severe security measures are in need of modernising and, in the face of local and international outrage over the Biko affair, humanising. To some extent, this is what the commission has come up with.

On the question of the adequacy and efficacy of security legislation the commission seems satisfied. But "in the long run, security legislation by itself can be no guarantee of the maintenance of law and order." Such legislation, it says, will nevertheless be essential for as long as internal security is threatened.

Existing legislation, however, is inequitable in its effects "in certain cases and respects," particularly because it does not provide for adequate controls over certain administrative actions (banning orders, detentions, closing down publications and outlawing organisations).

The commission says the laws, because of their breadth and stringency, may have inequitable results on people falling foul of



Security ... on guard at Union Buildings

provisions relating to terrorism and sabotage. In addition to more specific definition and tighter phrasing, the commission wants a streamlining of the law by ending the present cumbersome situation whereby security measures are dealt with by two ministries — Justice and Police. It recommends the establishment of a new Department of Law and Order which would consist of the police on the one hand and a Directorate of Internal Security on the other.

The two arms of the department would operate independently and report to a Minister of Law and Order. The Directorate of Internal Security would comprise experienced men with legal training and would presumably be made up of a nucleus of officials currently engaged in security law administration in the Department of Justice.

The report does not say whether the directorate should be backed up by an operating arm consisting of the present security police.

That the directorate will be run by men with legal training seems to hold scope for "improved" application of the law. What constitutes a definite improvement is the commission's recommendation that security laws should be subject to certain review mechanisms administered by the Minister of Justice.

"These mechanisms have a judicial character and the proposed distribution of functions will therefore basically be in accordance with the provisions of the constitution," the report says.

Yet the commission finds, as did John Vorster in 1962, that the common law and its application by the courts under ordinary rules of procedure are not enough to protect internal security. In fact, it recommends the creation of three new security crimes — terrorism, subversion, and sabotage.

Terrorism carries the penalty which may be imposed upon conviction of treason — death. Conviction of subversion (conspiracy, incitement or encouragement to commit a dangerous act) carries imprisonment for 20-25 years. Sabotage (the destruction of buildings and installations and the disruption of essential services) carries a maximum jail sentence of 20 years.

The section of the report dealing with Section 6 of the Terrorism Act will doubtless invite the closest scrutiny. "Detention for the purposes of interrogation ... is a very drastic measure and one would not wish to retain it without compelling reasons." However, information obtained from detainees "is most important" and, to a large extent, the only weapon the police have to combat terrorism.

Therefore, says the commission, it should be retained, but with additional measures of protection for detainees. These are: "that a detainee shall not less than once a fortnight be visited in private by a magistrate and a district surgeon;" that provision be made in law for the appointment of "Inspectors of Detainees;" that such an inspector may take all reasonable steps to "rectify the condition of a detainee" and make reports and recommendations to the Minister of Law and Order.

If the Minister thinks an offence has been committed in respect of a detainee he should send a copy of the report to the Attorney-General. Persons other than the Minister and officers of the State should be allowed access to a detainee (at the discretion of the Minister of Police), and a detainee may not be held longer than 30 days "unless the Minister deems it necessary."

If a detainee has not been released after six months, the police must convince a board of review (judge or ex-judge, a former chief magistrate or regional court magistrate and a lawman) that it is necessary to do so.

Given the overheated approach on "total strategy" adopted by the Steyn Commission into the Mass Media, Rabie's recommendations bring into the security arena a welcome practical perspective.

Star 6/2/82

327

Seychelles might stage 'show' trial

By Tony Stirling

Speculation was today mounting that the Seychelles Government might stage a "show" trial to try to implicate the South African Government in November's abortive coup.

This was the reaction in official circles when reports quoted Mr Carlos Ozores, chairman of the United Nations commission investigating the incident as stating that South African "spy" Martin Dolinchek was on official business as part of the mercenary operation.

It is now believed probable that Mr Dolinchek will at the coming trial of himself and six others in the Seychelles make a confession implicating South African security services in the coup attempt.

Sources in Pretoria have pointed out that the allegations now attributed to Mr Dolinchek differ substantially from those made by him soon after his capture.

The UN team, one of whose members left South Africa last night, is due to leave today.

It is believed the commission learnt little from its talks in South Africa other than facts which have already emerged.

OBJECTIONS

One of the last-minute changes in arrangements concerned a note from the Director-General of Foreign Affairs, Dr Brand Fourie that it would not be possible for the UN team to interview the mercenaries.

It had been indicated that no restrictions would be placed on the visit, but apparently among the reasons given for not allowing the team to see the mercenaries were objections from their legal representatives.

One of the questions still outstanding on the planning of the coup is how several of the mercenaries were under the impression that they were on an official mission, and whether any of them signed documents which could have given them this impression.

I understand that the Defence Force has investigated this matter.

● The Star Africa News Service says additional charges have been filed against the seven persons held in the Seychelles in connection with the coup attempt.

Kitson's aunt: reward offer

Mail Reporter

POLICE announced a R5 000 reward yesterday for anyone supplying information which might lead to the arrest of the killer of Mrs Allison Weinberg who suffocated to death after apparently being attacked in her flat last month.

Mrs Weinberg was found dead in her blood-splattered flat in Wanderers Street, Johannesburg, early last month.

She was the aunt of Mr Steven Kitson, the British engineer who was detained and later expelled from South Africa after his visa had expired.

Police have refused to say who put up the reward but have appealed for help in their investigations into the strange death of Mrs Weinburg, the owner of a lonely heart's club.

Anybody with information is asked to contact the investigating officer, Captain Staal Burger, at Brixton Murder and Robbery Squad on 35-4114.

D. Dispatch (327)

Seven charged with treason

6/2/82

VICTORIA (Seychelles) — Seven foreigners accused of participating in an unsuccessful mercenary invasion of the Seychelles were charged yesterday with treason, an offence punishable by death.

The six mercenaries and a South African woman alleged to have been an accomplice are the first people to be charged with treason in the Seychelles. They were captured after a battle for the international airport here between a mercenary force and local troops last November 25.

There had been doubts among legal experts whether foreigners could be charged with treason, but the Attorney-General, Mr Bernard Rassool, maintained that the law covered foreigners as well as Seychellois.

The seven were also charged with waging or preparing to wage war against the Seychelles.

The death sentence for treason is not mandatory, but there has been public pressure for the mercenaries' execution.

The defendants are Mr Martin Dolinchek, 43, Mr Robert Sims, Mr Jeremiah Puren, 57, and Mrs Susan Josephine Ingles, all of South Africa, Mr Aubrey Brooks and Mr Roger England of Zimbabwe, and Mr Bernard Carey of Great Britain.

The accused are expected to enter their pleas before the Supreme Court next Friday.

Meanwhile, the South African Government yesterday banned the special United Nations Commission investigating the bungled Seychelles coup from seeing the 45 mercenaries involved.

The commission chairman, the Panamanian ambassador to the UN, Mr Carlos Ozores, said last night he had been informed of the government's attitude in a note from the Director-General for Foreign Affairs, Dr Brand Fourie. — SAPA.

Detentions to stay

Nee!

A Press in custody

Top Afrikaans editors oppose main proposals

Steyn

Journalists say they won't register

The outcry continues . . .

Smaller newspaper owners could be 'forced out'

gister

Editors reject statutory council,

A threat to freedom

KEEP BANNINGS AND DETENTIONS.

SABC could lose

world reacts

Report urges tightening of terrorism laws

PRESS FREEDOM

S PUBLIC

Support for

Plan would weaken Supreme Court, says Pitman

ll credibility

7/2/82 (827) S Tribune

BEWARE THE CREEPING COUP . . .

As the Government takes more and more power, Parliament is warned of the steady emasculation of the rule of law

PARLIAMENT was warned this week to beware the creeping coup — as the Government takes more and more power into its own hands.

The warning came from the Leader of the Opposition, Dr Van Zyl Slabbert, as two ominous reports of commissions of inquiry were tabled in the House of Assembly.

If the recommendations of the two commissions — the Steyn Commission into the media and the Rabie Commission into security legislation — become law they will seriously affect your rights in this country.

Dr Slabbert gave his warning about "a subtle, stealthy but entirely legal" creeping coup when he opened the no-confidence debate. He referred to the so-called "De Gaulle Option" in South Africa.

This theory predicts that the Prime Minister, his top generals, and the country's top businessmen, frustrated by right wing anti-reformist groups, will stage a coup, suspend Parliament and introduce reform. This "coup" was predicted recently by Lettre d'Afrique, a confidential French newsletter with strong contacts in the French intelligence service, the SDECE.

Although Dr Slabbert dismissed the De Gaulle Option as "gin and tonic politics at its best" he warned against a "creeping coup" and said "the Government does not need any more power"

"There are those who refer to this process as the creeping coup — a subtle, stealthy but entirely legal shift from parliamentary government to executive government so that a dramatic coup simply [illegible] superfluous."

rule of law and bypasses the courts.

It means, quite simply, that the police can take you and lock you away, for as long as they like, without ever needing to justify their actions in a court of law where you would be able to defend yourself or prove your innocence.

This was, of course, the situation before the report of the Rabie Commission and thousands of South Africans have suffered the fate of being taken away by the police — usually in the early hours of the morning — to spend long terms in detention, sometimes in solitary confinement, undergoing interrogation.

Many of them are then released without having been charged with any offence.

The importance of the report of the Rabie Commission is that, although it recommends the watering down of security legislation in some respects it has dashed hopes that there would be a return to the rule of law and the principle that only the courts can decide guilt or innocence in South Africa.

Among the com-

trates in private and by district surgeons and the appointment of an inspector of detainees; and

- The imposition of the same penalties on those aiding terrorists as those imposed on convicted terrorists themselves.

Although the Rabie Commission also recommended the creation of boards of review to consider decisions by the police to continue detaining people, and said there should be stricter control of telephone tapping, opposition spokesmen have pointed out that the minister does not have to accept the advice of the boards of review. Even if they recommended that detainees be released he could override them.

The commission also rejected a submission by the Side Bar Council, an organisation of attorneys, that security legislation should be valid only for a year and that a permanent body should review it annually.

It recommended the scrapping of the Official Secrets Act and its replacement by a more carefully worded measure called "Protection of Certain Infor-

Defence.

A contravention means a fine of up to R15 000 or up to eight years in jail or both.

Banned or unlawful organisations. Several severe Acts, including the Internal Security Act, the Sabotage Act and the Unlawful Organisations Act ensure that newspapers may not publish reports which could be interpreted as promoting the aims of banned organisations.

In terms of Section 6 of the Internal Security Act this Government has wide powers to shut down any periodicals or publications which in its opinion espouse the causes of communism.

Armscor: In 1980 the **The Black Administration Act** states that any person who utters any words or does any other act or thing whatever with the intent to promote any feeling of hostility between black and "European" shall be guilty of an offence for which he can be fined R200 or sent to jail for a year. Newspapers have to be careful not to publish racially inflammatory passages in speeches or interviews.

Boycotts: When

No. 51 of 19.7 newspapers may not publish the fact that people are in detention or name them. However, newspapers assume when they are given the names by the police that it is safe to publish.

The acts which provide for detention and some details of them



SLABBERT: YOUR RIGHTS SERIOUSLY AFFECTED

are as follows:

Criminal Procedure Act. Usually relating to non-political matters. Before a person can be detained a judge in chambers has to issue a warrant for the detention. His decision is not subject to appeal.

General Law Amendment Act: This allows a commissioned police officer to order that detainees are visited weekly by a magistrate. Nobody else, apart from the police, has access to them without the permission of the Attorney General and no court can order their release.

The Terrorism Act: Section 6 of this act allows a policeman above the rank of lieutenant colonel, if he has reason to believe that a person is a terrorist or is witholding information relating to terrorists from the police, to arrest this person without a warrant and detain him for interrogation.

The detainee may be held indefinitely until he has satisfied the police that he has answered all their questions.

any of the recommendations made by the review committee.

Section 12B of the Internal Security Act allows the Attorney General to detain for 180 days a person likely to give material evidence for the State in any criminal proceedings.

Once again these de

incident at a key point.

This means that if Sasol II is declared a key point it would be an offence for a newspaper to publish details of a strike or of any type of accident — even if it was only a worker falling off a ladder.

The danger for newspapers in terms of this act is that the minister does not have to inform the public or newspapers which are key points. All he has to do is tell the owner. A newspaper runs the risk of reporting an incident and only later finding out that it was prohibited in terms of the act.

The Petroleum Products Act of 1977 makes it an offence for newspapers to publish information relating to: the source, manufacture, transportation destination, storage, quantity or stock level of any petroleum product acquired or manufactured or being acquired or manufactured for or in South Africa.

The Act has an extra territorial effect meaning that even if something is published outside the Republic the person can be prosecuted if he lived in the Republic. The penalties, once again, are high — being R7 000 in fines or seven years in jail or both.

The Police Act: This is another Act with recently introduced amendments seriously affecting newspapers.

A 1980 amendment to this Act made it an offence to publish any information in relation to

Nothing emphasises the aptness of Dr Slabbert's warning more than the reports of the two commissions which are already overshadowing the entire session of Parliament.

For it is generally accepted that freedom and democracy in a country can be judged by the access its citizens have to the courts and to information about what is happening in their country.

The report of the Rabie Commission entrenches the principle of detention without trial. It overturns the

mission's recommendations are:

- Retention of Section 6 of the Terrorism Act which provides for indefinite detention, sometimes in solitary confinement, for the purposes of interogation;
- The extension of rights of arrest without warrants of arrest to policement from warrant officer upwards on suspicion.
- The creation of a new Department of Law and Order which would administer security legislation;
- Fortnightly visits to detainees by magis-

This would make it, among others, an offence to gather information with the intention of passing it on to a foreign power, or an illegal organisation such as the ANC or the PAC; and would extend the ability to hold a trial in camera (secret) where the security of the State is affected to include cases which could prejudice state interests such as international relations.

In what is seen as implicit criticism of the Government, the Rabie Commission says that security laws alone are no guarantee for the preservation of law and order.

"This view is actually self explanatory," the commission said. "Laws that were drafted to combat and control unrest and violence cannot eliminate the circumstances which lead to the unrest and the violence."

It wanted to emphasise, the commission said, that the laws which it felt should be retained were concerned with law and order and should not be seen as a solution to the problems which led to violence and unrest.

"The elimination of those problems, it seems, is to be found in the first place in solutions on a socio-economic and political terrain . . ."

The commission said it would, for instance, be simplistic to blame the boycotts of schools and unrest during 1980 on agitators — although the events had been exploited by certain people for their own ends.

"All the events cannot only be regarded as the work of agitators. Such a view of the situation will provide little comfort from a security point of view because it would mean there are large parts of the country which are fruitful areas for the agitators to sow the seeds for unrest and therefore can do so again in the future."

It would obviously be naive to believe that a modern society could survive without some form of security legislation.

However, as opposition politicians have pointed out, South Africa's is among the

By Parliamentary Correspondent

7/2/82 B27

most draconian in the world.

In addition, since the death in detention of Steve Biko, world attention has been focused on South Africa's laws and there have been persistent reports that detainees are beaten and maltreated by police.

The death this week of Dr Neil Aggett in the cells at John Vorster Square — the 46th person and the first white to die in security police custody since 1963 — again raises the whole issue of detention without trial.

Dr Aggett, a 27-year-old medical doctor, was detained on November 27. He was held for 69 days — without ever being charged. His friends and colleagues say he would never have committed suicide — yet the police say he did. Whatever the facts, one wonders about his mental condition in the days before he died.

And the basic point, of course, is that if he had broken the law he should have been charged in court. If not he should have been let go. Instead he died — and it could have been any South African in his position — because the government ignores the courts.

The second example of the "creeping coup" concerns the Government's attempts to interfere with the free flow of information in South Africa.

Obviously if the citizens of a democratic country are to be able to exercise sound judgment they must have the facts at their disposal. They rely on the Press to provide them with these facts.

Even though South Africa's Press may not be popular with the public — largely because of a vitriolic campaign against it by politicians whose ends it does not serve — your access to information is severely diminished when the Press is not free.

Parliament this week saw an example of just such an attempt to interfere with your access to information when the report of the Steyn Commission into the mass media was tabled.

Although Prime Minister P. W. Botha announced that he would negotiate with representatives of the Press on the report before deciding whether to implement any of its proposals, the newspaper industry and journalists feel that the very fact that the report was published is intimidatory and harms our international relations.

What's so bad about the report — and how does it affect your rights as a citizen to know what is going on in your country? On the face of it is seems innocuous.

The Steyn Commission recommends that journalism should be "professionalised", that journalists, like lawyers and doctors, should be forced to register and submit themselves to the discipline of a body made up of nominees of the government and other journalists.

It says that only South Africans may be editors of newspapers and that people convicted of subversive activities should be disqualified from working as journalists.

It proposes that a code of conduct for journalists should be drawn up and that if journalists contravene the code they should be struck off the register. Among guidelines suggested for the code are that newspapers must publish facts fairly and with due regard to context and importance.

All of which may seem fair enough — until you consider the following.

The Steyn Report also proposes that the first general council which will have the function of disciplining erring journalists be made up of members nominated by the Government.

It is this council which will have the task of drawing up the code of conduct and deciding the limits within which registered journalists would be allowed to operate.

The Government nominees would obviously draw up guidelines acceptable to the Government.

Even if the commission's proposals that the council become a body made up of three Government nominees and nine elected journalists — three each from the newspaper, magazine, and broadcasting and television industries — it is unlikely that the situation would be eased.

For it is undoubtedly the English language newspapers which try — however well or badly they do it — to give their readers an objective view of their country.

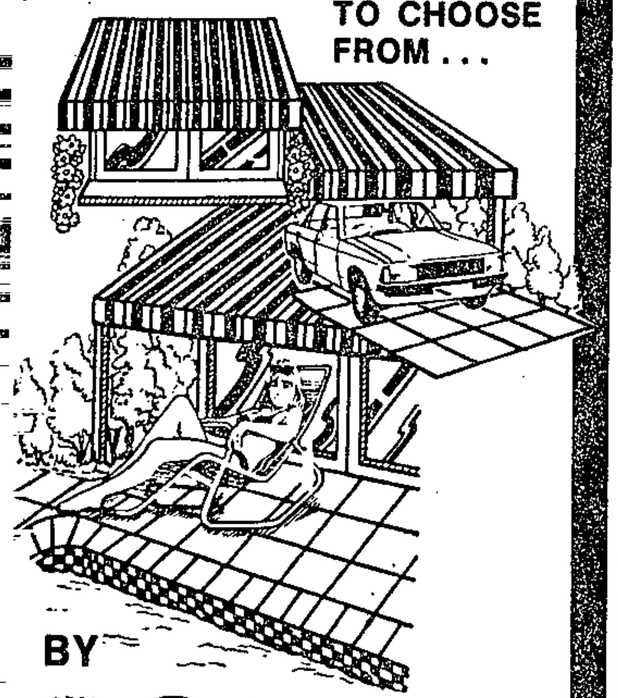
The Afrikaans newspapers are openly politically allied to the National Party and the Government. Examples of their lack of objectivity are manifold One will suffice:

During the April 1981, general election, Die Burger, which is the Cape mouthpiece of the National Party, published a series of profiles on Cape constituencies which were being contested. Not once did they mention the names of anybody other than the National Party candidates in those constituencies.

Yet in terms of the Steyn proposals they would be able to win the bulk of the nine elected seats. For most English-language journalists work on newspapers. The SABC would provide the Government with three elected members from the ranks of their broadcasting and television services.

The magazine industry is owned and heavily dominated by the Afrikaans publishing houses. English-language journalists are also in the minority there, so if Afrikaans editors and journalists are prepared to go along with the Styen Report—and thankfully there are encouraging signs that they are not — the council would be dominated by Govern-

EXTEND
WITH
AWNINGS
FINANCE ARRANGED
200 COLOUR COMBINATIONS TO CHOOSE FROM . . .



BY
SOLAR
PHONE: 711511, 313591
A/Hrs 824511 or 373818

Please send your representative to my home for a free quotation.

NAME .....

ADDRESS .....

.....

Tel (Home) .....

(Office) .....

SOLAR AWNINGS
P.O. BOX 419, NEW GERMANY, 3620

PETER MANN in Cape Town

7/7/82 327

ment appointees and Government sympathisers. The Afrikaans Press would, in effect, be disciplining the English Press for the Government.

In fact it is this field — your ability to be given reliable information about what is happening in the country — which is most threatened.

And the Government has worked skilfully to discredit the Press so that when rights to inform are removed most people feel the Government is simply correctly acting against newspapers which, in the popular view, sensationalise, distort and take sides.

Here is a brief analysis of some of the more spectacular removals of your right to information. Remember that the list is not exhaustive and does not include restrictions governed by defamation, invasion of privacy etc.

The Advocate General Act No 118 of 1979. The post of Advocate General was established in the wake of the Information Scandal. He is an official who inquires into the dealing with State monies in an improper manner or the improper enrichment of anyone dealing with State monies, or in connection with the affairs of State or as a State employee.

When the Advocate General is about to start an inquiry or one is being undertaken, nothing about it may be published. He has the right under certain circumstances to hold the inquiry behind closed doors.

Act affecting Armscor was amended making it an offence to publish any information relating to the "acquisition, supply, marketing, importation, export, development, manufacfor, on behalf of, or for repair of armaments by, for, on behalf of, or or the benefit of Armscor or any subsidiary company unless the information has been released for publication by the Minister of

reporting on these, newspapers have to be aware that they do not publish statements or speeches which by threat of physical violence frighten or intimidate people. This would contravene the Riotous Assemblies Act.

If a newspaper actively participates in, supports or encourages a boycott it may endanger law and order and be guilty of an offence. Similary it would be an offence to publish statements which would encourage feelings of hostility between different population groups.

The Defence Act: This act virtually drops a curtain of secrecy over all military and naval movements in South Africa. Little may be published without the permission of the Minister of Defence.

For example section 118 of the act forbids publication without permission of information relating to the composition, movements or dispositions of the SADF, any auxiliary or voluntary nursing service established under the Act, or any force which is allied to South Africa or any South African or allied ship or aircraft used for naval or military purposes.

The Defence Act is backed by the Official Secrets Act which makes it an offence to publish "any secret official code or password or any sketch, plan, model article or note or any other document or information which is likely to be directly or indirectly useful to an enemy."

Defence reporting is further regulated by an agreement between the Newspaper Press Union and the Defence Force. Journalists covering defence matters have to pass stringent security tests in which their backgrounds are examined by the security police.

Detainees and detentions: Except in the case of people detained in terms of the Criminal Procedure Act

ficer to arrest, for the purposes of interrogation, any person suspected of having committed or intending to commit sabotage or an offence under the Internal Security Act. Detainees may be kept in custody until they have satisfactorily answered all questions put to them, but may only be detained for 90 days.

However, the authorities can, and do release and then immediately re-detain people under this Act. Detainees under this Act receive weekly visits from a magistrate. No other person may visit them without the consent of the Minister of Justice or a commissioned police officer. No court has any jurisdiction to order their release.

The General Law Amendment Act No 62 of 1966: A commissioned officer of or above the rank of lieutenant colonel may cause any person to be detained for purposes of interrogation if he suspects him of being a terrorist, furthering the aims of communism or having committed an act of sabotage. A detained person may not be kept in custody for more than 14 days unless an order is obtained for extension from the Supreme Court.

The detention continues until the outcome of the application is known and neither the detainee nor his legal representative has the right to appear before the judge. The judge's decision is final and not subject to appeal.

The Internal Security Act: Section 10 of this act allows the Minister of Justice, if he considers it in the interest of the security of the State or the maintenance of public order, to prohibit a person from leaving any prison for a period of up to 12 months. The detention is subject to administrative controls and review by a special committee. However, the minister does not have to give effect to

Internal Security Act: In terms of this Act newspapers may not publish statements by banned people. This prohibition remains in force even after the death of the banned person until such time as the banning order expires.

The National Key Points Act: The purpose of the Act is to enforce security measures at key industries such as the Sasol plants which could become targets of saboteurs. It is an offence punishable by a maximum fine of R10 000 for newspapers to publish details of any deployment or methods of any member or part of the force concerned in any action for the preventing or combating of terrorist activities.

Apart from this list there are many laws where the Government has taken the power for the minister responsible to bypass Parliament by making regulations — rather than asking Parliament to amend the act.

This means that the Government can, and does, govern by executive decree rather than directly by the will of the people.

IF YOU WANT TO HEAR . . . WE WANT TO HELP!

Our sympathetic and dedicated staff understand and really care about people with hearing problems. We take a personal interest in these problems and are determined to do all we can to help.





For a free test and personalised expert attention consult Natal's leading Hearing Aid specialist Consultants for the past 30 years, Philip Kairuz and Amelia van den Berg, both of whom are members of the Society of Hearing Aid Consultants S.A.

LET THOSE WHO REALLY CARE HELP YOU

NATAL HEARING AIDS

1st Floor, Adcock House, 364 West Street, Durban. Telephone 68239/62403

★ Very Special Concessions for Pensioners

Saawu claims raids on offices

CAPE TIMES 8/2/82

327

Own Correspondent

EAST LONDON. — The security police raided the local offices of the South African Allied Workers' Union (Saawu) three times last week, according to a statement by the branch executive of the union on night.

The statement says this follows a visit by two officials of the East Cape Administration Board to the Saawu offices in Duncan Village on Wednesday, asking to see the union's permit to use the building — an old church hall.

Evicted

The union was evicted from its offices in central East London at the end of December and moved into it's new offices recently.

The union claimed that board officials also inquired about Saawu's activities and why they did not register (Saawu is an unregistered trade union). "They went away claiming they would be back, but they never turned up," the statement said.

It said a contigent of black security policemen had visited the offices on Thursday and had said the union had no right to operate in South Africa since the officials were "foreigners" from the Ciskei.

"They said we were liable to a fine of R150 per person, questioned us about our activities, mentioned the two gentlemen from the Ecab offices and boasted about the fact that we were evicted from our offices in East London.

'Offices ransacked'

"Yesterday a group of four black security policemen from Cambridge ransacked our office and took away documents, among which were Wilson-Rowntree boycott pamphlets, copies of our newsletter, files and forms for a petition which we intended sending to the Minister of Police requesting the release of our detained leaders.

"Two Saawu officials, Miss Nomvuzo Tshetu and Mr Rani, were taken to Cambridge by the security police. They were released two hours later after being subjected to questioning.

"The security police later returned to our offices and handed over a list of four officials they wanted to report to the Cambridge police station."

The statement said such campaigns of harassment severely damaged the government's so-called labour reforms and clearly indicated that the State was involving itself in labour matters.

"We view with great concern and indignation the arbitrary actions of the security police, a sign of naked hostility against the independent trade union movement."

HSRC dismisses criticism of study

Own Correspondent

DURBAN — Criticism by a university lecturer that the secret Human Sciences Research Council study for the Steyn Commission was unscientific, politically-biased and a propaganda exercise has been dismissed by an HSRC spokesman as "hardly warranting comment".

The spokesman said the criticism by UNISA sociologist Mrs Betty Weltz — published at length in a Sunday paper — lacked scientific validity.

Mrs Welz could not have been in possession of the complete study, he said, and she should therefore have approached the council before publicizing her views in the press. He claimed that this proper scientific course would have allowed Mrs Weltz to appreciate that the research had in fact been 100 percent scientific.

For the same reasons he dismissed the views of other university lecturers and politicians who had backed Mrs Weltz's findings.

Among points made by Mrs Weltz were that the study lacked statistical sophistication, check questions and meaningful cross questions to give it true validity.

She said the HSRC study was preoccupied with political questions, loaded and Afrikaner-oriented.

Had the research been presented by one of her students, said Mrs Weltz, she would not have given it a pass mark.

Asked about Dr Bekker's comment that her observations lacked scientific validity because she had not contacted the council, Mrs Weltz said it was customary for research to be judged in the form in which it was made available to specialists and the general public.

"It is not usual to clear up points of difference in confidential backroom chats," she said.

"It is accepted practice in the scientific community to assess work done by other researchers either at scientific congresses or in scientific journals."

She said her criticism had received support at the annual congress of the Association for Southern Africa.

"It is unfortunate that no one from the HSRC chose to attend, but they invariably attend only the meetings of the overwhelmingly Afrikaaans, and until recently, the all-white South African Sociological Association."

Contrary to the HSRC spokesman's assumption, her findings were based on the full study which she had obtained from a source she would not disclose.

ICDM 10/2/82

SP spy upped to rank of major

Political Reporter

SECURITY Police master-spy Craig Williamson has been promoted from captain to major.

And Brigadier Pieter Goosen — who, as a colonel, headed the SP in Port Elizabeth when Mr Steve Biko died in detention in September 1977 — has been appointed a deputy-commissioner of police.

The appointments, effective from the beginning of the year — were confirmed yesterday by a SAP spokesman in Pretoria.

Major Williamson infiltrated the Geneva-based International University Exchange Fund in 1977, rising to a top position before "blowing his cover" and returning in 1980 to give evidence in several security trials.

And Brig Goosen was one of the chief witnesses at Mr Biko's lengthy inquest in Pretoria in November 1977.

Brig Goosen told the inquest he had ordered that Mr Biko be kept naked and in chains in a room at the Port Elizabeth SP offices so he could not commit suicide.

When asked by a Biko family lawyer what statute gave him the right to hold Mr Biko in chains, he told the inquest the SP did not work under any statutes.

Star 10/2/82 (327)

Mercenaries had Defence call-up

By Tony Stirling

A number of the South Africans who took part in last November's abortive coup on the Seychelles signed official Defence Force call-up papers.

Soon after the 45 mercenaries now facing hijacking charges returned to South Africa aboard an Air-India Boeing 707, the head of the Security Police, Lieutenant-General Johan Coetzee, disclosed that a number of the merenaries were apparently under the impression they had been on an official mission.

The Star has now confirmed that a number of the South Africans involved were given official Defence Force call-up papers to sign by a member of the Defence Force.



Martin Dolinchek . . . "official business."

An investigation has shown that the man responsible was an adjutant in a Defence Force unit.

He is alleged to have acted completely without authority or the knowledge of his superiors.

A top-level army investigation into the matter has been conducted and a report is in the hands of the Chief of the Defence Force, General Constand Viljoen.

On Friday it was reported that alleged South African "spy" Martin Dolinchek had told the United Nations commission investigating the coup attempt that he was on official business on his mission to the Seychelles.

Mr Dolinchek also alleged that the 80 Romanian AK 47 assault rifles used in the coup, which were tested at Durban's La Mercy Airport, had been obtained from South African Government sources.

Hansard 54 (327) 10/2/82

Louis Botha Airport: confiscation of book

*21. Mr. R. A. F. SWART asked the Minister of Transport Affairs:

(1) Whether the South African Railways Police confiscated a book belonging to an overseas-bound passenger at Louis Botha Airport in October 1981;

Hansard Q.Col. 54-56 10/2/82

if so, (a) why and (b) what kind of book was it;

(2) whether such book has since been returned to the said passenger; is so, (a) when and (b) why;

(3) whether the said passenger was attended to by a South African Airways official at the time of the confiscation; if so,

(4) whether such official is still in the employ of the South African Airways; if not, why not?

The MINISTER OF TRANSPORT AFFAIRS:

(1) Yes.

(a) The police officer on duty was of the opinion that the book belonging to Dr. N. R. Clay of Birmingham, England, could harm the Republic's image abroad.

(b) A scrapbook containing press cuttings appertaining to political matters in the Republic of South Africa.

(2) Yes.

(a) The book together with a letter of apology was returned to Dr. Clay at his residential address in the United Kingdom on 26 October 1981.

(b) The press cuttings contained nothing harmful. The police officer concerned was over-zealous.

(3) No. The incident took place after Dr. Clay's baggage was accepted by an airways official.

(4) No. The services of the official who attended Dr. Clay were terminated in terms of his service contract on 22 December 1981.

Mr. R. A. F. SWART: Mr. Speaker, arising out of the hon. the Minister's reply, is the hon. the Minister aware that the Airways official concerned was dismissed on 24 hours' notice as a security risk because he apologized to an overseas' passenger?

The MINISTER: Mr. Speaker, my information is that this official was not a permanent official. He was a temporary official. We received medical advice to the effect that we should not appoint him, and so he was dismissed. It was not because of this incident.

Mrs. H. SUZMAN: Oh, come on!

The MINISTER: Well, that is the information I have.

Mr. R. A. F. SWART: Mr. Speaker, further arising out of the hon. the Minister's reply, it is not that because the official apologized to an overseas' passenger he was considered part of the total onslaught? [Interjections.]

Mr. SPEAKER: Order!

Spring Valley area: land survey work

*22. Mr. E. K. MOORCROFT asked the Minister of Co-operation and Development:

Whether his Department (a) authorized or (b) was concerned with the land survey work recently conducted in the Spring Valley area on the Tarkastad/Adelaide road, if so, (i) on whose authority was the work done and (ii) for what purpose?

The DEPUTY MINISTER OF DEVELOPMENT AND OF LAND AFFAIRS:

(a) No.

(b) No.

(i) and (ii) Fall away.

Flight SA 231

*23. Mr. C. W. EGLIN asked the Minister of Transport Affairs:

(1) Whether Flight SA 231 from London

SADF call-up papers for mercenaries probed

CAPE TIMES 11/2/82 (254) (327)

Own Correspondent

JOHANNESBURG. — The SADF acknowledged yesterday that it officially investigated the issuing of call-up papers to a number of mercenaries involved in the abortive Seychelles coup operation.

This and other developments have led the United Nations commission investigating the coup attempt to believe that an official blind eye was turned to the mercenary mission.

Commission sources said that after their investigations in the Seychelles, Swaziland and South Africa they had gained the impression that there had been at least some official knowledge.

And they said they got the impression that the South African Army was "hiding information" about the bungled coup.

An SADF spokesman, Colonel Tim Krynauw, would not release details of the findings of the Board of Inquiry into the matter.

The Board of Inquiry completed its investigation by mid-January and its findings were handed to the Minister of Defence, General Magnus Malan.

In a statement, Colonel Krynauw said that allegations about unauthorized SADF call-ups had been investigated.

"The SADF is, however, not prepared to comment further as there is a court case pending and any comment would not be in the interests of the normal legal process."

The Opposition spokesman on Defence, Mr Harry Schwarz, said last night that the sooner the SADF gave the public an explanation the better.

Mr Schwarz said the Opposition had been told that certain people did receive call-up papers for the Seychelles mission and some of them received training on property belonging to the SADF. These allegations could not be verified.

He had tried to put questions on the parliamentary order paper about this but the Speaker had disallowed them because he said the matter was sub judice.

"We have gone to the Select Committee on Standing Orders to try to get the ruling changed. This matter will have to be debated in Parliament at some stage."

It is understood from government sources that the official version of the incident will be that a second lieutenant issued false call-up papers to a number of the 13 mercenaries who still have defence commitments.

This was done because some of the mercenaries could not get leave to join Colonel "Mad Mike" Hoare's strike force on its November 25 misadventure and the men needed the call-up papers to show their employers.

● Staff shortage led to weapons theft, page 2

As a result of their bringing power in white hands to hold out strongly for them are black workers more highly paid

Whether any radio-active waste from the operation of the Safari reactor is stored in South Africa; if not, what happens to such waste; if so, (a) what waste, (b) what is the expected life of each such type of waste and (c)(i) where and (ii) how is it stored?

†The MINISTER OF MANPOWER (for the Minister of Mineral and Energy Affairs):

No. The Safari-1 used fuel is sent overseas for reprocessing and is normally sold to the reprocessor who also assumes the responsibility for storing the waste so produced.

(a), (b) and (c) fall away.

Uranium enrichment process

*19. Mr. D. J. N. MALCOMESS asked the Minister of Mineral and Energy Affairs:

(1) Whether the uranium enrichment process being used in South Africa at present will lead to the production of radio-active waste; if so,

(2) whether steps will be taken in regard to the disposal of such waste; if so, what steps?

The MINISTER OF MANPOWER (for the Minister of Mineral and Energy Affairs):

(1) No.

(2) Falls away.

*Question *20. Mr. S. S. VAN DER MERWE—Reply standing over.*

For written reply:

(327) Hansard Q. 61. 93-94
Unlawful organizations
12/2/82

2. Mrs. H. SUZMAN asked the Minister of Justice:

(a) To what organizations has the money been paid which was collected from organizations declared unlawful on 19 October 1977 and (b) what amount was paid over to each such organization?

The MINISTER OF JUSTICE:

(a) The money has not been paid to any organization. I wish to invite the hon. member's attention to paragraphs 11.3.3.30 and 11.3.3.31 of the report of the Commission of Inquiry into Security Legislation, as well as to clause 14(3) of the draft Bill in part IV of the report. Part (b) of the question falls away.

(327) Hansard Q. Col 94
Internal Security Act: Review Committee
12/2/82

7. Mrs. H. SUZMAN asked the Minister of Justice:

(1) How many cases were referred to the Review Committee in terms of the Internal Security Act in the second half of 1981;

(2) whether the Committee recommended the withdrawal of any notices; if so, (a) how many and (b) with what result?

The MINISTER OF JUSTICE:

(1) 7.

(2) No.

Company tax

60. Mr. H. H. SCHWARZ asked the Minister of Finance:

What amount in company tax was collected from (a) mining and (b) non-mining companies in each month of 1981?

The MINISTER OF FINANCE:

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

PRYS (AVB ingesluit) 30c PRICE (GST included)

As 'n Nuusblad by die Poskantoor Geregistreer BUITELANDS 40c ABROAD *Registered at the Post Office as a Newspaper*

POSVRY · POST FREE

Vol. 200] PRETORIA, 12 FEBRUARIE FEBRUARY 1982 [No. 8023

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 274 12 Februarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

LYS/LIST P82/61

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2 Section 47 (2
P82/2/11	*World Federation of Democratic Youth*—Circular Letter—4th January 1982	World Federation of Democratic Youth, Budapest	(e)
P82/2/39	Another Victim of Apartheid—Khotso Seatlholo (Pamflet/Pamphlet)	SAYRCO, London	(e)
P82/1/88	*Selbstverteidigung!*	Huey P. Newton	(e)
P82/1/92	*Hon Dat: Ein südvietnamesisches Dorf im Befreiungskampf*	Anh Duc	(e)
P82/1/94	*Amnesty International: Bericht über die Folter*	Fischer Taschenbuch Verlag G.m.b.H., Frankfurt am Main	(e)
P82/1/123	*Writers in Politics* (Studies in African Literature Series)	Ngũgĩ wa Thiong'o	(e)
P82/2/2	It's no TV Sketch en/and Tomorrow Belongs to us/Decontrol—Side 1: CLAY 5A & Side 2: CLAY 5AA (Grammofoonplaat/Gramophone Record)	Discharge	(a) + (e)

No. 275 12 Februarie 1982

OPSKORTING DEUR DIE VOORSITTER VAN DIE APPÈLRAAD OOR PUBLIKASIES VAN 'N BESLISSING VAN 'N KOMITEE VAN PUBLIKASIES

Die Voorsitter van die Appèlraad oor Publikasies het die beslissing van 'n publikasiekomitee dat die publikasie *Great Lovers* ongewens is opgeskort tot tyd en wyl die appèl deur die Direktoraat van Publikasies afgehandel is. Die opskorting word egter onderhewig gestel aan die voorwaarde dat die publikasie nie in die openbaar vir doeleindes van verspreiding met die inhoud van die binneblaaie uitgestal moet word nie.

GOVERNMENT NOTICES

DEPARTMENT OF INTERNAL AFFAIRS

No. 274 12 February 198

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publicat... Act, 1974, decided under section 11 (2) of the said Act t... the undermentioned publications or objects are undesira... within the meaning of section 47 (2) of the said Act:

No. 275 12 February 198

SUSPENSION BY THE CHAIRMAN OF THE PUBLICATIONS APPEAL BOARD OF A DECISION OF A COMMITTEE OF PUBLICATIONS

The Chairman of the Publications Appeal Board has suspended the dicision of a Publication Committee that the publication *Great Lovers* is undesirable until the appeal by the Directorate of Publications has been determined by the Publication Appeal Board. The suspension is subject to the condition that the publication may not be displayed in public for purposes of distribution with the contents of the inside page visible.

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 235 12 Februarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

LYS/LIST P82/14

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/1/106	Empangeni Armature Winders—1982 (Kalender/Calendar)	Calen Gift	(a)
P82/1/106	Dulux—1982 (Kalender/Calendar)	Nie vermeld nie/Not stated	(a)
P82/1/106	McCann Electro Diesel Group of Companies—1982 (Kalender/Calendar)	Nie vermeld nie/Not stated	(a)
P82/1/106	Marc Etter (Natal) (Pty) Ltd—1982 (Kalender/Calendar)	Nie vermeld nie/Not stated	(a)
P82/1/106	Allsharp—1982 (Kalender/Calendar)	The Swan Publishing Company (Pty) Ltd, Overport	(a)
P82/1/106	Empi Auto Plates and Signs—1982 (Kalender/Calendar)	The Swan Publishing Company (Pty) Ltd, Overport	(a)
P82/1/106	Emaillit-Prodorite (Natal) (Pty) Ltd—1982 (Kalender/Calendar)	The Swan Publishing Company (Pty) Ltd, Overport	(a)
P82/1/106	Empangeni Refrigeration—1982 (Kalender/Calendar)	The Swan Publishing Company (Pty) Ltd, Overport	(a)
P82/1/106	Blue Water Construction—1982 (Kalender/Calendar)	The Swan Publishing Company (Pty) Ltd, Overport	(a)
P82/1/106	Bolt-Up—1982 (Kalender/Calendar)	Nie vermeld nie/Not stated	(a)
P82/1/106	Foseco S.A. (Pty) Ltd—1982 (Kalender/Calendar)	Nie vermeld nie/Not stated	(a)
P82/1/106	Ferrous Metals—1982 (Kalender/Calendar)	Calen Gift	(a)
P82/1/106	Carbonelek (Pty) Ltd—1982 (Kalender/Calendar)	The Swan Publishing Company (Pty) Ltd, Overport	(a)
P82/1/106	Emric Car and Bakkie Hire—1982 (Kalender/Calendar)	The Swan Publishing Company (Pty) Ltd, Overport	(a)
P82/1/106	Zulfire (Pty) Ltd—1982 (Kalender/Calendar)	The Swan Publishing Company (Pty) Ltd, Overport	(a)
P82/1/107	Sunshine—No 6252 (Plakkaat/Poster)	Verkerke Reprodukties BV/Ede, Holland	(a)
P82/1/108	Black Beauty—No 6235 (Plakkaat/Poster)	Verkerke Reprodukties BV/Ede, Holland	(a)
P81/12/48	*Great Lovers*	Walter Dorin and George Melly	(a)
P82/1/49	*Doing It*	Jack W. Thomas	(a)
P82/1/64	Vice-Spice Pills (Verpakkingspamflet/Packaging pamphlet)	Nie vermeld nie/Not stated	(a)
P82/1/64	Love Stimulant (Verpakkingspamflet/Packaging pamphlet)	Nie vermeld nie/Not stated	(a)
P82/1/64	Jungle Love (Verpakkingspamflet/Packaging pamphlet)	Nie vermeld nie/Not stated	(a)
P82/1/64	Spanish Fly Liquid (Verpakkingshouer/Packaging container)	Nie vermeld nie/Not stated	(a)

No. 236 12 Februarie 1982

ONGEWENSTE PUBLIKASIE OF VOORWERP

Die Appèlraad oor Publikasies het kragtens artikel 14 (4) van die Wet op Publikasies, 1974, beslis dat die ondergenoemde publikasie of voorwerp binne die bedoeling van artikel 47 (2) van genoemde Wet ongewens is, en het die beslissing van 'n komitee bedoel in artikel 4 van genoemde Wet dat die publikasie of voorwerp nie binne die bedoeling van genoemde artikel 47 (2) ongewens is nie, ter syde gestel.

LYS/LIST P82/15

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/7/60	*Original Sins*	Lisa Alther	(a)

GOVERNMENT NOTICES

DEPARTMENT OF INTERNAL AFFAIRS

No. 235 12 February 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

No. 236 12 February 1982

UNDESIRABLE PUBLICATION OR OBJECT

The Publications Appeal Board decided under section 14 (4) of the Publications Act, 1974, that the undermentioned publication or object is undesirable within the meaning of section 47 (2) of the said Act, and has set aside the decision by a committee referred to in section 4 of the said Act that the publication or object is not undesirable within the meaning of the said section 47 (2).

No. 241 12 Februarie 1982

WET OP PUBLIKASIES, 1974

ROLPRENT

Die Appèlraad oor Publikasies het kragtens artikel 24 van die Wet op Publikasies, 1974, die onvoorwaardelike goedkeuring van die ondergenoemde rolprent deur 'n komitee bedoel in artikel 4 van genoemde Wet bekragtig:

No. 241 12 February 1982

PUBLICATIONS ACT, 1974

FILM

The Publications Appeal Board under section 24 of the Publications Act, 1974, confirmed the unconditional approval of the undermentioned film by a committee referred to in section 4 of the said Act:

Inskrywing No. Entry No.	Rolprent Film	Voorlegger Submitter
R81/12/27	*On Golden Pond*	CIC-Warner (Edms.) Bpk./(Pty) Ltd.

DEPARTEMENT VAN FINANSIES

No. 215 12 Februarie 1982

AANSTELLING VAN NIE-AMPTELIKE LID VAN DIE STAATSPRESIDENT SE STAANDE KOMMISSIE VAN ONDERSOEK INSAKE DIE BELASTINGBELEID VAN DIE REPUBLIEK VAN SUID-AFRIKA

Hierby word vir algemene inligting bekendgemaak dat dit die Staatspresident behaag het om doktor Simon Streicher Brand as nie-amptelike lid van die Staatspresident se Staande Kommissie van Ondersoek insake die Belastingbeleid van die Republiek van Suid-Afrika aan te stel vir 'n termyn van drie jaar eindigende op 31 Desember 1984.

DEPARTMENT OF FINANCE

No. 215 12 February 1982

APPOINTMENT OF PRIVATE MEMBER OF THE STATE PRESIDENT'S STANDING COMMISSION OF INQUIRY WITH REGARD TO THE TAXATION POLICY OF THE REPUBLIC OF SOUTH AFRICA

It is hereby notified for general information that the State President has been pleased to appoint Doctor Simon Streicher Brand as a private member of the State President's Standing Commission of Inquiry with regard to the Taxation Policy of the Republic of South Africa for a period of three years ending on 31 December 1984.

No. 220 12 Februarie 1982

Staat van Inkomste ingevorder gedurende die tydperk 1 April 1981 tot 31 Desember 1981.

Tesourie, Pretoria.

No. 220 12 February 1982

Statement of Revenue collected during the period 1 April 1981 to 31 December 1981.

Treasury, Pretoria.

Inkomstehoof	Head of Revenue	Begroting Estimates 1981/82	Ingevorder vir die jaar geëindig 31 Maart 1981 Collections for year ended 31 March 1981	Maand Desember Month December		Totaal 1 April tot 31 Desember Total 1 April to 31 December	
				1981	1980	1981	1980
		R	R	R	R	R	R
Staatsinkomsterekening	*State Revenue Account*						
Doeane en Aksyns—	Customs and Excise—						
Invoerreg	Customs Duty	850 000 000	735 834 201	91 083 490	68 730 846	806 700 272	530 607 271
Aksynsreg	Excise Duty	1 384 940 000	1 243 200 329	129 292 665	109 679 422	1 027 976 372	853 159 141
Verkoopreg	Sales Duty	100 000	593 812	Dr 8 139	Dr 519	200 107	578 875
Bobelasting	Surcharge		Dr 2 796 134	13 527	Dr 224 041	Dr 513 252	Dr 2 515 508
Diverse	Miscellaneous	37 000 000	46 748 303	1 452 971	708 011	30 253 361	32 386 913
	R	2 272 040 000	2 023 580 511	221 834 514	178 893 719	1 864 616 860	1 414 216 692
Oordrag na Sentrale Inkomste Fonds	Transfer to Central Revenue Fund ..... (a)	Dr 250 000 000	Dr 41 500 000	Dr 25 000 000	Dr 3 000 000	Dr 182 849 498	Dr 27 500 000
Betalings ingevolge Doeane-Unie-Ooreenkomste	Payments in terms of Customs Union Agreements ..... (b)	Dr 475 000 000	Dr 504 919 434	—	Dr 23 405 250	Dr 358 886 522	Dr 378 690 935
	R	Dr 725 000 000	Dr 546 419 434	Dr 25 000 000	Dr 26 405 250	Dr 541 736 020	Dr 406 190 935
	R	1 547 040 000	1 477 161 077	196 834 514	152 488 469	1 322 880 840	1 008 025 757
Binnelandse Inkomste—	Inland Revenue—						
Belasting op Inkomste	Tax on Income	7 307 500 000	7 522 124 818	578 719 862	525 664 049	5 336 187 241	5 094 664 765
Ander Belastings en Ontvangste	Other Taxes and Receipts						
Goudmynhuurkontrakte	Gold mining leases	540 000 000	838 195 071	238 799	49	466 008 508	550 488 464
Ander mynhuurkontrakte	Other mining leases	15 000 000	23 565 081	2 624	77 677	Dr 578 739	900 578
Staatseiendomsreginkomste op diamantmyne	State Ownership Revenue on diamond mines	2 000 000	18 456 561	10	6 037	549 491	179 248
Uitvoerregte op diamante	Export duty on diamonds...	10 000 000	24 797 439	2 217 192	262 843	18 359 607	17 508 352
Belasting op buitelandse aandeelhouers	Non-Resident shareholders' tax	350 000 000	296 557 601	20 713 675	29 496 887	255 394 798	220 109 612
Rentebelasting op buitelanders	Non-Resident's tax on interest	13 000 000	12 081 878	857 749	1 020 045	9 245 381	8 814 084
Belasting op onuitgekeerde winste	Undistributed profits tax....	2 500 000	2 435 157	158 215	320 392	1 874 295	1 969 681
Belasting op geskenke	Donations tax	2 000 000	1 961 296	62 833	317 722	1 443 244	1 592 116
Seëlregte en gelde	Stamp duties and fees.....	130 000 000	137 503 002	10 840 621	9 946 160	100 965 681	95 020 174
Hereregte	Transfer duties	120 000 000	153 917 914	19 735 912	12 137 598	128 766 487	115 603 013
Boedelbelasting	Estate duties.....	64 800 000	61 344 662	5 735 478	3 425 904	55 495 903	44 165 987
Belasting op bemarkbare sekuriteite	Tax on marketable securities	25 000 000	33 615 310	2 122 980	2 558 417	18 993 110	27 022 264
Lisensies	Licences.....	3 000 000	2 576 432	946 517	949 409	2 094 798	2 068 988
Kinematograaffilmsbelasting.....	Cinematograph films tax ...	1 000 000	850 775	66 082	76 893	589 594	621 118
Ander	Other.....	2 500 000	2 138 199	1 591 975	1 275 485	5 690 327	2 437 896

SECURITY LAWS

The lawyers' view

FM 12/2/82

327

An Association of Law Societies report calling for urgent revision of SA's security laws is in wide disagreement with many aspects of the recommendations by the Rabie Commission of Inquiry into Security Legislation.

The report, which called the deaths in detention of Steve Biko and Joseph Mdluli and many others "cogent evidence of misuse of power," has heightened relevance in the wake of last week's death in detention of Dr Neil Aggett.

It was drawn-up by an ad hoc committee consisting of two representatives of each provincial Law Society. One of the Transvaal members was Schalk van der Merwe who also became a member of the Rabie Commission.

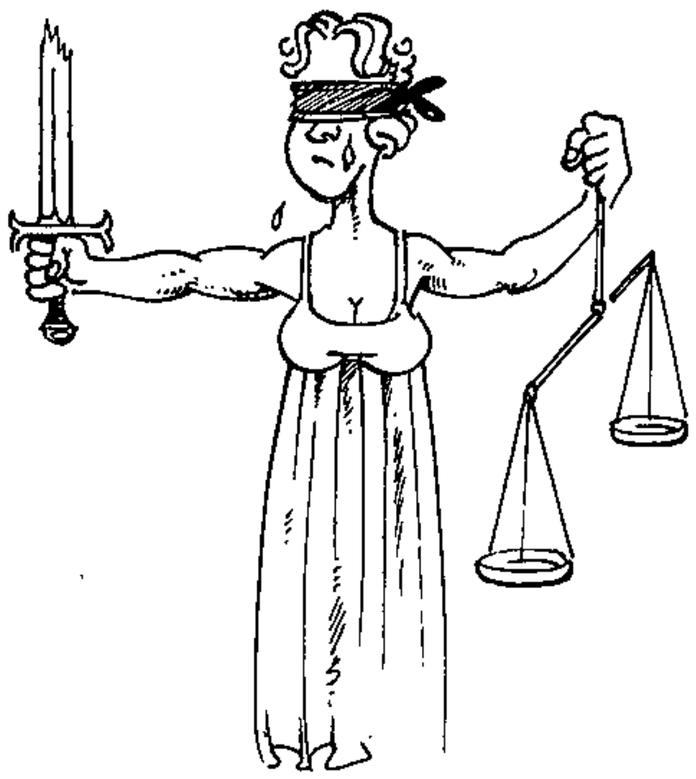
This week the president of the Association of Law Societies, Monty Knoll, refused to release the report to the *FM*. Knoll said the Rabie Commission had met some of the Association's submissions and that the organisation had been asked by government to comment on the Rabie recommendations. In the circumstances he did not feel free to release the report.

It is clear from details obtained elsewhere that although the Rabie Commission met some of the law societies' objections to the security laws, there are major differences between the safeguards proposed by Rabie and those the societies felt were desirable.

Both reports adopt the standpoint that security legislation is necessary in SA's circumstances. The societies' report, however, adds: "The greater the powers granted to the State the greater should be the measures for the supervision and control of those who exercise extraordinary powers on behalf of the state."

Noting that the powers granted the police by security legislation were exercised in secrecy without their having to account for the actions, the report proposed safeguards.

Calling for security laws to be consolidated into a single Act (as Rabie subsequently did as well) the law societies' committee proposed this Act should be supervised by an independent standing commission. In addition people against whom action was taken should be informed in writing of the legal provisions applying to them.



It was also proposed that all detentions should be made under a warrant and confirmed by a Judge President who would have access to detainees and the right to release them.

There should also be a detailed code for the handling of detainees. They should have regular medical examinations and there should be a waiting period between their release from detention and their trial on any charges that might be brought against them.

The law societies' committee also proposed that the independent standing commission should review all bannings under the Internal Security Act and that there should be a complete review of procedures for handling complaints of irregularities by the police.

These proposals for firm safeguards contrast with Rabie's recommendations that detainees be visited by magistrates, that others have access to them (at the discretion of the Minister of Police), that no-one be held for more than 30 days (unless the Minister deems it necessary) and that if a prisoner is held for more than six months the police must convince a review board that it is necessary.

The committee's proposed independent standing commission is also a far stronger safeguard than Rabie's proposals for officially appointed inspectors of detainees, a review of bannings and the appointment of an advisory committee to report before a publication or organisation was banned.

Abuse of power

The law societies' report said that among the consequences of the present administration of security laws were abuse of power and loss of public faith in the administration of justice.

The committee held that the deaths of detainees "cannot but be regarded as cogent evidence of misuse of power."

In the *FM's* view the law societies' report represents the expert and considered opinion of one of the country's senior legal organisations and a useful contribution to the debate on security laws that was sparked off by the Rabie recommendations.

□ The law societies report was drawn-up in 1979 and handed to the Minister of Justice before copies were sent to Sunday newspapers. On September 1, 1979, government brought out a special Saturday edition of the Government gazette containing regulations governing the Rabie Commission.

ANOTHER CELL DEATH

It will take some time before the full cost to SA of the death of trade unionist Dr Neil Aggett in detention last week can be fully counted. However, one immediate result has been a further serious deterioration in the relations between government and the new generation of black trade unions.

The public reaction of senior officials in the Department of Manpower to Aggett's death has been very restrained. In private, however, they are making it clear that they regard his death as a severe blow to the credibility of government's labour reforms, both within SA and abroad. His death took place at a time when the department was continuing with its programme of reform despite opposition from rightwing Nationalists.

Aggett was the 46th person to have died in detention since 1963 and, according to one estimate, the sixth trade unionist. The assurance by Minister of Police Louis le Grange that the investigation into his death is being given the highest priority is commendable. But it will hardly do much to diminish the anger among trade unionists.

In the wake of Aggett's death, a number of leading businessmen have spoken out strongly against detentions without trial and have pointed to the international repercussions that can be expected. When the *FM* went to press there were indications that many employers would not take action against workers who took part in a work stoppage to mark Aggett's death.

13/2/82

Recommendations 'leave much to be desired in critical areas'

Rabie report

W/E ARGUS 13/2/82

(327)

'misses basics'

WHEN a commission of inquiry into security legislation was appointed some two years ago, with Mr Justice P J Rabie, a judge at the Appeal Court, as chairman, it was hoped in legal quarters that substantial amendments to South Africa's security legislation would be in the offing.

In certain limited areas the report of the commission does promise some improvement. This is particularly the case in the definition of terrorism where the commission notes that the effect of Section 2 of the Terrorism Act of 1967 is such that there is the possibility that a person could be found guilty of terrorism without his having even considered using violent measures.

As such, the commission recommends that the concept of violence should be introduced as an intrinsic part of the definition: terrorism will be defined in the Act as being a situation where a person with intent to overthrow or endanger the authority of the State or to achieve, cause or promote political, industrial, social or economic objectives or change, commits, threatens or attempts an act of violence or carries out a deed which has as its objective the commission of such an act or threat of violence.

In addition, the commission has recommended that the sentence which should be imposed be left to the discretion of the court whereas the existing Terrorism Act stipulates that a minimum sentence of five years be imposed for a conviction under the Act.

The commission acknowledges the problem that a person acquitted of a charge under the Terrorism Act, for example, could well be charged under the Sabotage Act.

This is a situation which, counter to a basic principle of our law that a person, acquitted by a court with jurisdiction to hear the case, on a charge where a conviction could have been obtained and where the acquittal is on the merits of the case (as opposed to a technical point), cannot be recharged in respect of the same matter even under another Act.

Terror

This principle will again operate in respect of security matters if the commission's recommendation is implemented.

However, the recommendations leave much to be desired in many critical areas. Much of the difficulty with report stems from the fact that despite acknowledging that it is social and political change which ultimately brings security to a country, the commission accepts without question that the system of security legislation operating in South Africa is needed because of a planned campaign of terror and subversion being conceived and conducted by organisations which not only are committed to the violent overthrow of the present system in South Africa but are also sponsored and supplied by communist nations.

Having thus developed and accepted a 'total onslaught' type of premise, the commission does not even begin to question whether the security legislation as it operates in this country is used not only against such violence and subversion but also against voluble but peaceful critics of the regime, including some of the most representative leaders.

In this regard, the commission refused to investigate individual cases where abuse of the laws was alleged. This is an astonishing approach given the disquiet that many have felt about the Government's use of security laws.

As Sydney Kentridge, QC, recently observed: 'The conclusion cannot be avoided that apart from the stated objectives of the detention without trial laws, namely to prevent or deter terrorist activities, there is another object.

Threat

'These powers of detention are a constant threat against those who are politically disaffected, those who are too vociferous in their condemnation of apartheid and, particularly in the black community, those young people who show qualities of leadership.'

The commission refused to investigate the way these laws have been used over the past 20 years; it did not

By DENIS DAVIS, senior lecturer in the department of commercial law at UCT

27 13/2/82 W. Argus



Mr Justice P J Rabie

cases and this undermines much of the value of its report.

By far the most serious objections to the report concern its attitude to detention without trial. The commission accepted on the basis of evidence put before it, that the evidence gained from detainees was the best and often only evidence that police gained against terrorists or in respect of anticipated subversive activities. In operating from this premise, the commission suggests that certain improved administrative safeguards be introduced.

These safeguards include the following:

- The detainee must be visited in private once every two weeks by a magistrate.
- The system of Inspectors of Detainees, who are appointed by the Minister of Justice, should be extended so that these inspectors can visit and monitor the condition of detainees.
- If a detainee is detained for more than 30 days, the Commissioner of Police must obtain written permission from the Minister who must be convinced that the further detention is necessary for the object of further questioning.

No suggestion is made that a power of review by the Supreme Court of the Minister's decision be clearly built into our law.

- If the detention extends for more than six months, there must be a review of the extended detention by a Review Board comprising three members to be appointed by the Minister, the chairman being either a judge or ex-judge, retired chief magistrate or regional magistrate or anyone who has the qualifications to be admitted as an advocate and has been employed within the legal profession for an uninterrupted period of 10 years.
- The detainee has a right to present the Review Board with written evidence and the board at its discretion can hear the detainee in person. Its recommendations to the Minister are not binding on the latter although if he rejects the recommendation, the Chief Justice (or a judge appointed by the Chief Justice) has to review the decision and has the final say in the matter.

It is submitted that the recommendations are totally inadequate and the tragic death of Neil Aggett merely confirms this fact.

A number of points should be made here:

- Although the commission referred to detention practices in other countries, it gives no good reason why it did not suggest a more effective system of control of detentions, such as the Israeli model.

For example, Israeli law provides for the constitution of an advisory committee chaired by a judge and on which must be two persons not employed by the State. This committee reviews all detention decisions and its recommendations [illegible] practice as being binding on the detaining authority.

- A visit by a magistrate once every two weeks is not an adequate protection and should be replaced by a system of weekly visits by a judge operating in terms of a roster system in the same way as the duty judge is allocated when the Supreme Court is in recess.
- The family of the detainee should be allowed to appoint a doctor of their own choice to visit a detainee on a weekly basis.

Evidence

Even more disappointing is the commission's attitude towards evidence given by detainees in court. The commission quotes the judgment in State v Gwala to the effect that 'needless to say, no court of law in this country would in any circumstances condone the employment by the police of any set pattern of interrogation which is either intended or calculated to result in a witness giving false testimony on oath.'

From this the commission concludes that as the police are aware of this attitude on the part of the courts, they understand that such measures of interrogation would prove to be counter-productive in securing a conviction.

After 46 deaths in detention, this type of reasoning is indeed far more superficial than one should expect from the commission. In addition — and indeed relating to the deaths in detention — one would have expected the commission [illegible] studied



MR SYDNEY KENTRIDGE . . . 'another object'.

comprehensively the psychological trauma that is experienced by a person subjected to solitary confinement and as such the reliability of any evidence given by someone who has been held in solitary confinement for long periods of time.

British

There is sufficient evidence from Russian and British detention procedures to question the value of such evidence in the most

It would have been far too much to expect the commission to have recommended the abolition of detention procedures but, even by more pessimistic standards, the commission has not even flattered to deceive.

It is indeed tragic irony that the death of Dr Aggett has shown once more that even with tighter administrative control, detention without trial by its very nature is a cancer eating away at the very foundations of our legal sys-

Cape Times 13/2/82

Police raid on SRC at UCT

Staff Reporter 327

POLICE had confiscated posters depicting Mr Oscar Mpetha during a search of the offices of the University of Cape Town's Students' Representative Council, the security police chief in the Western Cape, Brigadier Hennie Kotze, confirmed last night.

Police also confiscated a number of other items during the search.

Students said a group of security policemen arrived on the campus at 10am and raided the SRC offices. They confiscated 1 000 mini-posters of Mr Oscar Mpetha, who is on trial in the Supreme Court charged with murder and terrorism.

They said the A-4 size posters showed a picture of the 72-year-old community leader and a list of names of the 18 others on trial with him.

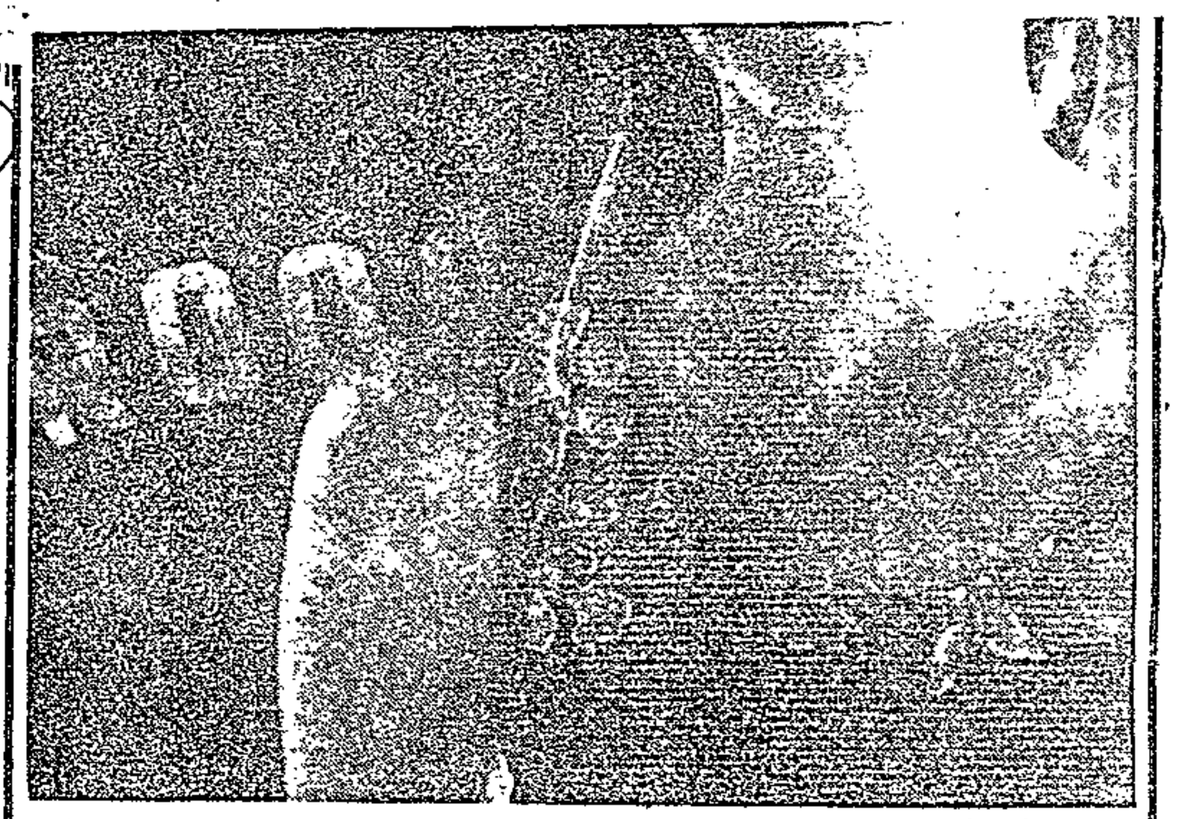
The security police also seized a metal plate used to print the posters, the students said.

Brigadier Kotze said his men had searched the offices of the media committee and the press room and had taken a number of items. He said he could give no further details.

Legal opinion on security law is still muzzled

(327)

S. Express 14/2/82 (2)



Hugh Clare Taylor, 27, and Noëline Badrian, 20 . . . turned away from the altar because of a technicality.

KITT KATZIN probes the silence surrounding lawyers' special report



Mr Alwyn Schlebusch ... given top-level report

A TOP-LEVEL lawyers' report which severely criticises South Africa's security laws is still under wraps more than two years after it was handed to the Government.

Publication of its contents has been forbidden by Government regulations.

The report conflicts in several vital respects with the Rabie commission's recommendations on security legislation and warns that the way in which security laws are applied could lead to a a loss of public faith in the administration of justice.

It was compiled by a special eight-man committee of the Association of Law Societies, which represents 4 500 practising attorneys in South Africa, and came in the wake of the death in detention of Black consciousness leader, Steve Biko.

Lawyers are "bitterly disappointed" that the report was not published and hope the association will be given the authority to do so in the future.

The report's findings and recommendations are not known to the association's members, which means that the majority of rank-and-file attorneys in South Africa are unware of what their representative body — the largest of its kind in the country — had to say on the complex and crucial issue of security legislation and the protection and treatment of detainees.

The report, described as an "extraordinary" document, far-reaching and comprehensive, was submitted to the then Minister of Justice, Mr Alwyn Schlebusch, now chairman of the President's Council, in August 1979.

At the same time, the association sent embargoed copies of the report to Sunday newspapers and although one Sunday newspaper paper and later two daily newspapers had published it, the Government printed a special edition of the Government Gazette containing regulations governing the Rabie commission.

These regulations prohibited publication of the association's report.

It is believed that although Mr Schlebusch indicated at the time that he intended to appoint a commission to investigate security legislation, news of the association's decision to submit an independent report prompted the Government to expedite the appointment of the Rabie commission.

The evidence the association gave to the Rabie commission was based on some of the findings and recommendations of the special committee's original report.

But the substance of the report, although referred to in part during their evidence, was not reflected in the Rabie report tabled in Parliament last week.

Mr Monty Knoll, president of the Association of Law Societies, said the Government had asked the association to comment on the Rabie recommendations and that it could not therefore release the independent report.

He said the Rabie commission had met some of the association's submissions.

Investigations show that:

- The association's eight-man special committee was made up of two representatives of each provincial law society — Mr S J Levin and Mr M Prins (Cape), Mr P G C Cooper and Mr H Symington (Free State), Mr S W van der Merwe and Mr W Lane (Transvaal) and Mr D I Doull and Mr D H Sampson (Natal).
- The report was described as an "exceptional achievement" in the sense that senior representatives of South Africa's four major law societies could agree unanimously on all recommendations and findings on security legislation — in spite of widely-held differing political views in the legal profession.
- It took months to compile — and was based on "reasoned legal logic, and not emotive political considerations". It was a professional, non-partisan attempt to scrutinise security legislation and call for revision to improve the quality and uplift public confidence in the administration of justice.
- The committee investigation was prompted by Steve Biko's death and many attorneys believed the association should submit recommendations authorising the Government to institute a detailed code for detainees.

While the association has a[illegible] many of its members have insisted on certain safeguards for people detained under security laws.

In calling for changes to security legislation it is certain the special committee reviewed the provisions of the Internal Security Act, the Terrorism Act, the General Laws Amendment Act and recommended, as did the Rabie commission, that security laws be consolidated into a single Act.

Any independent committee on security legislation, representing the national association of attorneys, would also be bound to insist on greater protection for detainees, regular medical examinations, reasonable access to them by attorneys, relatives and friends, and a review of procedures for handling complaints or irregularities by the police.

The committee may also have investigated the view held by many in the legal profession that people should be detained only under a warrant exercised by a Judge President of the Su-

Distinctive Pools
(PTY) LTD.
COMPARE OUR POOLS
COMPARE OUR PRICES

See National Intelligence Service in trouble. Page 10.

COUP SHAMBLES MAY MEAN THE END OF THE MEN FROM NIS

Spies are coming in for heat

PRIME Minister Mr P W Botha is likely to use the Rabie report on security legislation to clip the wings of the National Intelligence Service (NIS) following its involvement in the abortive Seychelles coup.

Sources close to NIS told the Sunday Express this week that the intelligence community was abuzz with speculation that major changes were on the way.

It has been suggested that NIS could be phased out completely and its remaining staff absorbed by other branches of the intelligence structure.

Its foreign intelligence gathering function could be taken over by military intelligence.

It is considered inevitable that there will at least be a major NIS shake-up now that it has emerged that agent Martin Dolincheck played a key co-ordinating role in the abortive coup attempt.

By JOHN BATTERSBY
Political Correspondent

The Prime Minister is believed to be angry about the involvement of the military in the Seychelles affair through the issue of false call-up papers to some of the mercenaries.

It was the chief of the security police, Lt-Gen Johann Coetzee, who first said some of the mercenaries had been under the impression that they had been called up for military duties.

It is understood that the mercenaries were originally set free in South Africa because there was sensitivity over the possible consequences for the Defence Force if it was disclosed that there was a degree of military involvement in the coup attempt.

Mr Botha is pleased with the Rabie report and it is likely the Government will accept almost all its recommendations.

The main one suggested creating a new department of law and order to replace police and to contain a directorate of internal security alongside, but separate from, the police.

The directorate of internal security would become a central feature of the Botha administration's formidable security machine.

The post of director of internal security and the minister of law and order would be key appointments.

The Rabie commission recommended the director of internal security should be a civil servant with legal training — preferably a Supreme Court advocate.

His senior staff, including a deputy director and assistant directors, should, as far as possible, also have legal training.

There is a division within the Department of Justice which has the task of evaluating information provided by the police and the National Intelligence Service.

It advises the Minister of Justice whether action against a particular person in terms of the security legislation is desirable.

The commission suggested that the staff who make up this evaluation department within the justice ministry could form the nucleus of the directorate of internal security.

Sources believe the Rabie commission's recommendations will allow Mr Botha to either trim NIS or do away with it.

It is well-known that Mr Botha resented the dominant role played by NIS's predecessor, BOSS, and its chief, General Hendrik van den Bergh. Mr Botha was quick to clip BOSS's wings after he became Prime Minister.

The intelligence gathering and evaluation functions have been increasingly taken over from NIS by the security police and military intelligence with the best NIS agents being absorbed by the Security Police.

"Internally NIS mans large regional centres which are grossly overstaffed and merely duplicate police functions," an intelligence source said.

"NIS is also involved in key points evaluation and planning physical security systems — which is quite outside its scope of operation.

"As far as its clandestine department is concerned it has been largely upstaged by military intelligence and the security police because the agents running it have had no training or background in clandestine work.

"Proof of this was the recent abortive coup attempt in the Seychelles. It is a pathetic example of what level NIS descended to."

The source said it was inexplicable that Mr Dolincheck's involvement in the Seychelles coup attempt could have taken place without the knowledge and active encouragement of NIS director of operations, Mr Gert Rothman, and without the knowledge of NIS director-general, Professor Niel Barnard.

"In the early days under Mike Geldenhuys and Charlie Lloyd it was on the way to becoming a top intelligence service. But today it is on the way out."

SA trio jailed for abducting young exile

The Star's Africa News Service

GABORONE — Three South Africans were jailed for four years each at the weekend for conspiring to kidnap a Soweto refugee.

George Khoza (30), Daniel Kazebu (32) and David Johannes Letswalo (26) tried to kidnap Mr Peter Lengene from a Gaborone suburb on February 6 this year.

They planned to take him back to South Africa, the magistrate's court heard. Mr Lengene is in his 20s and fled to Botswana in 1976.

A police source said out of court that he believed the attempted kidnapping was connected to the trial of the former president of the Soweto SRC Mr Khotso Seatlholo (25), and Miss Mary Loate (23) who are appearing in Vanderbijlpark on charges of attempting to recruit youths for military training.

● Soweto refugees here said today they believed the kidnapping was successful and that Mr Lengene had been abducted back to South Africa. Apparently six other men were involved in the plot to snatch Mr Lengene.

ARGUS 16/2/82

Biko policeman promoted

Political Correspondent

COLONEL P J GOOSEN, who was in charge of the security police in Port Elizabeth at the time of the Biko affair in 1977, has become a deputy-commissioner of police.

His promotion is announced in Servamus, the police magazine.

According to police sources the promotion came automatically after Brigadier Goosen had reached a certain salary notch and seniority in the force. It took effect on December 1.

TRANSFERRED

During the Biko inquest a police officer gave evidence that Mr Biko was kept chained on the orders of the then Colonel Goosen and that he was also kept naked.

In August 1978 Colonel Goosen was one of a number of Port Elizabeth policemen who were transferred to other areas.

This followed the death in detention of another detainee, Mr Lungile Tabalaza. The then Minister of Police, Mr J T Kruger, said strict instructions regarding the safety of detainees may not have been strictly adhered to in this instance.

HOUSE OF ASSEMBLY. — No one believed the reasons given for the deaths of 43 detainees in detention to be the true facts, the New Republic Party's spokesman on justice, Mr Pat Rogers (King William's Town), said here yesterday.

Mr Rogers said the government's record on the administration of security legislation was "abysmal".

"There is sufficient evidence available for the public to realize that doctors, magistrates, police and prison personnel have all been compromised by deaths in detention and that solitary confinement is an acute form of mental torture.

"The resultant loss of public faith in the administration cannot be allowed to continue," Mr Rogers said.

No improvement in the detention policies could be expected without in-depth discussion and searching analysis of the reason for 43 deaths in detention over 20 years, 16 of whom were reported to have committed suicide by hanging; two others by their own hands although details were unkown; six falling to their deaths; 12 found by magistrates to have died of natu-

"No one believes these to be the true facts.

"Here is a serious omission, the very matter about which the nation seeks reassurance is left untouched, despite the commision's own comment that inequities exist in respect of detention of persons under present legislation," Mr Rogers said.

The NRP believed that the status of the proposed review boards should be beyond question and it was firmly committed to a judicial tribunal as being the

the public a feeling of the rule of law.

"For every swift, efficient action to ensure the safety of the state, the government has a solemn duty to, and must be seen to, act as compassionately and judicially as possible, employing measures for supervising and controlling those who have extraordinary powers exercized in secret with no accountability," he said.

Earlier, Mr Rogers said the NRP was in principle opposed to detention without trial.

The party agreed with the

islation.

"South africa is engaged in a form of undeclared war," he said.

The NRP had absolutely no reservations whatsoever in acknowledging the immensity of the onslaught against South Africa and the proportional struggle that South Africa had to prepare for.

The government offered no total strategy against the onslaught a except lip service to reform and as a result the term had become hackneyed and its meaning discredited.

we will be nothing but a nation in disarray," Mr Rogers said.

Security legislation, however, was a last resort. The enemy scored a victory when he forced a society to give up its standards, because that society became enmeshed in actions foreign to it and people recoiled from these.

There was no greater example of this than the South African reaction to deaths in detention. — Political Staff and Sapa

Need for curbs clear — Coetsee

HOUSE OF ASSEMBLY. — The Minister of Justice, Mr Kobie Coetsee, said yesterday that Mrs Helen Suzman's accusations regarding Mr Neil Aggett were a clear indication of the view that it was necessary to limit access to detainees.

Mr Coetsee, replying to a debate on his motion that the Rabie comission report be discussed, said that Mrs Suzman had proved that it was possible to fabricate documents and to give out that they had come to hand.

It was possible for doctors visiting detainees to give out information accidentally and for others who wished to do so deliberately.

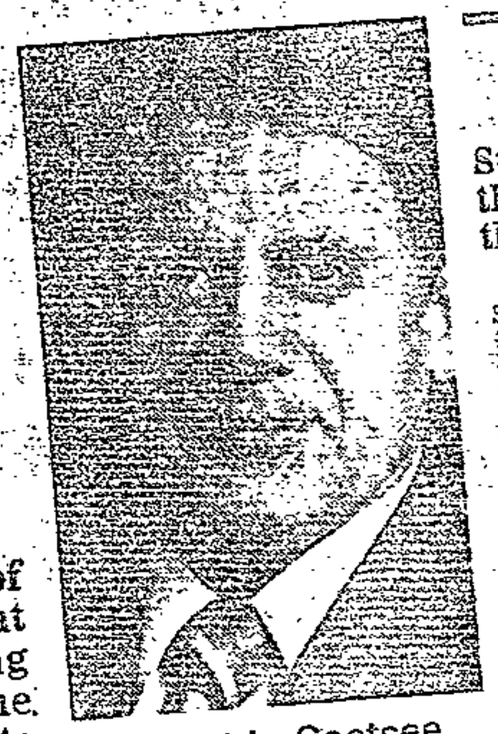
"The Member for Houghton has proved here today that she can fabricate documents," Mr Coetsee said.

Point of order

sole judge of the extent of any threat against the state.

He believed that the Leader of the Opposition, Dr Frederik van zyl Slabbert, was absent from the debate because he had previously admitted that there was a need for special security measures and these views differed strongly from those expressed by opposition speakers in the debate today.

"Long before the Rabie commission, the Leader of the Opposition read the signs correctly," he said. He had introduced a new concept which last year was also being debated



Mr Kobie Coetsee

MP's quotes from letter

Political Staff

HOUSE OF ASSEMBLY.— Allegations about mistreatment of Dr Neil Aggett, former trade unionist who was found hanged in his cell in John Vorster Square on

Rabie: PM's statement

Statement by the Honourable P W Botha DMS MP Prime Minister released at the opening of the debate in the House of Assembly yesterday on the report of the Rabie commission of inquiry into security legislation.

"The proposals made by the Commission of Inquiry into Security Legislation in regard to the administration of security legislation have been accepted. It has accordingly been decided to establish a Ministry of Law and Order, which will have under its charge the South African Police, headed by the Commissioner of the South African Police, as at present, and a Directorate for Security Legislation, headed by a director.

"The Commission's proposals in regard to the offences which it recommends to be substituted for offences laid down in security legislation at present, are accepted in principle.

"The Commission's proposals in regard to preventive security action, the detention of persons for interrogation, the detention of certain persons as State witnesses and the refusal of bail to accused persons in certain cases, are accepted in principle.

"The principle of the revision of preventive security action is accepted.

"The Commission's proposals in regard to the safeguarding of information, intimidation, and the other legislation recommended by it, are also accepted in principle.

"As far the combating of terrorism is concerned, there is an agreement between the South African Police and the South African Defence Force as determined by the Prime Minister from time to time.

"As far as the collection, evaluation and interpretation of security information are concerned, there are also procedures which have been agreed upon by the National Intelligence Service, the Security Police and Military Intelligence, as approved by the Prime Minister from time to time.

"The detail, practical implementation and final formulation of legislation arising from the acceptance of the abovementioned broad principles will be dealt with as soon as the comments of interested parties have been received in the near future.

ANC opposition will intensify — Pitman

HOUSE OF ASSEMBLY.— The official opposition believed that for as long as present government was an onslaught against South Africa.

"But what does the government mean by total?" the United States the main reason for the breakaway by the Pan Africanist Congress," he said.

Finally, did the PFP if the ANC would

CAPE TIMES 17/2/82

Govt accepts Rabie proposals

327

Political Staff

HOUSE OF ASSEMBLY.— The government has accepted the recommendations of the Rabie Commission on security legislation and has agreed to a new Department of Law and Order under Mr Louis le Grange, the present Minister of Police.

This was announced yesterday by the Prime Minister, Mr P W Botha, at the start of the special parliamentary debate on the commission's report.

The commission recommended the institution of three newly-defined offences — terrorism, subversion and sabotage.

It suggested that a person who suspected that another person intends to, or had committed one of the three offences, must report it to the police or be guilty of an offence. It would be a crime to assist that person in any way. Anyone doing so would be liable to the same penalties as if he had committed the offence himself. The commission has recommended that ministerial approval be necessary for detention of more than 30 days.

The retention of detention without trial was

➡➡➡➡ To page 2

B

CAPE TIMES 17/2/82

327

B

From page 1

mooted, but with certain modifications. These include a board headed by a judge to review detentions every six months.

Also recommended were: A new official secrets act; an intimidation act which would carry a penalty of R20 000 or imprisonment for up to 10 years for acts of intimidation; legislation to prevent demonstrations around courts; and to empower a warrant officer to detain a person for 48 hours; and legislation to allow for the interception of mail, telephone calls and telegrams.

Legislation would be drafted as soon as comments had been received from all interested parties, Mr Botha said.

● **Text of Mr Botha's statement, page 4**

Request for trial in camera possible

ARGUS 19/2/82

(1) 327 ~~254~~

Argus Correspondent

DURBAN. — An application could be made for the trial of the 45 alleged Seychelles mercenaries to be held in camera next month.

Speculation is mounting in legal circles in Maritzburg and Durban that the South African Defence Force will retain a senior counsel for the case. He will have a watching brief.

Once the charges have been read to Colonel Mike Hoare and his 44 men, and their pleas entered, the SADF advocate may ask for the hearing to continue in camera, The Argus Correspondent has been told.

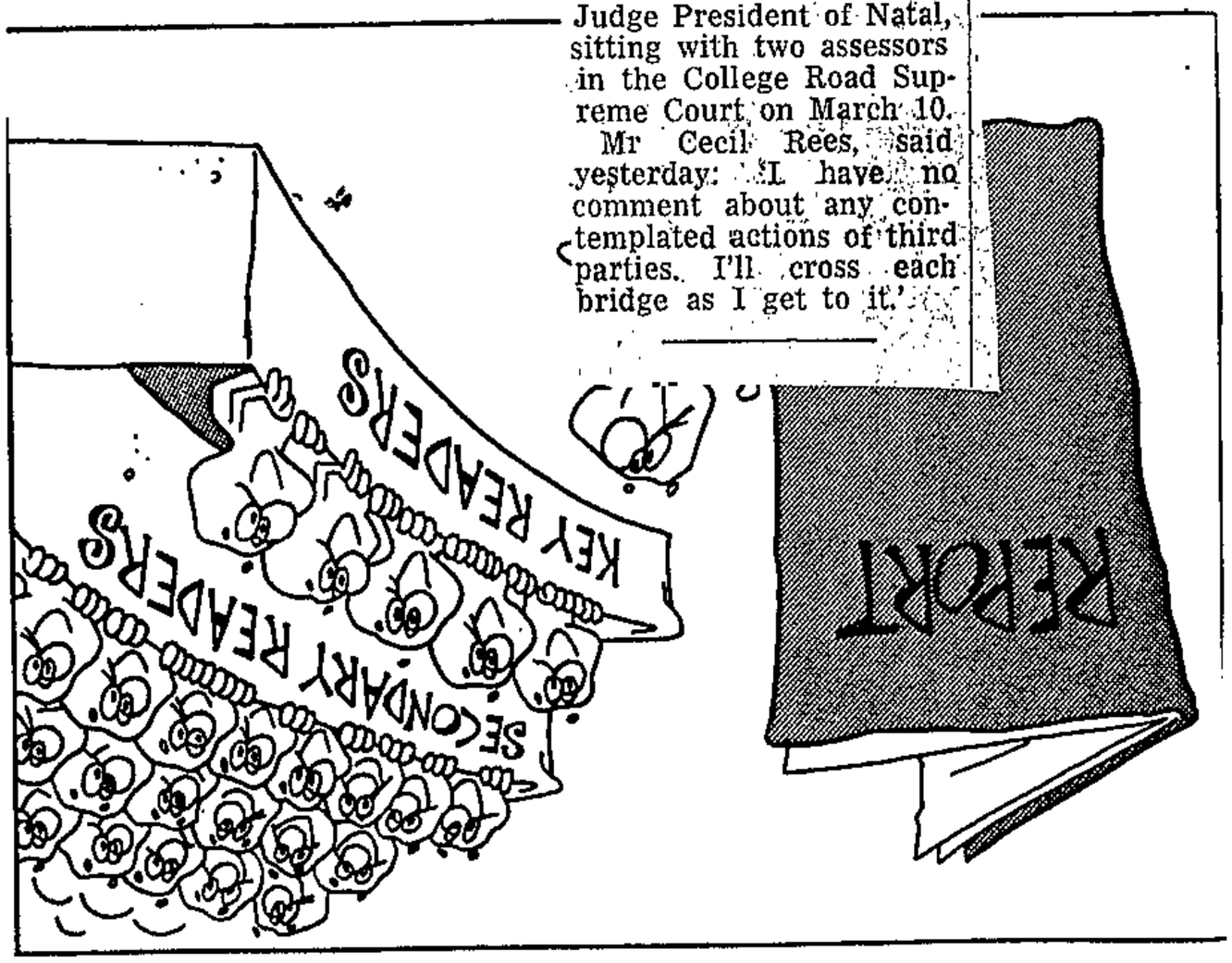
If this is so, the Attorney-General of Natal, Mr Cecil Rees, is expected to oppose.

MARCH 10

The alleged mercenaries' trial opens before Mr Justice James, Acting Judge President of Natal, sitting with two assessors in the College Road Supreme Court on March 10.

Mr Cecil Rees, said yesterday: 'I have no comment about any contemplated actions of third parties. I'll cross each bridge as I get to it.'

CAPTION: en read by different
e, with different



laird,
p.203

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

PRYS (AVB ingesluit) 30c PRICE (GST included)

As 'n Nuusblad by die Poskantoor Geregistreer BUITELANDS 40c ABROAD *Registered at the Post Office as a Newspaper*
POSVRY · POST FREE

Vol. 200] PRETORIA, 19 FEBRUARIE / FEBRUARY 1982 [No. 8032

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

19 Februarie 1982

No. 344

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

LYS/LIST P82/18

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/11/16	***Savage Day***	Thomas Wiseman	(a)
P82/2/23	***Poems from Angola*** (African Writers Series—215)	Selected and translated by Michael Wolfers	(e)
P82/2/45	***8th January 1982—70th Anniversary of ANC*** (Pamflet/Pamphlet)	African National Congress, South Africa	(e)
P82/2/47	***Herman Toivo ja Toivo: Speech from the dock***	Projects Comm, SRC Press, University of Cape Town	(e)
P82/2/48	***On Trial—Oscar Mpetha*** (Pamflet/Pamphlet)	Media Comm, SRC Press, University of Cape Town	(e)
P82/2/50	***Neil Aggett died in detention*** (Pamflet/Pamphlet)	Projects Comm, SRC Press, University of Cape Town	(e)
P82/2/56	***Namibia in Struggle: Development aid from People to People—1982*** (Kalender/Calendar)	Development aid from People to People, Ulfborg, Denmark	(e)

19 Februarie 1982 | No. 345

No. 345

PUBLIKASIES OF VOORWERPE.—APPÈL DEUR DIREKTORAAT

Die Direktoraat van Publikasies het op 10 Februarie 1982 kragtens artikel 13 van die Wet op Publikasies, 1974, appèl aangeteken teen die beslissing op 8 Februarie 1982, van 'n komitee bedoel in artikel 4 van genoemde Wet dat die ondergenoemde publikasie binne die bedoeling van artikel 47 (2) (a) van genoemde Wet ongewens is:

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer
P81/11/16	***Savage Day***	Thomas Wiseman.

GOVERNMENT NOTICES

DEPARTMENT OF INTERNAL AFFAIRS

19 February 1982

No. 344

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

LYS/LIST P82/18

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/11/16	***Savage Day***	Thomas Wiseman	(a)
P82/2/23	***Poems from Angola*** (African Writers Series—215)	Selected and translated by Michael Wolfers	(e)
P82/2/45	***8th January 1982—70th Anniversary of ANC*** (Pamflet/Pamphlet)	African National Congress, South Africa	(e)
P82/2/47	***Herman Toivo ja Toivo: Speech from the dock***	Projects Comm, SRC Press, University of Cape Town	(e)
P82/2/48	***On Trial—Oscar Mpetha*** (Pamflet/Pamphlet)	Media Comm, SRC Press, University of Cape Town	(e)
P82/2/50	***Neil Aggett died in detention*** (Pamflet/Pamphlet)	Projects Comm, SRC Press, University of Cape Town	(e)
P82/2/56	***Namibia in Struggle: Development aid from People to People—1982*** (Kalender/Calendar)	Development aid from People to People, Ulfborg, Denmark	(e)

19 February 1982

No. 345

PUBLICATIONS OR OBJECTS.—APPEAL BY DIRECTORATE

On 10 February 1982, the Directorate of Publications appealed under section 13 of the Publications Act, 1974, against the decision on 8 February 1982 of a committee referred to in section 4 of the said Act, that the undermentioned publication is undesirable within the meaning of section 47 (2) (a) of the said Act:

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer
P81/11/16	***Savage Day***	Thomas Wiseman.

19 Februarie 1982

OPSKORTING VAN BESLISSING VAN KOMITEE VAN PUBLIKASIES DEUR VOORSITTER VAN DIE APPÈLRAAD OOR PUBLIKASIES KRAGTENS ARTIKEL 13 (3) (a) VAN DIE WET OP PUBLIKASIES, WET 42 VAN 1974, SOOS GEWYSIG

Die Voorsitter van die Appèlraad oor Publikasies het ingevolge artikel 13 (3) (a) van die Wet op Publikasies, 1974, besluit om die beslissing van 'n komitee kragtens artikel 11 (2) van genoemde Wet dat die publikasie *Savage Day* ongewens is op te skort totdat die Appèlraad oor die appèl deur die Direktoraat van Publikasies teen die komitee se beslissing beslis het.

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer
P81/11/16	***Savage Day***.....	Thomas Wiseman.

No. 346

19 February 1982

SUSPENSION OF DECISION OF PUBLICATIONS COMMITTEE BY THE CHAIRMAN OF THE PUBLICATIONS APPEAL BOARD UNDER SECTION 13 (3) (a) OF THE PUBLICATIONS ACT, ACT 42 OF 1974, AS AMENDED

The Chairman of the Publications Appeal Board has decided under section 13 (3) (a) of the Publications Act, 1974, to suspend the decision of a committee under section 11 (2) of the said Act that the publication *Savage Day* is undesirable until the Appeal Board has determined the appeal by the Directorate of Publications against that decision.

ALGEMENE KENNISGEWING

KENNISGEWING 109 VAN 1982

DEPARTEMENT VAN FINANSIES

VERKOOPBELASTINGWET, 1978

Die Kommissaris van Binnelandse Inkomste maak vir gemene inligting bekend dat met ingang van 1 Maart 1982 ie Afrondingstabel hieronder uiteengesit deur elke afslaer ondernemer gebruik moet word by die vasstelling van die drae verkoopbelasting wat ingevolge artikel 10 van die erkoopbelastingwet, 1978 (Wet 103 van 1978), ingesluit bygetel moet word:

GENERAL NOTICE

NOTICE 109 OF 1982

DEPARTMENT OF FINANCE

SALES TAX ACT, 1978

The Commissioner for Inland Revenue notifies for general information that with effect from 1 March 1982 the Rounding-off Table set out hereunder shall be used by every auctioneer or vendor in the determination of the amounts of sales tax to be included or added in terms of section 10 of the Sales Tax Act, 1978 (Act 103 of 1978):

Landdrosdistrik Magisterial District	Stedelike plaaslike gebied Urban local area	Stedelike plaaslike bestuur Urban local authority	Aantal geregistreerde kiesers Number of registered voters
Underberg	Himeville	GK/HC	85
	Underberg	GK/HC	97
Utrecht	Utrecht	SR/BC	826
Vryheid	Vryheid	SR/BC	4 076
Weenen	Weenen	DR/TB	110

Let Wel.—In die landdrosdistrikte Ingwavuma, Mahlabatini, Mapumulo, Msinga, Nkandla en Nqutu is daar geen gebied onder die beheer van 'n stedelike plaaslike bestuur nie.

Note.—In the Magisterial Districts of Ingwavuma, Mahlabatini, Mapumulo, Msinga, Nkandla and Nqutu there is no area under control of an urban local authority.

No. 268 19 Februarie 1982

WET OP VREEMDELINGE, 1937

VANSVERANDERING.—ROT IN ROUX

Dit het die Minister van Binnelandse Aangeleenthede behaag om, kragtens die bepalings van artikel 9 van die Wet op Vreemdelinge, 1937 (Wet 1 van 1937), Marcel Arthur Rot, sy eggenote Andrisa, gebore Van Zyl, en minderjarige kind Marli Rot, woonagtig te Emmettstraat 17, Villiers, 9840, te magtig om die van Roux aan te neem.

No. 268 19 February 1982

ALIENS ACT, 1937

CHANGE OF SURNAME.—ROT TO ROUX

The Minister of Internal Affairs has been pleased under the provisions of section 9 of the Aliens Act, 1937 (Act 1 of 1937), to authorise Marcel Arthur Rot, his wife Andrisa, born Van Zyl, and his minor child Marli Rot, residing at 17 Emmett Street, Villiers, 9840, to assume the surname of Roux.

No. 273 19 Februarie 1982

WET OP VREEMDELINGE, 1937

VANSVERANDERING.—KLEINBOOI IN KLEIN

Dit het die Minister van Binnelandse Aangeleenthede behaag om, kragtens die bepalings van artikel 9 van die Wet op Vreemdelinge, 1937 (Wet 1 van 1937), Albert Christian Kleinbooi, sy vrou Freda, gebore Du Plessis, en sy kind Ian Mark Kleinbooi, woonagtig te Hexrivierbergweg 19, Bosmont, Johannesburg, te magtig om die van Klein aan te neem.

No. 273 19 February 1982

ALIENS ACT, 1937

CHANGE OF SURNAME.—KLEINBOOI TO KLEIN

The Minister of Internal Affairs has been pleased under the provisions of section 9 of the Aliens Act, 1937 (Act 1 of 1937), to authorise Albert Christian Kleinbooi, his wife Freda, born Du Plessis, and his child Ian Mark Kleinbooi, residing at 19 Hexrivierberg Avenue, Bosmont, Johannesburg, to assume the surname of Klein.

No. 276 19 Februarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

No. 276 19 February 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

LYS/LIST P82/17

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/12/106	*Amazons*	Cleo Birdwell	(a)
P82/1/126	Life is a bed of Roses but watch for the Pricks—GL-88 (1145) (Afstrykpatroon/Transfer)	Nie vermeld nie/Not stated	(a)
P82/1/128	If you think Sex is a Pain in the Ass then you're doing it Wrong!—R44850 (Afstrykpatroon/Transfer)	Printed in U.S.A.	(a)
P81/12/76	*Blown Away*	Hal Kantor	(a)
P82/1/73	*How to Make Love to A Man*	Alexandra Penney	(a)
[illegible]	Sporting Scene, The—1982 (Kalender/Calendar)	Nie vermeld nie/Not stated	(a)

No. 277 19 Februarie 1982

PUBLIKASIES OF VOORWERPE

Die Appèlraad oor Publikasies het kragtens artikel 13 (5) van die Wet op Publikasies, 1974, soos gewysig, beslis dat die ondergenoemde publikasie nie ongewens is nie en het die beslissing van 'n komitee bedoel in artikel 4 van genoemde Wet dat genoemde publikasie binne die bedoeling van artikel 47 (2) (a) en (b) van genoemde Wet ongewens is, ter syde gestel. Die ondergenoemde inskrywing ten opsigte van die publikasie word hierby geskrap:

No. 277 19 February 1982

PUBLICATIONS OR OBJECTS

The Publications Appeal Board in terms of section 13 (5) of the Publications Act, 1974, as amended, decided that the undermentioned publication is not undesirable and set aside the decision of a committee referred to in section 4 of the said Act that the said publication is undesirable within the meaning of section 47 (2) (a) and (b) of the said Act. The undermentioned entry in respect of the publication is hereby deleted:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
P81/11/4	*By the Green of the Spring* (Advance Proof)	John Masters	In SK./G.G. 7819, GK./G.N. 2098 van/of 2/10/81.

No. 278 19 Februarie 1982

PUBLIKASIES OF VOORWERPE.—APPÈL DEUR DIREKTORAAT

Die Direktoraat van Publikasies het op 10 Februarie 1982 kragtens artikel 13 van die Wet op Publikasies, 1974, appèl aangeteken teen die beslissing op 8 Februarie 1982 van 'n komitee bedoel in artikel 4 van genoemde Wet dat die ondergenoemde publikasie binne die bedoeling van artikel 47 (2) (a) van genoemde Wet ongewens is:

No. 278 19 February 1982

PUBLICATIONS OR OBJECTS.—APPEAL BY DIRECTORATE

On 10 February 1982 the Directorate of Publications appealed under section 13 of the Publications Act, 1974, against the decision on 8 February 1982 of a committee referred to in section 4 of the said Act, that the undermentioned publication is undesirable within the meaning of section 47 (2) (a) of the said Act:

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer
P81/11/16	*Savage Day*	Thomas Wiseman.

No. 279 19 Februarie 1982

PUBLIKASIES OF VOORWERPE.—VERTOË TEN OPSIGTE VAN APPÈL

Die Direktoraat van Publikasies het op 10 Feburarie 1982 kragtens artikel 14 van die Wet op Publikasies, 1974, appèl aangeteken teen die beslissing op 4 Februarie 1982 van 'n komitee bedoel 'n artikel 4 van genoemde Wet dat die ondergenoemde publikasie nie binne die bedoeling van artikel 47 (2) van genoemde Wet ongewens is nie. Die tydperk waarin persone bedoel in artikel 14 (3) (b) van genoemde Wet vertoë tot die Appèlraad oor Publikasies, Privaatsak X114, Pretoria, ten opsigte van genoemde appèl kan rig, word hierby bepaal as 10 dae vanaf die datum van hierdie kennisgewing.

No. 279 19 February 1982

PUBLICATIONS OR OBJECTS.—APPEAL BY DIRECTORATE

On 10 February 1982 the Directorate of Publications appealed under section 14 of the Publications Act, 1974, against the decision on 4 February 1982 of a committee referred to in section 4 of the said Act, that the undermentioned publication is not undesirable within the meaning of section 47 (2) of the said Act. The period within which persons referred to in section 14 (3) (b) of the said Act may make representations to the Publications Appeal Board, Private Bag X114, Pretoria, in respect of the said appeal is hereby determined as 10 days from the date of this notice.

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer
P82/1/129	I married a Nun . . . Nun in the Morning and Nun at Night!—R44641 (Afstrykpatroon/Transfer)	Printed in U.S.A.

No. 280 19 Februarie 1982

VERBOD OP BESIT VAN ONGEWENSTE PUBLIKASIES

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, wat kragtens artikel 11 (2) van genoemde Wet beslis het dat die ondergenoemde publikasie ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet, het kragtens artikel 9 (3) van genoemde Wet die besit van genoemde publikasies verbied. Genoemde verbod is kragtens artikel 9 (5) van genoemde Wet deur die Appèlraad oor Publikasies bekragtig.

No. 280 19 February 1982

PROHIBITION ON POSSESSION OF UNDESIRABLE PUBLICATIONS

A committee referred to in section 4 of the Publications Act, 1974, which decided under section 11 (2) of the said Act that the undermentioned publications are undesirable within the meaning of section 47 (2) of the said Act, has under section 9 (3) of the said Act, prohibited the possession of the said publications. The said prohibition was confirmed by the Publications Appeal Board under section 9 (5) of the said Act.

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/10/105	*Race Propaganda & South Afrca*	John C. Laurence	(e)
P81/11/13	*Lease On Lust*	Ted Mann	(a)
P81/11/32	*Resister Bulletin*—No 16, Oct–Nov 1981	Cosawr (UK), London	(e)
P81/11/34	*Weekly News Briefing*—Volume Three, Issue No 39, First Week, October, 1979	Issued by ANC (SA), London	(d)+(e)
P81/11/36	*South African Communists Speak*—Documents from the History of the South African Communist Party 1915–1980	Inkululeko Publications, London	(e)
P81/11/45	*New Dawn*—No 10, October 1981	New Dawn, Moscow	(e)
P81/11/51	*Ikwezi*—No 18, October 1981	Ikwezi, Nottingham, England	(e)
P81/11/53	*Anti-Apartheid News*—October 1982	Anti-Apartheid Movement, London	(e)
P81/11/54	*Informationsdienst Südliches Afrika*—Nr 10, Okt 1981	Informationsdienst Südliches Afrika e.V. (ISSA), Bonn; Anti-Apartheid—Bewegung in der BRD und Westberlin e.V. (AAB), Bonn	(e)
P81/11/55	*Hakika*—Vol 3, No 3, August 1981	Southern Africa Liberation Centre, Sydney	(e)
P81/11/59	*Freedom Charter, The* met aanhef op die agterkant/ with heading on reverse side "The Story of the Freedom Charter" (Vlugskrif/Leaflet)	Nie vermeld nie/Not stated	(e)
P81/11/60	*Call, The*	Cape Anit-SAIC Committee, Athlone	(e)
P81/11/63	Declaration adopted at National Anti-SAIC conference on October 10 and 11, 1981, in Durban (Vlugskrif/Leaflet)	SRC, University of Western Cape, Bellville South	(e)
P81/11/81	*Southern Africa After Zimbabwe*	Alex Callinicos	(e)
P81/11/88	*Sechaba*—September 1981	African National Congress of South Africa, Lusaka, Zambia	(e)
P81/11/107	*Anti-Apartheid News*—November 1981	Anti-Apartheid Movement, London	(e)
P81/12/1	*Monday Morning* (September–October 1981)	CUSO, Botswana	(e)
P81/12/8	*Lenin*	Papers & Publications (Printers) Limited (T.U.), Banbury, Oxon	(e)
P81/12/3	*Soviet Story, The*	Soviet Weekly, London	(e)
P81/12/4	*Malibongwe*—ANC Women: Poetry is also their Weapon	Edited by Sono Molefe	(e)
P81/11/108	*Inquba Ya Basebenzi*—No 4, October 1981 met/with Inqaba Ya Basebenzi Supplement—No 4, October 1981	Printed by Cambridge Heath Press Ltd (TU), London	(e)

No. 281 19 Februarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE.—REGSTELLING

In *Staatskoerant* 7958, Goewermentskennisgewing 2766 van 18 Desember 1981, vervang die inskrywing P81/9/58 deur die volgende inskrywing:

No. 281 19 February 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS.—CORRECTION

In *Government Gazette* 7958, Government Notice 2766 of 18 December 1981, substitute the following entry for entry P81/9/58:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/9/58	*International Union of Students*—Statement on recent Racist South Africa's Aggression Against Angola	International Union of Students, Prague, Czechoslovakia	(e)

No. 282 19 Februarie 1982

AFKEURING VAN ROLPRENTE

Die Appèlraad oor Publikasies het kragtens artikel 24 van die Wet op Publikasies, 1974—

(a) beslis dat die ondergenoemde rolprent binne die bedoeling van artikel 47 (2) (a) van genoemde Wet ongewens is;

(b) die rolprent afgekeur; en

(c) die voorwaardelike goedkeuring van die rolprent deur 'n komitee bedoel in artikel 4 van die genoemde Wet ter syde gestel.

No. 282 19 February 1982

REJECTION OF FILM

The Publications Appeal Board under section 24 of the Publications Act, 1974—

(a) decided that the undermentioned film is undesirable within the meaning of section 47 (2) (a) of the said Act;

(b) rejected the film; and

(c) set aside the conditional approval of the film by a committee referred to in section 4 of the said Act.

Rolprent Film	Vertoëmaker Representer
[illegible]ct Lover	Atlas Motion Picture Corporation (Edms.) Bpk./(Pty) Ltd.

No. 283 19 Februarie 1982

WET OP PUBLIKASIES, 1974

ROLPRENT

Die Appèlraad oor Publikasies het kragtens artikel 24 van die Wet op Publikasies, 1974, die voorwaardelike goedkeuring van die ondergenoemde rolprent deur 'n komitee bedoel in artikel 4 van genoemde Wet gewysig deur bepaal—

(a) dat die ondergenoemde rolprent nie aan persone in die ouderdomsgroep 2–18 jaar vertoon mag word nie; en

(b) dat sekere weglatings aangebring moet word.

Inskrywing No. Entry No.	Rolprent Film	Vertoëmaker Representer
RB1/11/48	*Buddy Buddy*..... ...	CIC-Warner (Edms.) Bpk./(Pty) Ltd.

No. 283 19 February 1982

PUBLICATIONS ACT, 1974

FILM

The Publications Appeal Board under section 24 of the Publications Act, 1974, varied the conditional approval of the undermentioned film by a committee referred to in section 4 of the said Act by stipulating—

(a) that the film shall not be exhibited to persons in the age group 2–18 years; and

(b) that certain excisions be made.

No. 289 19 Februarie 1982

WET OP VREEMDELINGE, 1937

VANSVERANDERING.—KLEINBOOI IN KLEIN

Dit het die Minister van Binnelandse Aangeleenthede behaag om, kragtens die bepalings van artikel 9 van die Wet op Vreemdelinge, 1937 (Wet 1 van 1937), Malcolm Trevor Denzil Kleinbooi en sy vrou Zelda Muriel Elizabeth, gebore Musson, woonagtig te Sinklienelaan 6, Fleurhof, Florida, 1710, te magtig om die van Klein aan te neem.

No. 289 19 February 1982

ALIENS ACT, 1937

CHANGE OF SURNAME.—KLEINBOOI TO KLEIN

The Minister of Internal Affairs has been pleased under the provisions of section 9 of the Aliens Act, 1937 (Act 1 of 1937), to authorise Malcolm Trevor Denzil Kleinbooi and his wife Zelda Muriel Elizabeth, born Musson, residing at 6 Sinkliene Avenue, Fleurhof, Florida, 1710, to assume the surname of Klein.

DEPARTEMENT VAN BUITELANDSE SAKE EN INLIGTING

No. 292 19 Februarie 1982

GELOOFSBRIEFOORHANDIGING

Hierby word bekendgemaak dat Sy Eksellensie mnr. Elliot Lizo Roqoza op 26 Januarie 1982 aan Tuynhuys, Kaapstad, deur die Staatspresident ontvang is en dat hy by daardie geleentheid sy Geloofsbrief as Buitengewone en Gevolmagtigde Ambassadeur van die Republiek van Ciskei in die Republiek van Suid-Afrika oorhandig het.

[72/242/1 (32)]

No. 293 19 Februarie 1982

GELOOFSBRIEFOORHANDIGING

Hierby word bekendgemaak dat Sy Eksellensie mnr. Achille Léon François André Marcel Plaisant op 26 Januarie 1982 aan Tuynhuys, Kaapstad, deur die Staatspresident ontvang is en dat hy by daardie geleentheid sy Geloofsbrief as Buitengewone en Gevolmagtigde Ambassadeur van Frankryk in die Republiek van Suid-Afrika oorhandig het.

[72/30/1 (32)]

No. 294 19 Februarie 1982

TOEKENNING VAN "DIE ORDE VAN GOEIE HOOP" IN DIE EERSTE KLAS: GROOTKRUIS

Hierby word bekendgemaak dat bogenoemde dekorasie op 9 Desember 1981, kragtens die reëls vervat in die Bevelskrif wat by Goewermentskennisgewing R. 311 van 2 Maart 1973 gepubliseer is, oorhandig is aan—

Sy Eksellensie dr. Guilio Cesare di Lorenzo.

[113/35/4 (32)]

DEPARTMENT OF FOREIGN AFFAIRS AND INFORMATION

No. 292 19 February 1982

PRESENTATION OF CREDENTIALS

It is hereby notified that His Excellency Mr Elliot Lizo Roqoza was received by the State President at Tuynhuys, Cape Town, on 26 January 1982, on which occasion he presented his Letter of Credence as Ambassador Extraordinary and Plenipotentiary of the Republic of Ciskei to the Republic of South Africa.

[72/242/1 (32)]

No. 293 19 February 1982

PRESENTATION OF CREDENTIALS

It is hereby notified that His Excellency Mr Achille Léon François André Marcel Plaisant was received by the State President at Tuynhuys, Cape Town, on 26 January 1982, on which occasion he presented his Letter of Credence as Ambassador Extraordinary and Plenipotentiary of France to the Republic of South Africa.

[72/30/1 (32)]

No. 294 19 February 1982

AWARD OF "THE ORDER OF GOOD HOPE" FIRST CLASS: GRAND CROSS

It is hereby notified that, on 9 December 1981, the above-mentioned decoration was conferred in terms of the rules contained in the Warrant published under Government Notice R. 311 of 2 March 1973, on—

His Excellency Dr Guilio Cesare di Lorenzo.

[113/35/4 (32)]

327 Hansard Q. Col. 151 19/2/82

Passports

*16. Mr. R. R. HULLEY asked the Minister of Internal Affairs:

Whether his Department has issued passports in the names of (a) Martin Dolinchek and (b) Anton Lubick; if so, on what date in each case?

†The MINISTER OF INTERNAL AFFAIRS:
Yes,

(a) 19 April 1977.

(b) 12 October 1981.

Mr. R. R. HULLEY: Mr. Speaker, arising out of the hon. the Minister's reply, could I ask him whether the department was aware, at the time of issuing those passports, that the one person was not a real person?

†The MINISTER: Mr. Speaker, the hon. member's question is obviously an evasion of the *sub judice* rule. I have given my reply. [Interjections.]

Mr. A. B. WIDMAN: Ah, come on!

X Hansard Q. 61. 151 Y 4

Ladysmith: Coloured primary school

19/2/82

*17. Mr. G. B. D. McINTOSH asked the Minister of Internal Affairs:

(1) Whether the Natal Provincial Administration offered to make available one of its school buildings in Ladysmith for temporary use as a Coloured primary school; if so,

(2) whether he was informed of such offer; if so, (a) in what manner, (b) when and (c) what was his reply thereto?

The MINISTER OF INTERNAL AFFAIRS:

(1) and (2) Yes. The hon. member is referred to my reply to his question No. 8 of 26 August 1981. The offer was not accepted in view of the fact that an alternative offer of five prefabricated classrooms at Edgewood Training College was made use of.

Ladysmith Coloured Primary School

*18. Mr. G. B. D. McINTOSH asked the Minister of Internal Affairs:

Whether any investigation was made into the cost of using a vacant school building belonging to the Natal Provincial Administration to house the Ladysmith Coloured Primary School on a temporary basis; if not, why not; if so, (a) what was such cost and (b) when was it determined?

†The MINISTER OF INTERNAL AFFAIRS:
Yes,

(a) an estimated R52 500 per annum;

(b) 5 October 1981.

Ladysmith Coloured Primary School

*19. Mr. G. B. D. McINTOSH asked the Minister of Community Development:

(1) Whether tenders were (a) invited and (b) received for a contract in respect of prefabricated classrooms for the Ladysmith Coloured Primary School; if so, (i) how many tenders were received, (ii) on what basis was the contract awarded and (iii) when was the (aa) contract awarded and (bb) work contracted for completion;

(2) whether such contract included the dismantling, transport and re-erection of such classrooms; if so, what was the total cost of dismantling, transporting and re-erecting the classrooms?

†The DEPUTY MINISTER OF COMMUNITY DEVELOPMENT:

(1

105

(1) (a) No objection in principle to the reservation of the area was received. Fourteen objections to the inclusion of specific properties or portions of properties were, however, received.

(b) Yes. Four persons suggested an extension of the proposed area.

(2) The recommendation in the Report on the Future Control and Management of Table Mountain and the Southern Peninsula Mountain Chain that the area be reserved as a nature area in terms of section 4(1) of the Physical Planning Act, 1967 was accepted in principle in 1978. The decision on the actual reservation of the area will be taken when the comments received have been properly evaluated.

(327) Hansard Q. Col 149 - 150 19/2/82

Riotous Assemblies Act

*15. Mr. S. A. PITMAN asked the Minister of Justice:

(1) Whether (a) he or (b) any magistrate authorized any exceptions to the prohibition on gatherings imposed by him on 27 March 1981 in terms of section 2(3)(a) of the Riotous Assemblies Act, No. 17 of 1956, in (i) Pietermaritzburg and (ii) Durban during the Republic Festival celebrations in May 1981; if so,

(2) (a)(i) who authorized, and (ii) what were the terms of, such exceptions and (b) in respect of what (i) dates and (ii) periods were the exceptions made?

The MINISTER OF POLICE (for the Minister of Justice):

(1) (a) (i) No.

(ii) No.

(b) (i) Yes.

(ii) Yes.

(2) The Magistrate, Pietermaritzburg authorized the following exception:

Permission to the Royal Agricultural Society of Natal to hold an agricultural show from 22 May 1981 to 30 May 1981 from 07h00 until midnight daily.

The Magistrate, Durban authorized the following exceptions:

(a) Permission to the Cancer Association of South Africa to hold a féte on 2 May 1981 from 06h00 to 19h00 subject to certain police requirements.

(b) Permission to the Lutheran Church to hold a sale on 2 May 1981 from 07h00 to 23h00 subject to the condition that the permission of the owner of the premises concerned be obtained.

(c) Permission to the Indian Church to hold a religious festival on 10 May 1981 from 10h00 to 15h00 subject to the condition that the festival be held on the grounds of the church and that the procession follows a specified route.

(d) Permission to hold an Indian Religious Circuit Convention on 16 May 1981 and 17 May 1981 from 09h00 to 17h00 daily subject to the following conditions:

(i) Any amplification system used must be toned down so as not to be a source of nuisance to the neighbourhood.

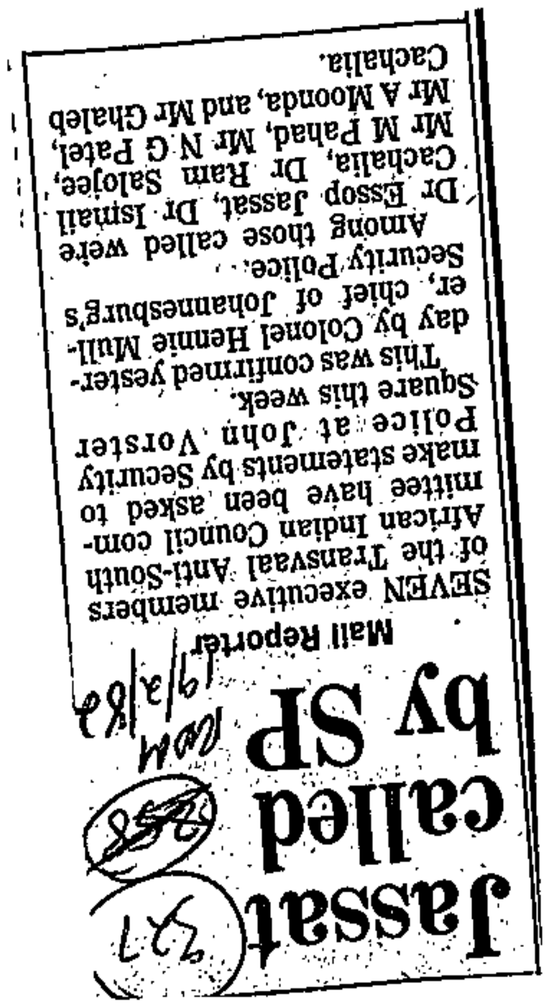
(ii) The necessary permission must be obtained from the Department of Community Development for the holding of a multiracial gathering.

(iii) Compliance with police requirements.

Your investigation of the City's water affairs has convinced you that public attention should be drawn to the seriousness of the situation. You are particularly concerned because of the projections for water consumption over the next 20 years.

The City Council has asked you to prepare a press release, highlighting the need to save water and the costs involved in ensuring future supplies.

The press release should be about 450 words in length and should follow the conventions that you have been taught.



Jassat called by SP

Mail Reporter

SEVEN executive members of the Transvaal Anti-South African Indian Council committee have been asked to make statements by Security Police at John Vorster Square this week.

This was confirmed yesterday by Colonel Hennie Mulder, chief of Johannesburg's Security Police.

Among those called were Dr Essop Jassat, Dr Ismail Cachalia, Dr Ram Saloojee, Mr M Pahad, Mr N G Patel, Mr A Moonda, and Mr Ghaleb Cachalia.

Secrecy plan for coup trial

(327) 20/2/82 Star

DURBAN — An application could be made for the trial of the 45 alleged Seychelles mercenaries to be held in camera next month.

Speculation is mounting in legal circles in Maritzburg and Durban that the South African Defence Force will retain a senior counsel for the case.

After the charges have been read to Colonel Mike Hoare and his 44 men, and their pleas entered, the SADF advocate may ask for the hearing to continue in camera, it has been learnt.

If he does the Attorney-General of Natal, Mr Cecil Rees, is expected to oppose the move.

Reporters have put this to senior counsel in Maritzburg. He said he had been approached, but did not say by whom, and insisted he had received no instructions from attorneys.

The trial opens before Mr Justice James, Acting Judge-President of Natal and two assessors in the College Road Supreme Court on March 10.

Mr Cecil Rees said this week: "I have no comment about any contemplated actions of third parties. I'll cross each bridge as I get to it."

8.

Botswana invited to visit 'abducted' man

(327) (331) (12) RDM 20/2/82

By PATRICK LAURENCE

BOTSWANA'S Commissioner of Police, Mr Simon Hirschfield, is considering taking up a South African invitation to check the alleged victim of a kidnapping is not being held in South Africa against his will.

A senior official of the Botswana Department of External Affairs said yesterday the invitation had been issued to Mr Hirschfield through the Botswana Minister of External Affairs, Mr Archie Mogwe, by South Africa's Foreign Minister Mr Pik Botha.

The alleged victim, Mr Peter Lengene, was said by the Botswana Government to have been kidnapped from Botswana by agents of the "South African Security Police" on February 6.

A South African by birth, Mr Lengene has been a refugee since August 1976.

Three men, two South Africans and an Angolan, have since been sentenced to four years imprisonment each by Botswana's Chief Magistrate for assisting in the abduction.

Mr Botha's invitation was in response to a strong statement from the Botswana Foreign Minister, Mr Archie Mogwe, condemning the abduction of Mr Lengene and demanding his return.

Mr Botha said: "I was informed by the Minister of Police, Mr Louis le Grange, that Mr Lengene was in South Africa. But he also indicated that Mr Lengene did not wish to return to Botswana".

A senior official of Botswana's Department of External Affairs said the invitation had originally been made "by the South African Police to our police at a police-to-police level. We do not consider it as a formal response".

Botswana police, however, were considering acceptance of the invitation.

Noting South Africa had "not denied Mr Lengene was kidnapped", he said the logical step was for South Africa to return Mr Lengene to Botswana and leave it to him to decide.

The Public Relations Division of the South African Police said yesterday: "No person of that name is being detained in terms of security legislation. A person of a similar name is, however, assisting the police in investigations of alleged offences".

Police in Botswana are understood to have linked the disappearance of Mr Lengene with the Terrorism Act trial in Vanderbijlpark of Mr Khotso Seatholo, a former president of the Soweto Student Representative Council, and Ms Mary Loate.

to for future [illegible]

Many thanks,

June Roux
for MR SMITH

8.2.3 Write a brief memo for one of the following purposes:

a) To advise employees not to use the company station ery for private purposes.

b) To inform a colleague that specific action must be taken before a deadline.

c) To announce a business meeting for employees.

c) To remind employees that the lunch hour is from one to two p.m.

8.2.4 Compare the effectiveness of the following two memos:

a) This is in reply to your memo of Feb 3 1980 in which you enquired why something hasn't been done about the broken air-conditioning unit in Room 4-B. The repair company that we usually do business with is out on strike. As soon as the strike is over, I am sure that the air-conditioning unit will be fixed. In the meantime, I would suggest that instead of wearing the tie and jacket which is required of all our employees you wear very light summer clothing.

Aggett, Mpetha pamphlets banned

Cape Times 20/2/82 (327) (328)

A PAMPHLET by the Projects Committee at the University of Cape Town titled "Neil Aggett died in detention" had been found to be undesirable, the Directorate of Publications announced in Cape Town yesterday.

A pamphlet by the Media Committee at the same university with the heading "On Trial — Oscar Mpetha" was also found to be undesirable.

The directorate also announced that a number of transfers had been banned. Included on the list are "Life is a bed of roses, but watch for the pricks" and "If you think sex is a pain in the ass then you're doing it wrong".

The directorate had appealed against a committee decision that a transfer "I married a nun . . . nun in the morning and nun at night" was not undesirable.

It will now be an offence to import and/or distribute the following publications or objects (names of author or producer in brackets).

Amazons (Cleo Birdwell). Life is a bed of roses but watch for the pricks — GI-88 1145 (transfer) (not stated). If you think sex is a pain in the ass then you're doing it wrong — R44850 (transfer) (printed in USA). Blown Away (Hal Kantor). How To Make Love To A Man (Alexandra Penney).

The Sporting Scene — 1982 (calendar) (not stated). Savage Day (Thomas Wiseman). Poems From Angola (African writers series — 215) (selected and translated by Michael Wolfers). 8th January 1982 — 70th anniversary of ANC (pamphlet) (African National Congress, South Africa). Herman Toivo Ja Toivo: Speech From The Dock (Projects Comm, SRC Press, University of Cape Town).

On Trial — Oscar Mpetha (pamphlet) (Media Comm, SRC Press, University of Cape Town). Neil Aggett died in detention (pamphlet) (Projects Comm. SRC Press, University of Cape Town). Namibia In Struggle: Development Aid From People To People — 1982 (calandar) (Development Aid From People to People, Ulfborg, Denmark).

It will now be an offence to possess the following publications: Race Propaganda and South Africa (John C Laurence). Lease On Lust (Ted Mann). Register Bulletin No 16, Oct-Nov 1981 (COSAWR-London). Weekly News Briefing Volume three, issue no 39, first week, October 1979 (issued by ANC (SA) London). South African Communists Speak — Documents From The History of the South African Communist Party 1915-1980 (Inkululeko Publications, London). New Dawn — No 10, October 1981 (New Dawn, Moscow). Ikwezi — No 18, October 1981 (Ikwezi, Nottingham, England).

Anti-Apartheid News — October 1981 (Anti-Apartheid Movement, London). Informationsdienst Sudliches Afrika Nr 10, Okt 1981 (Informationsdienst Sudliches Afrika E V (ISSA), Bonn. Anti-Apartheidbewegung in der BRD und Westberlin E V (AAB), Bonn. Hakika — Vol 3, no 3, August 1981 (Southern Africa Liberation centre, Sydney). The Freedom Charter, with heading on reverse side "The Story of the Freedom Charter" (leaflet) (not stated).

The Call (Cape Anti-SAIC Committee, Athlone). Declaration adopted at national anti-SAIC conference in October 10 and 11, 1981, in Durban (leaflet) (SRC, University of Western Cape, Bellville South). Southern Africa After Zimbabwe (Alex Callinicos).

Sechaba — September 1981 (African National Congress of South Africa, Lusaka, Zambia). Anti-Apartheid News, November 1981 (Anti-Apartheid Movement, London). Monday Morning, September — October 1981 (CUSO, Botswana). Lenin (Papers and Publications Limited) (TU), Banbury, Oxon. The Soviet Story (Soviet Weekly, London). Malibongwe — ANC Women: Poetry is also their weapon (edited by Sono Molefe). Inqaba ya Basebenzi — No 4, October 1981 with Inqaba ya Basebenzi Supplement — No 4, October 1981, (printed by Cambridge Heath Press Ltd (TU), London.

It will no longer be an offence to import and/or distribute the following publication:

By the Green of the Spring (advance proof) (John Masters).

The Directorate of Publications had appealed against a committee decision that "Savage Day" (Thomas Wiseman) is undesirable. — Sapa

Cape Times 20/2/82

SA issued fake passport

(327)

Political Staff

A SOUTH AFRICAN passport in the name of Anton Lubick was issued to intelligence agent Martin Dolinchek about six weeks before he was arrested in the Seychelles in connection with the abortive coup attempt.

This was revealed in Parliament yesterday by the Minister of Internal Affairs, Mr Chris Heunis, who refused to reply to a supplementary question on the grounds that it would contravene the Speaker's sub judice ruling.

The Speaker ruled earlier in the session that there should be no debate on the gov-

Doobie Brothers.

JOE GUWA

Cape Times 20/2/82

327

From page 1

Hulley asked Mr Heunis if, and when, South African passports had been issued in the names of Martin Dolinchek and Anton Lubick.

Mr Heunis replied that the Dolinchek passport had been issued on April 19 1977 and the Lubick one on October 12 last year.

Mr Hulley: "Arising out of the minister's reply, could I ask him whether the department was aware at the time of issuing those passports that the one person was not a real person?"

Mr Heunis: "The question is obviously an evasion of the sub judice rule. I have already answered."

Dolinchek was arrested under the alias of Lubick in the Seychelles capital. He is said to have been a member of an advance party sent ahead of the main mercenary contingent to scout out the territory.

It is claimed that he was at the airport when the main group arrived and watched helplesly as the customs officer discovered arms in the luggage of one of the mercenaries.

Mr Hulley said in a statement later that it appeared Mr Heunis was attempting to evade an issue which

Rand
DAILY MAIL

LATE FINAL

JOHANNESBURG, SATURDAY, FEBRUARY 20, 1982

PRICE 25c (incl tax)
PRICES ELSEWHERE ON BACK PAGE

NOW, YOU CA
TOYOTA COROL
Contact Len Skou, Ken Stell
YOUR COMPLE
LEN SKOU
HAS A GREAT DEAL
PRICED FOR YOU!!!

rs tell

ople

Govt gave false passport to spy

20/2/82 (327)

By EUGENE HUGO

SOUTH African spy Martin Dolinchek was apparently issued with a false passport by the Department of Internal Affairs after the Department of National Intelligence (NIS) claimed he had left their service.

This was confirmed in Parliament yesterday when the Minister of the Interior Mr Chris Heunis said in reply to questions that a passport was issued to Dolinchek in the name of Anton Lubic on October 12, 1981.

A spokesman for NIS, a Mr N J Fouche, said shortly after Dolinchek's admission on December 7 that he was a "senior intelligence officer", that the spy had left the agency's employ two months previously.

Diplomatic sources said last night that the false passport tended to give credence to claims by the United Nations commission investigating the coup that South Africa had turned an official "blind eye" to the operation.

And in other developments surrounding the Seychelles affair:

- President Albert René disclosed at a Press conference in Strasbourg that he was "quite convinced" the US and British intelligence services had prior knowledge of the attempted coup against his government last November.
- He also said investigations would reveal the full extent of their involvement and that in the near future "a very clear picture" of the part they played would become known.
- Mr Heunis refused to tell the Rand Daily Mail whether his department had launched any investigation into Dolinchek's alleged ability to obtain false passports.

Dolinchek was captured in the Seychelles masquerading under the name of Lubic after the abortive coup launched by Colonel "Mad Mike" Hoare and 44 mercenaries on November 25.

It now emerges that Dolinchek was issued with the passport six weeks before the coup — at the time when he, fellow mercenary Robert Sims and Hoare's two sons were testing 80 Rumanian AK47 assault rifles at La Mercy Airport near Durban.

The self-confessed South African spy said he had obtained the passport from a Mrs Van Heerden in charge of the passport office in Durban.

He also told Seychelles authorities that he obtained a false passport for Col Hoare in the name of Pretorius with permission "at the highest level".

The false Dolinchek passport was numbered D531473.

Mr Heunis declined in Parliament to answer a further question on whether the Department of Internal Affairs was aware that Anton Lubic was not a real person when the passport was issued. He said the matter was sub judice.

Approached last night for further comment on Dolinchek's claims, Mr Heunis said the Mail should approach Mrs Van Heerden in the passport office.

Asked directly whether his department had launched any kind of investigation into Dolinchek's claims, Mr Heunis said: "If there had been any investigation I would not tell you."

Sowetan 22/2/82 (330) (327)

Second refugee 'seized' (330)

By WILLIE BOKALA

ANOTHER South African refugee is believed to have been kidnapped from Botswana in the past few weeks and brought to South Africa.

The refugee, Miss Joyce Dipale, who is now married to another refugee, Mr Rolla Masinga, skipped the country in 1979 after being released from more than 16 months of detention under Section Six of the Terrorism Act.

The South African Police, although not directly confirming the kidnap, told **The SOWETAN** that Miss Dipale was not being held in terms of security legislation in South Africa.

WEAPONS

But, the police said, "a person with a similar name is, however, assisting the police in the investigation of alleged offences, and offensive weapons have already been discovered".

The police said the matter was sub judice and that they could not disclose the quantity of the "offensive" weapons discovered nor say when and where the weapons had been discovered.

Miss Dipale, a former executive member of the Soweto Students' Representative Council, was arrested in June 1977 with SSRC leader, Mr Sechaba Montsisi, and other executive members, and was released in 1978 without being charged.

She is believed to have been kidnapped with another former executive member of the SSRC, Mr Peter Lengene, whom the South African Government now says is asking for political asylum and does not wish to go back to Botswana.

Sources from Botswana say Mr Lengene was kidnapped by

South African agents who put him in the boot of a car and took him into the country. Four men have already been sentenced to four years each in a Botswana Magistrate's Court.



DANCING?: Chiefs' Jan "Malombo" Lechaba appears to be da: game against Pirates, which Chiefs won 2-1. Full

Undertaker demands R150 for ret=

BODY GONE

A SOWETO funeral undertaker allegedly removed a man's body from the Government mortuary without his widow's permission and later demanded that she pay R150 to get it back.

A distressed Mrs Adelina Mlambo, of Zone II, Diepkloof, told **The SOWETAN** that she was shocked on Friday when she sent undertakers to fetch her husband's body from the mortuary, only to be told that the body had already been removed by another undertaker.

pected to pay such an extraordinary amount for the storage of the body for only one night. Besides, this body was taken without my knowledge and without my permission, so how could I still be expected to pay for its release?

"The best I could do would have been to go the police to lay a charge against these people," Mrs Mlambo said.

Mrs Joyce Dibane

on W... ing, si... lift by... later... work... Funer...

T... even... woul... my... All I... my... the u... came...

"Th... gentle... house...

SDM 23/2/82

Banned student is in London

(327)

Mail Reporter

THE former University of the Witwatersrand student leader who fled South Africa after being banned for five years, Mr Sammy Adelman, is in London.

Reports from Maseru and Salisbury yesterday said Mr Adelman, 25, had left Lesotho — where he has been since January 27 — for London via Swaziland and Zimbabwe.

Sapa reported that according to the United Nations High Commission in Lesotho, Mr Adelman boarded a Lesotho Airways flight to Manzini, then flew to Salisbury where he boarded a British Airways flight to London.

The final-year law student, who crossed the Caledon River on foot only days before he was due to appear in court on charges of breaking his banning order, was granted temporary political asylum in Lesotho.

Strict secrecy surrounded Mr Adelman during his stay in Maseru.

Last night Mr Adelman's parents, who live in Orange Grove, Johannesburg, said they had not heard from their son since he left South Africa.

The president of the Wits SRC, Mr Jeremy Clark, said last night Mr Adelman would be sorely missed by his student colleagues.

"It seems he took this action due to petty but severe court action by the State, which would have prevented him practising as a lawyer," Mr Clark said.

SOLUTION TO: C

(1) Premiums T

01, Jan 1

Dec 31:

Years 02

04, Jan 1

Jan 2:

Company
e Policy
proceeds

Jan 2: Income from Life Policy
Income Statement
being closing entry

Jan 2: Income Statement
Insurance Expense
being closing entry

Jan 31: Bank
Debtor (Insurance Compa
being receipt of proceeds

(2) Premiums Treated as an Asset

01, Jan 1: Life Policy
Bank

Dec 31: Income Statement
Life Policy
(Surrender value of policy
therefore no amount can b

COUNTING A

Expense

remium

e

y

Lengene, over confusion Masinga

By WILLIE BOKALA

THE South African Security Police have refuted reports that they are holding former SowetoStudents Representative Council member, Mrs Joyce Masinga.

Major, J du Plessis, of the public relations division of the SAP, told **The SOWETAN** on Monday that the police "want to make it celar that they have not detained Miss Depale (Mrs Masinga)".

He said it was a misunderstanding and that his telex message to **The SOWETAN** on Friday last week, referred to Mr Peter Lengene and not to Miss Dipale. "We were answering to questions about Mr Lengene but, our message was misunderstood," he said.

However, we had sent the following telex to the police:

"Following our telex — dated 17/2/82 at 11h00 — inquiring whether the South African Police were holding Mr Peter Lengene, alleged kidnapped from Botswana, which you in return replied negatively to, may we inquire now whether the Security Police are holding Miss Joyce Dipale, of Dube, Soweto, an exile who is also alleged to have been kidnapped from Botswana.

"Our information is that two people, a man, Mr Lengene, and a woman, possibly Miss Dipale, have been kidnapped from Botswana."

The police reply read:

1. "We refer you to the statements made by the Honourable Minister of Justice in this regard.

2. No person with the name furnished is at present being detained in terms of security legislation in South Africa.

3. A person with a similar name is however assisting the police in the investigation of alleged offences and persons have already been arrested and offensive weapons discovered."

Botswana police also said they had no knowledge of the kidnapping and said that the last they heard about Miss Dipale was when she was taken to Europe for medical treatment last November.

The medical treatment on Miss Dipale followed an attempt on her life in November.

Referring to the kidnapping of Mr Peter Lengene, Botswana's Commissioner of Police, Mr Simon Hirschfeld said he had not been officially notified by the South African Government that he could go and interview Mr Lengene and find out what his position was about returning to Botswana.

"We made an official approach to the SA Government about the kidnapping and as far as we are concerned we have not had a reply from them. We have only read from news papers and heard from the radio that they want us to speak to Mr Lengene to find out his feelings, but they have not told this to us," he said.

Continued/ .....

Kitson's daughter gets 'protection' for jail visit

ARGUS 25/2/82 327

Argus Bureau

LONDON. — When Amandla Kitson goes to visit her father in Pretoria Central prison next month she will be taking one, maybe two British MPs with her as protection.

And, after her brother Steve was detained for six days when he visited his father at Christmas, the British representatives in South Africa have also been asked to ensure her safety.

'I recognise that there is a certain amount of risk involved,' Amandla, 19, told a Press conference at the House of Commons.

'But the South African regime has done all it can to isolate and demoralise my father. They have left him in a freezing cell without any heating. They have delayed his letters.

'We are very worried about him and want to reassure him. I want to satisfy myself that he is all right.

'Unlike my brother, I have always been interested in politics,' said Amandla, who has completed her 'A' levels and is waiting to enter university.

'But I am not and never have been a member of any organisation, party or group.'

Amandla has visited her father three times before, travelling on a British passport.

Labour MP Mr Alex Lyon will accompany her, sponsored by Dave Kitson's union AUEW/TASS. The operation has been given the official blessing of the Labour Party.

Mr Lyon said his task would be primarily to safeguard Amandla.

'But if the situation is sufficiently worrying, I should have thought it opportune to make representations,' he said.

Mr Lyon's status as a prohibited person in South Africa was removed when he was made a Home Office minister in 1974.

He will be taking application forms for Kitson to apply for British citizenship.

Dave Kitson, 63, has served 17 years of a 20-year sentence under the Terrorism Act. He is eligible for British citizenship and plans to live here when he is released.

Steve Kitson was at the Press conference. The chairman, Labour MP Mr Albert Booth, said Steve was still recovering from his ordeal in South Africa and would not allow him to be questioned in detail.

Mr Tony Benn, Steve Kitson's MP, was among the Labour MPs present. He said he had written to the Foreign Secretary, Lord Carrington, asking him to guarantee Amandla's safety.

Miss Joe Richardson, another Labour MP, has also offered to accompany Amandla. But her sponsorship will not be arranged by AUEW/TASS.

No appointment has been made for Amandla's visit. Mr Lyon said this would be in mid-March.

Refugee hurt in kidnap bid

GABORONE — Soweto refugee and former SRC member Mrs Joyce Masinga was wounded in a kidnap attempt here by "suspected South African agents", the Botswana Minister of Public Service and Information, Mr Danie Kwelagobe, said yesterday.

SOWETAN Africa News Service

She has been flown to Europe for specialist attention to her wound.

The kidnap attempt — which happened on November 26 emerged only after the latest incident in which Mr Peter Lengene, close associate of former Soweto SRC leader Mr Khotso Seathlolo, was allegedly abducted from Gaborone by "South African agents."

The South African Government has confirmed that Mr Lengene is back in South Africa.

Early this week it was reported that Mrs Masinga — who was known by her maiden name of Dipale while a member of the Soweto SRC — had been kidnapped and taken from Gaborone to South Africa.

The Botswana Government denied this and said she was out of the country receiving medical attention for the injuries she received in the kidnap attempt.

"It is difficult to say who her assailants were but we suspect they were South African agents," Mr Kwelagobe said.

"We are continuing to investigate the incident. We do have a lead as to who was involved. I suspect it was a kidnapping attempt."

Reacting to reports that Mrs Masinga was involved in a shoot-out during which she shot at her assailants, Mr Kwelagobe said the story was "incredible" because "Miss Dipale did not have a firearm."

Mrs Masinga, who was detained from June 1977 through to 1978, fled South Africa in 1979.

Jov's manager detained

A W
black
nhar
Polic
from
M
Vors
of th
H

same as 01
me Statement
surance Expense
g closing entry

rance Expense
nk
g payment of premium

d as Business Expense

ACCOUNTING A

		300	300
		300	300

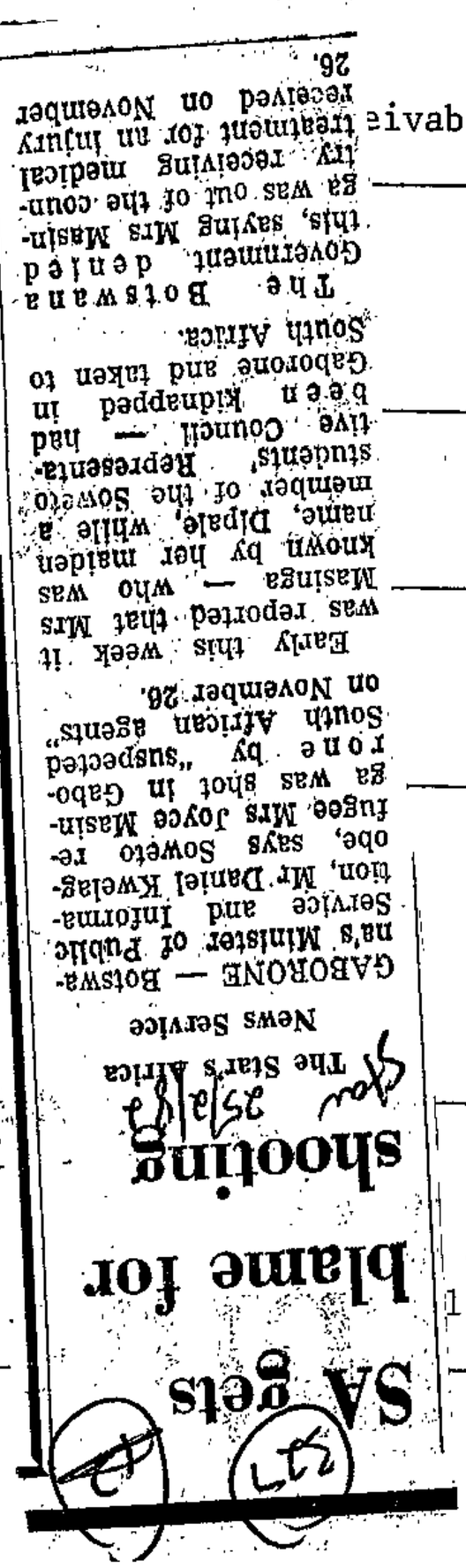
SOLUTION TO: GL5

(1) Premiums Treated as Business Expense

01, Jan 1:	Insurance Expense	300	
	Bank		300
	being payment of premium		
Dec 31:	Income Statement	300	
	Insurance Expense		300
	being closing entry		
Years 02 and 03 - same as 01			
04, Jan 1:	Insurance Expense	300	
	Bank		300
Jan 2:	Debtor (Ins	24 000	
	Income fr		24 000
	being accru eivable		
Jan 2:	Income from	24 000	
	Income St		24 000
	being closi		
Jan 2:	Income State	300	
	Insurance		300
	being closi		
Jan 31:	Bank	24 000	
	Debtor (I		24 000
	being recei		

(2) Premiums Treated as a

01, Jan 1:	Life Policy	300	
	Bank		300
Dec 31:	Income State-	300	
	Life Polic		300
	(Surrender va lised)		
	therefore no		



Continued/ .....

25/2/82

(327)

Govt lifts banning orders on twelve people

By ANNE SACKS

TWELVE people have had their banning orders lifted this month.

This was confirmed yesterday by a spokesman for the Ministry of Justice, who said withdrawal notices were served on 12 banned people on February 3.

Those now unbanned are (with date of due expiry in brackets):

Aderem, A A (31/3/82); Mpumlwana, M M (31/12/83); Mpumlwana M F (30/4/82); Dyani M (31/12/83); Adler D (29/2/83); Tshume P (31/1/83); Matthews J T; Qeqe D D (31/1/83); Ramokgopa, S (31/12/83); Malgas E (30/4/82); Phungula H (31/3/84); and Ngubeni M (30/9/82).

Mr Alan Aderem, 28, was a post-graduate chemistry student at the University of Cape Town before he was banned. He also worked as a voluntary social worker with coloured squatter communities in the Cape Peninsula.

Mr S "Rams" Ramokgopa, 43, founded the Soweto Committee of Ten and was an executive member of the banned Black Community Programmes before his movements were restricted in November 1978. He was also a member of the Black People's Convention, which was banned in October 1977.

Mr Malusi Mpumlwana was a prominent Black Consciousness leader and former security detainee before he was banned. His wife, Thoko, 28, was the editor of Black Review and Black Viewpoint.

Mr Michael Ngubeni, a former Robben Island prisoner, was convicted of sabotage in the 1960s. He was also involved in the marathon Pan-Africanist Congress trial in Bethal a few years ago.

Mr Dan Qeqe, 53, was an executive member of the Port Elizabeth Black Civic Organisation and an executive member of the non-racial KwaZekhele Rugby Union before he was banned.

Mr Dave Adler is an education consultant for Anglo American.

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 347 26 Februarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet!

LYS/LIST P82/19

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/2/19.....	***Tilghman Wheelabrator (SA) (Pty) Ltd/Clemco Distributors (Pty) Ltd—1982*** (Kalender/Calendar)	Nie vermeld nie/Not stated	(a)
P82/2/20.....	***Ampco*** (Briefhoof/Letterhead)	Nie vermeld nie/Not stated	(a)

No. 348 26 Februarie 1982

AFKEURING VAN ROLPRENT

Die Appèlraad oor Publikasies het kragtens artikel 24 van die Wet op Publikasies, 1974—

(a) beslis dat die ondergenoemde rolprent binne die bedoeling van artikel 47 (2) (a) van genoemde Wet ongewens is;

(b) die rolprent afgekeur; en

(c) die voorwaardelike goedkeuring van die rolprent deur 'n komitee bedoel in artikel 4 van die genoemde Wet, tersyde gestel.

Inskrywing No. Entry No.	Rolprent Film	Vertoëmaker Representer
R81/12/43.....	***Killer Elephants***.....	Interworld Films.

No. 349 26 Februarie 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE.—REGSTELLING

In *Staatskoerant* 8001, Goewermentskennisgewing 150 van 29 Januarie 1982, skrap inskrywing P81/10/81.

DEPARTEMENT VAN BUITELANDSE SAKE EN INLIGTING

No. 319 26 Februarie 1982

TOEKENNING VAN "DIE ORDE VAN GOEIE HOOP" IN DIE EERSTE KLAS: GROOTKRUIS

Hierby word bekendgemaak dat bogenoemde dekorasie op 21 Oktober 1981, kragtens die reëls vervat in die Bevelskrif wat by Goewermentskennisgewing R. 311 van 2 Maart 1973 gepubliseer is, oorhandig is—

Sy Eksellensie Bernard Jean Robert Dorin.

[113/35/4 (32)]

GOVERNMENT NOTICES

DEPARTMENT OF INTERNAL AFFAIRS

No. 347 26 February 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act!

No. 348 26 February 1982

REJECTION OF FILM

The Publications Appeal Board under section 24 of the Publications Act, 1974—

(a) decided that the undermentioned film is undesirable within the meaning of section 47 (2) (a) of the said Act;

(b) rejected the film; and

(c) set aside the conditional approval of the film by a committee referred to in section 4 of the said Act.

No. 349 26 February 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS.—CORRECTION

In *Government Gazette* 8001, Government Notice 150 of 29 January 1982, delete entry P81/10/81.

DEPARTMENT OF FOREIGN AFFAIRS AND INFORMATION

No. 319 26 February 1982

AWARD OF "THE ORDER OF GOOD HOPE" FIRST CLASS: GRAND CROSS

It is hereby notified that, on 21 October 1981, the above-mentioned decoration was conferred in terms of the rules contained in the Warrant published under Government Notice R. 311 of 2 March 1973, on—

His Excellency Bernard Jean Robert Dorin.

[113/35/4 (32)]

Pre-dawn knock on door for Qoboza

327
Star 26/2/82

The Security Police today paid a pre-dawn visit on former newspaper editor Percy Qoboza. They wanted his 18-year-old daughter, Pinkie, Mr Qoboza said.

He said he was awakened at about 5 am today by two policemen who asked him where his daugher was. She is at school in Natal.

"Both were very courteous but could not even tell me why they wanted Pinkie. They said they were simply told to go and pick up people."

Mr Qoboza said Pinkie had completed her matriculation at Dlangweza High School in Empangeni but her marks were held back because of a leakage of exam papers in the area.

"This has upset her enormously and now the security police want her. She had applied and been accepted for Fort Hare University and is due to start writing supplementary examinations on Monday."

"What is most upsetting is the effect this will have on Pinkie."

ARGUS 26/2/82

Police raid Qoboza's home

VM 527

Argus Correspondent

JOHANNESBURG. — The security police today paid a pre-dawn visit to former black newspaper editor Percy Qoboza. Two policemen were looking for his 18-year-old daughter, Pinkie, Mr Qoboza said.

Mr Qoboza said he was awakened at about 5 am by the policemen, who asked him where his daughter was. She is attending school in Natal.

'Both were very courteous, but could not even tell me why they wanted Pinkie,' Mr Qoboza said. 'They said they were simply told to go and pick up people.'

Mr Qoboza said Pinkie completed her matric last year at Olongweze High School in Empangeni, but had her marks held back because of a leakage of exam papers in the area.

(1) Premiums Treated as Business Expense

01, Jan 1:	Insurance Expense	300	
	Bank		300
	being payment of premium		
Dec 31:	Income Statement	300	
	Insurance Expense		300
	being closing entry		
Years 02 and 03 - same as 01			
04, Jan 1:	Insurance Expense	300	
	Bank		300
Jan 2:	Debtor (Insurance Company)	24 000	
	Income from Life Policy		24 000
	being accrual of proceeds receivable		
Jan 2:	Income from Life Policy	24 000	
	Income Statement		24 000
	being closing entry		
Jan 2:	Income Statement	300	
	Insurance Expense		300
	being closing entry		
Jan 31:	Bank	24 000	
	Debtor (Insurance Company)		24 000
	being receipt of proceeds		

(2) Premiums Treated as an Asset

01, Jan 1:	Life Policy	300	
	Bank		300
Dec 31:	Income Statement	300	
	Life Policy		300
	(Surrender value of policy is zero - therefore no amount can be capitalised)		

Continued/ .....

NP candidate hits 'bugging'

Star 26/2/82 (327)

By Elaine Reyneke

The bugging of a Randburg National Party candidate's telephone is sparking further controversy in the town as municipal election day looms.

Shocked National Party candidates yesterday said that a security firm had found the bugging device attached to the telephone line of Mr Thys Sutherland, a sitting councillor and National Party candidate in Ward 11, at his home in Naboom Street, Randpark Ridge.

Mr Sutherland said confidential information about National Party strategy in his ward had leaked out.

This prompted his election agent, Mr Gabie Simaan, to call in a security consultants company, Interstate Security.

The incident was brought to the attention of the Press by Mr Ernst Pienaar, MPC and chairman of the town's management committee, who yesterday showed newsmen a copy of an affidavit made by Mr Petrus Johannes Koekemoer, an employee of the company specialising in counter electronic surveilance.

In the affidavit, Mr Koekemoer says he discovered "what seemed to be an electronic transmitter connected to the telephone line of Mr Thys Sutherland" last Saturday evening.

The transmitter was later handed to Mr Simaan in the presence of Mr Sutherland and another party member.

Mr Pienaar says a copy of the affidavit and the bugging device was handed to him before the town council's final meeting on Wednesday.

Asked to comment, Mr Pienaar said he had "very little to say, but I deplore the fact that anyone's privacy is tampered with in this manner."

Following the discovery of the bugging device, Mr Koekemoer arranged to keep Mr Sutherland's home under surveillance. He later informed Mr Simaan that he had seen a white Datsun LSV driving up Naboom Street, stopping at intervals.

Mr Simaan said this fact was "extraordinary," as a white LSV Datsun had been seen near where National Party posters had been torn down.

Late last night Mr Simaan said the town's deputy mayor, Mr Stefan van Metzinger, had reported seeing a man, driving a similar vehicle, removing National Party posters on Sunday. Mr Simaan said Mr van Metzinger could identify the driver.

What steps had been taken over the bugging of Mr Sutherland's telephone? Mr Simaan said the matter had been reported to Post Office security who had checked all NP candidates' telephone lines.

SOLUTION TO: GL5

(1) Premiums Treated as Business Expense

01, Jan 1:	Insurance Expense	300	
	Bank		300
	being payment of premium		
Dec 31:	Income Statement	300	
	Insurance Expense		300
	being closing entry		
Years 02 and 03 - same as 01			
04, Jan 1:	Insurance Expense	300	
	Bank		300
Jan 2:	Debtor (Insurance Company)	24 000	
	Income from Life Policy		24 000
	being accrual of proceeds receivable		
Jan 2:	Income from Life Policy	24 000	
	Income Statement		24 000
	being closing entry		
Jan 2:	Income Statement	300	
	Insurance Expense		300
	being closing entry		
Jan 31:	Bank	24 000	
			24 000

(2) Premiums Treated as Business Expense

01, Jan 1:	Insurance Expense	300	
	Bank		300
	being payment of premium		
Dec 31:	Income Statement	300	
	Insurance Expense		300
	being closing entry		
Years 02 and 03 - same as 01			
04, Jan 1:	Insurance Expense	300	
	Bank		300
Jan 2:	Debtor (Insurance Company)	24 000	
	Income from Life Policy		24 000
	being accrual of proceeds receivable		
Jan 2:	Income from Life Policy	24 000	
	Income Statement		24 000
	being closing entry		
Jan 2:	Income Statement	300	
	Insurance Expense		300
	being closing entry		
Jan 31:	Bank	24 000	
			24 000

5

'Kidnap' student interviewed

The Star's Africa News Service

GABORONE — The Botswana Commissioner of Police interviewed the "kidnapped" Soweto student leader, Mr Peter Lengene, in Pretoria this week, the Minister of Public Service and Information, Mr Daniel Kwelagobe, told the Botswana National Assembly yesterday.

Botswana has accused South African Security Police agents of kidnapping Mr Lengene (who fled to Gaborone in 1976) on February 6 this year.

Last week South African Foreign Minister Mr Botha did not deny the kidnapping but said Mr Lengene was in South Africa and did not wish to return to Botswana.

This interview took place on Monday, Mr Kwelagobe told the National Assembly.

Mr Botha invited Botswana's Commissioner of Police, Mr Simon Hirschfield, to visit South Africa to "verify this."

He repeated Botswana's demand for Mr Lengene's return and urged South African refugees in Botswana — who reportedly number about 500—"to be vigilant and to co-operate with the overment.

The Minister said Mr Lengene told Mr Hirschfield, in the presence of South African police-men, that he had returned to South Africa "of his own free will."

Mr Kwelagobe said he rejected this "story" as made in fear of certain

Dec 27/2/82 (307)

.....d/

(2) Premiums Treated as an Asset - Cont'd:

Year 02 - sa

-

03, Jan 1: I

)0

300

Dec 31:

60

60

04, Jan 1:

300

300

Jan 2:

000

540

23 460

Jan 2:

460

23 460

Jan 31:

000

24 000

Note 1:

At the end of yea

on the partnership

balance sheet as

e of R240.

Note 2:

The death of a pa

ship as legal and

accounting entiti

statement would have

to be drawn up fc

le partner so as to

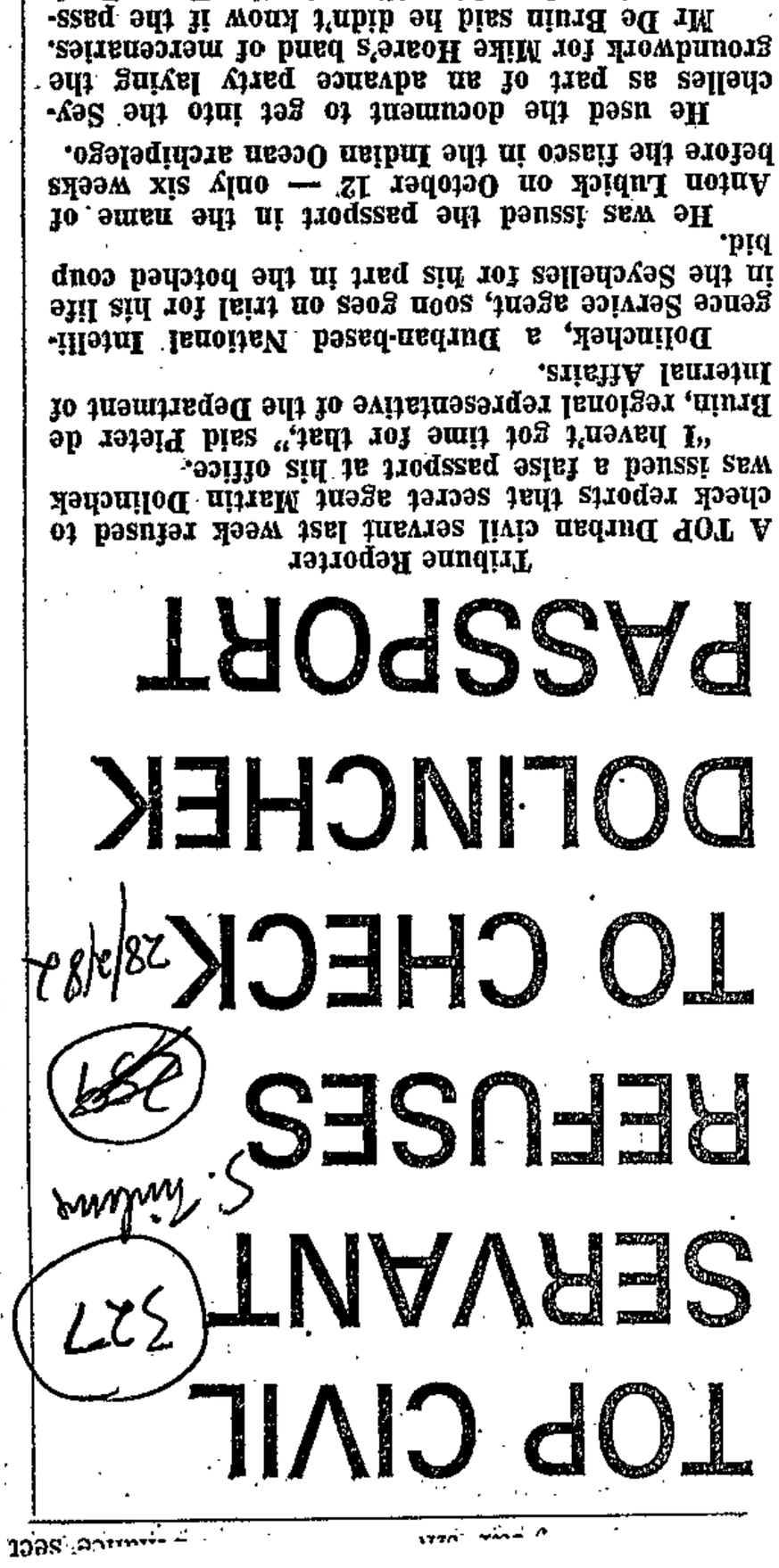
ascertain the cor

proceeds from the life

policy would be s

d NOT credited direct

to the partners'



Sash questions 'free hand' for Dr No groups

321 E.Post 1/3/82

Post Reporter

WHILE the Black Sash had been "harassed down the years", the Right-wing groups which demonstrated support for Dr Andries Treurnicht over the weekend had been given a "free hand".

This was said by the chairman of the Eastern Cape Region of the Black Sash, Mrs Bobby Melunsky, about Friday's 500 pro-Treurnicht supporters who were on hand to greet him at Jan Smuts Airport.

The galleries were festooned with banners carrying political slogans.

On Saturday crowds gathered outside the Van der Hoff Hall in Pretoria where members of the Right-wing women's group, Kappie Kommando, held placards.

Mrs Melunsky said that although her organisation disagreed with the views of such Right-wing groups, "we would defend their right to disagree because we believe in democracy".

However, it was "invidious" that these demonstrators were allowed to voice their opinions so freely while the actions of the Black Sash were very restricted.

Before the Black Sash held a silent protest, they had to have the written permission of the Town Clerk.

They were not allowed to stand within 15 metres of a traffic intersection. In order not to contravene the Riotious Assemblies Act, the protestors always took care to stand singly.

Mrs Melunsky said she could not understand why the Kappie Kommando members were not charged with contravening the Riotious Assemblies Act as the gathering was in the open air, they were standing together and they were displaying placards.

Refugee story 'ridiculous'

A FORMER Soweto refugee in Gaborone, Mr Peter Lengene, told Botswana's Commissioner of Police in the presence of South African Police that he returned to South Africa voluntarily.

Commissioner Simon Hirschfeld has disclosed that he flew to Pretoria last week and interviewed Mr Lengene who, according to a Gaborone court verdict, was kidnapped from Botswana on February 6.

Botswana's Minister of Public Service, Mr Daniel Kwelagobe, has rejected Mr Lengene's story as "ridiculous", and said it contradicts the South African Security Police "who have confirmed kidnapping him".

Botswana has condemned the abduction as an "arrogant violation" of its sovereignty and demanded Mr Lengene's return.

"Mr Lengene's story is that he went to South Africa of his own free will and that he is not interested in returning to Botswana for fear of being bodily hurt by his colleagues in the refugee community or being arrested by the police for crimes he has committed in this country," the Minister told Botswana's National Assembly.

"I shall leave the meaning of this story to the imagination of the honourable members.

"One should take into account the consequences that would have otherwise followed for him if Mr Lengene did not give the world that story."

Mr Kwelagobe pointed out Mr Lengene's claim also contradicted the court verdict in which three men were jailed for four years each for helping to kidnap Mr Lengene back to South Africa.

The three, George Khoza (30) of Eldorado Park, David Letswalo (36) of White City, Soweto, and Daniel Kazebu (32) of Gaborone, pleaded guilty to the charge sheet which identified Letswalo as a South African Police officer stationed at Protea police station and Khoza as a South African Police informer.

The court found that together with six others they pounced on Mr Lengene in Kazebu's house in Gaborone. They bound and gagged him, and bundled him into the boot of a car which they drove to the South African border.

They abandoned the car and took Mr Lengene across the border "by unknown means". The Botswana police arrested the three men around Gaborone in the next five days. The other six are assumed to be in South Africa.

But Mr Lengene told Commissioner Hirschfeld in front of the South African Police a quite different story.

He said he "longed to see his parents" and drove to the border and crossed into South Africa with the help of "two gentlemen".

When the Commissioner told him of the three convicts, Mr Lengene said: "Well, they must have kidnapped somebody else, not me."

Commissioner Hirschfeld asked Mr Lengene to accompany him back to Gaborone where he could sign a UN paper saying he was returning to South Africa of his own choice.

"I offered him protection (against other refugees)," said the Commissioner, "but he was adamant that he was not coming back to Botswana."

The Commissioner said the South African Police told him they were compelled by "security reasons" to abduct Mr Lengene.

Police chief is firm: Lengene kidnapped

By PATRICK LAURENCE
Southern Africa Editor

BOTSWANA's Commissioner of Police, Mr Simon Hirschfield, remained unconvinced yesterday that a refugee who disappeared from Botswana had not been abducted to South Africa — despite speaking to him in South Africa at the invitation of the SAP.

Mr Hirschfield confirmed he had met the alleged kidnap victim, Mr Peter Lengene, in an office in Pretoria, and that Mr Lengene had affirmed SAP reports that he had left Botswana voluntarily.

"But I was far from convinced," Mr Hirschfield said of his conversation with Mr Lengene.

"I know the truth. Lengene was kidnapped. Three men are serving prison sentences for the kidnapping. Each was sentenced to four years' imprisonment. They admitted to their guilt."

On February 12, six days after Mr Lengene's disappearance from Botswana, three men were found guilty in the Gaborone Magistrate's Court of kidnapping him.

The court found they forcibly took him from his home in Gaborone, tied him up, bundled him into the boot of a car and took him across the border.

Six men who helped the trio — two of whom were named as South Africans in the charges — escaped arrest.

One of the jailed men, Mr David Letswalo, was named on the charge sheet as a South African police officer.

Mr Lengene's disappearance led to a strong protest note from Botswana's Department of External Affairs, demanding that he be returned.

In reply, South Africa's Minister of Foreign Affairs, Mr Pik Botha, quoted the Minister of Police, Mr Louis le Grange, as saying Mr Lengene was not been held against his will and that Mr Hirschfield was welcome to visit him in South Africa to verify that for himself.

Asked if he thought Mr Lengene was in police custody, Mr Hirschfield said: "I would not say he was in police custody. But he was brought to me by policemen. They remained present throughout the interview."

The official SAP statement on the Lengene affair is: "No one of that name is being held under security laws. A person with a similar name, however, is assisting police in the investigation of alleged offences, and offensive weapons have already been discovered."

Govt to drop security probe?

CAPE Times 3/3/82 327

Political Correspondent

HOUSE OF ASSEMBLY. — The government seems about to abandon a controversial parliamentary security commission authorized after a bitter fight in 1976.

Although money has been set aside for it in five successive budgets, the commission has never been constituted because successive opposition parties have refused to serve on it.

The Prime Minister, Mr P W Botha, said yesterday that even the nominal amount of R500 left on this year's budget for Parliament's internal security commission would now be dropped.

He told the Leader of the Opposition, Dr Van Zyl Slabbert that this was being done "because other commissions are doing good work in this respect".

Mr Botha's statement, during debate on the Additional Appropriation Bill, was taken by the opposition as a clear indication that the attempt to set up the body was finally being abandoned.

The commission was a direct result of the Schlebusch-Le Grange commission's investigations into Nusas, the Christian Institute and other bodies.

The then main opposition party, the United Party, served on the Schlebusch-Le Grange commission and supported its recommendations, but refused to serve on the new parliamentary commission.

The then Prime Minister, Mr John Vorster, piloted the bill through parliament and declared he would establish the commission whether he had opposition support or not. But the UP and its successor as official opposition, the Progressive Federal Party, would have nothing to do with it and the commission was never established.

The commission, to have consisted of 10 parliamentarians, would have the same powers as the Supreme Court and would investigate matters affecting internal security of the state.

Amounts of R66 000 were provided for, but apparently not spent, in the 1977 and 1978 budgets.

pwn," the source said.

Lift book ban, widow urges PM

The Star Bureau

LONDON — Mrs Sonia Bloom plans a personal appeal to Mr PW Botha to lift the ban on her late husband's book, "Transvaal Episode."

The book, by author-journalist Harry Bloom, was first published — and banned — in South Africa under the title of "Episode in 1956" and Mr Bloom was held in detention for some time. The book, which was reissued in Britain last year, has just been banned again in South Africa.

"I am desperately disappointed," Mrs Bloom said, "I am going to go on and on applying for the ban to be lifted. I also want to know why the book has been rebanned. Surely things have changed in the last 25 years."

The book tells the story of a riot by residents in a black township somewhere in South Africa, and some critics have called it a classic description of conditions in the early 1950s.

It is understood that negotiations are under way in America to make a film of the book.

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

PRYS (AVB ingesluit) 30c PRICE (GST included)
As 'n Nuusblad by die Poskantoor Geregistreer BUITELANDS 40c ABROAD *Registered at the Post Office as a Newspaper*
POSVRY · POST FREE

Vol. 201] PRETORIA, 5 MAART / MARCH 1982 [No. 8068

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 473 5 Maart 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

GOVERNMENT NOTICES

DEPARTMENT OF INTERNAL AFFAIRS

No. 473 5 March 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

LYS/LIST P82/22

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/2/10	***Isolating Apartheid***	Baldwin Sjollema	(e)
P82/2/112	***1912 Overture—SFI 651*** (Grammofoonplaat/Gramophone Record)	Al Ludwig	(e)
P82/2/122	***Wits Student***—Vol 34, No 1	SRC, University of the Witwatersrand, Johannesburg	(b)

No. 474 5 Maart 1981

OPSKORTING DEUR DIE VOORSITTER VAN DIE APPÈLRAAD OOR PUBLIKASIES VAN 'N BESLISSING VAN 'N KOMITEE VAN PUBLIKASIES

Die Voorsitter van die Appèlraad oor Publikasies het kragtens artikel 13 die beslissing van 'n Komitee van Publikasies dat die publikasie *No Particular Place to go*, deur Hugo Williams, ongewens is opgeskort totdat die Appèlraad oor die appèl van die Direktoraat beslis het.

No. 474 5 March 1982

SUSPENSION BY THE CHAIRMAN OF THE PUBLICATIONS APPEAL BOARD OF A DECISION OF A COMMITTEE OF PUBLICATIONS

The Chairman of the Publications Appeal Board has suspended the decisions of a Committee of Publications that the publication *No Particular Place to go*, by Hugo Williams, is undesirable, until the Appeal Board has determined the appeal of the Directorate.

Subdistrik II:

Alle onderverdelings van die plase Lategaansvallei Geo. 9.24, Buffelsboschrivier Geo. 9.10 en Wilgenhoutskloof Geo 7.39, uitgesonderd die volgende gedeeltes van laasgenoemde plaas:

Restant van Lot G.

Restant van Lot D.

Lot EE.

Lot K.

Lot J.

Lot F.

Gedeelte 1.

Subdistrik III:

Die plaas Droogekraal Geo. 3,25, gedeelte (Diagram 85/1854) van Koetzerskraal Geo. 8.6 en die plase Vogelfontein Geo. 3.26, Wildehondekloof Geo. 3.22 en Vinknesrivier Geo. 3.21.

No. 33, 1982

VERKLARING VAN 'N GROEPSGEBIED INGEVOLGE DIE WET OP GROEPSGEBIEDE, 1966, TE SPRINGS, DISTRIK SPRINGS, PROVINSIE TRANSVAAL

Kragtens artikel 23 van die Wet op Groepsgebiede, 1966 (Wet 36 van 1966), verklaar ek hierby dat die gebied omskryf in die Bylae hiervan, vanaf die datum van publikasie van hierdie Proklamasie, 'n gebied is vir okkupasie en grondbesit deur lede van die Indiërgroep.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Negentiende dag van Januarie Eenduisend Negehonderd Twee-en-tagtig.

M. VILJOEN, Staatspresident.

Op las van die Staatspresident-in-rade:

S. F. KOTZÉ.

BYLAE

INDIËRGROEP

Begin by die suidelikste baken van Gedeelte 29 (Kaart A6313/45) van die plaas Geduld 123 IR; daarvandaan suidooswaarts met die suidoostelike verlenging van die suidwestelike grens van genoemde Gedeelte 29 langs tot by die punt waar dit Grens DE op Kaart A3147/81 van Gedeelte 24 van die plaas Grootvaly 124 IR kruis; daarvandaan algemeen suidweswaarts, noordweswaarts, suidweswaarts en noordooswaarts met die grens van genoemde Gedeelte 24 langs, sodat dit by hierdie gebied ingesluit word, tot by die noordelikste baken daarvan; daarvandaan verder noordooswaarts met die suidoostelike grens van Gedeelte 87 (Kaart A4416/78) van genoemde plaas Geduld 123 IR langs tot by die suidelikste baken van genoemde Gedeelte 29, die beginpunt.

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 413 5 Maart 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

Subdistrict II:

All subdivisions of the farms Lategaansvallei Geo. 9.24, Buffelsboschrivier Geo. 9.10 and Wilgenhoutskloof Geo. 7.39, excluding the following portions of the last-mentioned farm:

Remainder of Lot G.

Remainder of Lot D.

Lot EE.

Lot K.

Lot J.

Lot F.

Portion 1.

Subdistrict III:

The farm Droogekraal Geo. 3.25, portion (Diagram 85/1854) of Koetzerskraal Geo. 8.6 and the farms Vogelfontein Geo. 3.26, Wildehondekloof Geo. 3.22 and Vinknesrivier Geo. 3.21.

No. 33, 1982

DECLARATION OF A GROUP AREA IN TERMS OF THE GROUP AREAS ACT, 1966, AT SPRINGS, DISTRICT OF SPRINGS, PROVINCE OF THE TRANSVAAL

Under section 23 of the Group Areas Act, 1966 (Act 36 of 1966), I hereby declare that the area defined in the Schedule hereto shall, as from the date of publication of this Proclamation, be an area for occupation and ownership by members of the Indian group.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Nineteenth day of January, One thousand Nine hundred and Eighty-two.

M. VILJOEN, State President.

By Order of the State President-in-Council:

S. F. KOTZÉ.

SCHEDULE

INDIAN GROUP

Beginning at the southernmost beacon of Portion 29 (Diagram A6313/45 of the farm Geduld 123 IR; thence south-eastwards along the prolongation south-eastwards of the south-western boundary of the said Portion 29 to the point where it intersects Boundary DE on Diagram A3147/81 of Portion 24 of the farm Grootvaly 124 IR; thence generally south-westwards, north-westwards, south-westwards and north-eastwards along the boundary of the said Portion 24, so as to include it in this area, to the northernmost beacon thereof; thence further north-eastwards along the south-eastern boundary of Portion 87 (Diagram A4416/78) of the said farm Geduld 123 IR to the southernmost beacon of the said Portion 29, the point of beginning.

GOVERNMENT NOTICES

DEPARTMENT OF INTERNAL AFFAIRS

No. 413 5 March 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

LYS/LIST P82/21

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/11/110	*No Particular Place to go*	Hugo Williams	(a)
P82/1/26	*Sinners*	Jackie Collins	(a)
P82/1/77	*New York—Nude*	Charles R. Collum	(a)
P82/2/34	*Rude Health*	Macmillan London Limited, London and Basingstoke	(a)

No. 414 5 Maart 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

Die Appèlraad oor Publikasies het kragtens artikel 14 (4) (b) (i) (aa) van die Wet op Publikasies, 1974, soos gewysig, beslis dat ondergenoemde publikasies nie binne die bedoeling van artikel 47 (2) van die Wet ongewens is nie onderhewig aan die voorwaardes dat dit nie wetens verkoop, verhuur (of deur 'n uitleenbiblioteek geleen) mag word aan persone onder die ouderdom van agtien (18) jaar nie en dat dit nie in die openbaar uitgestal mag word vir doeleindes van verspreiding met enige van die binnekantste bladsye sigbaar nie.

No. 414 5 March 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

The Publications Appeal Board has decided under section 14 (4) (b) (i) (aa) of the Publications Act, 1974, as amended, that the undermentioned publication is not undesirable within the meaning of section 47 (2) of the Act, subject to the conditions that it may not knowingly be sold, hired out (or lent out by lending libraries) to persons under the age of eighteen (18) years and that it may not be displayed in public for purposes of distribution with any of its inside pages visible.

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer
P81/12/34	*Book of Nude Photography, The*	Michael Boys.

No. 415 5 Maart 1982

WET OP PUBLIKASIES, 1974

VERTOË KRAGTENS ARTIKEL 24 (2) (b)

Die Direktoraat van Publikasies het op 23 Februarie 1981 kragtens artikel 24 (1) (a) van die Wet op Publikasies, 1974, appèl aangeteken teen die goedkeuring deur 'n komitee bedoel in artikel 4 van genoemde Wet van die ondergenoemde rolprent. Die tydperk waarin persone bedoel in artikel 24 (2) (b) van genoemde Wet vertoë tot die Appèlraad oor Publikasies, Privaatsak X114, Pretoria, 0001, ten opsigte van genoemde appèl kan rig, word hierby bepaal as 14 dae vanaf die datum van hierdie kennisgewing.

No. 415 5 March 1982

PUBLICATIONS ACT, 1974

REPRESENTATIONS UNDER SECTION 24 (2) (b)

On 23 February 1982 the Directorate of Publications under section 24 (1) (a) of the Publications Act, 1974, appealed against the approval by a committee referred to in section 4 of the said Act of the undermentioned film. The period within which persons referred to in section 24 (2) (b) of the said Act may make representations to the Publications Appeal Board, Private Bag X114, Pretoria, 0001, in respect of the said appeal is hereby determined as 14 days from the date of this notice.

Inskrywing No. Entry No.	Rolprent Film	Voorlegger Submitter
R82/2/114	*Pete 'n Tillie*	CIC-Warner (Edms.) Bpk./(Pty) Ltd.

No. 416 5 Maart 1982

PUBLIKASIES OF VOORWERPE.—APPÈL DEUR DIREKTORAAT

Die Direktoraat van Publikasies het op 24 Februarie 1982 kragtens artikel 13 van die Wet op Publikasies, 1974, appèl aangeteken teen die beslissing op 22 Februarie 1982 van 'n komitee bedoel in artikel 4 van genoemde Wet dat die ondergenoemde publikasie binne die bedoeling van artikel 47 (2) (a) van genoemde Wet ongewens is:

No. 416 5 March 1982

PUBLICATIONS OR OBJECTS.—APPEAL BY DIRECTORATE

On 24 February 1982 the Directorate of Publications appealed under section 13 of the Publications Act, 1974, against the decision on 22 February 1982 of a committee referred to in section 4 of the said Act, that the undermentioned publication is undesirable within the meaning of section 47 (2) (a) of the said Act:

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer
P81/11/110	*No Particular Place to Go*	Hugo Williams.

No. 417 5 Maart 1982

TERSYDESTELLING VAN VERKLARING DAT PUBLIKASIE ONGEWENS IS

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 15 (2) van genoemde Wet op hersiening beslis dat die ondergenoemde publikasie nie binne die bedoeling van artikel 47 (2) van genoemde Wet ongewens is nie. Die ondergenoemde inskrywing ten opsigte van die publikasie word hierby geskrap:

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
P82/2/17.....	***California Generation***.....	Jacqueline Briskin	In SK./G.G. 2973, GK./G.N. 55 van 15/1/71.

No. 417 5 March 198

SETTING ASIDE OF DECLARATION THAT PUBLICATION IS UNDESIRABLE

A committee referred to in section 4 of the Publicatic Act, 1974, decided under section 15 (2) of the said Act review that the undermentioned publication is not undesi able within the meaning of section 47 (2) of the said Ac The undermentioned entry in respect of the publication hereby deleted:

No. 418 5 Maart 1982

PUBLIKASIES OF VOORWERPE

Die Appèlraad oor Publikasies het kragtens artikel 13 (5) van die Wet op Publikasies, 1974, soos gewysig, beslis dat die ondergenoemde publikasie nie ongewens is nie en het die beslissing van 'n komitee bedoel in artikel 4 van genoemde Wet dat genoemde publikasie binne die bedoeling van artikel 47 (2) (a) van genoemde Wet ongewens is, ter syde gestel. Die ondergenoemde inskrywing ten opsigte van die publikasie word hierby geskrap:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
P81/11/75	***Rough Justice***.....	Robert Parker.....	In SK./G.G. 7980, GK./G.N. 2873 van 31/12/81.

No. 418 5 March 198

PUBLICATIONS OR OBJECTS

The Publications Appeal Board in terms of section 13 (5 of the Publications Act, 1974, as amended, decided that th undermentioned publication is not undesirable and set asi the decision of a committee referred to in section 4 of th said Act that the said publication is undesirable within th meaning of section 47 (2) (a) of the said Act. The under mentioned entry in respect of the publication is hereb deleted:

DEPARTEMENT VAN BUITELANDSE SAKE EN INLIGTING

No. 385 5 Maart 1982

Hierby word bekendgemaak dat ondergenoemde persone ingevolge artikel 4 van die Wet op Diplomatieke Voorregte, 1951 (Wet 71 van 1951), geregistreer is as geregtig op diplomatieke immuniteit kragtens genoemde Wet:

1. *Ambassade van Argentinië.*

Mnr. H. R. Vazquez.
Mev. S. E. Galie Vazquez.
Mej. C. S. Vazquez.
Jongejuffrou D. K. Vazquez.
Jongejuffrou M. L. Vazquez.

2. *Ambassade van Australië.*

Mnr. I. S. Burton.
Mev. I. Burton.

3. *Ambassade van Oostenryk.*

Mev. I. Langmann.
Mej. G. Joham.

4. *Ambassade van Chili.*

Kol. M. Alfonso Doren.
Mev. M. A. B. Alfonso Doren.
Mej. A. E. Alfonso Doren.
Kol. E. di Nocera.
Mev. M. C. I. di Nocera.
Mnr. E. G. di Nocera.
Mej. C. G. di Nocera.
Jongeheer J. P. di Nocera.

DEPARTMENT OF FOREIGN AFFAIRS AND INFORMATION

No. 385 5 March 198

It is hereby notified that the following persons are registered in terms of section 4 of the Diplomatic Privileges Act 1951 (Act 71 of 1951), as being entitled to diplomati immunity under the said Act:

1. *Embassy of Argentina.*

Mr H. R. Vazquez.
Mrs S. E. Galie Vazquez.
Miss C. S. Vazquez.
Miss D. K. Vazquez.
Miss M. L. Vazquez.

2. *Embassy of Australia.*

Mr I. S. Burton.
Mrs I. Burton.

3. *Embassy of Austria.*

Mrs I. Langmann.
Miss G. Joham.

4. *Embassy of Chile.*

Col. M. Alfonso Doren.
Mrs M. A. B. Alfonso Doren.
Miss A. E. Alfonso Doren.
Col. E. di Nocera.
Mrs M. C. I. di Nocera.
Mr E. G. di Nocera.
Miss C. G. di Nocera.
Master J. P. di Nocera.

SISULU RELEASED ~~#5~~ (327)
Banned president of ~~MWASA~~, Zwelakhe Sisulu, is released without being charged after 251 days in detention.

FM 5/3/82

(3) Yes.

(a) 85.

(b) Contravention of section 10(4) of Act No. 25 of 1945.

X (327) Hansard Q Col 267-268 X 5/3/82

Passport: Anton Lubick

*10. Mr. R. R. HULLEY asked the Minister of Internal Affairs:

What was the (a) destination and (b) nature of the journey stated on the application form for the passport which was issued to Anton Lubick on 12 October 1981?

†The MINISTER OF INTERNAL AFFAIRS:

(a) Zimbabwe, Swaziland, Mauritius and Seychelles.

(b) Holiday.

Passport: Anton Lubick

*11. Mr. R. R. HULLEY asked the Minister of Internal Affairs:

(1) Whether his Department made inquiries into the identity of Anton Lubick (a) prior and (b) subsequent to issuing a passport in his name; if not, why not; if so, with what result;

(2) whether he will make a statement on the matter?

†The MINISTER OF INTERNAL AFFAIRS:

(1) (a) Before the passport was issued, the information normally required was submitted on the prescribed form.

(b) Yes, from the investigation it would appear as if a passport was obtained in a false name.

(2) No.

Mr. R. R. HULLEY: Mr. Speaker, arising out of the hon. the Minister's reply, could he inform the House whether any other department is investigating this matter?

†The MINISTER: Mr. Speaker, that has nothing to do with the original question. The hon. member's question dealt with the obtaining of a passport under a false name. My reply to that was in the affirmative.

cussions between the govern- ment on

Heunis speaks on 'Lubick' passport

Political Staff

GOVERNMENT intelligence agent Mr Martin Dolinchek, now held in the Seychelles after being arrested following the abortive coup attempt, said he was going on holiday when he applied for a passport under the alias of Anton Lubick.

This was revealed in Parliament yesterday by the Minister of Internal Affairs, Mr Chris Heunis.

But he refused to make a statement about the matter.

He told Mr Roger Hulley (PFP, Constantia) that "from the investigation it would appear as if a passport was obtained in a false name.

"Before the passport was issued, the information normally required was submitted on the prescribed form," he said.

In reply to another question, Mr Heunis said destinations stated on the application form were Zimbabwe, Swaziland, Mauritius and Seychelles.

(327) DDM 6/3/82

Funeral ban hits Naude

By SOPHIE TEMA

THE banned former director of the Christian Institute, the Rev C F Beyers Naude, has been refused permission to attend the burial of his personal friend and church minister, the Rev Frikkie Conradie.

Dr Naude, a member of the congregation of the NG Kerk in Afrika in Alexandra, applied to the Chief Magistrate of Johannesburg, Mr J van Dam, for permission to attend the funeral of Ds Conradie, who died in a motor accident on Monday and will be buried in Alexandra today.

The reply turning his application down arrived at his Greenside home on Wednesday afternoon.

Dr Naude joined the Alexandra congregation in March 1980, but his banning orders did not allow him to attend services in a black area. Instead he has been attending services on Sundays in a church hall belonging to a Johannesburg congregation of the white NG Kerk, in Parkhurst.

Members of this congregation are mostly domestic workers from the suburbs.

The funeral service of Dominee Conradie, the first white to join the black NG church after cutting ties with the mother church, will be conducted by the Rev Sam Buti, scribe of the church, who arrived in South Africa from the United States on Thursday.

He will also be the first white to be buried in a cemetery in a black township.

Mr Buti interrupted his studies to be at the funeral of Ds Conradie, who was co-minister of the Alexandra congregation.

(327) RDM 6/3/82

Funeral ban hits Naude

By SOPHIE TEMA

THE banned former director of the Christian Institute, the Rev C F Beyers Naude, has been refused permission to attend the burial of his personal friend and church minister, the Rev Frikkie Conradie.

Dr Naude, a member of the congregation of the NG Kerk in Afrika in Alexandra, applied to the Chief Magistrate of Johannesburg, Mr J van Dam, for permission to attend the funeral of Ds Conradie, who died in a motor accident on Monday and will be buried in Alexandra today.

The reply turning his application down arrived at his Greenside home on Wednesday afternoon.

Dr Naude joined the Alexandra congregation in March 1980, but his banning orders did not allow him to attend services in a black area. Instead he has been attending services on Sundays in a church hall belonging to a Johannesburg congregation of the white NG Kerk, in Parkhurst.

Members of this congregation are mostly domestic workers from the suburbs.

The funeral service of Dominee Conradie, the first white to join the black NG church after cutting ties with the mother church, will be conducted by the Rev Sam Buti, scribe of the church, who arrived in South Africa from the United States on Thursday.

He will also be the first white to be buried in a cemetery in a black township.

Mr Buti interrupted his studies to be at the funeral of Ds Conradie, who was co-minister of the Alexandra congregation.

Heunis speaks on 'Lubick' passport

Political Staff

GOVERNMENT intelligence agent Mr Martin Dolinchek, now held in the Seychelles after being arrested following the abortive coup attempt, said he was going on holiday when he applied for a passport under the alias of Anton Lubick.

This was revealed in Parliament yesterday by the Minister of Internal Affairs, Mr Chris Heunis.

But he refused to make a statement about the matter.

He told Mr Roger Hulley (PFP, Constantia) that "from the investigation it would appear as if a passport was obtained in a false name.

"Before the passport was issued, the information normally required was submitted on the prescribed form," he said.

In reply to another question, Mr Heunis said destinations stated on the application form were Zimbabwe, Swaziland, Mauritius and Seychelles.

The mercenaries put

PIETERMARITZBURG's first citizen, Miss Pamela Reid, took another sip from her bone-china teacup and smiled — she knew her sleepy city was becoming an exciting place.

"Nobody outside of Africa has ever heard of Pietermaritzburg," she declared in a calm colonial tone that typifies the way of life in the "Flower City".

But the colonial serenity will be shattered when 45 mercenaries march into the College Road Supreme Court to face four counts under the Civil Aviation offences Act.

Reports by PAT BULGER

There they will be joined by journalists — local and foreign hacks who enjoy a tipple after a tiring day of filing stories to editors.

About 40 foreign journalists are expected in the city for the trial — but Pietermaritzburg is ready for them.

Miss Reid has planned a civic reception to introduce them to "Hijack Trial City" as some locals now call their hometown.

"We want to offer the men and women of the Press the hospitality of the city of Pietermaritzburg and show them it is a city well worth living in," Miss Reid said.

"This trial will go a long way towards putting us on the map."

The city's publicity officer, Dick Jones, agrees. "We're hoping to get a lot of publicity out of the trial," he told the Sunday Tribune this week.

"After all, who knows anything about Pietermaritburg? We'll be giving journalists brochures and other material showing them what the city is all about.

"It is not often that something of international importance happens here."

Down the road, hotelier Don Simpson was busy converting his hotel into a temporary Press centre.

"We're installing a bank of telephones and telex machines in the hotel.

"We have also cut our rates for the duration of the trial.

"This trial is very good for Pietermaritzburg and it is also likely to be a very busy period for the city," he said.

Funds for trial bid out of step?

A MERCENARY who goes on trial with 44 others in Pietermaritzburg on Wednesday may be collecting funds illegally for his defence.

Kevin Trevor Beck, 27, of Johannesburg, whose letters of appeal for defence funds may be in contravention of the Fund Raising Act, said this week he had received "about 12 letters" in response to his appeal.

He said he had passed them on unopened to mercenary benefactor Norman Reeves who emerged this week as the leading figure behind the newly-constituted Seychelles Accused Defence Fund Association.

In the letters, which are being distributed in Johannesburg, Beck writes: "This is an appeal to members of the public to help these men in 'our' common cause. Any form of donation would be of great assistance to the group."



Flashback to an earlier court appearance: Colonel Mike Hoare (left), Peter Duffy and Ken Dalgleish

A senior spokesman for the Department of Welfare in Pretoria said any fund-raising done without proper authorisation from the department was illegal.

Beck, who is on bail for R1 000 following his involvement in the alleged hijacking of an Air India Boeing last year, said as far as he was concerned the appeal was legal if it was made by individuals collecting money for themselves.

The welfare spokesman said anyone found collecting funds illegally could be liable of a fine of up to R1 500.

He added that if the department suspected anyone was collecting money illegally they would have to investigate.

According to Beck the legal costs could be as much as R10 000 a man.

The Tribune also learned that Reeves, a National Party Parliamentary candidate in the last general election, travelled to Pretoria this week to apply for a welfare number on behalf of the defence fund association.

It could take as long as a month before the association is allocated a welfare number — if the application succeeds.

According to a spokesman for the defence fund "there was a lot of money in the pipeline."

He would not say whether the Seychelles Resistance Movement was prepared to make a donation but added: "We are sure there will be a good response to our appeal.

"We are confident we'll collect enough to see the trial through."

He said any funds remaining after the trial would be given to the Southern Cross Fund.

Maritzburg on map

S. Tribune 34

in College Road, venue for the trial, has been altered to accommodate the accused and their legal counsel.

The old dock in the imposing building, which was first used as the Native High Court after completion in 1900, could accommodate 12 people.

New benches have been installed to seat the 45 men.

Pressmen will have difficulty finding a seat, however. Two Press benches at right angles to the judge's bench will seat only 12 journalists.

Don Simpson believes he has found a solution that will enable journalists to follow the proceedings, which will be heard by the Acting Judge President of Natal, Mr Justice James.

"I am having a sound system linked between the court and a room in the hotel."

The court was deserted this week.

But on Wednesday the eyes of the world will be on Pietermaritzburg — the sleepy Natal capital that may never be the same again.



Mayor Pamela Reid, with a smile, a cup of tea and confidence that the trial will put Pietermaritzburg on the map

Hannon — man for the big occasion

By RON GOLDEN

THE fate of the 45 soldiers of fortune who appear in the Supreme Court in Pietermaritzborg on Wednesday lies in the hands of some of the country's top criminal lawyers.

It could be said that such men are South Africa's answer to Perry Mason, the fictional trouble-shooting hero of the TV screen brought to fame in the series of novels by Raymond Chandler.

One of them is Transvaal-born Mike Hannon who has spent most of the past week in Durban interviewing and probing into the stories of the 26 mercenaries he will defend, including their leader 'Mad Mike" Hoare of Congo fame.

How do you get close to a man like Hannon who has been the defence in some of the most sensational trials in South Africa over the past decade.

The answer for a journalist is simple — you don't.

mineral prospector Thomas Waldeck.

Three years later he defended former Olympic boxer, Jimmy Badrian, in the notorious "pancake murder trial". Badrian was acquitted after being charged with stabbing his wife 13 times.

And last year he successfully defende Margaret Mouton who went on trial charged with the murder of her husband Abraham Mou-



Hannon

The view from the dock

S. Tribune 1/3/82

327



Extra benches have been installed in the 82-year-old courtroom to accommodate the 45 men who will appear before Mr Justice James

THE CHARGES THEY FACE

FORTY-FIVE mercenaries, who are alleged to have boarded an Air India Boeing armed with 38 AK47 rifles,will be at the centre of South Africa's most publicised criminal trial when it starts in Pietermaritzburg on Wednesday.

The mercenaries, who are on bail ranging from R500 to R20 000, will go before Natal's Acting Judge President, Mr Justice Neville James, facing four counts under the Civil Aviation Offences Act.

The State alleges that Colonel Mike Hoare and 44 other men hijacked an Air India Boeing from Mahe Airport in the Seychelles to Durban in November.

It is also alleged that they jeopardised the safety of the passengers onboard, jeopardised the safety of Louis Botha Airport and that they were in posstssion of 38 AK 47 rifles and 2 435 rounds of live ammunition.

The State will call 43 witnesses, among them U. C. Saxena, senior captain of the Air India Boeing, and another 11 employees of Air India.

Also appearing for the State are two Royal Swaziland policemen and a Swazi immigration officer. Others include Brigadier J. Visser, Divisional Commissioner for Port Natal, eight members of the Louis Botha Airport staff and five South African Railways policemen.

The 45 men appeared before a Durban magistrate on January 18 when the date for the trial was set. They were not asked to plead.

defending other mercenaries will be Eddie Stafford, SC, of the Pretoria Bar, and Piet Oosthuizen, of the Johannesburg Bar.

Stafford, like Hannon, has appeared in a number of sensational trials and Oosthuisen had a long and successful career as a public prosecutor before joining the Bar.

Stafford was one of the advocates who defended the former Secretary of Information Eschel Rhoodie during the Info scandal trial. He is married with three sons.

He, like the mercenaries, has erected his own barrier of silence.

The mercenaries are bound by the sub judice law to maintain silence until they appear in court.

Hannon operates under the strict code of ethics of his profession.

Interviews are out of the question. Polite but largely uninformative telephone conversations, yes. But that's about all.

Hannon could — but will not — reel off a list of cases in which he has been involved that have captured the public eye both here and abroad.

In 1966, he saved Cockney killer Lawrence Bradbury from the noose. Bradbury had been sentenced to death for the murder of ton.

Hannon has rented a house in La Lucia for a month to six weeks, possibly an indication of how long he anticipates the trial will last.

Born in Lichtenburg 47 years ago, Hannon was educated at Christian Brothers College in Boksburg and then went to Wits where he graduated in 1959 with a BA and Llb.

One of his first loves is the sea.

Mike Hannon played rugby at Wits and made the second team.

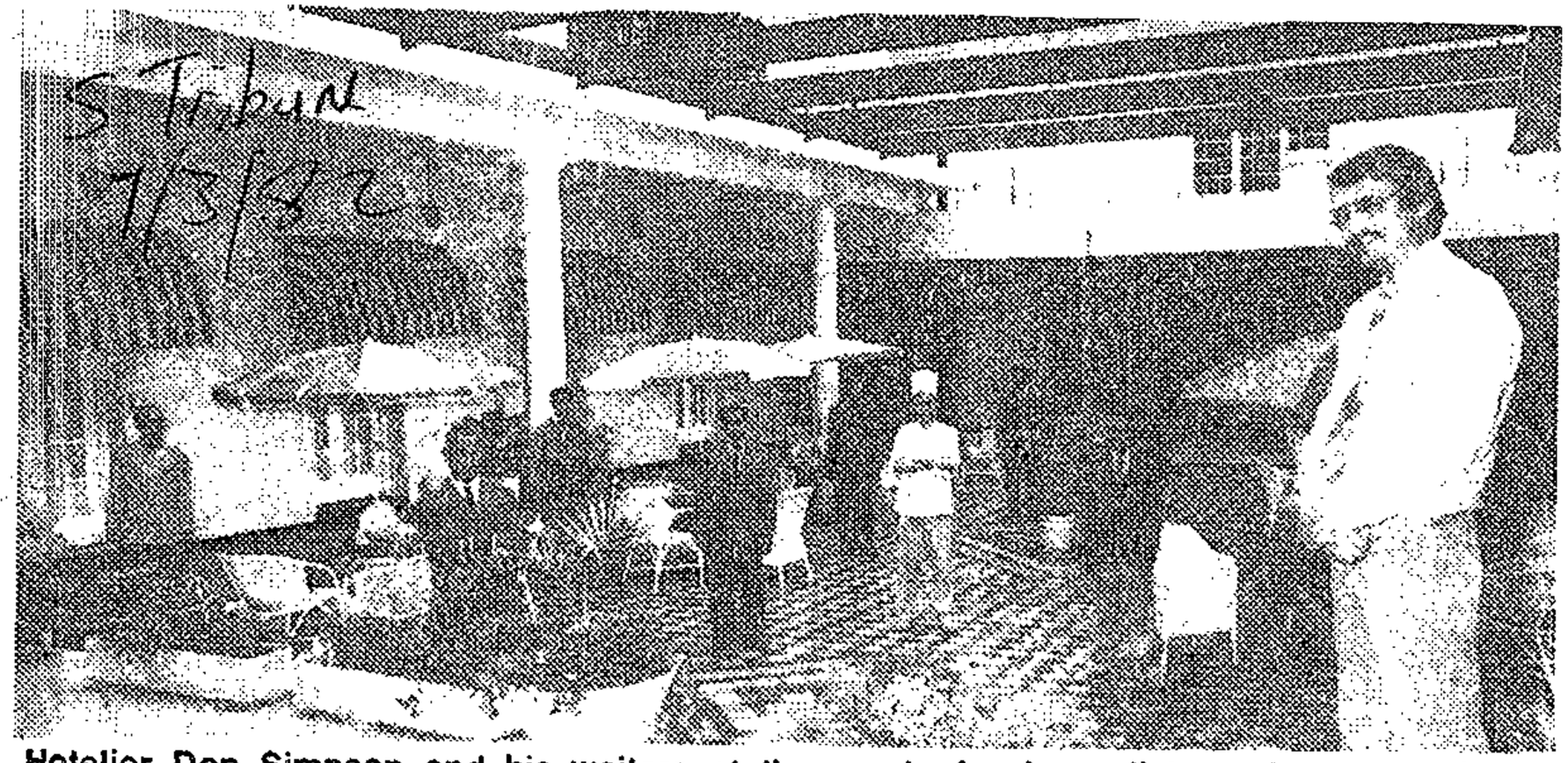
He married his wife Alma, who lectures in psychology at Wits, in his graduation year. They have two daughters.

Hannon was a prosecutor in 1958, '59 and '60 before he went to the bar.

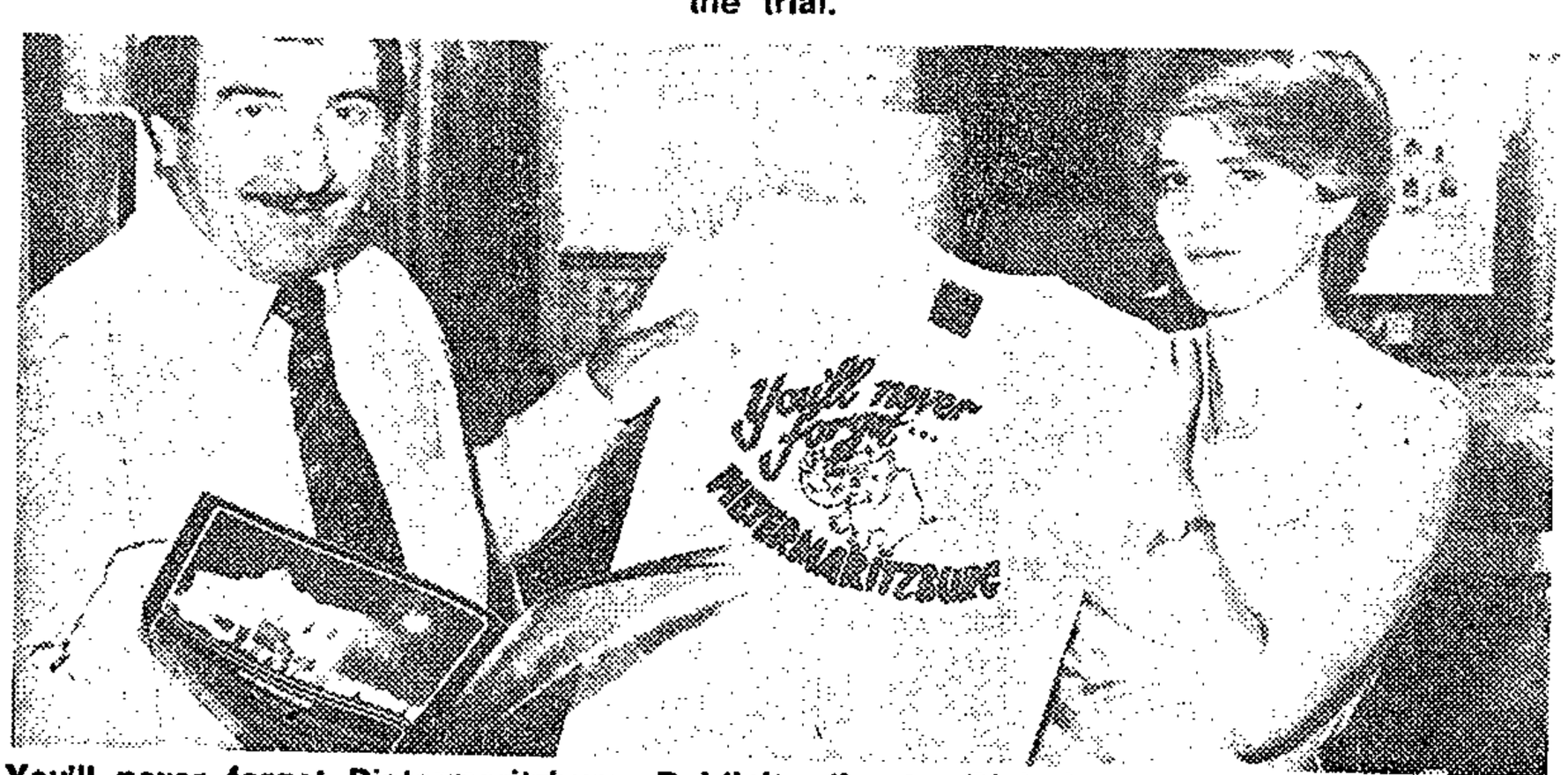
The criminal work involved in prosecution to a large extent laid down the background for his specialisation in criminal cases. He also deals in commercial criminal work, such as company fraud.

Advocates are immersed in a world where it is necessary to be able to draw the correct inference and to be able to see the wood from the trees.

Against this background, the trial of the mercenaries will probably be just another job.



Hotelier Don Simpson and his waiters at the ready for journalists and mercenaries at the trial.



You'll never forget Pietermaritzburg. Publicity director Dick Jones and assistant Philippa Southwood with a special T-shirt

SUNDAY EXPRESS March 7, 1982

Lawyer tells why he voted for — and against — detentions

AN eminent South African attorney whose signature appears on two conflicting security legislation inquiry reports — one by leading lawyers and the other by the Rabie Commission — has explained his support for each.

The Rabie Commission rejected most of the recommendations of the lawyers' report submitted to the Government shortly before appointment of the commission.

The lawyers called for urgent revision of security laws, and appealed for additional safeguards for detainees.

Mr S W (Billy) van der Merwe, a former president of the Association of Law Societies, which sponsored the lawyers' report, signed both — first the societies' report, criticising detention without trial, then the Rabie Commission report, recommending retaining detention without trial.

Mr Van der Merwe, also a former president of the

RABIE EVIDENCE CHANGED HIS MIND...

By KITT KATZIN

A REPORT on the rules of guidance for members of British Royal commissions — commissioned by Prime Minister W J Gladstone 71 years ago and addressed to the then Home Secretary, Mr Winston Churchill — states inter alia:

"Those selected as commissioners should, as far as possible, be persons who have not committed themselves so deeply on any side of the questions involved in the reference as to render the probability of an impartial and a unanimous report practically impossible."

mission acknowledged some of the law societies' objections to the provision and administration of security laws, its proposals to protect detainees fell far short of the safeguards the lawyers proposed.

Mr Van der Merwe, and Mr William Lane, of Johannesburg, represented the Transvaal provincial society on the ad hoc committee — and the report, submitted to the then Minister of Justice, Mr Alwyn Schlebusch, in 1979, and which has since remained under wraps, was unanimous.

It was described by legal sources as an "exceptional achievement" in the sense that senior representatives of South Africa's four major law societies could agree on all recommendations and findings on security legislation — in spite of widely-differing political views.

However, lawyers are "bitterly disappointed" that the report has not been published — and some expressed surprise that Mr Van der Merwe served on the Rabie Commission.

I asked him how he reconciled the dual role he played in this regard.

He said, in general terms, he changed his views on some aspects of security legislation, including those dealt with in the law societies' report, after studying evidence submitted to the Rabie Commission.

"Many lawyers concerned with security legislation," Mr Van der Merwe said, "could easily differ on these issues". For this reason, he could not see why some objected to his role on the commission.

"As far as I am concerned, there was no conflict of interest." He disagreed his presence on the Rabie Commission could have had an effect on the commission's ability to view the lawyers' report impartially.

(The Association of Law Societies itself submitted evidence to the Rabie Commission. This was based on some of the findings and recommendations of the special committee's original report).

Mr Van der Merwe said he did not agree that the commission's recommendations were drastic, in relation to the lawyers' report, and said the Law Association could still submit new submissions.

"The Rabie Commission's recommendations are not yet law."

He said at the time the lawyers' report was drawn up, he was not aware of certain issues, and difficulties, in the field of security legislation administration.

"It was only after the benefit of studying evidence to the Rabie Commission that I saw some of these issues — some of which were also covered in the societies' submissions — in a different light."

He believed the commission had presented a "reasonable solution" to problems in the area of security legislation, though he conceded this may not be the final solution.

Referring to one safeguard sought by the lawyers' report to protect detainees — that detentions should be by warrant and signed at least by a police brigadier — Mr Van der Merwe said this should be seen against the background of practical circumstances.

In Natal, where many terrorist and subversive activities had occurred, the highest-ranking officer in command of some police stations was a warrant-officer.

If he was in a position to arrest a suspected terrorist he could not be expected to travel great distances to enlist a brigadier to do the job.

In seeking to create safeguards for detainees, the Rabie Commission rejected independent supervision of the police or the authorities either by the judiciary or by Parliament. It recommended detainees be visited fortnightly by a magistrate and a district surgeon.

in detention of black consciousness leader, Steve Biko.

It described this event, and the death in detention of Joseph Mdluli, as well as many others, as "cogent evidence of misuse of power".

Although the Rabie Com-

Govt tackled on security legislation

By KITT KATZIN

SOUTH AFRICA'S lawyers, who severely criticised the country's security laws in a report the Government put under wraps, have again expressed total opposition to the concept of detention without trial.

They have declared in a special statement that it is "essentially unjust" to hold a man in secret and incommunicado.

The statement was issued by a delegation, representing the Association of Law Societies and the General Bar Council, which had talks in Cape Town last month with the Minister of Justice, Mr H J (Kobie) Coetsee, on the administration of security legislation.

And in a second development in the continuing uproar over security laws, the two associations will submit representations and comment on the Rabie Commission recommendations to Mr Coetsee in Cape Town next week.

The commission essentially recommends a major streamlining of security laws, including retaining detention without trial and stiffer security penalties.

However, the commission's proposals to protect detainees fell far short of the safeguards sought by South Africa's lawyers.

These were contained in a report drawn up by the Association of Law Societies on behalf of the country's 4 500 practising attorneys which the Government put under wraps more than two years ago.

This week the delegation that met Mr Coetsee — Mr J E Knoll, president of the Association of Law Societies, Mr R M Marais, SC, chairman of the General Bar Council, and Mr G C Cox, president of the Natal Law Society — published a statement on detention without trial in the attorneys' journal, 'De Rebus'.

Saying the very nature of their profession was concerned with the "doing of justice", not only between man and man, but equally between man and State, the statement added:

"We recognise the perpetual dilemma of the executive arm of the organised state in remaining faithful to its duty in protecting the safety and security of the public while carrying out its equally essential duty of doing justice to every individual member of the public and, moreover, doing justice in such a way that it can be seen to be done."

Basic to this obligation, however, was the recognition of the right of individuals not to be deprived of their liberty except by due process of law.

This meant after trial and conviction in public by a court of law of a recognised and publicly known offence against the law, "with which he has been charged and against which he has been able to defend himself".

"Holding a man without trial in secret and incommunicado," said the statement, "is essentially unjust.

"The concomitant deprivation of such a man of his elementary right of access to legal advice and assistance by a lawyer of his choice runs quite counter to the basic principles of natural justice which are deeply embedded in our common law.

"We reiterated to the Minister our abiding concern at the extent to which there has been intrusion by the executive into these deeply held tenets essential to the protection of the individual.

"We urged that, where a situation exists which justifies a framework of security legislation to enable the State to discharge its duty to protect the public, then, the greater the powers granted to the State, the greater should be the provisions for the supervision and control of those who exercise extraordinary powers on behalf of the State."

At the time of the discussion the delegation had not studied the Rabie Commission report but agreed with the Minister that it would submit representations to him at a later date.

The delegation also asked Mr Coetsee to release three attorneys detained in Natal or to charge them if they had committed an offence.

They also discussed the question of unrestricted access by lawyers to awaiting-trial prisoners.

Welz joins Sunday Express team

ONE of South Africa's top investigative reporters, Mr Martin Welz, 36, has been appointed Political Correspondent of the Sunday Express.

Mr Welz was chief of the Sunday Times bureau in Pretoria where his work concentrated heavily on investigation of the public service.

As a result of one major investigation into the application of the pass laws by commissioner's courts he was called to give evidence last year before the Hoexter Commission into the workings of South African courts.

Mr Welz was educated in Worcester, Cape, and at the University of Pretoria before serving articles to qualify as an attorney. His legal experience includes working as clerk to Mr Justice Galgut.

He switched to journalism in 1975, joining the Pretoria News as a reporter and later working for Rapport.

In 1979 Mr Welz took a year's leave from the Sunday Times to work as a freelance journalist in London, including a spell on the the London Sunday Times' investigative team, Insight.



● MARTIN WELZ

ARMY FACES TRIAL SHOCK

(254) 1 (327) S. Express 7/3/82

An international uproar is likely over the Seychelles mercenary case evidence

SENSATIONAL evidence involving the South African Defence Force and security services will be led in the trial of the 45 mercenaries alleged to have hijacked an Air India Boeing last November.

The trial, set down for a month, begins before Mr Justice James in Maritzburg on Wednesday. The evidence is expected to create an international furore.

By Chief Reporter
DESMOND BLOW



The SADF has given an advocate a watching brief and, it is understood, wants part of the trial held in camera.

The defence, I am told, wants all evidence to be heard in open court.

Three of South Africa's top criminal lawyers have been briefed for the defence.

They are Mr Michael Hannon of Johannesburg, who will defend Colonel Mike Hoare and 25 others, including other principals in the case, and Mr Eddie Stafford SC of Pretoria, assisted by Mr P Oosthuizen of Johannesburg, who will defend 10 of the accused.

It is also understood an army officer has been charged by the military with assisting the mercenaries in the abortive Seychelles coup by issuing false call-up papers for the men to leave their jobs on the pretence of being called up.

The SADF refused to comment this week.

The evidence to be pro-

To Page 2

P. T. O.

plans well."

Of Donny Gordon, chief executive of Liberty Life who finally gave SAB control of Edcon by selling the shares he had bought in a vain attempt to stave off the takeover, Mr Press said:

"I think Donny Gordon was in a difficult position. He is not only my friend but has other interests that he must safeguard and what he did is understandable".

On his retirement from the battlefields of commerce, Mr Press said: "It is important for a man to prove himself in life, but

(PTV) LTD

PRICE

Years to Pay

...R200
...R75

BLE . . .
TANT



Defence Force faces shock in Durban hijack trial

7/3/82
S. Express
327

From Page 1

duced at the trial does not refer to the call-up papers.

One of the most dramatic parts of the trial is likely to concern the weapons allegedly used by the mercenaries. Many were of communist origin, but the defence will claim the weapons were given to them in South Africa.

Nearly 70 witnesses will be called by the State, including the pilot of the Air India Boeing and 12 of his crew, two officials of Zambia Railways, a South African policeman at the Oshoek border post on the Swaziland border and three Swazi policemen.

Others expected to give evidence are five South African Railways policemen from Durban, Major B Welman of the Security Branch in Durban and Warrant Officer S Fraser of the South African Navy, Durban.

Brigadier J S Visser, SAP Divisional Commissioner of Port Natal, is also a witness as is General Visagie of the SAP in Pretoria, and Colonel E Olckers of 1 Reconnaisance Regiment, Durban.

Professor J R van Dellen of the Department of Neurosurgery, Wentworth Hospital, Durban and Mr D Hoogewind of Jan Smuts airport are other witnesses.

There are also several witnesses from Louis Botha airport, Durban.

Five requests for further particulars have been made by various accused, and the State has made certain particulars available to them.

However, the State has failed to answer a request to specify whether there were other people or organisations involved in the attempted coup or alleged hijacking or to name them or to explain their role.

In its reply to the request for further particulars, which the Sunday Express reveals, the State alleges that all the offences were committed by the 45 accused in furtherance of a common purpose — to unlawfully divert the Air India Boeing from its flight to Bombay so they could escape liability for their coup attempt.

According to the reply to the request for further particulars, the State will rely on the following allegations to prove the common purpose:

The accused had agreed to unlawfully capture Mahe airport by force of arms.



Mr Justice James
... presiding over the trial

After capturing the airport and while in charge of the control tower, the accused gave the Air India Boeing clearance to land while extremely dangerous conditions existed. The mercenaries were in communication by radio.

When the aircraft stopped Mr Biddlecombe, Mr Webb, Mr Duffy and other accused armed with AK 47 rifles took up positions next to the aircraft.

Mr Biddlecombe, Mr Duffy and other accused then boarded the aircraft.

Mr Duffy and other accused escorted the pilot and first officer to a dark room in the airport building, passing a number of mercenaries on the way.

Inside the dark room Colonel Hoare, in the presence of Mr Moneta, Mr Duffy and other accused, threatened the pilot and first officer with dire consequences if they failed to co-operate with the mercenaries.

Various accused with AK 47 rifles entered the aircraft from time to time while it was at Mahe airport.

Mr Van Huyssteen and Mr Doorewaard and other accused armed with AK 47s supervised the inspection of the aircraft by members of the crew.

Mr Eurelle, Mr Wilson, Mr Dalgleish, Mr Duffy and Mr Botes and other accused armed with AK 47s organised and supervised the refuelling and preparations for take-off of the Boeing from Mahe airport.

Shortly before takeoff all the accused boarded the aircraft as an organised group bearing arms. The following accused had AK 47s in their possession: Messrs Dukes, Prinsloo, Jones-Davies, Standish-White, De Vos, Biddlecombe, Stannard, Wilson, Hean, Beck, Dekker, Gouws, Moneta, Gribbin, Greenhalgh, Goatley, Doorewaard, Botes, Rohwein, Du Toit, Deacon and others.

The aircraft was diverted from its scheduled flight to Bombay and flew to Durban.

Mr Goatley, armed with an AK 47, entered the cockpit at various times during the flight to monitor the flight and to make sure the aircraft flew to Durban.

During the flight, Mr Doorewaard, Mr Webb, Mr Duffy, Mr Paul and other accused entered the cockpit from time to time.

Mr Forsell, Mr Dalgleish, Mr Duffy and others usurped and exercised functions of the crew during the flight and after the aircraft had touched down at Louis Botha airport.

At Louis Botha airport Colonel Hoare, Mr Dalgleish and Mr Duffy conducted negotiations with the authorities on behalf of all the accused.

Mr Duffy and some other accused told the captain of the aircraft, members of the crew and airport officials where the aircraft was to be parked at Louis Botha airport.

One of the accused instructed the passengers and crew not to converse with the authorities at Louis Botha airport.

At Mahe the accused had instructed the Air India captain and members of the crew to take off. The aircraft was still damaged and no flight plan was filed. No clearance for the starting up of the aircraft engines and no clearance to taxi had been given. It was dark and no runway lights were on.

The State also alleges that:

The aircraft was landed outside normal operating hours at Louis Botha airport.

The accused landed with a foreign aircraft whose crew were unfamiliar with conditions at Louis Botha airport.

The accused insisted on the aircraft landing at Durban instead of Johannesburg.

Mr Dalgleish and Mr Duffy issued instructions to the authorities at Louis Botha Airport pertaining to the movement of vehicles and personnel in the restricted area of the airport.



Mr Michael Hannon
... to defend Col Hoare

Mr Dalgleish, Mr Duffy and other accused exercised control over the aircraft and passengers and crew after the aircraft landed at Durban and did not allow the crew to communicate freely with the airport authorities.

The accused landed at Durban with arms and after landing attempted to bargain with the authorities as an organised unit.

Froth Blowers go

By RAY JOSEPH

(327) S. Times 7/2/82

THE 45 alleged mercenaries who took part in the bungled Seychelles coup attempt will go on trial in Maritzburg on Wednesday.

And there are indications that the case, involving charges of hijacking an Air India Boeing 707 aircraft, could turn out to be one of the longest and most expensive trials in South African legal history.



Colonel Mike Hoare . . . the Froth Blowers' leader

The accused are all members of the self-styled "Ancient Order of Froth Blowers", who made the coup bid in November last year.

They include Colonel Mike Hoare, who gained international publicity during the Sixties for his leadership of the Number Five Commando — "The Wild Geese" — in the Congo.

He and his 44 co-accused face four counts under the Civil Aviation Offences Act.

It could be the most expensive case yet in SA

Jeopardised

On the first count it is alleged that on or about November 25 to 26, on board the aircraft at Mahe airport in the Seychelles and from Mahe airport to Louis Botha airport in Durban, the accused unlawfully, by threat of force or by intimidation and without lawful reason, seized or exercised control of the aircraft.

Alternatively, it is alleged that on or about the same dates and on board the aircraft, the accused unlawfully and wilfully interfered with members of the crew of the aircraft in the performance of their duties.

On the second count it is alleged that, on the same dates and on board the aircraft while it was in flight, the accused unlawfully performed acts which jeopardised or might have jeopardised the safety of Mahe airport; and/or which might have jeopardised good order and discipline at Mahe airport; and/or which jeopardised or might have jeopardised the safety of the aircraft in service or persons or property on it; and/or which might have jeopardised good order and discipline on the aircraft.

Harmful

On the third count the State alleges that the accused unlawfully performed acts which jeopardised or might have jeopardised the safety of the aircraft or of persons or property on it; and/or which might have jeopardised good order and discipline on board the aircraft; and/or which jeopardised or might have jeopardised the safety of Louis Botha airport; and/or which might have jeopardised good order and discipline at Louis Botha airport.

On the final count it is alleged that, while on the aircraft at Louis Botha airport, the accused were unlawfully and without the permission of the aircraft operator in possession or control of harmful articles — including 38 AK-47 assault rifles, 2 435 rounds of ammunition and three active Chinese stick handgrenades.

It is also alleged that these articles had been placed unlawfully on the aircraft and were within their reach and at their disposal.

A summary of facts issued with the indictment states that the aircraft left Salisbury airport on November 25 on a scheduled flight to Bombay via the Seychelles.

On board the aircraft were 65 passengers and 14 crew members.

The indictment says at all relevant times the accused were a group of armed men acting in concert or in pursuance of a common purpose

on trial



The Boeing 707 at Durban's Louis Botha Airport

It adds that during the afternoon of November 25 in the Seychelles the accused, by force of arms, seized and exercised control over Mahe airport and its air traffic control centre.

During the night of November 25 the aircraft approached Mahe airport and requested clearance to land.

Although there were parked vehicles on the runway, clearance was given for the aircraft to land.

Dark room

While landing, the aircraft hit one of the vehicles on the runway and was damaged.

Before the external doors of the aircraft were opened for disembarkation, certain of the accused carrying arms boarded the aircraft and instructed the crew and passengers to obey orders, it is alleged.

The senior captain and the first officer of the aircraft were instructed to accompany the accused to the airport buildings.

There the captain and the first officer of the aircraft were taken into a dark room where certain of the accused issued further instructions to them.

The accused boarded the aircraft carrying 38 AK-47 assault rifles, three Chinese stick handgrenades and 2 435 rounds of ammunition, it is alleged.

The accused instructed the captain and members of the crew to take off from Mahe airport.

The aircraft was still damaged and no flight plan had been filed.

No clearance for the starting up of the aircraft engines and no clearance to taxi had been given and the lights on the runway had not been switched on.

The accused are alleged to have instructed the captain and members of the crew to fly to Durban from the Seychelles.

It is alleged that one of the accused, Mr Charles Goatley, took up a position in the cockpit to monitor the flight and make sure the aircraft flew to Durban. He was in possession of a firearm.

The indictment says that during the flight to Durban the accused prevented the senior captain and members of the crew from making free and unfettered use of the communication facilities on the aircraft.

The aircraft landed at Louis Botha airport early on the morning of November 26.

It is claimed that the accused instructed the captain and airport officials as to where the aircraft was to be parked.

The indictment says Louis Botha airport was closed to normal air traffic for about five hours because of the conduct of the accused.

It says the accused issued instructions to the authorities at Louis Botha airport regarding the movement of vehicles and personnel in the restricted area of the airport, and that the accused instructed the passengers of the aircraft not to talk to airport officials.

Meanwhile, as the trial date draws nearer, the behind-the-scenes activity is becoming intriguing.

A Maritzburg senior counsel and a Durban advocate, who were to appear for several of the accused have pulled out.

Neither were prepared to comment on their reasons.

And mystery still surrounds the invitation by the Seychelles for a representative of the Natal Attorney General to visit the island and examine evidence collected there.

Fees

A spokesman for the AG's office refused to comment when asked if a representative had in fact gone to the island.

The trial could turn out to be one of the most expensive in South Africa's legal history.

It could drag on for months, depending on how the accused plead, and the cost to the State could run into thousands of rand in administrative fees and airfares and accommodation for 13 witnesses from India.

But State costs could be minor compared with the costs facing the men on trial.

Legal fees for senior counsel are not pegged and range from R750 to R2 000 a day or more, depending on what deal can be struck on costs if the case appears to be going on for a long period.

In a recent criminal hearing in Maritzburg a man paid R70 000 for his defence during a three month trial.

S. Times



MR PETER DUFFY



MR TULLIO MONETA

THE ACCUSED . . .

- Mr Thomas Michael Bernard Hoare, 62.
- Mr Charles William Dukes, 25.
- Mr Vernon Anthony Prinsloo, 31.
- Mr Robert Jones Davies, 23.
- Mr Andrew Thomas Standish-White, 22.
- Mr Patrick John Eurelle, 32.
- Mr Christo Hillebrand, 27.
- Mr Bernhard de Vos, 27.
- Mr Louis Anthony Boucher, 22.
- Mr John Vincent Mackay, 25.
- Mr Sven Helge Forsell, 38.
- Mr Jan Olof Sydow, 41.
- Mr Stephen John Biddlecombe, 23.
- Mr Richard John Stannard, 28.
- Mr Nicholas Wilson, 23.
- Mr Peter Anthony Duff Hean, 30.
- Mr Kevin Trevor Beck, 27.
- Mr Theodorus Daniel van Huyssteen, 23.
- Mr Jochemus Louis Dekker, 27.
- Mr Frederick Lourens Gouws, 22.
- Mr Kevin Nicholas Barnes, 23.
- Mr Tullio Moneta, 32.
- Mr Barry Francis Gribbin, 26.
- Mr David Charles Greenhalgh, 22.
- Mr Charles Glen Goatley, 27.
- Mr Johannes Lodewicus Pretorius de Beer, 25.
- Mr Kenneth Hugh Dalgleish, 32.
- Mr Patrick Glynn Barry Henrick 25.
- Mr Ernst Lodewyk Deetlefs, 24.
- Mr Keith Macleod, 26.
- Mr Desmond Walker, 27.
- Mr Pieter Doorewaard, 28.
- Mr Donald Peter Kenny, 45.
- Mr Michael Francis Webb, 32.
- Mr Peter Bruce Gay Duffy, 40.
- Mr Desmond Jurgens Botes, 52.
- Mr Kenneth John Kelly, 33.
- Mr Kurt Georg Horst Priefert, 38.
- Mr Peter Rohwein, 43.
- Mr Steyn de Wet, 30.
- Mr Simon Torquil Willar, 25.
- Mr Jacob Adriaan Du Toit, 22.
- Mr Alex Deacon, 25.
- Mr William Dunlop Paul 46.
- Mr Alan Aston Mann, 30.

Funeral ban on Naude draws angry comments

By SOPHIE TEMA

THE decision barring Dr C F Beyers Naude from the funeral of the Rev Frikkie Conradie in Alexandra was strongly condemned by various speakers at Saturday's service.

The chief magistrate of Johannesburg, Mr J A van Dam, refused to allow Dr Naude, banned former director of the Christian Institute, to attend the ceremony.

Mr Conradie died in a motor accident on Monday — the day before his wife gave birth to a baby boy in a Johannesburg clinic.

He was the first white minister to join the Black Nederduitse Gereformeerde Kerk in Afrika, after breaking ties with the white mother church two years ago.

Mr Conradie is the second white to be buried in the township. Before he died, he pointed out where he would like to be laid to rest.

The first white person buried in Alex, in the early 40s, was Sister Valentine of the Catholic Church.

The funeral service was conducted by the Rev Sam P Buti, who condemned the barring of Dr Naude.

He said: "We abhor and object to this type of action and regard it with contempt. This church will object to the Prime Minister Mr P W Botha in the strongest terms"

Mr Buti, scribe of the NGKA, who co-ministered the church with Mr Conradie, interrupted his studies in America to be at the funeral.

Mrs Ilse Naude and members of the Conradie family were also present.

Mr Abed Mabela, a member of the Congress of South African Students, represented the youth of Alex. Mr Conradie's coffin was carried through the streets of the township to the cemetery.

Bishop Desmond Tutu, secretary-general of the South African Council of Churches, said of Mr Conradie:

"In this country of separation, bitterness and suspicion, Frikkie Conradie, an Afrikaner dominee, left his own community to associate with the oppressed and the downtrodden.

"He worked under a black minister and asked to be buried in a black cemetery.

"And he gave himself to the black community to be their servant and work for justice and reconciliation.

"Therefore he will always be remembered for the costly price he paid for such reconciliation by being rejected by his own people."

Young editor fined R100

RDM 9/3/82 (327)

Mail Reporter

THE editor of a controversial student magazine, Taal Doos 1 plus 1, was fined R100, or 50 days, yesterday after being found guilty of producing an undesirable publication.

Daniel Roodt, 24, of Magnolia, Princess Road, Windsor Park, appeared before Mr A C Alcock in the Johannesburg Magistrate's Court.

Roodt, a student at the University of the Witwatersrand, had pleaded not guilty.

The magistrate said in his judgment there was no indication that Roodt took any steps to prevent Taal Doos 1 plus 1 from being banned.

He said it was clear that Roodt was against censorship.

The magistrate said the magazine had no literary merit.

It had a diagram on its front page showing a woman's naked body.

Professor John Dugard, for the defence, told the court in mitigation that Roodt was a student at Wits and was getting R200 every month in bursaries.

He received R100 a month from his parents, and worked during vacations.

The director of Ravan Press, Mr Robert Kirkwood, told the court in earlier evidence for the defence that his main objection to censorship in South Africa was that it prevented dialogue among people.

It also prevented various races from hearing the voices of new writers.

Prof D H Steenberg of Potchefstroom University, giving evidence for the State, told the court he had read Taal Doos 1 plus 1.

He found parts of it obscene.

State has solid team for the Seychelles trial

(1) (327)

RDM 9/3/82

Mail Correspondent

DEFENCE advocates in Seychelles hijacking trial which starts in Pietermaritzburg tomorrow will be facing one of the most experienced prosecution teams yet assembled in Natal.

Leading evidence for the State will be the Attorney-General, Mr Cecil Rees, SC, who will be assisted by Deputy Attorney-General, Mr Hendrik Klem, SC, and Mr Gideon Scheltema, a senior State advocate.

Mr Rees seldom appears in the Supreme Court as prosecuting counsel in criminal cases and was last seen in a Pietermaritzburg case when a Sunday newspaper was charged with contempt of court and criminal defamation during 1979.

Mr Klem investigated aspects of the Information Scandal and travelled to Britain and Europe to collect evidence at the height of the Information Department debacle.

Mr Scheltema is an experience criminal prosecutor who recently led the State team in a three-month long hearing against the paratrooper who was accused of murdering 14 tribesmen during Msinga faction fights.

Both Mr Klem and Mr Scheltema recently travelled to the Seychelles on a fact-finding mission.

The men had discussion with the Attorney-General for the Seychelles and also inspected Mahe airport where the hijacking events occurred during November last year, Mr Rees said yesterday.

"Whilst abroad they were able to gather information and interview witnesses that will be of great assistance in the presentation of the prosecution here." Mr Rees said.

Meanwhile 43 witnesses have been called to appear for the State.

Of the witnesses, 14, — the captain and crew of the Air India plane involved — have their addresses listed as c/o Air India Airlines, Bombay.

9/3/82 (327) Natal Mercury

Line-up for hijack t



MR GIDEON Scheltema, an experienced criminal prosecutor.

Pietermaritzburg Bureau

DEFENCE advocates in the Seychelles hijacking trial which starts here tomorrow will be facing one of the most experienced prosecution teams yet assembled in the province.

Leading evidence for the State will be the Attorney-General, Mr Cecil Rees, SC, who will be assisted by Deputy Attorney-General, Mr Hendrik Klem, also a Senior Council, and Mr Gideon Scheltema, a senior State advocate.

Mr Rees seldom appears in the Supreme Court as prosecuting council in criminal cases and was last seen in a Pietermaritzburg case when a Sunday paper was charged with contempt of court and criminal defamation during 1979.

Mr Klem investigated aspects of the Information scandal and travelled overseas to Britain and Europe to collect evidence at the height of the Information Department debacle.

Mr Scheltema is an experienced criminal prosecutor who recently led the State team in a three month long hearing against the paratrooper who was accused of murdering 14 tribesmen during Msinga fraction fights.

Both Mr Klem and Mr Scheltema recently travelled to the Seychelles where they were sent on a fact-finding mission.

The men had discussions with the Attorney-General for the Seychelles and also inspected Mahé airport where the hijacking allegedly occurred during November last year, Mr Rees said yesterday.

'There was a frank exchange of views on a professional level. My representatives were courteously received and also had useful discussions with the Commissioner of Police and other officials in the Seychelles.

'While abroad they were able to gather information and interview witnesses that will be of great assistance to the presentation of the prosecution here,' Mr Rees said.

Assessors

The accused were being charged only with offences under the Civil Aviation Act, No 10 of 1972, he said.

Meanwhile, the names of the two assessors who will be sharing the Bench with the trial judge, the Acting Judge President, Mr Justice Neville James, have been named: They are Mr L L C Mackay, a former Chief Magistrate of Durban, and Mr G G Lynn, a former Deputy Attorney-General for Natal.

South African authorities have called 43 witnesses for the State.

Fourteen of the witnesses — the captain and crew of the Air India plane involved — have their addresses listed as c/o Air India Airlines, Bombay, but a spokesman for the manager's office there said by telephone late yesterday that, as far as he was aware, 'no Air India staff members have applied for visas to enter South Africa ... to give evidence in a trial or for any other reason'.

No comment

A spokesman for the defence team said yesterday that its investigations could find nothing to show that the 'Indian contingent' had made visa applications to this country.

Mr Rees could not be drawn to comment yesterday on this aspect of the case.

Five other foreign nationals are included in the list of witnesses — three Royal Swaziland Police constables, two from the Matsapa Airport immigration control post and one from the Ngwenya border post, and two representatives of Zambia Railways in Kabwe.

The list of South African witnesses called to appear is "an impressive one — a general from Police Headquarters in Pretoria, a brigadier from Divisional Headquarters in Durban, a lieutenant colonel from District Headquarters in Durban South, a Security Branch major from Durban, five Railways police officers ranging in rank from lieutenant-colonel to lieutenant, a South African Navy warrant officer from Salisbury Island, a South African Army colonel, a professor from Wentworth Hospital's neurosurgery department, a warrant officer from the SAP border post at Oshoek, nine airport employees (one from Jan Smuts Airport in Johannesburg and the rest from Durban's Louis Botha Airport), an ambulance service manager from Durban and a tour bus driver from Johannesburg.

321

rial

WHAT THE
DOES...

MR CECIL Rees will be leading evidence for the State.

Open-air gatherings

*22. Mr. S. A. PITMAN asked the Minister of Justice:

(1) Whether any open-air gatherings were held in Pietermaritzburg on 2 May 1981 on the occasion of the Republic Festival celebrations; if so,

(2) whether any exception to the prohibition of gatherings imposed by him was authorized in respect of Pietermaritzburg on that date; if not, by what statutory authority were such gatherings held on that date?

†The MINISTER OF JUSTICE:

(1) Yes.

(2) No, the Magistrate, Pietermaritzburg ruled that permission for the holding of the gatherings concerned was unnecessary in view of the principle in law that the State is not bound by its own legislation unless such an intention can be clearly derived from the wording thereof.

Foreign diplomats expected at opening of Seychelles hijack trial

(327)

Mercury 10/3/82

Pietermaritzburg Bureau

DIPLOMATS from several countries are expected to attend the first day of the Seychelles hijacking trial here today.

Although court officials confirmed yesterday that provision had been made to reserve seats for diplomats attending the trial of the 45 mercenaries, nobody could say exactly who would be occupying the seats in the front row of the public gallery.

A spokesman for the Attorney-General's office said he had no knowledge of any diplomats approaching the authorities for special seating at the College Road courthouse.

Security precautions at the hearing are expected to be extremely tight, but the police officer in charge of the security task force refused to say whether security measures would be as strict as those taken at the College Road trial of 12 terrorists about three years ago.

During the terrorist trial the entire area was cordoned off by policemen armed with shotguns and machine carbines. People who left the wide verandah surrounding the old courthouse were searched before they were allowed to be admitted to the well of the court and the public gallery.

Even though members of the public are expected to flock to the court along with hordes of Pressmen from throughout the world, no special provision had been made for parking in College Road, a traffic department spokesman said.

All members of the public, who will have to jostle each other for the 80 seats available, will have to park their vehicles in Alexandra Park and walk the few hundred metres to the old Victorian-styled courthouse.

Six traffic officers will be on hand today to keep traffic flowing smoothly, no-parking signs have been erected and people will be shepherded across to the court at a specially demarcated pedestrian crossing, he said.

No chance of 'closed' raid trial

By EUGENE HUGO

MARITZBURG. — The South African Defence Force is in for a shock if it attempts to take the Natal Supreme Court into an in-camera session to mask any involvement of its personnel in the abortive Seychelles coup.

The Rand Daily Mail has learned on good authority that the locus standi of any SADF legal representatives will be challenged should such a move be made.

This comes on the eve of the trial of 45 mercenaries who sought to overthrow the Seychelles Government of President Albert Rene — then allegedly commandeered an Air India Boeing to escape.

The Defence Force would then have to explain exactly what its involvement in this affair was, and justify it, according to legal sources in Maritzburg.

This could well embarrass General Magnus Malan's department — already in a situation in which it has to explain why a number of mercenaries received what it claims were "bogus" call-up papers.

Sources close to the Natal Attorney-General, Mr Cecil Rees, made it clear yesterday that they were well-equipped to prosecute the case against Colonel "Mad Mike" Hoare and the band that raided the Seychelles on November 25 last year.

What everyone wants to know is whether Air India Captain Umesh Saxena, the man whose Boeing was allegedly hijacked, would give evidence.

The United Nations commission investigating the coup said Mr Rees had been worried about Capt Saxena's appearance at the trial.

But the commission pledged it would do its utmost through UN auspices to persuade the Air India crew to give evidence.

And yesterday a Justice Department spokesman said: "Just watch the incoming flights."

But the trip of two representatives of the Attorney-General's office had "total cooperation" from Seychelles authorities when they visited the islands recently. This would mean they had access to the sworn statements made by the crew to the Seychelles authorities.

Meanwhile, Maritzburg was gearing up yesterday for perhaps its biggest event and one of South Africa's most sensational trials.

Nearly 70 witnesses are due to be called by the State.

Expected to emerge at the trial are some of the critical, unanswered questions concerning the Seychelles affair:

- Who provided the 80 Romanian AK47 assault rifles which were tested at Durban's La Mercy Airport and used for the Seychelles operation? Self-confessed South African spy Martin Dolinchek has claimed the weapons were provided by official Pretoria sources.
- Was there any official South African Government involvement? Dolinchek has claimed in captivity in the Seychelles that he was on an official mission and that he also acquired a false passport for Col Hoare with permission "at the highest level".
- Who paid for the attempted Seychelles coup? Seychelles officials claim Lebanese arms dealer Adnan Kashoggi bankrolled the operation but there have been suggestions that some of the money came from Pretoria.
- To what extent was the SADF involved? Some mercenaries have claimed they received call-up papers to go on the operation but the army has claimed these were falsified.

Hijack: 2 turn State witness

CAPE TIMES 11/3/82

Hijack: 2 turn State witness

Own Correspondent

MARITZBURG. — Two of the alleged Seychelles hijackers turned State witness against thier alleged comrades-in-arms at the start of the Air India hijack trial here yesterday.

And in another move, the State also announced the calling of the Air India crew to give evidence.

The calling of the 14 crew members of the Air India Boeing 707 aircraft that was allegedly hijacked from Mahe airport in the Seychelles to Durban on November 25 last year, was announced by the Attorney-General of Natal, Mr Cecil Rees, SC, shortly after he opened the State case against the alleged mercenaries yesterday.

His first bombshell — the dropping of charges against Mr Theodorus van Huyssteen, 23, and Mr Steyn de Wet, 30, and his request for the trial judge Mr Justice Neville James to add their names to the list of State witnesses — came before the State outlined its case against the 43 men.

Disputing

Mr Rees, leading the three-man prosecution team, announced that "negotiations were under way to get the evidence of the aircrew" after the two defence counsel, Mr Mike Hannon and Mr Eddie Stafford, SC, announced their intention of disputing all aspects of the State case against Colonel "Mad Mike" Hoare and the alleged mercenraies from six countries.

Mr Rees said yesterday that the State would contend that the 43 accused of hijacking the plane from Mahe to Louis Botha airport had acted in contravention of several international conventions and in common purpose to escape from the Seychelles.

All four charges formulated by the State related to their taking control of the Boeing carrying 65 men, women and children and 14 crew at Mahe while they were in charge of the airport and the control tower, he said.

The men had allowed the aircraft to land in the "most hazardous circumstances imaginable" at the airport, boarded it while armed with AK47 assault rifles and comandeered it after threatening the chief pilot and first officer.

Dark room

The senior crewmen had been forced to leave the aircraft, surrounded by heavily-armed men, and had been escorted to a dark room where they were told by Colonel Hoare, or another man, that they had landed "during a revolution".

"They had been told they would not be harmed if they co-operated, but if they did not, one of them would be shot," Mr Rees said.

Mr Van Huyssteen, Mr

➡➡➡➡ To page 4 A



Television cameraman Roger Harris of ITN, London, holds his hand to his eye after one of the alleged hijackers pushed a camera into his face.

Bad acoustics halt hearing

Own Correspondent

MARITZBURG. — A premature halt was brought to proceedings at the College Road Supreme Court yesterday after the alleged hijackers complained they were unable to hear the judge and advocates clearly.

The Acting Judge President, Mr Justice Neville James, said he had been in and out of the courtroom for about 25 years and had never heard complaints about the acoustics in the Victorian-styled court before.

The changes must have been brought about by the large-scale renovations made to the interior of the building and the presence of the large crowd which must have been "absorbing the sound".

The court should adjourn so the problems could be rectified in time for the sitting today, he said.

INSIDE

● Reports, more pictures, page 4

ination.

ɔn and to possible exclusion from the

ɔT AM7a

Vervaardig in Suid-Afrika

11/3/82 C. Times 327



Colonel Mike Hoare, centre, during the tea break at the Seychelles hijack trial which started in Maritzburg yesterday.

Happy, friendly hijack—witness

ARGUS 11/3/82 327

Argus Correspondent

MARITZBURG. — A State witness in the hijack trial here today agreed that it was the 'friendliest, happiest hijack that one could imagine,' and the crew and passengers did not seem unhappy.

The State witness, a deputy fire officer at Louis Botha Airport, Mr Hilton Hardie, agreed with two members of the defence that a 'pleasant, friendly, convivial atmosphere' prevailed aboard the aircraft when he boarded it.

The only unpleasant thing was that the interior of the aircraft was hot and stuffy.

He had not seen firearms on the aircraft.

CONCESSION

Mr Mike Hannon, who is appearing for Colonel Mike Hoare and 33 others, said that the accused had apparently made a big concession to the passengers by allowing them off the aircraft.

Mr Hardie agreed with Mr Hannon when he said: 'One gets the impression from reading newspaper reports about other hijacks, where threats to blow up aircraft and to kill passengers are made, that this was the most untypical hijack one could imagine. The passengers were walking to and fro.'

PHOTOGRAPHS

Mr Eddie Stafford SC, who is appearing for the 10 other accused handed in four colour photographs taken by one of the men appearing, Mr Johannes de Beer, 25, of Pretoria, in which crew members and an accused, Mr Richard Stannard, 28, of Benoni, appear.

In one picture the pilot, navigator and the second-in-command of the aircraft appeared to be happy and smiling along with Mr Stannard.

In other pictures a stewardess and a steward appeared. Mr Stafford said: 'In some of these the stewardess seems very pleased with herself.

'These pictures were taken before the passengers left the aircraft.'

Mr Hardie agreed with Mr Stafford that he had been allowed unfettered movement to and from the aircraft.

Mr Stafford: You were allowed to get on and off the aircraft unescorted and you could have returned with a firearm in your pocket?

Mr Hardie said he had been free to talk to the crew, passengers and the accused.

Mr Hannon said his instructions were that one of the accused, Mr Kenneth Dalgleish, could not recall having used the word 'commandeered'. He did, however, remember using the word diplomacy, but had not remembered using the phrase 'being rough with the passengers'.

Mr Hardie said that he remembered Mr Dalgleish using these words.

(327) Mercury 11/3/82

per cool 'Mad ike' takes it in his stride

November.

Wearing an immaculate suit, his hair neatly groomed, he was whisked into the grounds of the College Road Supreme Court in a silver Rover, only seven minutes before the hearing was due to start.

He made his way through the mass of photographers and reporters with aplomb and strolled calmly into the courtroom where he shook hands with his counsel before taking his seat in one of the long benches specially-built for the 43 accused.

Reputation

Even when he stood up in the dock to answer charges put to him by prosecutor, Mr Gideon Scheltema, he did not seem perturbed and pleaded not guilty to all the charges.

Col Hoare earned his reputation as a mercenary while leading a small band of mercenaries, many of them South African, in the Congo during the 1960s.

Col Hoare learned his soldiering in Burma as a captain in the armoured corps.

A former accountant who got bored 'with wearing striped pants and going to the city every day from nine to six', he came to South Africa from England in 1948.

He later spent several years cruising in the Mediterranean aboard his 100-ton yacht, Sylvia, which was converted into an Elizabeathan galleon for the film *The Three Musketeers*, an event which was featured in his second book, *Three Years with Sylvia*.

In 1974 he returned to South Africa where he started a business brokerage.

He now lives in Hilton with his second wife, Phyllis.



MERCENARY leader Col Mike Hoare seconds before he walked into the Supreme Court yesterday.



MR Gideon Scheltema, SC, who is part of the prosecution team and who formally read the charges to the 43 accused.



NEWSMEN wait for the mercenaries to arrive at the Supreme Court in Pietermaritzburg. In the foreground is United Press International London's television cameraman Roger Harris who was only minutes later allegedly assaulted by Australian

SADF denies link with coup bid

ARGUS
11/3/82
(327)

Argus Correspondent

MARITZBURG. — The Defence Force today denied knowledge of any link with the actions of 11 of the 43 Seychelles mercenaries appearing in the hijack trial before Mr Justice James.

Natal's Attorney-General, Mr Cecil Rees, read out in court a statement made by the Officer Commanding the Second Reconnaissance Unit, Commandant Danie van der Spuy.

Commandant van der Spuy referred to 11 men: Messrs A B de Vos, J de Beer, P Henrick, K Macleod, D Walker, D Kenny, K Priefert, S de Wet, A Deacon, W Paul and A Mann.

In his statement the commandant said: 'If during November 81 or at any other time officially, through the South African Defence Force, or any other department they were called for service in the Seychelles, in the normal course of events I would have had knowledge thereof. I would have record thereof. It did not come to my notice that the above accused ...were officially called to service in the Seychelles, and there is no record of it.'

The statement was made on March 4.

Mr Justice James said to Mr Rees after he had read out the statement: 'I take it you will have to expand how it fits into the State case?'

Mr Rees: Yes.

Admissions

Facing four counts under the Civil Aviation Offences Act, the 43 alleged Seychelles mercenaries made several admissions at the start of today's hearing.

Mr Rees read the admissions to the court.

They were that on November 25 an Air India scheduled flight departed from Salisbury airport to Bombay via the Seychelles. On board were 65 passengers and 14 crew.

During the early morning of November 26 the aircraft with the accused landed at Louis Botha airport.

It was admitted that the accused, with the exception of Mr Charles Dukes, Mr Ken Dalgliesh and Mr Desmond Botes, left South Africa as a group under the leadership of accused number 1, Colonel Mike Hoare.

The group went through the Swaziland border post at Oshoek and travelled Air Swazi to Mahe where they landed late on the afternoon of November 25.

Mr Rees said it was not denied that Colonel Hoare had made the travel arrangements for the group through Budget Travel.

Mr Justice James said: 'A considerable number of witnesses who you had proposed to have called are no longer necessary?

Mr Rees: That is so.

Mr Mike Hannon SC and Mr Eddie Stafford, SC, agreed in court to the admissions on behalf of the men they are appearing for.

Witness

The first State witness in the trial, a deputy fire officer at Louis Botha airport, was called to the witness box at the College Road Court today.

Mr Hilton Hardie, 36, gave an account to Mr Justice James, of the arrival of the hijacked aircraft at Louis Botha airport.

'I was at home about 2 am on the morning of the November 26 when I received a telephone call from the airport. I was told that an Air India aircraft was diverting to Durban with mechanical problems and with suspected hijackers aboard,' he said.

Emergency

The airport was officially closed at the time and Mr Hardie was instructed to put Stage B — full emergency procedure — into operation.

'Stage B procedure is used when we are expecting a major disaster.' he said.

He notified emergency co-ordinating teams at Wentworth Hospital and fire stations at Durban and Amanzimtoti to report to the airport.

About 4 am all emergency vehicles — fire tenders and an ambulance — were positioned on the runway, ready for the arrival of the aircraft.

Hesitation

Mr Hardie said that when the aircraft came to stop at the end of the runway it seemed to hesitate, but he gave it hand signals to turn round, which it did.

He twice received messages from the air traffic control tower to move an ambulance and a police vehicle further away from the aircraft. This had not been normal procedure.

After the door was opened and the mechanical stairs arrived, Lieuten-

(Contd on Page 3, col 4)

(Continued from Page 1)

ARG 45 11/3/82

Coup bid

(32)

ant-Colonel J S Mouton of the Railway Police was met on the stairs by two men.

The men were two of the accused, British citizens Mr Kenneth Dalgleish and Mr Peter Duffy.

Mr Dalgleish and Mr Duffy then gave Mr Hardie and Professor J R van Dellen, of Wentworth Hospital, Durban, permission to board the aircraft to attend to an injured man who had been shot in the arm.

He had to squeeze by a bulky article covered with a blanket in the gangway.

Mr Hardie said that Dr van Dellen asked for morphine to administer to the injured person and he had fetched some from the terminal building.

Someone then gave the passengers permission to go down the stairs and instructed them not to communicate with anyone.

Another injured man was reluctant to come off the plane but after he was given permission he was treated and had returned to the plane.

Mr Hardie, who pointed out Mr Dalgleish and Mr Duffy in court, said that Mr Dalgleish had told him that he had been very disturbed that he had lost his passport.

Mr Hardie said that Mr Dalgleish had said that all they wanted to do was to get an aircraft and get the 'hell out of here'.

Mr Dalgleish had said that when they had commandeered the aircraft an airport official had asked him to sign a document for fuel, but he refused.

After they had taken off from Mahe airport, Mr Dalgleish said he apologised to the passengers, saying it was better to use diplomacy than to be rough.

Mr Klem: What was the position of fire tenders?

Mr Hardie: Only one fire tender was left in front of the aircraft.

Mr Klem: After the fire tenders moved away from their original position were they in a position where you would normally have preferred to have them in the case of extreme emergency?

Mr Hardie said it was the decision of the chief fire officer to move the fire tenders away from the aircraft.

Mr Hardie said in a fire, fire vehicles got as close to the aircraft as possible.

He agreed that by moving the tenders away the safety of the aircraft was affected as the aircraft carried such large amounts of fuel. 'You have several minutes to extinguish a fire.'

Mr Hardie said the passengers were taken off via the bus.

Mr Justice James: Have you any idea who gave any sort of order to tell them to get off?

Mr Hardie: Colonel Mouton.

Mr Hardie said: 'The rest of the group remained on the aircraft. They were later taken off.'

The judge: And the crew?

Mr Hardie: They went with the passengers.

In reply to questions from Mr Klem, Mr Hardie agreed he had dealings with the crew but did not receive any instructions from them.

(Proceeding).

(327)

The hijack trial



Su
M
all

Pietermaritzbur
Bureau

COL 'Mad Mike' Hoa
breezed through th
first day of the heari
in which he is accus
of leading a hijackin
with a nonchalance th
has almost become
trademark since the A
India drama hit t
headlines la

Some of the mercenaries in the dock in the Supreme Court, Pietermaritzburg, yesterday. **Sketches by Paul Lessing.**

The names

Pietermaritzburg Bureau

OF THE 43 men who pleaded not guilty to the charges, 33 are being defended by Mr Michael Hannon, a Johannesburg advocate. They are: Col Mike Hoare, Mr Charles Dukes, Mr Vernon Prinsloo, Mr Robert Jones-Davies, Mr Andrew Standish-White, Mr Patrick Eurelle, Mr Christo Hillebrand, Mr John Mackay, Mr Sven Forsell, Mr Jan Sydow, Mr Stephen Biddlecombe, Mr Richard Stannard, Mr Nicholas Wilson, Mr Peter Hean, Mr Kevin Beck,

Mr Kevin Barnes, Mr Tullio Moneta, Mr Barry Gribbin, Mr David Greenhalgh, Mr Charles Goatley, Mr Kenneth Dalgleish, Mr Patrick Henrick, Mr Donald Kenny, Mr Michael Webb, Mr Peter Duffy, Mr Desmond Botes, Mr Kenneth Kelly, Mr Kurt Priefert, Mr Peter Rohwein, Mr Simon Willar, Mr Jacob du Toit, Mr Alex Deacon, and Mr William Paul.

The other ten men are being defended by Mr Eddie Stafford, SC, from Pretoria. They are: Mr Bernhard de Vos, Mr Louis Boucher, Mr Jochemus Dekker, Mr Frederick Gouws, Mr Ernst Deetlefs, Mr Keith Macleod, Mr Desmond Walker, Mr Pieter Doorewaard, Mr Johannes de Beer, and Mr Alan Mann.

Unions meet in shadow of police action

By STEVEN FRIEDMAN
Labour Reporter

THE entire emergent black and non-racial union movement is to gather in Johannesburg next month for a second summit meeting, against a background of intensive police action against the unions.

It is understood police action against unionists prompted moves to hold the summit earlier than was originally planned.

The unions held their first-ever summit in Cape Town last year.

The second summit on April 24 and April 25 is planned as an attempt to consolidate union unity.

In another development, the emergent union movement yesterday endorsed a statement condemning detentions of unionists and calling for the scrapping of security laws.

The unions represent an estimated 200 000 workers.

In a statement announcing the meeting yesterday, union solidarity committees in Natal, the Western Cape and the Transvaal said: "In view of intensifying State attacks on the trade union movement, the need for a united union movement is becoming increasingly apparent and we are confident that this, the second summit, will further promote this unity."

Unionist said yesterday they hoped that the meeting would produce a united stance on the official industrial council system, which all but a few emerging unions have condemned and refused to join.

The meeting will also seek a common response to police action against unions and workers.

Although the meeting is likely to discuss proposals for agreements between independent unions not to compete with each other for membership, all sources agree there is virtually no chance of agreement on this issue.

While unions are likely to continue to cooperate on joint action against what they see as Government threats to unionism, close cooperation on the factory floor is unlikely.

In their statement on detentions yesterday, the unions said the authorities' failure to charge detainees after a long period indicated they had no case against them.

They rejected "utterly" explanations given by the authorities for the detentions and expressed alarm about reports of "maltreatment" of detainees.

The unions said their members would not take police action "lying down".

TV man hurt in alleged assault

Kevin Macgregor
Pietermaritzburg Bureau

A TELEVISION cameraman was allegedly assaulted by one of the accused yesterday as he attempted to film the man making his way through throngs of newsmen to the courtroom.

Mr Roger Harris, of United Press International's television news team, had his bulky camera slammed hard in to his eye when Australian Kenneth Kelly allegedly swung a punch at the camera.

According to Mr Harris, Mr Kelly's fist drove the heavy eyepiece into his right eye, causing it to swell immediately. The blow apparently also broke a filter fitted to the camera.

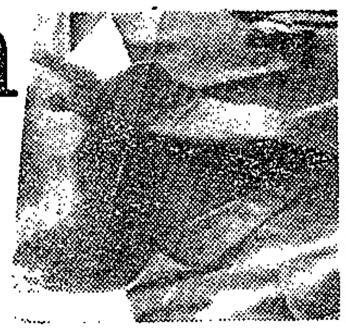
Police attended to Mr Harris after the incident and Mr Kelly was taken to the police quarters for questioning after the hearing adjourned for the day yesterday afternoon.

Mr Harris confirmed that he was going to lay charges against Mr Kelly.

The incident yesterday emphasised the strong contrasts in the behavior of the 43 men who were formally charged with the hijacking of the Air India Boeing 707 on November 25 last year.

Several of the more camera-shy accused ran the gauntlet of the hoarde of photographers by trying to cover their faces, while others stood patiently and moved off only after photographers had finished.

One man even asked a press photographer if he could have some of his negatives after the trial.



TELEVISION cameraman Roger Harris, of United Press International, just after Australian mercenary Kenneth Kelly allegedly pushed the camera into his face.

The dress of the accused hijackers ranged from an immaculate suit and tie worn by their alleged leader, Col Mike Hoare, to the open T-shirt, shorts and beach thongs worn by another.

The military bearing of all the men was, however, quite evident when they were asked to respond to questions by their advocates.

Each of the men addressed their counsel as 'sir' when asked to reaffirm his instructions.

The 10 accused being represented by Mr Eddie Stafford, SC, listened intently to him calling out their numbers before rising as one man to confirm their instructions.

One of the accused most familiar to journalists at the trial was Mr Peter Duffy, a freelance photographer, who got so intensely involved in swapping jokes with newsmen during the tea adjournment that he had to be reminded to take his place in the dock with the rest of the accused after the 40-minute break.



MR Acting Chief Justice James, the presiding judge in the mercenaries' trial, sits flanked by his two assessors Mr L L MacKay (left), a former Chief Magistrate of Durban, and Mr G G Lynn, formerly attached to the Attorney-General's office in Pietermaritzburg.

Police alsatians sniff courtroom for bombs

Pietermaritzburg Bureau

A POLICE bomb dog sniffed its way through the completely renovated College Road Supreme Court yesterday as police barred entry to members of the public and Pressmen clamouring for limited seating in the courtroom.

The alsatian dogs sniffed their way around the jury bench set aside for the Press, the judge's bench and the well of the court before admission was allowed to the building.

Police also manned the doors leading in to the single high-ceilinged room, while others stood by with portable metal detectors to frisk anybody they suspected of carrying concealed weapons.

Although many of the plainclothesmen and uniformed officers carried revolvers, there was no sign of the machineguns and shotguns that characterised South Africa's first treason trial since the war, that was held in the same court three years ago.

A guard was also posted at the entrance to the chambers of the Acting Judge President, Mr Justice Neville James, and other men made sure that diplomats who attended the morning's proceedings had seats in the gallery of the cavernous room.

At the hearing yesterday were the British consul, Mr D Wright who arrived with the German vice-consul Mr D F Schmidt and Mr Jim Bumpus, the acting Americal consul in Durban.

Watching brief for SADF

Pietermaritzburg Bureau

A SENIOR Pietermaritzburg advocate, briefed to keep a watch on proceedings in the hijacking trial for the Defence Force, kept a wary eye on yesterday's hearing.

Mr Jan Combrink, SC, would not be drawn on whether he had been instructed to interceed in proceedings although speculation was rife before the trial that the Defence Force would move to have the trial heard in camera.



Mackay also faces parking charges

Mercury Reporter

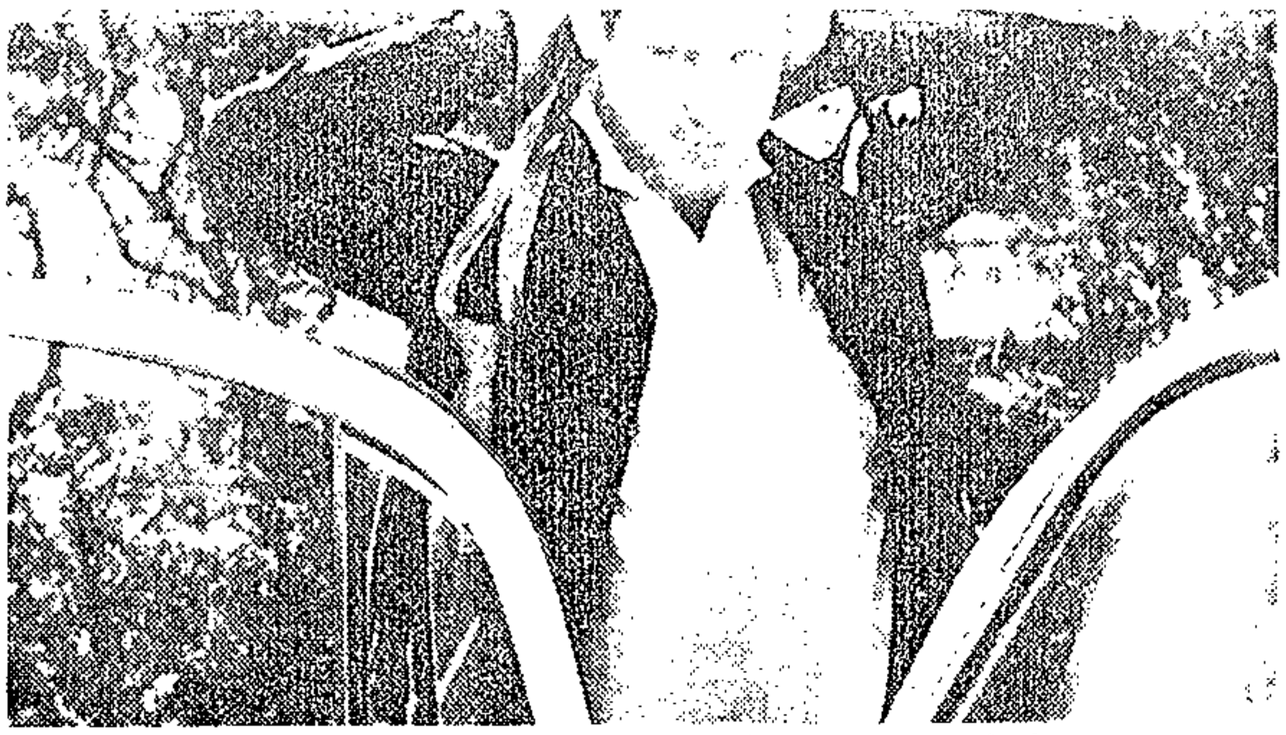
ONE OF the accused in the hijack trial is to appear in the Durban Magistrate's Court on April 8 after being served with summonses for alleged parking offences. The fines total more than R1 000.

Sub-inspector D B Unger, information spokesman for the City Police, said it was be the highest amount incurred by anyone.

The summonses were served on 25-year-old British citizen, Mr John Vincent Mackay, by Durban City Police yesterday after attempting to trace him for nearly two years.

Mr Unger said the car registration address was 125 Moss Road, Durban, but all inquiries at the address had failed to establish Mr Mackay's whereabouts.

It was then discovered that he was one of the Seychelles hijack accused and was served with the summonses in Pietermaritzburg.



READY for the start of the hijack trial in Pietermaritzburg yesterday — well almost. Defendant Peter Duffy puts his tie on in the carpark of the Supreme Court and Durban hotelier Ken Dalgleish gets into his jacket on his way to the building.



'Coup attempt' Kenyans named

11/3/82 Mercury 327

fire in isberg

burg Bureau

ross a 3 km frontage was Injasuti area of the y.

ector of the Drakensberg he fire had been raging as heading up the valley Game Reserve, he said.

ng and from my house I g 1 000 m into the air.' Mr

ay, there were herds of proteas and yellowwood

r they had been caught in

e Injasuti hutted camp at d yesterday.

orestry Department said om Winterton and was beers. He could not say how used by the fire.

VICTORIA—President France Albert René of the Seychelles has claimed that several high-ranking Kenyan officials were involved in last November's coup attempt in the Seychelles.

President René claimed shortly after the attempted coup on November 25 that Kenya was involved, but yesterday he gave details.

After the original allegations, President Daniel Moi of Kenya denied any involvement in the attempt.

Yesterday President Rene was quoted as saying that Kenya's Minister of Constitutional Affairs, Mr Charles Njonjo — one of the most powerful men in the country — and the Commissioner of Police, Mr Ben Gethi, were deeply implicated in the coup attempt.

The Seychelles leader claimed Mr Njonjo actively supported the former Seychelles president, Mr James Mancham, in his attempt to overthrow the Government. Mr Mancham has claimed that he did not organise the coup attempt but was asked to back it.

President René said many Seychellois exiles who were part of the mercenary operation were waiting in Nairobi to be flown by Kenya-registered planes to the Seychelles' main island of Mahe.

President René claimed that since the November attack, Mr Njonjo had become even more powerful and closer to President Moi.

Actually, however, Mr Njonjo lost the post of Minister of Home Affairs in last month's Cabinet shuffle and reportedly has not been in charge of the police since the middle of 1981. — (Sapa-AP)

terday crammed into the huge amphitheatre on the campus to hear dissident leader Dr Andries Treurnicht speak on the split in the National Party.

The vast majority of the crowd cheered every statement of Dr Treurnicht in which he restated his unequivocal rejection of power-sharing — healthy or otherwise.

The meeting was scheduled to be held in the Roos Hall, where several large conferences had been held in the past but by 1 p m it was clear that the students could not fit into the hall.

The students then moved to the vast amphitheatre where a sizeable proportion of the crowd started singing the *Lied van Jong Suid Afrika* (The Song of Young South Africa).

Dr Treurnicht was ushered in and given a standing ovation.

The procession was led by a number of students who carried a model of Dr Treurnicht's head which was featured on one of the floats in the student rag last Saturday

Fell over

The head, which had a small axe impaled in the forehead, was placed in front of the stage and as Dr Treurnicht climbed the steps to the podium, the head fell over — to the delight of some.

Dr Treurnicht reiterated his rejection of power-sharing and named several instances where he had expressed reservation about the Government's interpretation of the 1977 constitutional proposals.

The essential differences of his and the Government's interpretation of those proposals, lay in the status of the cabinet council on which, Dr Treurnicht said, 10 whites and 10 'non-whites' would serve.

He supported a dispensation where each of the three cabinet chambers proposed in 1977, would have the maximum say over matters concerning each different population group.

'I say here and now that it is unacceptable that South Africa should be governed by a body on which whites and non-whites are equally represented,' Dr Treurnicht said to prolonged applause.

The people refused to relinquish the idea of retaining political control over their own destiny because, Dr Treurnicht said, that would mean the death-knell to the freedom of the 'volk'.

Meanwhile the new

tonight of a [illegible] NP's Waterberg divisional committee in Thabazimbi.

The situation could be the most explosive in the party since the caucus split two weeks ago.

Injur[illegible] 'rebel'

CAPE TOWN—England's rebe[illegible] ers have been hit by a spate o[illegible] which make them rank outside[illegible] first of their three fo[illegible] internationals against Soutl[illegible] starting at the Wanderers in J[illegible] burg tomorrow.

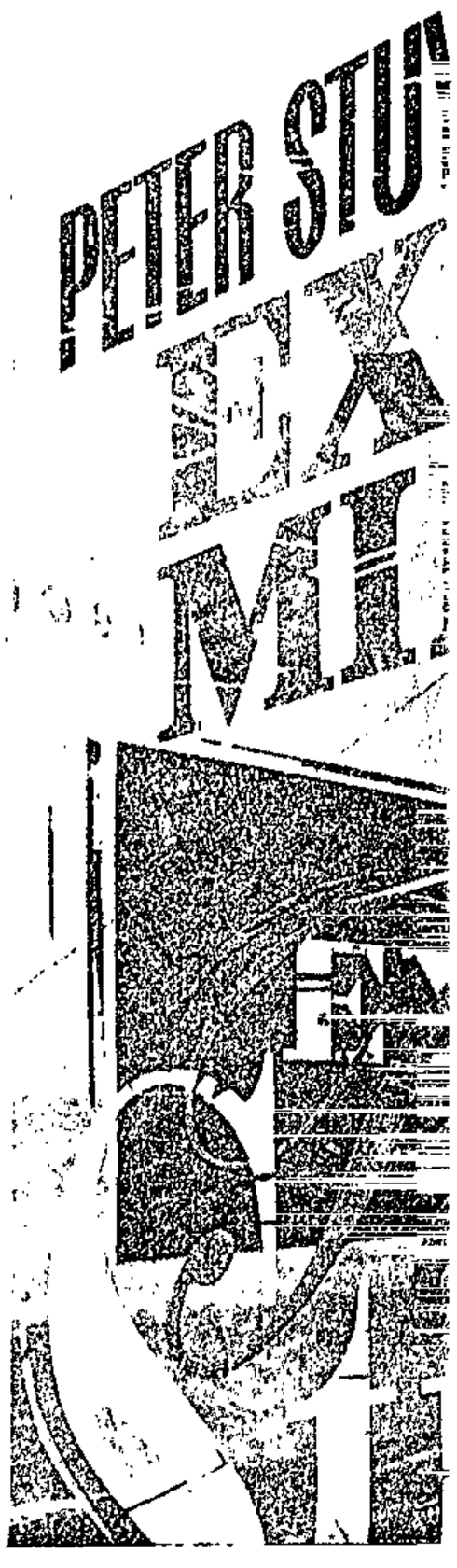
The tourists were looking to[illegible] duo of test stars John Embu[illegible] Derek Underwood to tame the[illegible] Springboks but the 29-year-old[illegible] broke his right thumb yesterd[illegible] out of the tour.

The Middlesex player atte[illegible] stop a drive from Western Prov[illegible] tain Peter Kirsten that would[illegible] him where it hurts most.

The ball struck Emburey[illegible] thumb and he ran off the fi[illegible] blood dripping from his hand[illegible] taken to hospital

With Emburey's departure t[illegible] ists have lost one of the five pla

The mild one[illegible] mild smokers



State trying to get aircrew to give evidence in hijack trial

(327) Mercury

11/3/80

Pietermaritzburg Bureau

THE prosecution announced yesterday it would call the Air India crew to give evidence in the hijack trial which started here yesterday.

And in a sensational beginning it was also revealed that charges against two of the accused had been withdrawn, and they had turned State's evidence.

The calling of the 14 crew members of the Air India Boeing 707 that was allegedly hijacked from Mahé Airport in the Seychelles to Durban on November 25 last year, was announced by the Attorney-General of Natal, Mr Cecil Rees, SC, shortly after he opened the case against the accused yesterday.

His first surprise — the dropping of charges against Mr Theodorus van Huyssteen, 23, and Mr Steyn de Wet, 30, and his request for the trial judge Mr Justice Neville James to add their names to the list of State witnesses — came before the State outlined its case against the 43 accused.

Escape

Mr Rees, leading the three-man prosecution team, announced that negotiations were under way to get the evidence of the aircrew after the two defence counsels, Mr Mike Hannon and Mr Eddie Stafford, SC, had said they would dispute all aspects of the State case against Col Mike Hoare and 42 others.

Mr Rees said the State would contend that the 43 had acted in contravention of several international conventions and in common purpose to escape from the Seychelles.

All four charges formulated by the State related to their taking control of the Boeing, which was carrying 65 men, women and children and 14 crew, at Mahé while they were in charge of the airport and the control tower, he said.

The men had allowed the aircraft to land in the most hazardous circumstances imaginable, had boarded it armed with AK-47 rifles and had commandeered it after threatening the pilot and first officer.

The senior crewmen had been forced to leave the aircraft, surrounded by heavily-armed men, and had been escorted to a dark room where they were told by Col Hoare, or another man, that they had landed 'during a revolution'.

Refuelled

'They had been told they would not be harmed if they co-operated, but if they did not one of them would be shot,' Mr Rees said.

The plane had been refuelled and prepared for take-off by Mr Nicholas Wilson, 23, Mr Kenneth Dalgleish, 32, Mr Peter Duffy, 40, and Mr Desmond Botes, 52, as well as others unknown to the State, Mr Rees said.

Once in the air, some of the men had entered the cockpit, usurped functions of the aircrew and had prevented the pilot from using the communications equipment after ordering him to set course for Durban — an airport in a foreign land and far off the scheduled flight plan.

The third count facing the men under the Civil Aviation Offences Act was similar to count one, Mr Rees said.

The men had ordered the damaged plane to land at Louis Botha outside normal operating hours and Mr Peter Duffy and Mr Barry Gribbin had issued instructions on the movement of airport personnel.

The aircrew had been stopped from communicating with the airport authorities after touchdown, Mr Rees said.

It was then that the organised armed unit had tried to bargain with the authorities and closed the airport to all air traffic for five hours, Mr Rees said.

On the fourth count, relating to the arms the men had on board the plane, the State was relying on the fact that the men were in possession of 'harmful articles' without Air India consent.

These included 38 AK-47 rifles, 2 435 rounds of ammunition and three 'active' Chinese stick grenades, Mr Rees said.

In order to secure a conviction against the men, the State had merely to show that they had taken control of the aircraft unlawfully while it was in flight.

Acoustics

The actions at Mahé Airport, where the plane landed under their control and where the doors were opened for their purposes only and then closed again until they landed in Durban, was sufficient proof that the men controlled the plane 'in flight', Mr Rees submitted.

A premature halt was brought to the proceedings after the accused complained they were unable to hear the judge and advocate clearly.

The Acting Judge President, Mr Justice James, said he had 'been in and out of the courtroom for about 25 years and had never heard complaints about the acoustics in the Victorian-styled court before.

The hearing was adjourned until today.

● See also Pages 6 and 7

GEN

Reluctant Lengene wanted in Botswana

The Star's Africa News Service

GABORONE — Mr Peter Lengene, the South African refugee who allegedly refused to return to Botswana after being kidnapped, was involved in an attempt to rob a Botswana bank, the Lobatse Magistrate's Court has been told.

The court heard that Mr Lengene was one of four South Africans who planned to rob a bank in Lobatse.

They stole a car for the operation and drove to the bank but found when they arrived that it was closed.

Later the four men drove north to Mahalapye, where they were arrested. Police seized an AK-47 rifle the men had with them.

Two of the four — Patrick Ledwaba (21) and Sebale Koko (30) — were convicted of robbery by the Lobatse senior magistrate, Mr Neville Chadwick, and sentenced to nine years' imprisonment and nine strokes each.

Neither Mr Lengene, who is still in South Africa, nor a fourth man, who was named as Paul Mokgethe, appeared at the trial.

'Peter Lengene tried to rob a bank'

GABORONE — Peter Lengene, the South African refugee who allegedly refused to return to Botswana after being kidnapped, had been involved in an attempt to rob a Botswana bank, a court was told.

The Lobatse Magistrate's Court was told that Mr Lengene was one of four South Africans who planned to rob a bank in Lobatse.

To get a car for the operation they set up a roadblock and, posing as police officers, stopped a Mercedes-Benz and tied the driver, Mr Peter John Kipps, to a tree after taking his wrist watch.

MOTORIST

They drove in the car to the bank in Lobatse but found when they got there that it was closed. Mr Kipps was meanwhile freed by another motorist who saw him tied to the tree and the police were notified.

After finding the bank closed the four men drove north to Mahalapye, where they were arrested, the court was told. Police seized an AK47 rifle the men had with them.

Two of the four, Patrick Ledwaba (21) and Sebale Koko (30), were convicted of robbery by the Lobatse senior magistrate, Mr Neville Chadwick, and sentenced to nine years' imprisonment and nine strokes each.

Neither Mr Lengene, who is still in South Africa, nor the fourth man, who was named as Paul Mokgethe, appeared in the trial.

ABDUCTED

The Botswana Government earlier said Mr Lengene had been abducted from Botswana by South African agents on February 6, and demanded his return. When he was interviewed in the presence of a South African police officer in Pretoria by the Botswana police commissioner, Mr Simon Hirschfeld, Mr Lengene allegedly said he did not want to return to Botswana because he had been involved in criminal activity there.

The Botswana Minister of Public Service and Information, Mr Daniel Kwelagobe, told the National Assembly in Gaborone that Mr Lengene's story was that he had gone to South Africa of his own free will and did not want to return to Botswana "for fear of being harmed by his colleagues in the refugee community or being arrested by the police for crimes he has committed together with his colleagues in this country".



MASABATA'S MOTHER: Mrs Helen Ngakane outside court yesterday.

Sadness, songs as trial ends

ONE of the saddest people after sentence was passed at the Vanderbijlpark Terrorism Act trial yesterday was Mrs Lydia Seatlholo, mother of Khotso, who was sentenced to an effective 10 years' imprisonment.

By NKOPANE MAKOBANE

Mrs Seatlholo could not hold back tears as she emerged from the court

When sentence was passed, Khotso, who was clad in grey trousers, navy blue jacket and a black crewneck, showed no emotion. Shortly afterwards he turned his face to the gallery with a smile.

In a brief interview, a

"My son has taken his sentence bravely and for that I think I will get strength. He believes in his conscience and I do not think he will be satisfied until the liberation of his people is achieved," she said.

The co-accused, Ma-

During the trial and afterwards, tight security was visible all around the court buildings. Whites entering the building were scrutinised but there were no incidents.

Another slaying

ONE

Strikes sweep East Rand

By JOSHUA RABOROKO

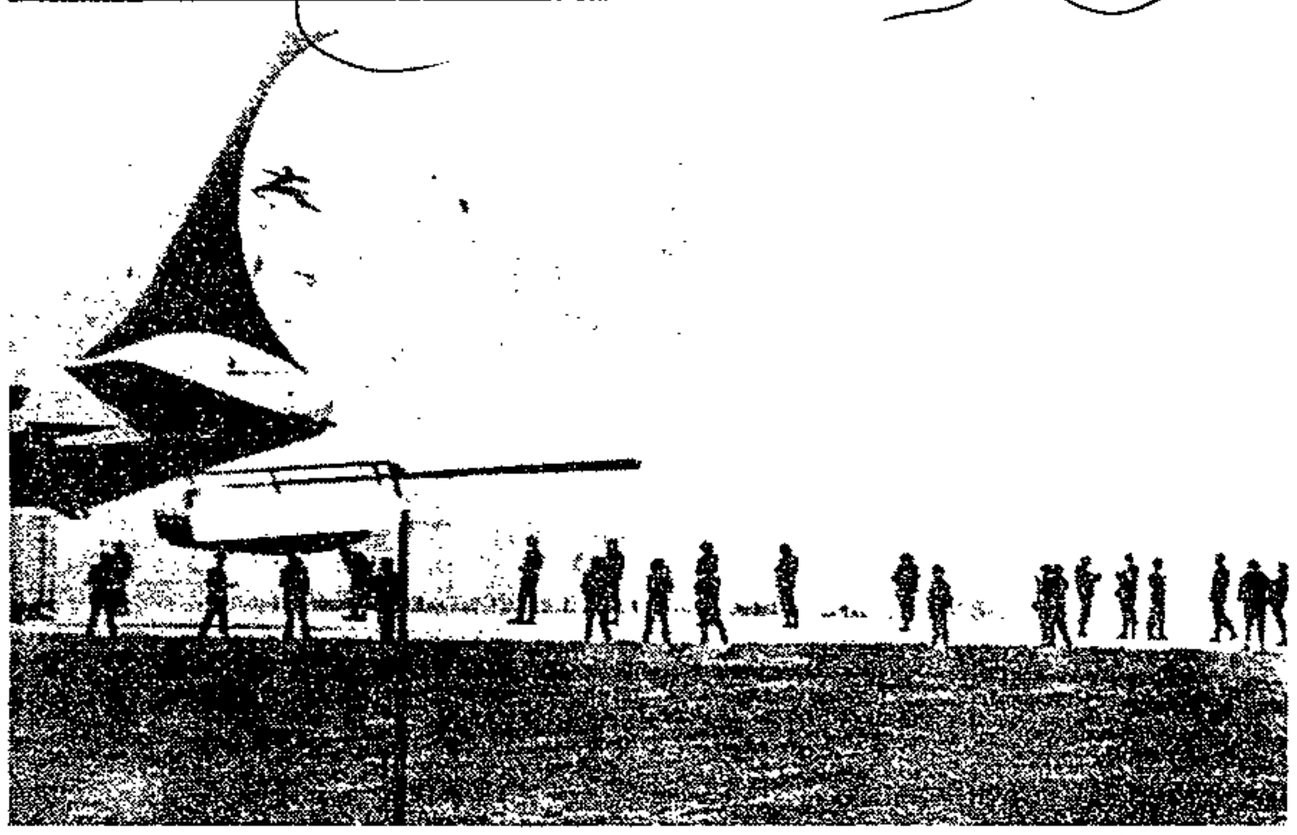
A WAVE of labour unrest swept through the East Rand this week with about 1 800 workers in the Germiston complex taking part in strike actions solely over pay increases.

All these strike actions came about amid deadlock discussions between unions and employers in the metal industries' annual Industrial Council negotiations which were postponed to April 14.

About 500 workers employed by the Rand Scrap Iron and Metal Company yesterday joined the list of about nine companies which have been hit by strikes in the complex since the beginning of February.

At Fuchsware, near Alberton, some 800 workers yesterday also stopped work, demanding higher salaries.

Rand Scrap's managing director, Mr Harry Katz, said that 150 of



MEMBERS of the Railways Police anti-hijack squad form a circle around the tail of the Air India plane on Louis Botha Airport's apron. This picture was one of several handed in as evidence at yesterday's hearing.

CAPE WINE ACADEMY

CERTIFICATE COURSE ENTRANCE EXAM

For those still wanting to enrol for the Certificate Wine Course commencing 22 April 1982 the Entrance Exam may be written on:

TUESDAY 16 March, 6.30-7.30 p.m.
AT:
THE S. F. W. WINE CENTRE
165 Shepstone Road
New Germany
TEL: Valerie 721311 if interested in enrolling

COST: R3,00 for public
Free for Academy Members
Order No: 7528

CHARTWELL
OFFICE FURNITURE
DIRECT EX-OUR FACTORY
IMMEDIATELY!
CHARTWELL OFFICE FURNITURE
21 ALIWAL ST, DURBAN, TEL 64567

Prof's evidence

FROM PAGE 1

if they needed treatment until the reaction set in,' he said.

People were fatigued and worried, and after the release of tension he had treated a dozen people with mild tranquilisers.

There had been about 60 passengers of different races, ages and sexes in the room, he said.

He was surprised at the calmness of the crew whom he met later, he said.

One had complained of a headache, but they were relaxed and were sitting reading magazines, drinking tea and eating sandwiches and although mildly fatigued, appeared normal.

The names

THIRTY-THREE of the men are being defended by Mr Michael Hannon, a Johannesburg advocate. They are: Col Mike Hoare, Mr Charles Dukes, Mr Vernon Prinsloo, Mr Robert Jones-Davies, Mr Andrew Standish-White, Mr Patrick Eurelle, Mr Christo Hillebrand, Mr John Mackay, Mr Sven Forsell, Mr Jan Sydow, Mr Stephen Biddlecombe, Mr Richard Stannard, Mr Nicholas Wilson, Mr Peter Hean, Mr Kevin Beck.

Mr Kevin Barnes, Mr Tullio Moneta, Mr Barry Gribbin, Mr David Greenhalgh, Mr Charles Goatley, Mr Kenneth Dalgliesh, Mr Patrick Henrick, Mr Donald Kenny, Mr Michael Webb, Mr Peter Duffy, Mr Desmond Botes, Mr Kenneth Kelly, Mr Kurt Priefert, Mr Peter Rohwein, Mr Simon Willar, Mr Jacob du Toit, Mr Alex Deacon, and Mr William Paul.

The 10 others are being defended by Mr Eddie Stafford, SC, of Pretoria. They are: Mr Bernhard de Vos, Mr Louis Boucher, Mr Jochemus Dekker, Mr Frederick Gouws, Mr Ernst Deetlefs, Mr Keith Macleod, Mr Desmond Walker, Mr Pieter Doorewaard, Mr Johannes de Beer, and Mr Alan Mann.

The hijack trial — **Day 1**

Major disaster 'feared' at airport

Pietermaritzburg Bureau

FIRE tenders, ambulances and a medical team had been called out in anticipation of a major disaster after news that a hijacked aircraft was being flown to Durban early on November 26 last year.

Reliving the events at the airport, Deputy Fire Officer Hilton Hardie of the Department of Transport said he had been alerted at home — after normal airport operating hours — that an aircraft had been diverted to Durban from Jan Smuts Airport in Johannesburg.

After he arrived at the airport, he had put a 'stage three' emergency procedure into operation.

This was done only when they were anticipating a major disaster and normally occurred only when a pilot reported undercarriage problems or a fire on board, Mr Hardie said.

Warned

Wentworth Hospital, who were the co-ordinators of a medical disaster team, were warned and the Durban and Amanzimtoti fire departments were asked to send tenders to Louis Botha Airport, he said.

'I informed the airport manager that an Air India flight with mechanical problems and suspected hijackers on board was coming in,' Mr Hardie said.

When the aircraft was about two miles out, emergency vehicles and ambulances had lined the runway.

'The plane landed just after 5 a m, proceeded to the Amanzimtoti side of the runway, stopped, began to turn and then hesitated. I gave handsignals and turned the aircraft round.'

The ambulance and a police car were moved away from the plane and he had been informed that there was an injured person on board, Mr Hardie said.

The doors of the plane partly opened and two men, Mr Kenneth Dalgleish and Mr Peter Duffy, had come down the steps and spoken to Col J Mouton of the Railways Police.

Shot in arm

Col Mouton had left for the terminal building and returned. Shortly afterwards he was given permission to board and attended to a 'European man who had been shot in the arm'. The corridor had been blocked with a blanket covered object that he and Prof van Dellen had had to step over, he said.

The doctor had requested morphine to control the man's pain and he had left the jet, Mr Hardie said.

He had re-entered the aircraft a third time and had overheard one of the alleged mercenaries telling the passengers they could leave the plane but not communicate with people outside.

He spoke to Mr Dalgleish several times over a period of about two hours, he said.

'He said once they taken off he had apo sed to the passenger the inconvenience, said it was better to diplomacy than be ro Mr Hardie said.

As far as he was cerned, Mr Duffy and Dalgleish were giving orders, he told Mr drik Klem, SC, for State

In a normal emerge instructions were give crew and passenger the emergency teams.

In Air India's case, could not take control cause of the 'poten danger' of hijackers board, he said.

Accused 'was asked to sign for the fuel'

THE Court heard how one of the accused was asked to sign for fuel pumped into the aircraft before its unscheduled flight to Durban.

Mr Kenneth Dalgleish had been standing, chatting amiably with a fireman on the apron at Louis Botha Airport in Durban and persuaded the man to take off his shirt and show off his operation scars, the Court was told.

Mr Dalgleish expressed his concern about arriving in South Africa without a passport, and then told how he had been asked by an official at Mahé airport to account for the fuel needed by the Air India jet.

'He said he told the official to get stuffed,' Mr Hilton Hardie, deputy fire officer at Louis Botha Airport, told Mr Justice James and his two assessors.

During the hours that the aircraft stood immobile on the runway in Durban, several of the group had come off the plane and had coffee before reboarding, he said.

He had also taken off his shirt to show Mr Dalgleish his operation scars, Mr Hardie said.

During cross-examination by counsel for the 43 men accused of the hijacking, Mr Hardie agreed that a 'friendly, convivial' atmosphere existed after the aircraft touched down.

The incident was not typical of a normal hijacking where demands were made. Passengers were allowed off the plane without any restrictions being placed on their movements.

Smiling

'They were told only not to communicate with anybody,' Mr Hardie said.

Mr Hardie was then handed a set of pictures taken by Mr Johannes de Beer, one of the accused, which showed the crew of the Air India Boeing all smiling broadly.

The photographs had been taken during the flight, Mr Eddie Stafford, SC, told Mr Hardie.

The only unpleasantness had been the heat and discomfort in the plane, Mr Hardie agreed.

The crew did not appear unhappy, he said, and he had seen no signs of weapons aboard the plane.

A task force of specially trained Railways Police had arrived at the aircraft, he said, but there had been no shots fired or any threats of force applied to anyone by the alleged hijackers before they arrived.

Lt Col J Mouton, of the Railways Police, himself, and a doctor had all moved freely on to and about the aircraft without any reprisals or searches being carried out by the party of alleged hijackers, he said.

He had no knowledge of the hijackers shaking hands with the crew as they parted company in Durban, he said.

SADF denies it called up 11 accuse

Pietermaritzburg Bureau

THE Defence Force denied here yesterday that 11 of the men accused of hijacking an Air India aircraft from the Seychelles had been issued with official call-up papers.

Immediately after the hearing began in the College Road Supreme Court, the Attorney-General of Natal, Mr Cecil Rees, SC, handed in a sworn affidavit from Cmdt Danie van der Spuy, Officer Commanding No 2 Reconnaissance Regiment.

In the affidavit read by Mr Rees, Cmdt van der Spuy said he had no knowledge of the men being called up for service in the Seychelles.

If a call-up had been made officially for Mr Johannes de Beer, Mr Patrick Henrick, Mr Keith Macleod, Mr Desmond Walker, Mr Pieter Doorewaard, Mr Kurt Priefert, Mr Steyn de Wet, Mr Jacob du Toit, Mr Alex Dunn, Mr Alan Mann, he would can, Mr William Paul and have known about it. If at any time during November last year the men were called up, he would have had a record of this, he said.

Admitted

Mr Rees said he would explain at a later stage of the hearing how Cmdt van der Spuy's evidence related to the rest of the evidence.

Mr Rees also gave notice that the defence counsel for the 43 accused of commandeering Air India Flight AI 224 on November 25 had admitted that the aircraft left Salisbury as scheduled on November 25.

They also agreed there were 65 passengers and 14 crew aboard the jet and admitted that all the alleged hijackers except Mr Charles Dukes, Mr Kenneth Dalgleish and Mr Desmond Botes had left South Africa under the leadership of Col M Hoare

Col Hoare had m travel arrangements tour operators Bud Tours in Johannesb Mr Rees said.

The admissions by defence mean that no considerable number witnesses will not hav be called by the Stat prove the facts and the al can be expected to much shorter.

The men have plea not guilty to the charg

Police calls

A [illegible] i S t o s 3 h n s t t p 3 p

Hijack trial told of aid for shot man



PROF J R van Dellen . . . ordered off the gangway. **Picture by JAMES HUTTON**

Dentist found to have inhaled laughing gas

Mercury Correspondent

JOHANNESBURG—The disciplinary committee would recommend to the South African Medical and Dental Council that a Johannesburg dentist, Dr E H du Toit, receive psychiatric treatment after it found him guilty yester- [redacted] laughing

proval of the chairman of the committee; that he should not use laughing gas; that he should receive psychiatric treatment, and that a psychiatric report be made every three months.

A colleague of Dr du Toit, Dr H de Graaff, told the committee that he had found Dr du Toit with a gas mask over his nose, inhaling the gas.

Dr du Toit had been upset, was breathing heavily and could not control himself. Dr de Graaff had to call an ambulance.

On February 10, Dr du Toit had closed his consulting rooms and had placed the gas apparatus on his nose.

e my rat
ank you

depended on the soci

Pietermaritzburg Bureau

A DOCTOR who boarded an Air India Boeing at Durban to treat a wounded man had earlier been ordered off the gangway and had moved an ambulance away from the aircraft at the request of Durban photographer Peter Duffy, who is one of the accused in the hijack trial here.

Prof J R van Dellen, head of the department of neurosurgery at the University of Natal and head of the disaster team for Louis Botha Airport, was giving evidence in the trial of 43 men appearing in the Supreme Court here before Mr Justice James.

Prof van Dellen said he had been taken near the Air India plane by ambulance on November 26.

He had then walked to the jet and seen that all the blinds were drawn on the left side of the plane, he said.

After being joined by saw the passengers and crew leave the aircraft before the alleged hijackers, he said.

Dr Walter Rathgeber, an Umhlanga Rocks practitioner, said he had been called to the airport as a member of the Wentworth Hospital disaster team and medical adviser for British Airways in Durban.

He reported to the medical centre beside the terminal building at 7.30 a.m. where he waited for the passengers and attended to their needs in the international lounge.

'None of them looked as

● TURN TO PAGE 2



EDWARD 'Babsi' Mxumalo — the 20-year-old who is wrinkled, balding and only 1,5 m tall — with Mr Jan Swart. **Picture by ELIJAH ZONDI**

Pakistan

Cricket to get big TV coverage

Mercury Reporter

THERE will be extensive radio and television coverage of the first cricket test between the Springboks and SAB English XI being played from today until Monday at the Wanderers in Johannesburg — but no live coverage on Sunday.

This was revealed yesterday by a SABC spokesman who said no explanation would be given by the SABC management why there would be no Sunday coverage.

Last week SABC outlined its policy on Sunday sport coverage and pointed out that, 'after careful consideration', the corpo-

be no coverage this Sunday of a match which was the first Springbok cricket test in 12 years, Mr Eric van der Merwe, a public relations officer for the SABC, said: 'I am afraid I cannot comment on that. I asked for reasons but was told there were none. I was told simply that there would be no Sunday coverage of the cricket.'

Former cricketer Peter Pollock said in Durban yesterday that he was not surprised at not being able to see Sunday's cricket on television.

Sport '82

There will be television coverage of the test today,

10.55 a.m until 2.30 p.m. During *Sport '82* tomorrow, there will be further cricket coverage.

Radio listeners will be able to tune into a ball-by-ball cricket coverage on shortwave, in the 41 metre-band, today, tomorrow and on Monday when there will be English and Afrikaans commentary.

The scheduled times for coverage on the English service, FM only, are as follows:

Today: 11.30 a.m to noon, 12.50 p.m to 1.09 p.m, 2.15 p.m to 2.30 p.m, 3.30 p.m to 3.45 p.m. There will be further coverage during *Audio Mix* and *Sports Reel.*

times will be the sam for today's coverage cept that listeners wil able to tune in fr 3.15 p.m instead 3.30 p.m.

Scheduled times coverage on the Afrika service, FM only, are follows:

Today: 11.05 a.m 11.20 a.m, 12.30 p.m 1 p.m, 2.01 p.m to 2.15 3 p.m to 3.15 p.m, 4.10 to 4.30 p.m.

Tomorrow: 11.35 a.m 12.30 p.m and dur *Sportparade*, starting 2 p.m.

Monday: 11.05 a.m 11.15 a.m, 12.30 p.m 1 p.m, 2.01 p.m to 2.20 3 p.m to 3.15 p.m, 4.10

N-M

12/3/82

827

Lt-Col J Mouton of the Railways Police he had waited while steps were placed near the aircraft door, he said.

'The aircraft door opened slightly and a white man peeped around it,' he said.

The door then opened and they were approached by two men whom he later found out were Mr Duffy and Mr Kenneth Dalgleish, another accused, Prof van Dellen said.

Mr Duffy had asked him who he was and had then turned towards the waiting ambulance and said: 'I don't want them or any other civilians near here,' Prof van Dellen said.

He added that he had regarded Mr Duffy's statement as an order.

Conversation

He had then descended the steps and told the ambulance to move away from the jet, the professor said.

When he turned back he saw Col Mouton in conversation with Mr Dalgleish and Mr Duffy on the edge of the airport apron, he said.

Later Mr Dalgleish asked what was happening and said he wanted 'everything over as quickly as possible with as little publicity as possible', he said.

From what he had heard he believed that the men had been involved in a skirmish of some sort.

About an hour after the plane had landed, he had been asked by either Mr Dalgleish or Mr Duffy to attend to one of of the group.

He had boarded the aircraft with Fire Officer Hilton Hardie, stepped over an obstruction 'covered with dark material' and had treated American Charles Dukes who had been shot in the right upper arm.

'The aircraft was extremely hot and I asked him if he had lost blood. He said he had and I put a drip up. There was no exit wound in his arm and he was in pain,' Prof van Dellen said.

Later he also had treated one of the group who was suffering from severe abrasions, he said.

He left the aircraft and

GO-GO JAILED BY SEYCHELLES COUP, SAYS DUFFY

MARITZBURG. — Seven or eight senior Government members were involved in the aborted Seychelles coup, the first man off the hijack plane, Mr Peter Duffy, told a security officer in the South African Railways Police.

Before a packed, tense courtroom, Lieutenant-Colonel Jacobus Stephanus Mouton spoke of the first minutes after the Air India Boeing landed at Louis Botha airport.

Colonel Mouton said: Mr Duffy said to me 'This is a very serious matter. We have tried to overthrow the Seychelles Government but it was unsuccessful".'

Involved

Colonel Mouton continued relating Mr Duffy's words: 'Mr Duffy said "We do not want to embarrass the Government, because it is involved. Eight members of them knew of the incident".'

Colonel Mouton told Mr Justice James Mr Duffy had told him 13 or 14 members of the Reconnaissance Commando were with them.

He said they had boarded the Air India aircraft, but Mr Duffy had not explained to him how.

The dramatic opening minutes on the third day of the alleged hijack trial of 43 men were marred by queries over the way Colonel Mouton's evidence, given in Afrikaans, was translated into English.

Colonel Mouton is officer commanding the security section of the SAR Police in Natal. He told the court that on Friday November 26 he received a telephone call at home about 3 am.

Answering questions put to him by Mr Hendrik Klem, SC, Colonel Mouton said as a result of a report made to him he went to Louis Botha Airport.

An aircraft he was waiting for landed at 4.58 am. He and Captain Viljoen went to the aircraft in an unmarked private vehicle, parking about 25 or 30 metres from the plane next to a fire vehicle, that Mr Hilton Hardie was in.

He waited for the mechanical steps to be placed alongside the plane, and there was a request for a doctor.

When the mechanical steps were in position, he and Dr van Dellen went up.

Mr Klem: Was the door of the plane closed when you went up the stairs?

Colonel Mouton: Yes. Just before I came on top the door opened slightly, and somebody put his head out. The door was opened further and Mr Duffy appeared.

Asked whether he could identify Mr Duffy, Colonel Mouton, with a big smile on his face, pointed him out in the dock.

Colonel Mouton said in normal circumstances the captain or crew came off the plane first.

Colonel Mouton told Mr Justice James, Acting Judge President of Natal, Mr Duffy looked out of

(Contd on Page 3, col 4)

****

ARGUS 12/3/82 (327)

UNIVERSITY OF
EXAMINATION A

All answer books must be numbered

Number of books handed in	
Number of this book	

Surname.....WEBB.....
(In block lett

First Name(s).....ROGER THI

Date.....23/10/79.....

Degree/Diploma/Certificate for wh
you are registered (e.g. B.A., B.Sc.)

Subject.....ECONOMICS.....
(to be copied from the heading o

Paper No.....
(to be copied from the heading c

/

NOTE CAREFULLY

1. Enter at the top of each page a
the block on this cover the nu
tion you are answering.
2. Blue or black ink must be
answers. The use of a ball p
able. Red or green ink may be used only for
underlining, emphasis or for diagrams, for which pencil may also be used.
3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book (s) are used.
3. No part of an answer book is to be torn out.
4. All answer books must be handed to the commissioner or to an invigilator before leaving the examination.

Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University

Made in South Africa PSL / PD UCT Vervaardig in Suid-Afrika

I

****

Hijack trial

Argus 12/3/82

327

(Continued from Page 1)

the door and said that nearby vehicles had to be taken away. Colonel Mouton indicated with his army to have the vehicles moved away.

Colonel Mouton said there were a police vehicle and two or three private vehicles and an ambulance, which all moved away.

Colonel Mouton said: 'Mr Duffy began speaking to me. Because of the noise of the engines which were still on, we could not understand each other. Mr Duffy came down the stairs on to the runway. Mr Dalgleish came down halfway.'

Originally he walked to the top of the steps' platform, Dr van Dellen was halfway up, and then Mr Duffy came out.

'Mr Duffy asked me who this man was. I said a doctor.

'He said the doctor must go.'

Colonel Mouton went on: 'Mr Duffy then informed me this was an important incident. They had tried a coup in the Seychelles but they did not succeed.'

Colonel Mouton's next sentence was translated as 'they did not want to put the Government in a bad light as the Government was not involved.'

Serious case

On an interjection from Mr Stafford, SC, this interpretation was changed to: 'The Government was involved.'

Colonel Mouton was asked to repeat himself: he said 'Mr Duffy said to me this is a very serious case. They had tried to overthrow the Government of the Seychelles but it was unsuccessful.

'He did not want to place the Government in a bad light as the Government was concerned in this matter.'

Asked to repeat Mr Duffy's words in English, Colonel Mouton said: 'There are seven or eight senior members of the Government involved.'

The SAR security officer continued: 'Just before that Duffy had said there were also 13 or 14 members of the Reconnaissance Commando with them (translated in English as also involved).' Colonel Mouton said Mr Duffy told them they had boarded an Air India plane, the one that was on the runway.

Damaged

Colonel Mouton said Mr Duffy did not explain how they got possession of the aircraft, but said the aircraft was damaged when landing at Mahe airport.

'He informed me that the aircraft's scheduled route was from Salisbury, Zimbabwe, to Bombay via the Seychelles.

'Then he informed me that he had a proposition to make. It was not a demand — just a request. He asked for an aircraft to be made available to them. Duffy said the men would leave all their weapons on board.

'Then we can fly to wherever we want — round and round Durban, or to Cape Town or to Johannesburg or wherever we want,' Mr Duffy had told Colonel Mouton.

Alternative

An alternative suggestion was to let all the accused off the plane, line up and march into the airport building.

'He said if I had a better proposition I should make it.

'I informed him that I could not accede to his request, but would take it to those in command.

'Duffy said to me there were weapons on board, but he did not tell me where.'

Colonel Mouton then made a report to a Colonel Fourie of SAR Police, the Directorate of Civil Aviation, and General J J H Claassens, head of SA Railways Police.

Colonel Mouton returned to the aircraft and informed Mr Duffy and Mr Dalgleish that their request could not be acceded to. He added that General Visagie and the special task force were on their way to Louis Botha Airport from Johannesburg.

'They accepted that Mr Duffy's words were: "If you decide that, then that is how it will be."'

Mr Klem asked Colonel Mouton who was in control of the aircraft when it landed. 'Up to that stage it was undoubtedly certain that it was in control of Duffy and his comrades.'

Mr Klem: Why do you say so?

Colonel Mouton: Under normal circumstances the crew would make all arrangements. In this case it was not so.

Request

'It was clear to me that any requests that came from the crew came to me via Dalgleish and Duffy.'

When asked whether the crew had made any requests, Colonel Mouton said the captain of the Air India Boeing, Mr U S Saxena, had approached him at a later stage.

'Captain Saxena wanted to show me where the aircraft had been damaged.

'He asked Duffy: May I show him? Before he pointed it out to me.'

Some women and children asked Mr Duffy whether they could leave the aircraft, and Mr Duffy relayed this re-

(Cont on Page 11, col 6)

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Sestiende dag van Februarie Eenduisend Negehonderd Twee-en-tagtig.

M. VILJOEN, Staatspresident.

Op las van die Staatspresident-in-rade:

S. F. KOTZÉ.

BYLAE

Woonstel 10 en Motorstaanplek 19, Retford Hall, geleë te Manningweg 151, op Perseel S van 52, Blok C van die Dorpsgronde van Durban 1737, geleë in die stad en graafskap Durban, provinsie Natal.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Sixteenth day of February, One thousand Nine hundred and Eighty-two.

M. VILJOEN, State President.

By Order of the State President-in-Council:

S. F. KOTZÉ.

SCHEDULE

Flat 10 and Parking Space 19, Retford Hall, situate at 151 Manning Road, on Lot S of 52, Block C of the Townlands of Durban 1737, situate in the City and County of Durban, Province of Natal.

GOEWERMENTSKENNISGEWINGS

GOVERNMENT NOTICES

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 476 12 Maart 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

DEPARTMENT OF INTERNAL AFFAIRS

No. 476 12 March 1982

UNDERSIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

LYS/LIST P82/23

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/12/17	***Sex: The Facts, The Acts and your Feelings***	Dr Michael Carrera	(a)
P82/2/133	***Howson-Algraphy Plate Mate Calendar—1982*** (Kalender/Calendar)	Nie vermeld nie/not stated	(a)

No. 477 12 Maart 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

Die Appèlraad oor Publikasies het, kragtens artikel 13 (5) (c) van die Wet op Publikasies, 1974, soos gewysig, beslis dat ondergenoemde publikasie nie binne die bedoeling van artikel 47 (2) van die Wet ongewens is nie, en het die beslissing van 'n komitee bedoel in artikel 4 van genoemde Wet dat genoemde publikasie binne die bedoeling van artikel 47 (2) (a) van genoemde Wet ongewens is, tersyde gestel, onderhewig aan die voorwaarde dat dit nie wetens verkoop, verhuur (of deur 'n uitleenbiblioteek geleen) mag word aan persone onder die ouderdom van 18 jaar nie.

No. 477 12 March 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

The Publications Appeal Board decided under section 13 (5) (c) of the Publications Act, 1974, as amended, that the undermentioned publication is not undesirable within the meaning of section 47 (2) of the Act, and set aside the decision of a committee referred to in section 4 of the said Act that the said publication is undesirable within the meaning of section 47 (2) (a) of the said Act, subject to the condition that it may not knowingly be sold, hired out (or lent out by lending libraries) to persons under the age of 18 years.

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
P80/10/8.....	***Ninja, The***.....	Eric van Lustbader.....	In SK/G.G. 7327 GK./G.N. 2555 van/of 12/12/80.

No. 478 12 Maart 1982

TERSYDESTELLING VAN VERKLARING DAT PUBLIKASIE ONGEWENS IS

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 15 (2) van genoemde Wet op hersiening beslis dat die ondergenoemde publikasie nie binne die bedoeling van artikel 47 (2) van genoemde Wet ongewens is nie. Die ondergenoemde inskrywing ten opsigte van die publikasie word hierby geskrap:

No. 478 12 March 1982

SETTING ASIDE OF DECLARATION THAT PUBLICATION IS UNDESIRABLE

A committee referred to in section 4 of the Publications Act, 1974, decided under section 15 (2) of the said Act on review that the undermentioned publication is not undesirable within the meaning of section 47 (2) of the said Act. The undermentioned entry in respect of the publication is hereby deleted:

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
P82/2/76.....	***Ten Days That Shook the World***	John Reed.....	In SK/G.G. 298 van/of 22/8/61.

No. 479 12 Maart 1982

PUBLIKASIES OF VOORWERPE

Die Appèlraad oor Publikasies het kragtens artikel 13 (5) van die Wet op publikasies, 1974, soos gewysig, beslis dat die ondergenoemde publikasie nie ongewens is nie en het die beslissing van 'n komitee bedoel in artikel 4 van genoemde Wet dat genoemde publikasie binne die bedoeling van artikel 47 (2) (a) van genoemde Wet ongewens is, ter syde gestel. Die ondergenoemde inskrywing ten opsigte van die publikasie word hierby geskrap:

No. 479 12 March 1982

PUBLICATIONS OR OBJECTS

The Publications Appeal Board in terms of section 13 (5) of the Publications Act, 1974, as amended, decided that the undermentioned publication is not undesirable and set aside the decision of a committee referred to in section 4 of the said Act that the said publication is undesirable within the meaning of section 47 (2) (a) of the said Act. The undermentioned entry in respect of the publication is hereby deleted:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
P81/11/18	***Fook Book***—No 1	Ferdinard Fook and Walter Battiss	In SK./G.G. 7958 G.K./G.N. 2765 van/of 18/12/81.

No. 480 12 Maart 1982

WET OP PUBLIKASIES, 1974

Die Direktoraat van Publikasies het op 3 Maart 1982 kragtens artikel 15 van die Wet op Publikasies, 1974, soos gewysig, appèl aangeteken teen die beslissing op 25 Februarie 1982 van 'n komitee bedoel in artikel 4 van genoemde Wet dat die ondergenoemde publikasie binne die bedoeling van artikel 47 (2) (a) van genoemde Wet ongewens is:

No. 480 12 March 1982

PUBLICATIONS ACT, 1974

On 3 March 1982 the Directorate of Publications appealed under section 15 of the Publications Act, 1974, as amended, against the decision on 25 February 1982 of a committee referred to in section 4 of the said Act that the undermentioned publication is undesirable within the meaning of section 47 (2) (a) of the said Act:

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer
P82/2/77	***Guide to Figure Photography***	Pert Basch's.

No. 481 12 Maart 1982

WET OP PUBLIKASIES, 1974

ROLPRENT

Die Appèlraad oor Publikasies het kragtens artikel 24 van die Wet op Publikasies, 1974, die voorwaardelike goedkeuring van die ondergenoemde rolprent deur 'n komitee bedoel in artikel 4 van genoemde Wet gewysig deur bepaal—

(a) dat die ondergenoemde rolprent nie aan persone in die ouderdomsgroep 2–14 jaar vertoon mag word nie; en

(b) dat sekere weglatings aangebring moet word.

No. 481 12 March 1982

PUBLICATIONS ACT, 1974

FILM

The Publications Appeal Board under section 24 of the Publications Act, 1974, varied the conditional approval of the undermentioned film by a committee referred to in section 4 of the said Act by stipulating—

(a) that the film shall not be exhibited to persons in the age group 2–14 years; and

(b) that certain excisions be made.

Inskrywing No. Entry No.	Rolprent Film	Vertoëmaker Representer
R81/12/85	***Paradise***	Ster-Kinekor (Edms.) Bpk./(Pty) Ltd.

No. 482 12 Maart 1982

WET OP PUBLIKASIES, 1974

ROLPRENT

Die Appèlraad oor Publikasies het kragtens artikel 24 van die Wet op publikasies, 1974, die voorwaardelike goedkeuring van die ondergenoemde rolprent deur 'n komitee bedoel in artikel 4 van genoemde Wet gewysig deur bepaal—

(a) dat die ondergenoemde rolprent nie aan persone in die ouderdomsgroep van 2–18 jaar vertoon mag word nie; en

(b) dat sekere weglatings aangebring moet word.

No. 482 12 March 1982

PUBLICATIONS ACT, 1974

FILM

The Publications Appeal Board under section 24 of the Publications Act, 1974, varied the conditional approval of the undermentioned film by a committee referred to in section 4 of the said Act by stipulating—

(a) that the said film shall not be exhibited to persons in the age group of 2–18 years; and

(b) that certain excisions be made.

Inskrywing No. Entry No.	Rolprent Film	Vertoëmaker Representer
R81/12/52	***Invincible Boxer*** ook bekend as/also known as ***King Boxer***	CIC-Warner (Edms.) Bpk./(Pty) Ltd.

No. 483 12 Maart 1982

VERTOË KRAGTENS ARTIKEL 24 (1) (a)

Die Direktoraat van Publikasies het op 26 Februarie 1982 kragtens artikel 24 (1) (a) van die Wet op Publikasies, 1974, appèl aangeteken teen die voorwaardelike goedkeuring deur 'n komitee bedoel in artikel 4 van genoemde Wet van die rolprent ***Making Love.*** Die tydperk waarin persone bedoel in artikel 24 (2) (b) van genoemde Wet vertoë tot die Appèlraad oor Publikasies, Privaatsak X114, Pretoria, ten opsigte van genoemde appèl kan rig, word hierby bepaal as 14 dae vanaf die datum van hierdie kennisgewing.

Inskrywing No. Entry No.	Rolprent Film	Voorlegger Submitter
R82/2/81	***Making Love***.....	Ster-Kinekor (Edms.) Bpk./(Pty) Ltd.

No. 483 12 March 1982

REPRESENTATIONS UNDER SECTION 24 (1) (a)

On 26 February 1982 the Directorate of Publications under section 24 (1) (a) of the Publications Act, 1974, appealed against the conditional approval by a committee referred to in section 4 of the said Act of the film ***Making Love.*** The period within which persons referred to in section 24 (2) (b) of the said Act may make representations to the Publications Appeal Board, Private Bag X114, Pretoria in respect of the said appeal is hereby determined as 14 days from the date of this notice.

No. 484 12 Maart 1982

VERTOË KRAGTENS ARTIKEL 24 (2) (b)

Die Direktoraat van Publikasies het op 2 Maart 1982 kragtens artikel 24 (1) (a) van die Wet op Publikasies, 1974, appèl aangeteken teen die voorwaardelike goedkeuring deur 'n komitee bedoel in artikel 4 van genoemde Wet van die rolprent ***Ragtime***. Die tydperk waarin persone bedoel in artikel 24 (2) (b) van die genoemde Wet vertoë tot die Appèlraad oor Publikasies, Privaatsak X114, Pretoria, ten opsigte van genoemde appèl kan rig, word hierby bepaal as 14 dae vanaf die datum van hierdie kennisgewing.

Inskrywing No. Entry No.	Rolprent Film	Voorlegger Submitter
R82/2/148	***Ragtime***.....	CIC-Warner (Edms.) Bpk./(Pty) Ltd.

No. 484 12 March 1982

REPRESENTATIONS UNDER SECTION 24 (2) (b)

On 2 March 1982 the Directorate of Publications under section 24 (1) (a) of the Publications Act, 1974, appealed against the conditional approval by a committee referred to in section 4 of the said Act of the film ***Ragtime.*** The period within which persons referred to in section 24 (2) (b) of the said Act may make representations to the Publications Appeal Board, Private Bag X114, Pretoria, in respect of the said appeal is hereby determined as 14 days from the date of this notice.

No. 485 12 Maart 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE.—REGSTELLING

In *Staatskoerant* 8025, Goewermentskennisgewing 280 van 19 Februarie 1982 vervang die inskrywing P81/11/522 deur die volgende inskrywing:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/11/53	***Anti-Apartheid News***—October 1981	Anti-Apartheid Movement, London.....	(e)

No. 485 12 March 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS.—CORRECTION

In *Government Gazette* 8025, Government Notice 280 of 19 February 1982 substitute the following entry for entry P81/11/53:

KANTOOR VAN DIE EERSTE MINISTER

No. 502 12 Maart 1982

NAAMSVERANDERING.—MINISTER VAN POLISIE

Hierby word vir algemene inligting bekendgemaak dat dit die Staatspresident behaag het om, kragtens die bevoegdheid hom verleen by artikel 20 (1) van die Grondwet van die Republiek van Suid-Afrika, 1961, goedkeuring te heg aan die verandering met ingang van 1 Maart 1982 van die benaming van—

Sy Edele L. le Grange van "Minister van Polisie" na "Minister van Wet en Orde".

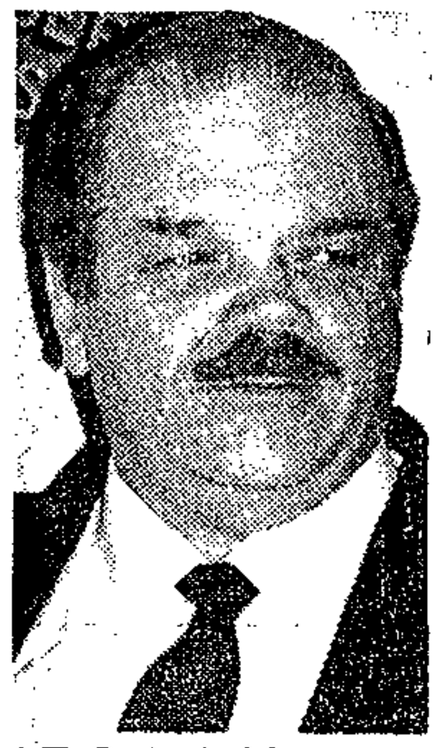
OFFICE OF THE PRIME MINISTER

No. 502 12 March 1982

CHANGE OF DESIGNATION.—MINISTER OF POLICE

It is hereby notified for general information that the State President has, in terms of the powers vested in him by section 20 (1) of the Republic of South Africa Constitution Act 1961, been pleased to approve the change in designation, with effect from 1 March 1982 of—

the Honourable L. le Grange from "Minister of Police" to "Minister of Law and Order".



LT-Col J Mouton, head of the security section of the Railways police in Natal.

S A Govt 'knew' of coup attempt

(327) Mercury 13/3/82

Hijack trial day 3

Pietermaritzburg Bureau

SENIOR members of the South African Government were aware of the attempted Seychelles coup that allegedly ended with an Air India jet being hijacked to Durban's Louis Botha Airport.

This startling claim was made by Mr Peter Duffy, one of the 43 men accused of commandeering the Air India Boeing 707 from the islands, the Acting Judge President, Mr Justice James, was told by a senior Railways policeman in the Supreme Court, Pietermaritzburg, yesterday.

Lt-Col J Mouton, head of the Railways police security section, described yesterday how he had mounted the steps to the aircraft and talked to Mr Duffy minutes after the jet had touched down.

Col Mouton said he had approached the plane, accompanied by Prof van Dellen, head of the medical disaster team.

The door of the jet had opened slightly and a head appeared in the opening, he said.

'It then opened further and Mr Duffy appeared,' he said.

Fire engine

'He looked out at the vehicles near the plane and said they should go. I made a sign and all but one fire engine withdrew.' Mr Duffy started talking, but as the engines of the jet were still whining and hindered conversation, they had disembarked and stood talking on the tarmac.

Duffy said it was a very important matter.

They had tried to overthrow the Seychelles Government but had not been successful.

He said the Government was involved and did not want them embarrassed as seven or eight senior members of the Government knew about the incident, Col Mouton said.

He said there were 13 or 14 members of the Reconnaissance Commando involved with them.

'They boarded the Air

'I said that I could not comply with the request and that officials from Johannesburg, Gen Visagie and our task force were on the way from Johannesburg.'

They accepted it, Col Mouton said

'Up to that point Duffy and Dalgleish were definitely in charge of the aircraft,' he said.

Captain

'Under normal circumstances the crew would be the ones to make the arrangements, not anybody else. It was clear to me that any requests of the crew would come via Dalgleish and Duffy to us.

'After some time the captain of the plane, Saxena, came down. I asked him to show me where the aeroplane had been damaged. He asked Duffy: "May I show him?"

'Duffy said: "By all means, show him if you like," with a wave of his hand,' Col Mouton said.

'Mr Duffy was also asked at a later stage if the passengers could disembark. He came to me

plane as well as the accused. It was decided the passengers would be taken to the terminal by bus and the plane to the hanger and the accused would be taken off there.

'I went back to the plane and told Duffy what was going to happen. He agreed. The bus came, the steps were taken from the front of the plane to the back. I went up and Duffy went with and I explained to the passengers and told them only to bring hand luggage.

'I wouldn't say there was a strained atmosphere among the passengers. They came across as being reasonably convivial. Once taken from the plane you could see the relief that came over them.

'Some said "thank God it's over" and one of the young female passengers began to weep.

'Duffy was present when they went. He said: "Don't worry, don't worry",' Col Mouton said.

Photographs

Duffy, Dalgleish and some of the others were worried about photographs being taken, so he

The accused

THIRTY-THREE of the men are being defended by Mr Michael Hannon, a Johannesburg advocate. They are: Col Mike Hoare, Mr Charles Dukes, Mr Vernon Prinsloo, Mr Robert Jones-Davies, Mr Andrew Standish-White, Mr Patrick Eurelle, Mr Christo Hillebrand, Mr John Mackay, Mr Sven Forsell, Mr Jan Sydow, Mr Stephen Biddlecombe, Mr Richard Stannard, Mr Nicholas Wilson, Mr Peter Hean, Mr Kevin Beck.

Mr Kevin Barnes, Mr Tullio Moneta, Mr Barry Gribbin, Mr David Greenhalgh, Mr Charles Goatley, Mr Kenneth Dalgliesh, Mr Patrick Henrick, Mr Donald Kenny, Mr Michael Webb, Mr Peter Duffy, Mr Desmond Botes, Mr Kenneth Kelly, Mr Kurt Priefert, Mr Peter Rohwein, Mr Simon Willar, Mr Jacob du Toit, Mr Alex Deacon, and Mr William Paul.

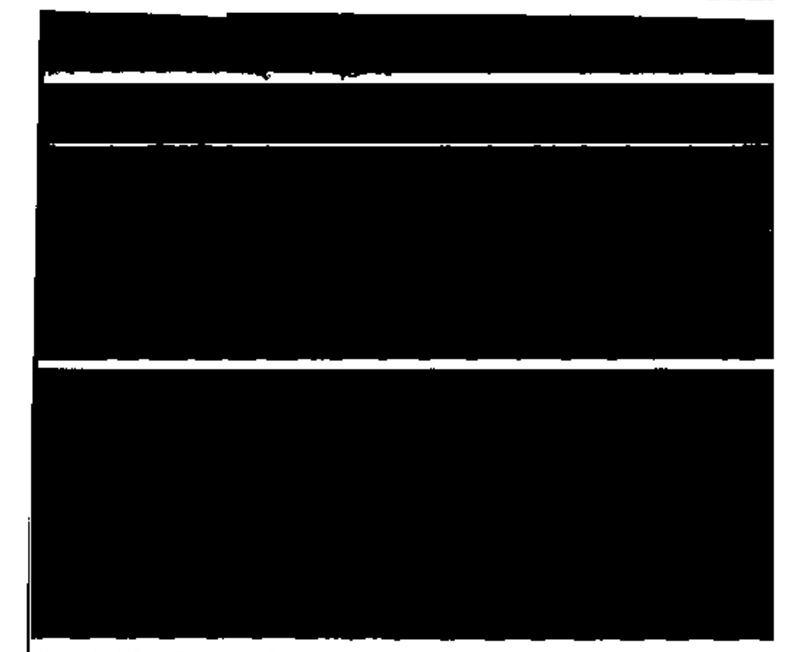
The 10 others are being defended by Mr Eddie Stafford, SC, of Pretoria. They are: Mr Bernhard de Vos, Mr Louis Boucher, Mr Jochemus Dekker, Mr Frederick Gouws, Mr Ernst Deetlefs, Mr Keith Macleod, Mr Desmond Walker, Mr Pieter Doorewaard, Mr Johannes de Beer, and Mr Alan Mann.



CHARLES Dukes, one of the alleged hijackers who was treate for a bullet wound in his right arm shortly after the plar touched down in Durban.



Y CANDIDATE MUST enter in n (1) the number of each question red (in the order in which it has nswered); leave columns (2) and nk.



13/3/82
NM
327

Damaged

'The plane was damaged on landing at Mahé airport,' Col Mouton said.

Duffy had informed the colonel that the plane was scheduled to fly from Salisbury to Bombay via the Seychelles.

'After he informed me of this, he said he had a proposition to make.

'It was not a demand, it was a request that a plane should be made available. We should off-load them without their weapons and we could fly them to wherever we wanted, around and around Durban or to Johannesburg or Cape Town.

'We could get all of them to form up an I could march them to the terminal building. If I had a better proposition I could make it,' the colonel said.

'I informed him that I could not do it and that I would put his request to the officials in charge.

'While we talked Mr Dalgleish came down the steps and stood five or six paces away. After that they talked and Duffy went up the steps. I left by car,' said the colonel.

Request

At the terminal he had informed another senior officer about what had occurred and told the Civil Aviation Department about the request for another plane.

'After that I spoke to Gen Claasen, the Commissioner of the Railways police and he made a report to me,' Col Mouton said.

As a result of what Gen Claasen had told him, he went back to the plane and Mr Duffy and Mr Dalgleish descended once more.

group of alleged hijackers was friendly but cautious.

'They gave the impression that they were careful to do nothing that could upset the accused,' Col Mouton said.

After the men had been given the official answer to their request it was obvious that 'they gave themselves over to his hands', the colonel said.

Task force

The task force landed at 7.19 a.m. and he went to the terminal building where Gen Visagie said that none of the men's requests was to be acceeded to.

'He said the passengers had to be taken off the

Duffy was informed that all the accused had to come off the plane without weapons. I told Capt Viljoen, Lt Smit and Maj Wellman to tell every accused to put their hands in the air, then to search them and take them down the steps of the plane.'

The men left the plane singly. Everything remained on the plane.

'Duffy introduced me to Mike Hoare. He told me earlier that he was the leader, but was under a fictitious name on the plane.'

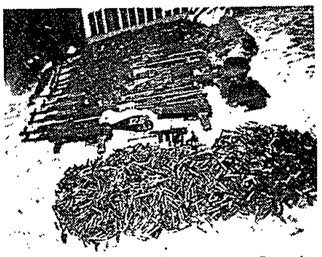
The men were then taken away and the task force took over, Col Mouton said.

The trial will continue on Monday.

SA knew of coup attempt, court told

Own Correspondent

MARITZBURG. — Senior members of the South African Government were aware of the attempted Seychelles coup that ended with an Air India Boeing being allegedly hijacked to Durban's Louis Botha Airport, it was stated in evidence in the Supreme Court here yesterday.



Weapons brought back to South Africa by the 43 alleged hijackers.



Alleged mercenary Mr Richard Stannard, 28, with the captain of the Air India Boeing, Mr U C Saxena, second right, and two other members of the crew. The picture, handed in as evidence in court yesterday, was allegedly taken while the aircraft was in flight.



An unidentified Air India air hostess.

This claim was made by Mr Peter Duffy, a freelance photographer who is one of the 43 men accused of commandeering the Air India Boeing 707 from the islands, according to a senior Railways Police officer who was giving evidence before Mr Justice James yesterday.

Colonel J Mouton, head of the Railways Police security section, described how he had mounted the steps to the aircraft and talked to Mr Duffy minutes after the aircraft had touched down.

Mr Duffy had opened the aircraft door and requested that vehicles near the aircraft be taken away.

"I made a sign, and all but one fire engine withdrew," the colonel said.

'Conversation hindered'

The engines of the aircraft were still whining and hindered conversation so they moved down on to the tarmac. Mr Duffy told him they had tried to overthrow the Seychelles Government but had not been successful, said Colonel Mouton.

Mr Duffy then told him that seven or eight senior members of the government knew about the incident, and that he did not wish to embarrass them. Mr Duffy also claimed that there were 13 or 14 members of the Reconnaissance Commando involved.

Mr Duffy then asked that an aircraft be made available to them, stating that it was a request and not a demand.

Colonel Mouton said he told Mr Duffy he would put his request to the officials in charge.

Meanwhile, Mr Dalgleish had came down the steps and stood five or six paces away.

Colonel Mouton said he then returned to the terminal and put Mr Duffy's proposal to another senior officer and the Civil Aviation Department.

Task force

He then returned to the aircraft, where he told Mr Duffy and Mr Dalgleish that General Visagie and a task force were on the way from Johannesburg.

"Up to that point Duffy and Dalgleish were definately in charge of the aircraft," Colonel Mouton said.

"In normal circumstances the crew would be the ones to make arrangements, not anybody else. It was clear to me that any requests of the crew would come via Dalgleish and Duffy to us.

The relationship between the crew and the accused was friendly but cautious, Colonel Mouton said.

"The crew gave the impression that they were careful to do nothing that could upset the accused."

The task force had landed at 7.19am and General Visagie had said that none of the men's requests were to be acceeded to.

Photographs

General Visagie had decided that the passengers would be taken to the terminal by bus and the aircraft to the hanger where the accused would be taken off.

"I went back to the aircraft and told Duffy what was going to happen. He agreed."

He told the court there wasn't a strained atmosphere among the passengers, but that one could see the relief that came over them when they stepped off the aircraft.

Duffy and Dalgleish were worried about photographs being taken, so he had the aircraft turned so that the exits from the aircraft would not face the South Coast Road, Colonel Mouton said.

The accused were then taken off the aircraft, searched and taken away.

The hearing continues.

The Froth Blower's bombshell



Accused Ken Dalgleish with his wife

MERCENARY Peter Duffy, one of the key figures in the alleged Air India hijacking, has refused to say whether he will name the senior South African Government members he claims were involved in the abortive Seychelles coup.

His allegation that Government officials were aware of the planned coup was made in the historic College Road Supreme Court, Maritzburg, where 43 mercenaries, 11 of whom are members of the crack No 2 Reconnaissance Commando of the South african Defence Force, are facing charges on four counts under the tough Civil Aviation Act.

Two men originally charged with the group, Theodorus van Huyssteen and Steyn de Wet — both medical doctors with the reconnaissance commando — had action against them dropped when the trial began on Wednesday.

It was announced that they had turned State witness and would be called to give evidence at a later stage.

The allegation by Duffy of Government involvement has, meanwhile, raised intense speculation and added enormously to the drama surrounding the trial.

Since the failed coup attempt on November 25 last year the Government has repeatedly and strenuously denied any part in either the planning or the execution of the coup.

Mercenary won't say if he'll name Government men

Report: RAY JOSEPH
Pictures: SELWYN TAIT

Explosive

An early indication of what the prosecution line would be on alleged Defence Force involvement in the bungled coup came in a sworn affidavit from Commandant Danie van der Spuy, officer commanding No 2 Reconnaissance Commando.

In the affidavit Commandant van der Spuy said he had no knowledge of the members of his unit on trial ever having been called up for service.

Details of Duffy's allegation were given during evidence by a senior South African Railways Police security officer, Lieutenant-Colonel Jacobus Ste[illegible]

"But if I had a better proposition I could make it."

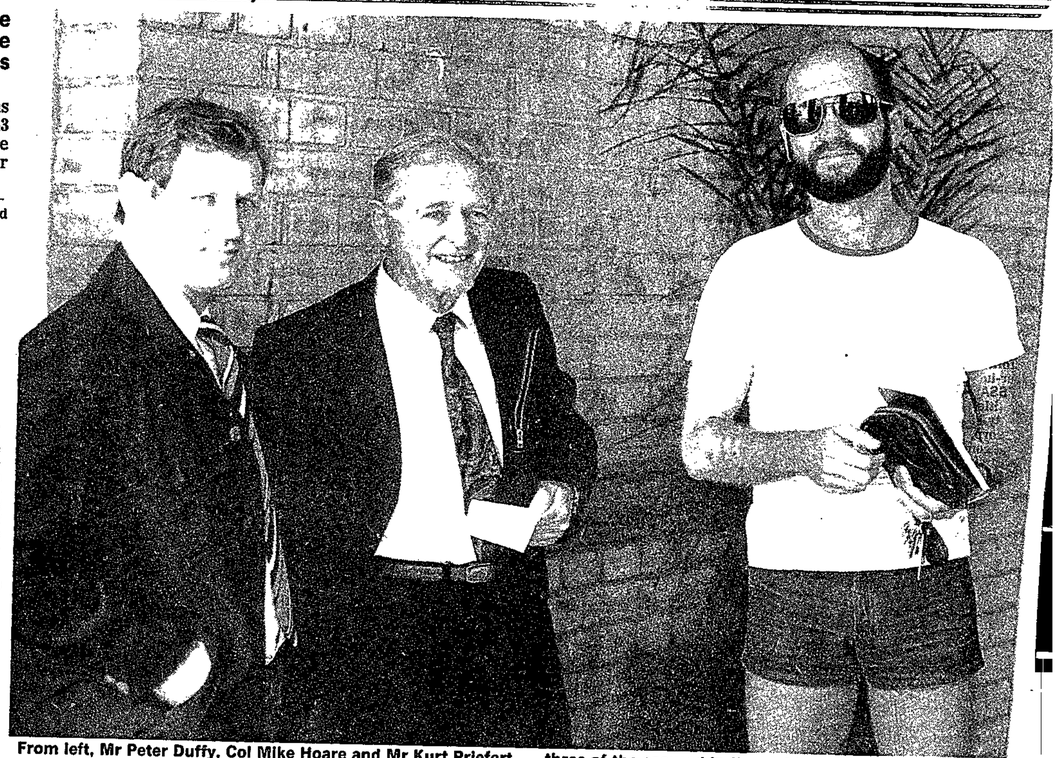
The trial has also had its lighter moments.

The deputy fire chief at Louis Botha, Mr H R Hardie, said one of the mercenaries, Mr Kenneth Dalgleish, had told him how someone at Mahe Airport had tried to get them to sign for the petrol put into the Air India Boeing before it too[illegible]

dant van der Spuy said he would have been aware had any official call-up been issued to any of the men under his command. He said there was no record of any of his men having undergone such a call-up during November last year.

The coup attempt was made on November 25.

Meanwhile, Natal Attorney-General Cecil Rees, who is leading the prosecution team, told the court that he would explain at a later stage of the proceedings how this affidavit by Commandant van der Spuy related to the rest of the prosecution evidence.



From left, Mr Peter Duffy, Col Mike Hoare and Mr Kurt Priefert . . . three of the accused in the highjacking trial

A PR dream as Basil

OLONEL "Mad Mike" oare's mercenary army rrived in court looking

(327) S. Times 14/3/82

In-camera evidence bid in hijack trial

By NEIL HOOPER

BOTH the State and defence legal teams in the trial of 43 mercenaries charged with hijacking an Air India Boeing are likely to make application to the Maritzburg Supreme Court tomorrow for some evidence to be heard in camera.

However, sources said yesterday that the applications had no bearing on the evidence given on Friday by a prosecution witness, Lieutenant-Colonel Jacobus Mouton, head of Railways security in Durban.

Col Mouton said that after the Boeing had landed at Durban on November 26, the first man off the aircraft, Mr Peter Duffy, had said that certain people in the South African Government had been involved in the attempted coup.

He also allegedly told Col Mouton that 13 or 14 members of South Africa's 2 Reconnaissance Command were among the group aboard the aircraft.

Sources close to both the defence and the prosecution said suggestions that attempts would be made to have the cross-examination of Col Mouton held in camera were unfounded.

However, evidence that still has to be led could prove sensitive to one or both sides in the case and it was likely that both teams would make application tomorrow for certain future evidence be heard in camera.

After the case had been postponed on Friday, Mr Mike Hannon, SC, and Mr Eddie Stafford, SC, each of whom is representing certain of the mercenaries, met the Natal Attorney-General, Mr Cecil Rees, in chambers.

Details of the meeting are not known.

cashes in on trial

14/3/82 ST 321

more like a bunch of businessmen than any sort of fighting machine.

And one of the accused, German citizen Kurt Priefert, earned the wrath of his fellow-accused when he arrived in court wearing shorts, T-shirt and sandals.

There was a firm rebuke from Col Hoare. But Priefert was back in his super-casual outfit the following day — openly wondering of his fellow "froth blowers" how they could stand the heat in their staid dress.



The hijacked Air India Boeing

Col Hoare, impeccably turned out in a blue suit, arrived at the court in an expensive Rover car driven by his attractive blonde wife, Phyllis.

The trial has gripped the attention of the world and South African Press.

Most major international newspapers, agencies and television and radio services from all over the world have sent correspondents to cover the case.

Police were on guard at all entrances to the court and, an hour before the proceedings began, policemen with specially trained dogs searched for bombs.

Cut rates

Each person who entered the courtroom had to pass police guards equipped with metal detectors.

For weeks before the trial began, workmen worked round the clock to restyle the court so that it could accommodate the large number of accused.

Gone is the bullet-proof glass dock built to accommodate the accused in the 1979 treason trial. In its place, there are now three tiers of seating, with extra seating in the well of the court to accommodate the large prosecution and defence teams.

For the city of Maritzburg, which has spent large sums of money to promote the city in South Africa and overseas, the trial is a public relations dream ... and the City Fathers have not been slow off the mark in cashing in on the publicity.

The Mayor, Miss Pam Reid, gave a civic reception for visiting local and international Pressmen in the sumptuous Victorian supper room of the City Hall.

Car-hire services have offered cut rates to the visiting Pressmen; local restaurants sent invitations to reporters at their hotels to sample their fare; and one hotel, the Imperial, where most of the Pressmen are staying, offered a cut rate, telephone and telex facilities and an audio link from the court to the Pressroom for those journalists who couldn't get a seat in the crush.

Meanwhile, the Riviera Hotel, in Durban, where much of the plotting for the bungled coup is alleged to have taken place, is offering a special super-low cut rate of R5, bed and breakfast, to mercenaries staying there for the duration of the trial.

Only five of the accused have taken up the offer. The rest are staying in hotels, cottages on the banks of Midmar Dam, or with friends in Maritzburg.

Killing

Several of the men have decided to stay at a country hotel in Hilton, a stone's throw from Col Hoare's beautiful country home, "The Vicarage".

Lamented Ken Dalgleish, one of the accused and manager of the Riviera, as he watched the hordes of Pressmen, court officials and the curious sweating it out in the oppressive 30-degrees-plus Maritzburg heat:

"Imagine what a killing I could make if I could transfer my off-licence down to the the court grounds for a while."

He handled negotiations with spokesmen for the mercenaries after they landed in Durban aboard the Air India flight.

Colonel Mouton told a hushed Supreme Court: "Duffy told me that it was a very serious incident.

"They had tried to stage a coup in the Seychelles but they had not been successful."

During negotiations, which took place during the early hours of the morning on a runway at Louis Botha Airport, Duffy told the Colonel:

"We do not want to embarrass the Government because the Government is involved. Seven or eight members of the Government were aware of the incident ... were involved."



MR CECIL REES
Attorney-General

Speaking yesterday, Mr Duffy, who lives in Durban, refused to say whether he would name the men in evidence before the court.

"This is explosive. It is very sensitive and I have no comment to make whatsoever," he said.

Colonel Mouton said Duffy also told him that there were "13 or 14 members of the Reconnaissance Commando with them on the plane.

"He said they had boarded the Air India Boeing but did not explain how it had happened," Col Mouton told the court.

"He told me that the plane had been on a flight from Salisbury, Zimbabwe, to Bombay via Seychelles.

"He said he had a proposition to make ... it was not a demand but a request, that a plane be made available for them.

"They could get off without weapons and the plane could fly them wherever they wanted ... around and around Durban, to Cape Town or Johannesburg, whatever we wanted, or I could tell them to all get off, form up and I could march them all to the terminal building.

Mr Dalgleish told the man to "get stuffed", according to Mr Hardie.

And later Mr Hardie raised a laugh when he told how he had shown Mr Dalgleish the scar left after an operation — as the two stood chatting on the tarmac after the Boeing had landed at Louis Botha Airport.

Mr Hardie agreed that the incident had been "the friendliest, happiest hijack trial that one could imagine" and the crew and passengers did not seem unhappy.

Meanwhile, it is not clear whether the captain and co-pilot of the Air India Boeing, who are listed among witnesses to be called by the prosecution, will attend the trial to give evidence.

When the trial began Natal Attorney-General Cecil Rees said that negotiations were still going on in an attempt to bring the crew to Maritzburg for the trial.

Mr Rees refused to comment when I asked him whether they would in fact still arrive to give evidence.

"Just keep watching" was all he would say.

Boomerang

Any failure by India to allow the pilots to come to South Africa to give evidence could have a boomerang effect.

The International Federation of Airline Pilots' Associations (Ifapa) meets in Lisbon next week for its annual conference and could recommend a boycott of India by its 62 members.

Earlier this week Ifapa repeated requests to the Indian Minister of Transport and head of Air India to allow the pilot to give evidence.

Ifapa's official observer at the Maritzburg trial, Mr Russel Kane, advised them that the evidence of the two pilots was essential.

Mr Kane told me: "So far, the trial has got nowhere near the nitty-gritty of what actually happened."

Attending the Maritzburg trial as observers are Germany's vice-consul in Durban, Mr O F Schmidt, the British consul-general in Durban, Mr D Wright, and the Acting US consul-general in Durban, Mr Jim Bumpus.

The trial has been adjourned to tomorrow.

Admissions

Friday's early adjournment was allowed after Mr Mike Hannon, SC, who is representing many of the accused, told the court that he needed more instructions in view of Col Mouton's evidence.

Meanwhile informed sources believe that the trial, which was originally thought could drag on for a long time, could end within a week or two.

This is because of certain admissions by the defence.

These admission effectively do away with the need for a large number of witnesses who would otherwise have been necessary for the prosecution's case.

In his affidavit Comman-

Rene says top Kenyans involved in coup bid

By JOHN WORRALL
Nairobi

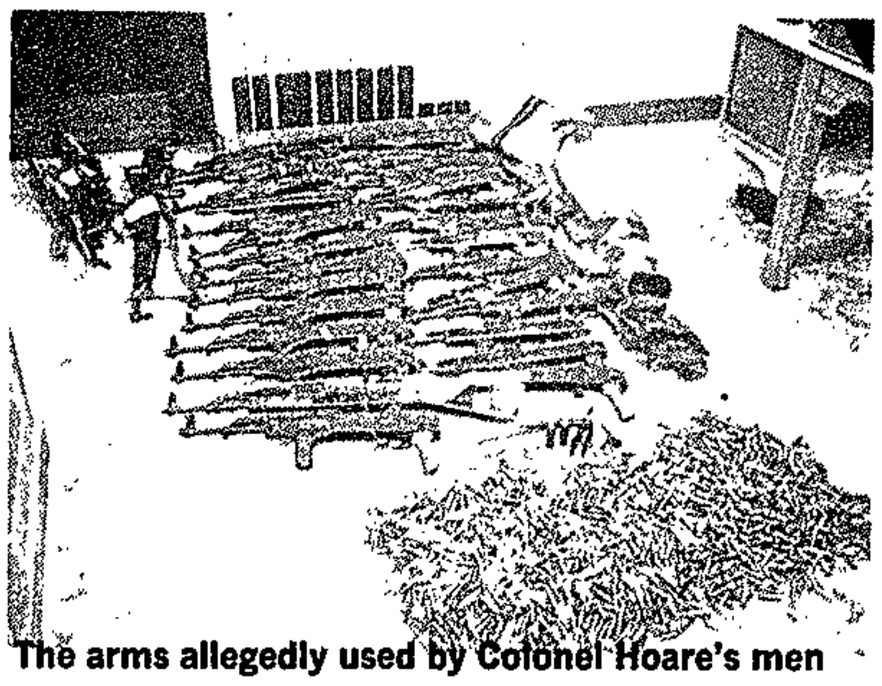
KENYA has been shocked by Seychelles President Albert Rene's further allegations that high-ranking officials in Kenya were involved in the planning and execution of last November's abortive coup attempt in the Seychelles.

Among the names mentioned in a Press interview by President Rene were Lawyer Charles Njonjo, former Kenyan Attorney-General and now Constitutional Affairs Minister, and the police commissioner, Mr Ben Gethi.

President Rene was quoted as saying that Mr Njonjo was seen with former Seychelles President James Mancham in Kenya days before the coup attempt.

He said Mr Njonjo had also been to South Africa, travelling by way of Malawi.

Mr Njonjo and Mr Gethi have both denied President Rene's allegations and referred the Press to Kenyan President Daniel Arap Moi's angry statement denying any involvement with the coup plot.



The arms allegedly used by Colonel Hoare's men

President Rene also said police units and dissident Seychellois in Kenya were to have been flown in to the Seychelles during the coup.

The Kenyans have reacted angrily to these new allegations by President Rene.

The original accusations against Kenya were made by a South African mercenary captured in the Seychelles, Martin Dolinchek.

The storm created here by the Rene allegations have put at risk Kenya's previously excellent relations with Seychelles.

There are good trade and air relations between the two countries.

place would be raised by the contract has pre- cause this kind of thing. See Pages 3, 41 and 42

HIJACK: KEEP IT SECRET!

527
S. Express
14/3/82

THE State will make a dramatic move to have the trial of 43 mercenaries charged with hijacking an Air India Boeing held in camera tomorrow.

State and defence legal teams are due to meet today to discuss the issue.

The move follows the evidence given on Friday by Lieutenant-Colonel Jacobus Mouton, head of Railways security in Durban.

Dramatic State move to hold mercenary trial in camera

By DESMOND BLOW
Chief Reporter

He told the court that after the hijacked aircraft had landed at Durban's Louis Botha Airport on November 26 the first man off the aircraft, Mr Peter Duffy, had told him the South African Government was involved in the attempt to overthrow the Seychelles Government.

Col Mouton told the Maritzburg Supreme Court that Mr Duffy had told him: "There are seven or eight members of the Government involved."

I understand that the names of these

To Page 2

Simply to colour two combinations, in silver, blue, green

Trade Enquiries Ruskin's

P.T.O.

Hijack details the State wants to keep secret

From Page 1

men are given in some of the statements made to the police by the accused, but these have not been handed in to the court.

Mr Duffy also allegedly told Col Mouton there were 13 or 14 members of the South African No 2 Reconnaissance (Recce) Commando among the group aboard the aircraft.

Immediately after Col Mouton finished his evidence in chief Mr Eddie Stafford, SC, appearing for 10 of the mercenaries — all former Recce members — asked for an adjournment, saying he would have to take further instruction.

Natal Attorney-General Mr Cecil Rees, who is leading the State case, asked for an adjournment to discuss a matter with the defence.

Defence and State advocates talked for some time. With them was Mr Jan Combrinck, SC, who holds a watching brief for the Defence Force.

I understand that a request was put to the defence to hold the proceedings in camera.

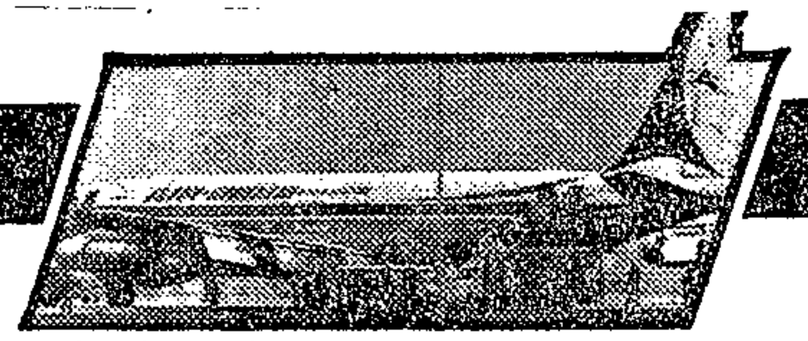
After the adjournment Mr Michael Hannon, SC, instructed by Melamed and Hurwitz to appear for 33 of the mercenaries, also asked for an adjournment to discuss the cross-examination of Col Mouton with the accused.

I understand the defence has not yet decided whether it will oppose the application for the matter to be heard in camera.

Before the defence team makes a decision the State will have to argue in open court why the proceedings, or part of the proceedings, should be held in camera.

In the normal course of events the names of the Government men involved in the abortive coup would be disclosed in the cross-examination of Col Mouton.

When Mr Hannon asked for an adjournment to tomorrow Mr Justice Neville James, the Judge President of Natal who is sitting with assessors Mr George Lynn and Mr L L A McKay — said one of his ambitions was for the trial to run a full day.



The Hijack Trial

By RON GOLDEN

Defence advocate's amazing statement

THERE MAY BE THINGS THAT SHOULD NOT BE MADE PUBLIC, SAYS HANNON WHEN REQUESTING ADJOURNMEN

EVIDENCE by a State witness during the opening stages of the trial of the alleged Air India Boeing hijackers led to an unexpected call by the defence for an adjournment on Friday.

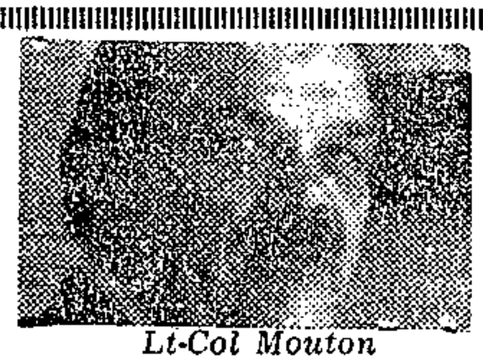
Attorneys for the defence urgently mapped out their cross-examination strategy at the weekend following Friday's abrupt adjournment.

The trial enters its fourth day in the Supreme Court in Pietermaritzburg tomorrow where the 43 alleged hijackers are facing charges under the Civil Aviation Act.

All have pleaded not guilty.

The State has called as witnesses the 14-member crew of the Air India Boeing that the mercenaries are alleged to have commandeered to fly them from Mahe in the Seychelles to Durban last November.

But there seems little likelihood the Indians will be allowed to come to South Africa. There have been several reports from Bombay that they are being refused permission to



Lt-Col Mouton

Confusion over interpretation halts

THE hearing was interrupted several times on Friday when there was confusion over the interpretation from Afrikaans to English of the evidence of State witness Lieutenant-Colonel Jacobus Mouton, chief of security for the Railways Police in Natal.

Col. Mouton was the first of the four witnesses called so far to elect to give his evidence in Afrikaans.

The State, the defence and M Justice James intervened at various stages of the translation.

Once, when Co Mouton was relating

Huysteen, 23, of Rietfontein Road, Primrose Germiston.

The officer com manding Number Tw Reconnaisance Unit, Commandant Danie va

14/3/82

ST 321

take part in the trial.

Defence advocate Mike Hannon asked Acting Judge President Neville James for an adjournment until tomorrow to prepare cross-examination of the "very important" evidence given by State witness Lieutenant-Colonel Jacobus Mouton, security chief of the Railway Police in Natal.

Colonel Mouton, one of the first Government officials to deal with the mercenaries after the aircraft landed in Durban, said he had been told by a member of the group, Durban freelance photographer Peter Duffy, that seven or eight members of the Government were involved in the coup attempt and that 13 or 14 Reconnaissance Commando men were aboard the aircraft.

"There may be certain things that at this stage should not be made public," Mr Hannon said when requesting the adjournment.

Predictions that the trial might last for six to eight weeks have been revised because the Air India crew are now unlikely to attend.

Soon after the trial began Colonel Mike Hoare, one of the accused, said he could hardly hear a word of what was going on.

Mr Justice James said he had attended hearings in the historic courtroom over 25 years and never before heard such a complaint. But because of the rearrangement of the facilities to accommodate the 43 accused, and the generally crowded conditions, he agreed the accoustics were not what they should be and ordered an adjournment so that improvements could be made. When the hearing resumed the courtroom was bristling with additional microphones.

der Spuy, denied in a statement read for him in court he had any knowledge of 11 of the accused having been involved in the coup attempt.

He said: "If these people were called for service in the Seychelles in the normal course of duty I would have knowledge thereof and records would have been kept."

Commandant Van der Spuy said it had never come to his notice that the accused were officially ordered by the Department of Defence to be called for service in the Seychelles.

Smiling

Most of the evidence so far centred on the arrival of the Air India jet in Durban.

The State submitted as evidence a series of photographs showing the position of the aircraft on the tarmac at Louis Botha Airport.

The defence handed in four pictures said to have been taken by a member of the group aboard the aircraft. Two showed smiling members of the crew and an air hostess who was described as "very pleased with herself".

The defence contended during cross-examination that there was no evidence of a normal hijack attempt which would have included weapons, armed threats, demands and so on.

Instead, relations between the alleged hijackers and the crew had seemed friendly.

Mr Rees, said at the outset the accused boarded the aircraft at Mahe in the Seychelles with 38 communist-manufactured AK-47 assault rifles, 2 345 rounds of live ammunition and three active Chinese stick handgrenades.

Early evidence claimed that two Durban men, Ken Dalgliesh, of the Riviera Hotel on the Victoria Embank-

Corpse

In spite of the brevity of the first day's hearing, the drama of the coup attempt began to unfold with details of what allegedly happened when the Air India Boeing arrived on an unscheduled predawn stop in Durban bearing a corpse, an injured man, 65 passengers, 14 crew and the accused group.

The prosecution, led by Natal Attorney-General Cecil Rees, said two of the original 45 accused had agreed to give evidence for the State. They are Steyn de Wet, 30, listed by the State as a resident at the Doctor's Flats, Klerksdorp Hospital, and Theodorus van

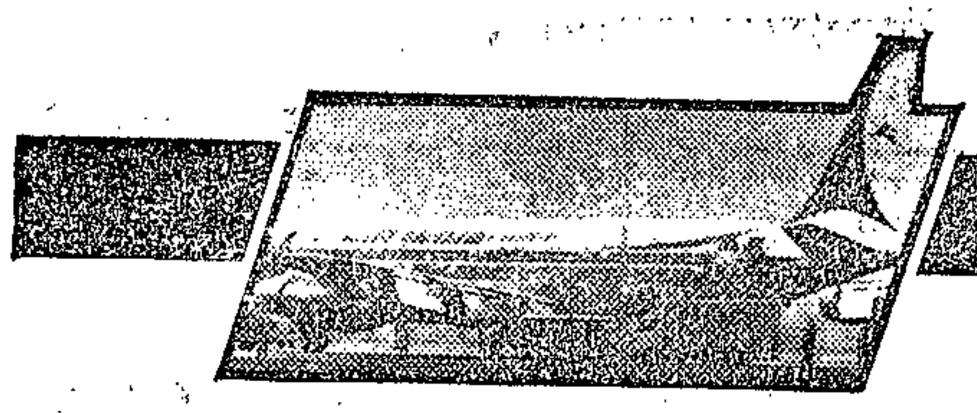
ment, and Mr Duffy were the two accused initially involved in discussions with the authorities after touchdown at Louis Botha Airport.

Colonel Mouton said Mr Duffy had told him seven or eight senior members of the Government had been involved in the coup attempt.

Mr Duffy had also told him as they stood outside the aircraft that 13 or 14 men of the Reconnassance Commando were aboard the aircraft.

Mr Eddie Stafford, SC, who is appearing for 10 of the accused, and Mr Hannon, for 33, then asked Mr Justice James for the adjournment.

(327) S. Tribune 14/3/82



The Hijack Trial

proceedings several times . . .

what was allegedly told to him by Mr Duffy, he said: "Mr Duffy's words were 'there were seven or eight senior members of the Government involved (in the coup attempt)'."

At first this was translated by court interpreter "Pinty" Haveman that Col Mouton had said the Government was not involved.

Murmurs went around the court when there was confusion over other interpretations of Col Mouton's evidence.

Deputy Attorney General, Hendrik Klem, held up his hand several times to halt interpretation of proceedings either before his questions had been completed or before Colonel Mouton had ended his reply.

The week the circus came to town



Alleged hijacker Ken Dalgliesh with buckets of ice to keep the Coke cool

By PETER DAVIS

THE CIRCUS came to Pietermaritzburg this week and set Natal's sleepy hollow capital buzzing with almost as much interest as the rebel English cricket tour.

The circus scenes could be seen outside the magnificent Victorian court room, the typical Maritzburg red brick acting as a backdrop to frantic journalists, photographers and TV cameramen all scurrying for fresh angles as reels of film were shot of the 43 alleged hijackers.

Between the crush of journalists threaded plain-clothed policemen whose eyes missed little, defending and prosecuting counsel, penguin-like in their black robes with white bibs, nervous spectators, like starlings about to take flight, startled by the frenetic rush and stolid uniformed policemen moving through the throng.

But inside the dignity of the court was impressive with its beautiful high wooden ceiling from which dropped modern lights casting their neon pall on the faces of the 43 accusde, witnesses, spectators, journalists, consel, the acting Judge President of Natal, Mr Justice James in his scarlet and grey robes and his two assessors, the drama of what happened on November 26 last year when the Air India Boeing made its unscheduled landing at Durban Airport, is slowly unfolding.

The 43, charged under the Civil Aviation Act, found the benches a little hard on their posteriors during the first day of the trial and on subsequent days, many hurried into the court clasping cushions.

Not that they've had to sit long. The court has been faced with adjournments every day which prompted Mr Justice James to tell counsel: "It is my personal ambition in this case to have a full day in court," when he allowed the court to rise before lunch on Friday so the defending counsel could get instructions from their clients.

When the court sits again tomorrow the foreign journalists will have dwindled to but a few. On the first day, the old jury bench was set aside for journalists and a seat could only be gained by special card. The allocation of these seats caused some ire among the hacks because even the public gallery was full. But there was no problem getting a seat the second day for many of the foreign journalists had packed their bags for stories new.

The Press Centre set up at the Imperial Hotel was full of bellowing hacks dictating stories into telephones dotted around the room to their head-offices and branch offices all over the world.

There was some hard drinking going on and the talk around Maritzburg was about the trial. By the second day, talk had switched to cricket. As one student at the University Club put it "We talked out the trial yesterday, now it's back to sport."

One foreign journalist from a foreign newspaper said as he packed up to leave: "Right, that's the first day. Now I'll only be back for the end."

By the second evening Maritzburg had settled down to its hot, lethargic way and the only place where the trial warranted more than a passing mention was at a get-together of ex-Rhodesians at the Imperial Hotel. For them the abortive Seychelles raid sparked memories of daring raids during the bush war.

Maritzburg's Mayor, Pamela Reid, who arranged every convenience for the visiting journalists, said she was sure journalists had gained a good impression of her city.

"The city looks good as it always does, and I'm sure they enjoyed thmeselves," she said.

Whatever happens during the trial, new friendships have been struck. Many of the alleged hijackers have come to know the journalists well. Hotelier Ken Dalgliesh, one of the accused, brought ice to keep the Coke cool and after the day's trial, journalists and accused could be seen drinking together and even sharing a meal.

ANC London office wrecked by powerful 4,5kg bomb

By BRUCE STEPHENSON
London Bureau

LONDON — A bomb destroyed the London office of the African National congress yesterday morning.

The 4,5kg bomb blasted away the entire back wall of the ANC building, injuring one official.

"Whoever did this had very little thought for human life," said Detective Inspector Hilton Cole of the London Anti-Terrorist Squad, as bomb disposal experts and sniffer dogs scoured the devastated area for clues.

This is the first time the ANC has been attacked inside Britain.

The ANC blamed the South African Government. There was no warning of the bomb and nobody has yet claimed responsibility.

The attack coincided with a demonstration in Trafalgar Square, organised by the Anti-Apartheid Movement and the UN special committee against apartheid, following their three-day conference calling for sanctions against South Africa.

Detective Inspector Cole said the bomb exploded shortly after 9am.

"The bomb was about 4,5kg of explosives, placed at the rear of 28 Panton Street. The rear of the building has been practically destroyed and extensive damage has been caused," he said.

"It was a hefty bomb, but we have no indications at this stage of the type or where it could have come from.

"The school at the rear of the building had its windows blown out, but luckily there was nobody about."

Police are looking for a man seen leaving the area shortly before the bomb exploded.

The ANC's claim that South Africans were responsible was pure speculation, said Det Inspector Cole.

Police are questioning a 28-year-old Zulu, Mr Vernet Mbatha, who was slightly injured by flying glass inside the ANC office.

Mr Mbatha, a researcher for the ANC, was sleeping on the second floor at the time of the blast.

Mr Francis Melli, ANC director of external publicity, told reporters:

"The South African regime is responsible for this. They stand and fall by their record of terrorism.

"There was no warning, and we did not fear anything like this over here. It is indicative of their mentality."

Although the building was extensively damaged, first reports from police were that no damage had been done to ANC files.

Mr Melli said there had been "a number of funny characters" calling at the office, and did not believe that it was the work of an insider.

People in the area at the time thought there had been a gas explosion.

One stall-holder in the nearby Angel Street market, who was busy setting up his vegetable stall when the bomb exploded, said:

"I heard a loud bang and the crash of glass. I ran to the cafe just next door to the building to try to pull people out. Luckily just the owner was there.

"There was smoke billowing out and glass all over the street. I thought it was a gas explosion."

During normal office hours there are 10 ANC officials inside the office, and because of the Trafalgar Square rally most of the staff would have congregated at the Panton Street office yesterday

The leader of the ANC outside South Africa, Mr Oliver Tambo, was expected to attend the sanctions conference, but did not arrive.

ANC officials said both Mr Tambo and Swapo leader Mr Sam Nujoma had been detained in Africa by developments following the Maputo conference of Frontline leaders.

The ANC is expected to call a Press conference this morning to give further details of the blast.

About 7 000 chanting demonstrators carrying banners denouncing South Africa marched from Hyde Park corner to Trafalgar Square in the largest rally of its kind in recent years.

London ANC HQ damaged by bomb

CAPE TIMES 15/3/82

327

From BRUCE STEPHENSON

LONDON. — The London office of the African National Congress was extensively damaged by a bomb yesterday morning.

The 4,5kg bomb blasted away the entire back wall of the ANC building, a terrace house in Islington, North London, injuring one ANC official.

"Whoever did this had very little thought for human life," said Detective-Inspector Hilton Cole of the London anti-terrorist squad as bomb-disposal experts and sniffer dogs scoured the devastated area for clues on who placed the bomb.

This is the first time the ANC has been attacked inside Britain. In 1976, the ANC headquarters in Lusaka was destroyed by a bomb.

The ANC accused the South African Government of being responsible. There was no warning of the bomb and nobody has yet claimed responsibility.

The attack coincided with a demonstration in Trafalgar Square organized by the Anti-apartheid Movement and the United Nations Special Committee against Apartheid following their three-day conference calling for sanctions against South Africa.

'Hefty bomb'

Detective-Inspector Cole said at the scene that the bomb had exploded soon after 9am.

"The bomb was about 10lb of explosives, placed at the rear of 28 Panton Street. The rear of the building has been practically destroyed and extensive damage has been caused.

"It was a hefty bomb, but we have no indications at this stage of the type or where it could have come from," he said.

"The school at the rear of the building had its windows blown out, but luckily there was nobody about at the time."

Police are looking for a man seen leaving the area shortly before the bomb exploded.

The ANC's claim that South Africans were responsible was "pure speculation" at this stage, he said.

Police are questioning a 28-year-old Zulu, Mr Vernet Mbatha, who was slightly injured by flying glass inside the ANC office.

Was asleep

Mr Mbatha, a researcher for the ANC, was sleeping on the second floor at the time of the blast. He jumped through a broken window and telephoned another ANC official, Miss Gill Marcus, with the news.

Although the building was extensively damaged, first reports from police were that no damage had been done to ANC files.

Mr Francis Melli, ANC director of external publicity, told reporters there had been "a number of funny characters" calling at the office, and he did not believe it was the work of an insider.

People in the area at the time thought there had been a gas explosion. One stall-holder in the nearby Angel Street Market, who was busy setting up his vegetable stall when the bomb exploded, told me: "I heard a loud bang and the crash of glass. I ran to the Athena Cafe just next door to the building. Luckily there was just the owner there. There was smoke billowing out and glass all over the street. I thought it was a gas explosion."

During usual office hours there are 10 ANC officials inside the office, and because of the Trafalgar Square rally most of the staff would have congregated at the Panton Street office yesterday afternoon.

A
→→→→
To page 2

CAPE TIMES 15/3/82

A

From page 1327

The leader of the ANC outside South Africa, Mr Oliver Tambo, was expected to be here for the sanctions conference, but he did not arrive. ANC officials said both Mr Tambo and Swapo leader Mr Sam Nujoma were detained in Africa by developments following the Maputo conference of leaders of the frontline States.

The ANC was banned by the South African Government in 1960, but the British Government has taken no action against its operations in this country.

● The Director-General of Foreign Affairs, Mr Brand Fourie, told the Cape Times last night that he had no comment to make on the ANC accusation.

'Hijack' evidence will be secret

CAPE TIMES 16/3/87 (327)

Own Correspondent

MARITZBURG. — Sensitive evidence in the Seychelles hijack trial that could be prejudicial to the Republic's security will be heard secretly.

The order closing three sessions of the hearing to the press and public, was made by the Acting Judge-President, Mr Justice Neville James, about four hours after the trial of the 43 alleged hijackers of the Air India Boeing was due to resume at the College Road Supreme Court here yesterday.

The judge also warned the assembled accused, pressmen and counsel that in terms of Section 154 of the Criminal Procedure Act, the publication "in any way whatsoever" of any of the evidence heard in the court to motivate the application for an *in camera* hearing was prohibited.

The order closing the court would not affect a "substantial part" of the hearing as only three aspects of the case were involved, he said.

Making the order, the judge said that although the general ruling in criminal cases was that the court should be open so that "justice could be seen to be done", the rule had to be waived in some cases.

The first intimation of a move to close the court to the public came soon after the hearing was due to resume about 11.30 yesterday morning.

The Attorney-General of Natal, Mr Cecil Rees, SC, leading the prosecution team, said that an application was to be made for some of the evidence to be held in private.

The evidence in question was not germane to the State's case, which is restricted to the alleged contraventions by the men of the Civil Aviation Act, but was peripheral to it.

But it was in the interest of justice that the application motivating the move should be made immediately, he said.

The judge then ordered the press, public and all others not involved with the case to leave the courtroom so the merits of the application could be heard.

The hearing continues today, when cross-examination of Lieutenant-Colonel Mouton, head of the security division of the Railways Police in Natal, is due to begin.

'Sensitive' evidence to be heard in camera

(327 Mercury 16/3/82)

Pietermaritzburg Bureau

SENSITIVE evidence in the Seychelles hijacking trial that could be prejudicial to the Republic's security is to be heard behind closed doors.

The order closing three portions of the hearing to the Press and public was made by the Acting Judge President, Mr Justice Neville James, about four hours after the trial of the 43 alleged hijackers of the Air India Boeing was due to resume at the College Road Supreme Court yesterday.

The Judge also warned the assembled mercenaries, Pressmen and counsel that in terms of Section 154 of the Criminal Procedure Act, the publication 'in any way whatsoever' of any of the evidence heard in the court to motivate the application for an in-camera hearing was prohibited.

The order closing the court would not affect a 'substantial part' of the hearing as only three aspects of the case were involved, he said.

Making the order, the Judge said that although the general ruling in criminal cases was that

The hijack trial

Day 4

the court should be open so that 'justice could be seen to be done', the rule had to be waived in some cases.

Where this was in the interests of State security it was the duty of the judge to order that proceedings continue in camera, he said.

'I have been persuaded that this is the case in three specific cases. It does not mean that the evidence cannot be heard, but that it should be heard behind closed doors,' he said.

The first intimation of a move to close the court to the public came shortly after the hearing was due to recommence about 11 30 yesterday morning.

The Attorney-General of Natal, Mr Cecil Rees, SC, leading the prosecution team, said that an application was to be made for some of the evidence to be held in private.

The evidence in question was not germane to the State's case — which is restricted to the alleged contraventions by the men of the Civil Aviation Act — but was peripheral to it.

But, it was in the interest of justice that the application motivating the move should be made immediately, he said.

The Judge then ordered the Press, public and all others not involved with the case to leave the courtroom so the merits of the application could be heard.

The reporters waited on the broad verandah of the Victorian-styled court until 3 43 p m when the Judge announced his intention to hear certain evidence in camera.

The hearing continues today when cross-examination of Lt-Col Mouton, head of the security division of the Railways Police in Natal is due to begin.

Col Mouton, in his evidence on Friday, told the Court that Mr Peter Duffy one of the accused, had told him senior members of the South African Government had been aware of the alleged Seychelles coup.



MR RUSSELL Kane, observer for the International Federation of Airline Pilots, attending the hijack trial.

'No comment' on Air India

Pietermaritzburg Bureau

THE Irish observer for the International Federation of Airline Pilots' Associations attending the hijacking of the 43 alleged hijackers of an Air India Boeing will not comment on Air India's refusal to allow their crew to testify before a South African Court.

Mr Russell Kane, a captain with Aer Lingus — the Irish national airline — said yesterday it would 'not be proper' for him to comment on Air India's refusal to co-operate with the South African authorities.

Mr Kane, who has been present at the College Road Supreme Court since proceedings began last week, said he was uncertain about whether he would be in the city for the entire trial.

He could be replaced before the end of proceedings by another representative because the 66 member airlines allowed Ifapa members a certain amount of special leave to act as officials on Ifapa matters, he said.

The Indian Government added its weight to the Air India refusal to allow their Boeing 707 captain and 13 other staff members to testify at the hearing of the 43 alleged hijackers.

They would not send an Indian to South Africa because the country had no diplomatic links with India and discriminated against the local Indian population, an Indian Government spokesman said at the weekend.

Falling rifles bring humour to hijack trial

Pietermaritzburg Bureau

AN EXHIBIT of 36 carefully stacked AK-47 assault rifles ended up in disarray on the courtroom floor when they were inadvertently bumped by a court orderly yesterday.

The rifles, stacked barrel-upwards in a row running the entire length of the State counsel's table, were part of an exhibit which featured South African military webbing, nine two-way radios and a heavy metal case containing more than 2 000 rounds of 7.62 mm ammunition.

Although the rifles were not referred to in court, they remained neatly stacked on their butts for several hours while court officials attended to the faulty sound system that delayed the opening of the trial yesterday.

Then, however, the end rifle was bumped. It fell into the one next to it and started a chain reaction which ended with most of the communist-made weapons in a tangle on the floor — much to the amusement of the alleged mercenaries who stood in the dock to watch the fun.

Although most of the foreign Press representatives already have left the hijack trial to cover other stories, several of the accused were still intent yesterday on stopping the remaining Pressmen getting their photographs.

One of the men has yet to appear outside the court without dark glasses and a small towel concealing his face. The towel used to hide his face from the nose down got in the way yesterday when he tried to sip a cool drink outside court.

It slipped slightly — just enough for Pressmen to see part of his face and the lettering 'Riviera Hotel' printed on the towel.

The former manager of the hotel, Mr Ken Dalgleish, also is one of the men on trial.

Another accused, Mr Jan Sydow, has run the gauntlet of photographers since the trial began last week by pulling his jacket up over his head and making for the safety of the court as fast as he can.

He left the hearing yesterday in his customary fashion as the front-seat passenger in a small car with his grey suit jacket covering his head and shoulders like a sack.

Hijack trial told of gunfire

ARGUS 16/3/82

327

Argus Correspondent

MARITZBURG. — While passengers on a darkened Air India Boeing heard gunshots and explosions at Mahé airport, a group of armed men rushed on to the aircraft, the hijack trial was told here today.

A petrol company executive, Mr Arthur Reid, who took the jet from Salisbury to the Seychelles, said armed men rushed on to the aircraft, took up seats and then held a roll call by torchlight.

Mr Reid, who was not on the list of witnesses in the indictment, said the aircraft circled the airport for about 10 minutes. The captain announced that he could not make contact with the control tower.

The aircraft made a steep descent before travelling a long way along the runway. It bounced down on the runway and crashed up and down before coming to a shuddering stop.

Mr Reid, who was accompanied by his wife, said the passengers remained seated for about five minutes. The cabin crew went to the front door while the light was turned off — the interior had dim, emergency lights on.

With guns

Mr Reid said: 'Then the door opened and two men dressed in beachwear and holding machine - guns came in, spent a moment on the filght deck and then went down the aisle, holding guns.

'They said we had landed in the middle of something and we must sit still. They still had to decide what to do with us.

'We waited for a considerable time and then heard machine-gun fire and other explosions.

'The captain left the aircraft with some of these people but returned later, to sit with us in the first class section. We continued to sit for about 40 minutes hearing gunshots and explosions every 20 minutes.

'Then several of the armed men had a dis-

(Contd on Page 3, col 1)

'Armed men rushed onto plane'

Argus 16/3/82 327

(Continued from Page 1)

cussion on the flight deck. I could see they were plotting a course to a new destination.

'One of the comments was whether the aircraft had overflying rights over Madagascar.'

Mr Reid identified Durban photographer Mr Peter Duffy as being one of the armed men. He said Mr Duffy was involved in plotting an alternative course.

Some time after that we were told the aircraft would be taking on fuel and I heard the captain tell his crew to do so,' he said.

'After about 2½ hours of waiting we were asked to dim the lights further, putting the interior of the aircraft almost in darkness.

Objected

'Shortly after that a large number of men rushed into the aircraft taking up seats and the roll call was held.

'One man objected to names being used, but he was told there wasn't time for numbers to be used.

'Some of these men had firearms and all of them were dressed in beachwear, jeans or shorts.

'There was some confusion. They could not find one or two of the people. When they were satisfied they had the right numbers, the aircraft took off.

'It was an astonishingly sharp and steep take-off which continued for a long time. Before the take-off, the cabin crew told us to fasten our seat belts.

'I asked one of the newcomers sitting in front of me what was happening. He said: "Make sure your seat belt is jolly well fastened." I asked if we were going to be shot at. He said "maybe". He was a charming young man.

'After completing a very steep rise from the ground the aircraft levelled out and the lights were turned on. Everyone relaxed, including the people who had boarded the aircraft.

'We asked them where on earth we were going to. We were merely told we would be told, in due course.

Chatted

'We continued to chat to them during the course of the flight. I talked to several of the people who had boarded and overheard conversations between others.'

Mr Reid, sitting down to give his evidence, said it definitely seemed to be that one man was in command, one man second in charge, and a person he would call a sergeant-major 'who was a very charming man.'

Colonel Hoare, sitting on the bottom bench, took his glasses off at Mr Reid's request so that he could be identified.

Mr Reid then picked out a very grim-faced Mr Tullio Moneta as second in charge, and William Dunlop Paul as the charming sergeant-major.

'Understandably, we were most concerned as to what had happened in the Seychelles and where we were heading,' Mr Reid said.

'As to what had happened in the Seychelles it appeared that the people who entered the aircraft were under strict orders not to talk or tell us where we were heading.'

Mr Reid said orders were passed from time to time to the men not to talk and they were reminded of it. The orders came from the sergeant-major. They were told they would eventually be told.

'The young man in front of us who was more talkative said where we were going there was a lot of water. That was all at that stage.'

Mr Justice James: At that stage you were right over water?

Mr Reid continued: 'I asked two of these people because the atmosphere was somewhat relaxed. There were no signs of weapons. They seemed to be put away under seats.'

He had asked 'why on earth involve us, and what were you up to?'

Praying

Mr Reid told the hushed, tense court that the young man said: 'We were praying you would come. You were our last hope.'

Mr Reid said: 'A man seated behind me said we had an aircraft but would not or could not, I cannot remember which, come in. He said: "These things happen."'

Mr Reid pointed out this man (behind him) as Jan Olof Sydow.

Mr Reid said he overheard Colonel Hoare say to another person something — 'very closely' — that 'the boys put up a jolly good show. It was madness to try to take the main gate with two guns maybe three'.

Relaying Colonel Hoare's alleged words, Mr Reid said Colonel Hoare had said: 'It is all good experience, but you will have to watch so and so (Mr Reid did not know who he was talking about). He did not do too well'.

Mr Reid then told the court Mr Duffy went to the flight deck, and the door was closed. He came out and reported to Colonel Hoare 'something I did not overhear'.

'As a result of that Colonel Hoare turned to Moneta and said: "It was a good job we were not rough with the captain. He is keeping his part of the deal. He is quite a good chap really, in fact quite brave. But he was made to have driven out in the runway to check before we took off".'

Mr Reid told the court he had earlier seen a car on the runway with its headlights on.

Asleep

Mr Reid said an hour after they had taken off, passengers began to complain constantly (to the accused) about 'where on earth are we going?'

'It appeared to be agreed the pilot could tell us. It was then announced we were heading for Durban, where the extra passengers would be dropped off and that we would then proceed to Salisbury. At that time I went to sleep.'

Mr Reid continued from when the aircraft reached Durban. 'The accused, or many of them, came forward with their guns or sent their guns forward, at the request of the sergeant-major,' he said.

The guns were piled on a blanket. Mr Reid then pointed out the guns on display before court.

Mr Reid said that after another order, magazines came out of pockets and bags. The order appeared to be executed by the sergeant-major (Paul).

Taxied

"The aircraft taxied not to the terminal building but stayed on the runway . . . after some time the door was opened. One or two of the accused went to talk to the local authorities.

'The principal negotiator was Duffy. At that time there were others involved.'

But throughout the time of discussions they would return to report to and discuss with Colonel Hoare what was going on.

These discussions were conducted in whispers, but he was sitting very close to Colonel Hoare.

'I did overhear him say to Moneta: "We made a good choice in coming to Durban. It had the right element of surprise. If gives us time to get the general from Pretoria."'

(Proceeding)

The tale of an island jail by Prisoner No 885/63

By ROGER OMOND

SOUTH AFRICA'S prison system is about to be damned again. Robben Island prisoner 885/63 has written a book, to be published on March 25, that is unlikely to achieve big sales in the Republic, but which deserves to be read by anyone concerned about jail conditions — particularly the Minister and Commissioner of Prisons.

Prisoner 885/63 is better known as Indres Naidoo, sentenced to 10 years on Robben Island for sabotage in 1968. He has told his story to another South African well acquainted with the insides of cells, Albie Sachs, who himself has added to the growing volume of prison literature.

Mr Sachs was one of the first 90-day detainees in 1963. From his experiences he produced the book, The Jail Diaries of Albie Sachs.

Mr Naidoo's book, Island in Chains: Ten years on Robben Island by Prisoner 885/63, published by Penguin Books, will be released at a time when maximum attention is focused on South Africa. Television, radio and the Press are daily producing major stories on the English cricketers' tour of the country, the split between Mr P W Botha and Dr Andries Treurnicht, and the inquest into the death in detention of the white trade unionist, Dr Neil Aggett.

Island in Chains is a difficult book to review for a South African readership. The cover alone would incur the censors' displeasure: in the background is a picture of prisoners working on the island, while pictures of Nelson Mandela and Mr Naidoo dominate the foreground. The photographs of both the prisoners working and Mr Mandela cannot be reproduced in South Africa in terms of the Prisons Act.

The foreword, too, falls foul of the law, written as it is by Mr Francis Meli, director of internal publicity for the African National Congress.

And much of the book itself would have to be checked with the Prisons Department for accuracy before any South African publisher was allowed to reprint it.

None of this is likely to please the authorities. In the circumstances, it is impossible to check Mr Naidoo's claims about conditions on Robben Island. But, unfortunately from Pretoria's point of view, the claims are likely to be widely believed wherever this book is read.

Slightly more to Pretoria's liking will be the picture of distrust that Mr Naidoo says existed — and may still exist — between prisoners belonging to the African National Congress and those of the Pan-Africanist Congress. Mr Naidoo supports the ANC and is scathing in places about the conduct of the PAC.

What also emerges from this book is a picture of conditions gradually improving — or at least being made less intolerable — through the visits to the island by representatives of the International Red Cross and Mrs Helen Suzman.

The writing is sometimes less than skilled but there are passages that shine, as when Prisoner 885/63 is allowed off the island and into the centre of Cape Town for medical treatment.

It seems ironic, threfore, that had the Prisons Act existed in its present form when Herman Charles Bosman wrote his superb prison book, Cold Stone Jug, South Africa would have been deprived of one of the most famous — and best-written — pieces of jail literature.

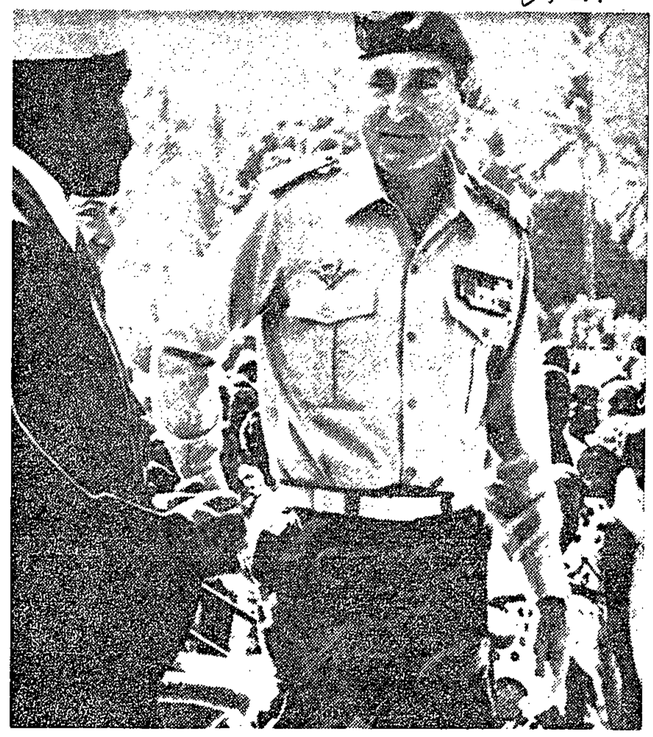
Mr Naidoo's book is not in the same class as Cold Stone Jug. But he is writing as a "non-white", in a different era, about a difficult prison.

But whatever its faults as literature, and however much the Prisons Department might quibble about details, Mr Naidoo's book adds to the growing volume of work on life in jail in South Africa: Albie Sach's Jail Diaries and Hugh Lewin's Bandiet, to mention just two. Island in Chains deserves to be read in South Africa.

ombine in bid to
e dogs of war

327
16/3/82
Star

s soldiered in a
rica and other
obably forever.
ies is becoming



Mercenary leader Colonel Bob Denard in the Comoros Islands after commanding a successful operation to overthrow the government.

the mercenary trade even if he committed no other crime.

The nation in question could go through this whole legal process even if a mercenary operation was in no way directed at it.

The 19th century campaign against the freebooters of the Caribbean, the South China Sea and the Barbary Coast provided one of the first legal precedents for such measures.

Alarmed by their vulnerability, the mercantile nations of Europe negotiated a blanket dispensation under which the normal restraints of international maritime law were waived to speed up the elimination of piracy.

Pirates could no longer hide behind laws that normally prevented naval vessels interfering with ships flying another nation's flag in peacetime.

It meant, for instance, that a Frenchman could be caught by a British frigate in the English Channel and tried in the United Kingdom for an act of piracy carried out on the other side of the world against a Dutch ship.

According to Mr Rex Austin, senior law lecturer at London University and one of the few international authorities on the law as it affects mercenaries, the view is gaining ground internationally that "mercenarism (the act of being a mercenary)" should be considered a social evil as piracy was. It has become clear, he says, that the majority of nations consider mercenarism an unacceptable activity and are moving towards a consensus that it should be considered a crime everywhere.

The toughest of the current anti-mercenary conventions, that of the Organisation of African Unity, already rules that mercenaries caught passing through one country on their way to fight in another must be handed over to their intended victim or be placed on trial by the nation that caught them.

In the preamble to its convention the OAU says the grave threat which mercenaries present to its members can be countered only by their total solidarity and co-operation.

The OAU considers a mercenary anyone who fights in a country that is not his own purely for personal gain and without having been sent officially by his own government.

The broad crime of mercenarism covers, in OAU eyes, any person, group or state that shelters, organises, finances, equips, trains, promotes, supports or employs mercenaries or even allows them to cross its territory.

Perhaps a premonition of sorts prompted Seychelles President Albert Rene to bring up the subject of mercenarism as long ago as July 1979, when he told the OAU's Liberia summit that unfortunately few members of the organisation had so far ratified the convention.

In the wake of last November's coup attempt the Rene Government has asked the OAU and the UN to intensify its anti-mercenary efforts.

Attempts by international bodies to formulate some sort of anti-mercenary code go back to a clause of the 1907 Hague Convention which forbade the recruitment of combatants on neutral territory for service in a foreign war.

The United Nations went several stages further during the Congo fighting when Katangese seccessionist-leader Moise Tshombe had an estimated 500 European and South African mercenaries fighting for him.

The UN ordered the withdrawal of all military personnel not under its command and then authorised the use of whatever force was necessary to carry the order out.

Under the UN's "Operation Rumpunch" 275 mercenaries were repatriated in August 1961 but still larger numbers continued to fight in the region through the 1960s.

General Assembly declared that the practice of using mercenaries against liberation movements was punishable as a criminal act and that "the mercenaries themselves are outlaws."

The declaration included a call on all governments to enact legislation making the recruitment, financing or training of mercenaries an offence and prohibiting their nationals from serving as mercenaries.

Few nations heeded this request, with most continuing to rely on existing legislation to prevent their citizens becoming involved in fighting against friendly states.

In December 1980 the General Assembly set up a committee to formulate a definitive anti-mercenary convention but the final product has yet to emerge.

A major difficulty is that Western states, who unwittingly or otherwise provide most mercenaries have generally followed a softer line than that wanted by Third World governments which are likely to be on the receiving end of their activities.

The West generally favours a similar approach to that in the Geneva Convention which says that mercenaries are not entitled to prisoner-of-war status and so are likely to be tried as common criminals for otherwise normal warlike acts.

During the Biafran war the Federal Nigerian Government issued a standing order along these lines stating that any mercenaries captured were not to be treated as prisoners of war.

The Angolan Government became

captured soldiers with mercenarism when it tried 13 men, mostly Britons, in 1976, and ultimately executed four of them. The rest are serving long jail sentences.

Britain drew considerable anger at home from the Third World when it refused to prosecute the large number of mercenaries who made it back from Angola or the men who recruited them.

Instead it commissioned the controversial Diplock Report which found that under current British law it was unlikely that the men could be successfully prosecuted because Britain did not recognise the month-old government of Angola's President Neto.

No legislation has yet been introduced to close the loopholes through which the British mercenary "industry" flourished. The lack of legal cohesion on the subject is by no means the end of the story.

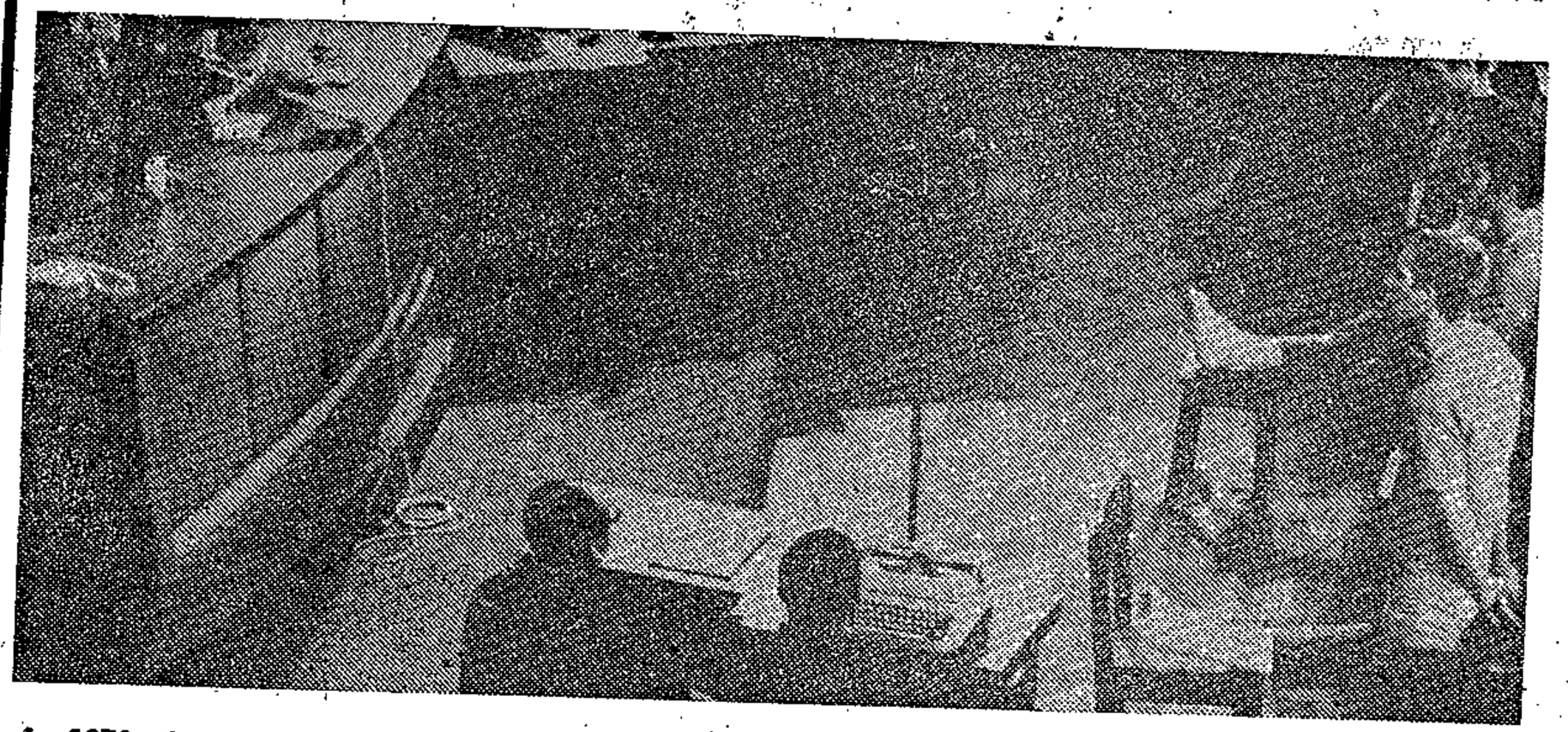
Even now, states could almost certainly argue successfully in court that mercenarism was accepted, particularly in Africa, as a criminal act.

The matter of one government's legitimacy in the eyes of another points to the somewhat woolly morality involved

The clearest demonstration of double standards must be the successful mercenary coup in the Comoros Islands led by Frenchman Colonel Bob Denard.

The regime he put in place has now been accepted as part of the OAU and Denard and his men have been photographed at the head of the island nation's armed forces.

Good "dogs," per-



In 1976, the captured mercenaries on the right of this picture were tried by Angola's MPLA regime. Some were sentenced to death and executed, other are still serving prison sentences.

Nations c muzzle th

The freewheeling days when mercenarie romantic aura in the trouble spots of Af unsettled parts of the world are gone, pr International action to curb their activit increasingly effective.

By Brendan Nicholson, The Star's Africa News Service

SALISBURY — The abortive Seychelles coup attempt has accelerated moves by worried governments, particularly in coup-prone Africa, to coordinate their legal machinery to make the mercenary "calling" as unattractive as possible.

If the measures are successful mercenaries could find themselves lumped together with hijackers, war criminals and, bizarre though it sounds, the pirates who preyed on the tall ships of old as "enemies of mankind."

Essentially, any nation becoming a party to one of several international conventions already in existence would be entitled to try and to execute anyone involved in

'Hijack' trial told of general from Pretoria

Cape Times 17/3/82 (327)

Own Correspondent

MARITZBURG. — A surprise State witness in the "hijack" trial told the Supreme Court here yesterday that he had heard mention of a "general from Pretoria" meeting an Air India aircraft at Louis Botha Airport.

The witness, Mr Arthur Reid, a passenger in the aircraft, was sitting in it in Durban when he heard Colonel Mike Hoare, one of 43 accused in the trial, say the choice of destination was a good one.

"Colonel Hoare said: 'We made a good choice in Durban. It has the element of surprise, and gives time to get the general from Pretoria'," Mr Reid told the court.

He went on to say that some time after the aircraft had landed on the morning of November 26 last year, Mr Hoare was asked by a fellow-accused, Mr Peter Duffy, whether he wanted to speak to the general.

Mr Reid said the attitude of the 43 accused of hijacking the flight from the Seychelles to Durban, was relaxed when the aircraft landed at Louis Botha.

"They appeared to know what they were facing."

While sitting close to Colonel Hoare in the first-class section of the aircraft, he heard the men discussing 'what their story should be'.

Mr Hoare and his second-in-command, Mr Tullio Monetta, decided that they should say there had been a popular uprising in the Seychelles and the aircraft had arrived by accident.

"They said they would say that for humanitarian reasons they aborted their part in the coup to save the plane," Mr Reid said.

The "official" version of the coup was then passed back through the aircraft to all the men.

Mr Reid said he had boarded the flight to the Seychelles in Salisbury. The flight had been routine till the aircraft — scheduled ultimately for Bombay — was over Mahé in the Seychelles.

It had circled for about 10 minutes, made a steep descent and appeared to be preparing for a normal landing.

"It was a horrific landing. We bounced twice and came to a shuddering, breaking halt.

"We sat for a few minutes. The cabin crew

→→→→ To page 2

Cape Times 17/3/82

From page 1 (327)

went to the front door and the engines were turned off.

"Shortly afterwards, the door opened and men in beachwear with automatic machine-guns came in and went to the flight deck.

"One of them walked down the aisle and said we had landed in the middle of something and would have to sit quietly.

"I heard a machine-gun firing and mortar fire, and a short time later the captain left the plane with some of the men. He came and went several times during the three hours on the ground."

The captain then returned and sat with the first-class passengers while intermittent explosions and gunfire continued outside, Mr Reid said.

Some time later, the passengers were informed that the aircraft was taking on fuel and he heard the captain giving orders for it, Mr Reid said.

"About two hours later we were requested by the cabin crew to close all the blinds.

"A large number of men then rushed into the plane taking up seats where ever they could.

"A roll-call was held under the light of a torch. One of the men objected to names being used but was told there was no time for numbers.

"They couldn't find some of the people — but after they had the right numbers the plane took off.

"I asked one of them what had happened. Were we going to be shot at?

"He said 'maybe'. He was a charming young man."

When the aircraft levelled out, the lights were turned on and everyone was more relaxed.

Hijack trial hears of 'Pretoria general'

Mercury 17/3/82

Pietermaritzburg Bureau

A SURPRISE State witness in the hijack trial told the Supreme Court here yesterday how he had heard mention of a 'general from Pretoria' meeting an Air India aircraft at Louis Botha Airport.

The witness, Mr Arthur Reid, chief executive for Shell and BP in central and East Africa, was sitting in the aircraft in Durban when he heard Mr Mike Hoare, one of 43 accused, say the choice of destination was a good one.

'Col Hoare said: "We made a good choice in Durban. It has the element of surprise, and gives time to get the general from Pretoria,"' Mr Reid told Acting Judge President Mr Justice Neville James and two assessors.

Sometime after the aircraft landed on the morning of November 26 last year, Mr Hoare was asked by a fellow accused, Mr Peter Duffy, whether he wanted to speak to the general, Mr Reid said.

'He said: "Not too many people are involved in this thing."'

The attitude of the 43, accused of hijacking the flight from the Seychelles to Durban, was relaxed when the plane landed at Louis Botha, said Mr Reid.

'They appeared to know what they were facing. The only tension was in waiting for a long time in unpleasant conditions,' he said.

While sitting close to Mr Hoare in the first-class section of the aircraft, he heard the men discussing 'what their story should be'.



MR Arthur Reid ... 'they appeared to know what they were facing.'

Mr Hoare and his second-in-command, Mr Tullio Moneta, decided that they should say there had been a popular uprising in the Seychelles and the plane had arrived by accident.

'For humanitarian reasons they aborted their part in the coup to save the plane,' Mr Reid said.

The 'official' version of the coup was then passed back through the plane to all the men by word of mouth.

Mr Reid said he had boarded the flight to the Seychelles in Salisbury. The flight had been routine until the plane — destined ultimately for Bombay — was over Mahé in the Seychelles.

The plane had circled for about 10 minutes, made a steep descent and appeared to be preparing for a normal landing.

'I noticed we were a long time getting down. It was a horrific landing. We bounced twice and came to a shuddering, breaking halt,' he said.

'Shortly afterwards the door opened and men in beachwear with automatic machineguns came in and went to the flight deck.

'One of them walked down the aisle and said we had landed in the middle of something and would have to sit quietly.

'I heard a machinegun firing and mortar fire and a short time later the captain left the plane with some of the men. He came and went several times during the three hours on the ground.'

The captain then returned and sat with the first-class passengers while intermittent explosions and gunfire continued outside, Mr Reid said.

Mr Duffy was one of the men involved in plotting a new course.

Sometime later the passengers were informed that the plane was taking on fuel and he heard the captain giving orders for it, Mr Reid said.

'About two hours later we were requested by the cabin crew to close all the blinds. It put the plane in almost complete darkness.

'A large number of men then rushed into the plane taking up seats where ever they could.

'A roll call was held under the light of a torch. One of the men objected to names being used but was told there was no time for numbers.

'They couldn't find some of the people — but after they had the right numbers the plane took off.

One man — Mr Reid pointed out Mr Hoare in the dock — was in charge. He was assisted by Mr Moneta and Mr William Paul — the sergeant-major, Mr Reid said.

New hope for political prisoners

Cape Times 17/3/82

327

Political Staff

A NEW prisons board, headed by a judge, could pave the way for the review of sentences of political prisoners.

This was confirmed last night by the Minister of Justice, Mr Kobie Coetsee.

In an interview, Mr Coetsee emphasized that although the inclusion of political prisoners within the board's ambit was theoretically possible, the final decision on the possible remission of sentences rested with him.

"I wouldn't for one minute say that this would be the case," he said.

The minister said that it would remain completely within his discretion to grant remission of sentences of "prisoners in terms of security legislation".

In terms of the Prisons Amendment Bill, an "Advisory Release Board" is to be established to advise the government on the release of prisoners from jail.

At present, political

➡➡➡➡ B
To page 2

Cape Times 17/3/82
B
327
⬅⬅⬅⬅
From page 1

prisoners do not receive any remission for their sentences but they are not specifically excluded from the powers of the new board.

The Advisory Release Board will advise the Minister of Justice on "the general policy which ought to be followed in connection with the release of prisoners" and "the basis upon which remission of sentence ought to be granted to different categories of prisoners."

The chief Opposition spokesman on prisons, Mrs Helen Suzman, MP for Houghton, yesterday welcomed the proposal because "I think it is very good for a board outside the prison system headed by a judge to advise on paroles and releases".

The Advisory Release Board will consist of a judge of the Supreme Court, a magistrate of a regional division, an attorney-general, a member of the South African Police of or above the rank of brigadier, a member of the Prisons Service of or above the rank of brigadier and a member of the Release Board.



ONE of the weapons alleged to have been on the Air India Boeing when it landed at Louis Botha Airport, Durban, is taken into court.

Oil executive tells of landing

327 Mercury 17/3/82

The hijack trial
Day 5

A SENIOR oil executive aboard the Air India flight from the Seychelles to Durban yesterday told the Pietermaritzburg Supreme Court his version of the events which ended with him arriving in South Africa instead of Mahé airport in the Seychelles.

Mr Arthur Reid, chief executive of BP and Shell in Central and East Africa, said he had boarded the flight with his wife in Salisbury and was due to disembark at Mahé late that night.

When the plane reached Mahé, however, the pilot told passengers that he could not make contact with the control tower and would have to set course for Mauritius after 15 minutes of circling.

However, 10 minutes later, the plane went into a steep dive as if preparing for a normal landing.

After a bumpy landing the doors were opened and later a group of armed men in beachwear boarded the plane.

The aircraft later took off in a steep climb before levelling off.

'I chatted to several of them and overheard a lot of conversation,' Mr Reid said.

While the atmosphere was lax he had asked one of the accused why they had involved the passengers.

The man replied that the plane was their last hope and that they had been praying that the jet would come down.

Deal

Another, Mr Jan Sydow, said they had had a plane but it could not put down, Mr Reid said.

Mr Reid told the Court that Col Mike Hoare had said: 'The boys put up a jolly good show and it had been good experience.'

Col Hoare also had mentioned that it was 'a good job that they didn't get rough with the pilot' and that he was 'keeping his part of the deal', Mr Reid said.

Turning to Mr Tullio Moneta, Col Hoare had added that the pilot was 'a good chap' and 'was quite brave, but was mad to drive along the runway to check it before the plane took off'.

When the plane rolled to a stop at Louis Botha Airport, the men had passed their rifles to the front of the jet where they were checked and then stacked under a blanket in the passage.

Magazines also were taken out of pockets and passed forward for storage, Mr Reid told the Court.

He said the flight had been convivial, and described several of the alleged hijackers as charming men.

Apologised

The men had apologised for the inconvenience they were causing after boarding and had not threatened or menaced anybody, the Court heard.

The captain of the jet, Capt U Saxena, had acted calmly but was obviously under a great strain.

All the passengers recognised that he had acted with courage and had controlled his crew and passengers, Mr Reid said.

Hijacking denied by Hoare

ARGUS 17/3/82 327

Argus Correspondent

MARITZBURG. — Colonel Mike Hoare denied when first arrested that he and his men had hijacked a plane, the Supreme Court was told here today.

Brigadier John Visser, Divisional Police Commissioner for Port Natal, said when he charged the men for hijacking the Air India Boeing, Colonel Hoare denied it.

Asked by the prosecution whether Colonel Hoare had been speaking for himself only or for all the men, Brigadier Visser said he was speaking for all the then 45 men.

He had been told that they were under arrest while they were in the side room by the hangar at Louis Botha Airport.

Weapons

Colonel S D Booysen of Durban South Police District said that he took over the weapons, ammunition and other equipment from the Railways Police.

Three hand grenades which were among the equipment were handed to Lieutenant Fraser from the Navy in Durban.

Colonel Booysen said that he had listed 90 AK 47 rifle magazines, each containing 20 or 30 cartridges among the equipment.

He had taken the equipment to the Brighton Beach police station.

Colonel Booysens also handed in a white travel bag as an exhibit. It contained a passport and an international driving permit, both in the name of J Fritz.

The bag also held a pair of socks, a bottle of beer, matches, shaving equipment, toothpaste, a pair of trousers and travellers' cheques.

It also contained a magazine of 12 rounds and a part of an AK-47 rifle.

Colonel Booysens said he also received from Brigadier Visser airplane tickets in the name of D Prinsloo and Goatley.

The judge agreed that for security reasons the exhibits could be taken from the court and stored in a safe place.

When the hijack trial opened today, counsel for defence said that some of the accused will deny certain statements alleged to have been made to State witnesses. Mr Kenneth Dalgleish will deny using the word 'commandeered,' it was said.

In his evidence-in-chief Mr Johannes Colyn, fire chief at Durban's Louis Botha Airport, told Mr Justice James that Dalgleish had told him they had run through the bushes at Mahe airport and commandeered the plane.

Mr Colyn was cross-examined by Mr Mike Hannon, counsel for Dalgleish, at the start of the sixth day's hearing today.

At the end of his cross-examination Mr Hannon told Mr Colyn: 'Dalgleish will deny that he ever used the word commandeered.'

Navigation

He will say that it could be that he said 'We had someone on board who knew about navigation.

'He could have said, but he cannot remember and he will not deny saying, that the person monitored the flight to Durban.'

These were points

(Contd on Page 3, col 5)

(Continued from Page 1)

brought out in Mr Colyn's evidence yesterday.

Mr Hannon continued: 'He will deny he said to you they did not wish to land at Jan Smuts, and they wanted to come home.

'He will say that you told him anybody who leaves women and children on the plane are animals, or words to that effect, and he told you don't tell me, tell Mouton.'

Lieutenant Colonel Jacobus Stephanus Mouton, is head of the SAR Security Department in Natal.

Mr Hannon continued: 'Duffy will deny that at any stage he spoke to you about women and children.

Mr Hannon also said Duffy would deny speaking to Colyn about bombs and ammunition 'or that you asked him to give you a chance.'

Mr Hannon said: 'Dalgleish will say he spoke to Colyn about the coup and that he told you he ran through the bushes.'

Rebus 17/3/82 E327

Hijack bid

Mr Justice James: 'Do I understand that he told you part of it, but he denies adding to it the words "they commandered the plane?'

Mr Hannon: 'As your Lordship pleases.'

Mr Piet Oosthuizen, who is assisting Mr Eddie Stafford defend 10 accused, stood up for the first time during the trial to cross-examine the witness.

Colonel Mike Hoare, an Irish citizen, was today wearing an Irish harp pinned to his lapel and a green tie in defference to Saint Patrick's Day.

Mr Oosthuizen, SC, asked the head of the fire department at Louis Botha Airport to relate the sequence of events following the landing of the aircraft.

'I was next to the aeroplane with Mr Hardie when it came to a stop. Colonel Mouton was in the airport building.

'At first the aircraft wanted to park on the runway, but I requested that it stop at the turning point.'

Mr Oosthuizen: So did it stop where you wanted it to?

Mr Colyn: No. The place where it should have stopped we call 'bravo parking'. We wanted it to stop there, but it didn't.

Mobile steps were then taken to the aircraft and a door was opened from the inside of the 'plane, he said.

Mr Colyn said he did not immediately mount the steps, because he was informed over the radio in his car that only a doctor and security police were wanted.

The ambulance was to be moved away from its position beside the aircraft. This instruction was made by Mr Peter Duffy, making a gesture with his hand.

He said Mr Kenneth Dalgleish and Mr Peter Duffy came down the steps to the aircraft wing that had been damaged and continued negotiations with Colonel Mouton.

'I can't say whether Colonel Mouton took control, but the atmosphere changed.'

'Was Mr Duffy discourteous to you?' asked the prosecution.

'I got that impression. I would say he was cheeky.' replied Mr Colyn.

(Proceeding)

Parole hope for political prisoners

17/3/82

Political Correspondent

CAPE TOWN — Political prisoners have been given a glimmer of hope of being paroled in terms of a new Bill which provides for an advisory release board.

While the Bill does not specifically refer to prisoners convicted of crimes against the State, it does not exclude them.

The Minister of Justice, Mr Coetsee, has confirmed that the new advisory release board could consider the sentences of these political prisoners.

In terms of the Prisons Amendment Bill the advisory release board will be headed by a judge of the Supreme Court.

The board will also have a magistrate, an Attorney-General, a member of the South African Police above the rank of brigadier, a member of the prisons service with or above the rank of brigadier, and a member of the Release Board on the panel.

Its functions would be to advise the Minister on

- general policy which ought to be followed on release of prisoners.
- the basis on which remission of sentence ought to be granted to different categories of prisoners.
- Recommendations made by the Release Board in any specific cases.

Murder still a mystery

(27)

Mail Reporter 18/3/82

NO BREAKTHROUGH has been made in the investigation into the slaying of Mrs Allison Weinberg in her Johannesburg flat two months ago.

Mrs Weinberg, aunt of Mr Steve Kitson who had to leave South Africa after being detained by Security Police, was murdered in her Wanderers Street flat.

A police spokesman said yesterday no new leads had emerged despite a R5 000 reward for information.



PASSENGER Rashid Ali Mahomed, who gave evidence yesterday.

Hijack Court (327) Mercury 18/3/82 told of 'clapping'

Pietermaritzburg Bureau

WHEN the lights in an Air India Boeing were switched off after a sudden departure from Mahé Airport in the Seychelles, a passenger found a man sitting beside him with a machinegun across his lap, the hijack trial was told here yesterday.

Lenasia company director Rashid Ali Mohamed, who left Salisbury on the flight to Bombay on November 25 last year, said he realised something was wrong when the plane arrived over Mahé without the usual announcements being made.

When the plane eventually put down it was 'an abnormally bad' landing, he said.

Passengers due to disembark made their way to exits but were stopped by a man who appeared at the curtain separating first-class from the economy section and told passengers to remain seated, Mr Mohamed said.

The lights in the cabin were then switched off.

Some people started joking, but stopped when intermittent bursts of gunfire were heard, he added.

Explosions

The noises, 'interspersed with intense explosions', continued for about two hours until passengers were warned to prepare themselves for take-off.

Mr Mohamed said he then heard a lot of footsteps but presumed more passengers were boarding because there were empty seats aboard the jet.

He and other passengers told the newcomers where to find empty seats and what appeared to be a roll-call followed.

It was still dark when the plane took off and when it was airborne a sudden burst of clapping and shouts of 'You beauty' erupted in the cabin, he said.

'I had heard similar clapping in a programme on the South African Defence Force a week before,' he said.

The lights then came on, Mr Mohamed said.

'To my surprise my co-passenger had a machinegun on his lap. Beside my wife was a man with a weapon and my son also had an armed co-passenger.

'I said to the chap next to me: "What's going on?"

'He replied: "You tell me",' Mr Mohamed told the Court to laughter from the 43 accused sitting in the three-tier dock.

An announcement that the plane had altered course for Durban was made by the captain, Mr Mohamed said.

Sorry

His first impression of the new arrivals was that they were sorry that the passengers had got involved.

As soon as the lights came on, many took their weapons and stored them on the racks.

Although the men seemed nervous most of them promptly went to sleep.

'There wasn't much fear. We knew something was wrong, but there was no real fear,' Mr Mohamed said.

He had asked one of the men in Afrikaans why they had brought the plane down in the Seychelles.

'The man had said that if they had not done so they would all be dead,' Mr Mohamed said.

When the plane eventually landed at Louis Botha Airport all the guns were sent forward and dumped by some of the accused under a blanket near the first-class compartment.

After a while women and children were allowed on to the steps to get a breath of fresh air and to stretch their legs, Mr Mohamed said.

In charge

It seemed obvious to him that the accused were in charge of the plane. They controlled the passengers and one of them was walking in and out of the flight deck area with a gun slung over his shoulder.

Cross-examination of Mr Mohamed is expected to begin today.

Mr Johann Wentzel, an aircraft technician and air traffic superintendent at Louis Botha, said he had gone out to the Boeing to assess damage to the left inner flap.

On his arrival, he said, he stood at the left window of the plane and shouted to the captain that he wanted to put on electric power so he could examine the flap.

The captain had gestured in a negative way and gestured to one of the accused, Mr Ken Dalgleish, who was standing under the wing at the time, he said.

Mr Dalgleish had said: 'By all means go ahead', when he asked his permission to examine the flap.

Mr Wentzel thought it would have been extremely dangerous to land or take off with the flap in the condition he found it.

Denied

Brig John Visser, Divisional SAP Commissioner for Port Natal, described how Mr Mike Hoare had denied having hijacked the plane shortly after he and his men were formally arrested at the airport.

He had found a group of 45 men in a side room of one of the hangers and informed them they were under arrest 'in connection with charges of hijacking an Air India aircraft'.

'One of the accused stood up and introduced himself as Col Mike Hoare and said he was in charge of the unit and officially denied having hijacked the plane,' Brig Visser said.

● See also Page 2

Rifles were ‘ready to fire’

(327) Mercury 18/3/82

Pietermaritzburg Bureau

SEVERAL of the 38 communist-made AK-47 assault rifles found on board an Air India Boeing at Louis Botha Airport were ready to fire and 12 had bullets in their chambers, it was admitted in the hijack trial here yesterday.

The admissions by the defence came yesterday after the State produced several witnesses from the Railways Police task force which surrounded the plane as it sat on the runway at Louis Botha Airport on November 26 last year.

The defence admitted also that three Chinese stick-grenades found on the jet had time delays of two and four seconds. The damage to the Boeing 707's left inside flap also cost R10 141,64 to fix, they conceded.

Killed

Also found on board was a Budget Travel bag belonging to Mr Johan Fritz, one of the alleged mercenaries who was killed in action, and whose body was brought back to South Africa by the rest of the party.

The bag contained personal toiletries, a bottle of beer, several loose rounds of ammunition, an AK-47 rifle magazine and two old air tickets as well as a passport in Mr Fritz's name, and travellers' cheques in his favour valued at R270, Lt-Col Schalk Booysen, of Durban told the Court.

Col Andriés Horak, head of the specially trained Railways Police task force, said he and his men had placed a cordon round the plane after being flown in to Durban in a Boeing 737 on November 26.

Requests

He was introduced to Mr Peter Duffy who told him they had two requests, Col Horak said.

'One of their men had been shot dead in the Seychelles and he and his colleagues wanted to unload the body personally. I did not object as long as it was under my supervision,' Col Horak said.

Mr Duffy also had asked that the plane be turned with its doors away from the South Coast Road so that the Press could not get pictures. He also agreed to this, Col Horak told the Court.

The accused mercenaries then left the plane one by one and were searched before being taken to the nearby Air Force base in a military truck, he said.

The body of Mr Fritz also was loaded and taken away.

Guns

He had boarded the plane in the presence of Mr Duffy and another officer of the task force and Mr Duffy had pointed out a blanket-covered bundle of guns.

'Mr Duffy said these items were our property,' Col Horak said.

The crew was still on board the plane while he and others searched the craft, and arrangements were then made to have the jet towed to the terminal building.

At the terminal building, Gen Johann Visagie, the Deputy Commissioner of Railways Police in charge of special operations, who also had flown to Durban, gave him further instructions and the investigations were handed over to the South African Police, he said.

Mercenaries took live arms aboard plane

Cape Times 18/3/82

327

Own Correspondent

MARITZBURG. — The State yesterday submitted that some of the 38 AK47 assault rifles brought on board the allegedly hijacked Air India Boeing by Colonel "Mad Mike" Hoare's mercenaries were in a "ready-to-fire position".

The submission was read into the court record by Deputy Attorney-General, Mr H G Klem, on the sixth day of the hijack trial in the College Road Supreme Court.

Mr Klem also submitted that:

● Twelve of the mercenary weapons had live rounds in the chamber.

● Three Chinese stick grenades were live and loaded — one with a 2-second fuse and two with 4-second fuse.

● South African Airways did repair work on the Air India Boeing worth R10 141,64.

An aircraft technician, Mr J D Wentzel, who was in charge of the repairs to the damaged Boeing, told the court that he would not have signed a safety clearance certificate "under any circumstances" for the aircraft before the repairs had been done.

Mr Wentzel said the left inner flap of the aircraft had to be replaced.

The State witness said the pilot of the aircraft, Captain Umesh Saxena, had indicated to him that he should get permission from mercenary Ken Dalgleish to go ahead with the repairs.

Dalgleish had then given him the go ahead at Louis Botha Airport in Durban on November 26 last year.

Another State witness who had been a passenger on the Air India flight, Mr Rashid Mohammed, told of the events when the aircraft landed at a darkened Pointe Larue Airport in the Seychelles.

He said the aircraft made an abnormally bad landing. It was dark outside and there were no lights in the airport building.

Some passengers had started getting their hand luggage in preparation for disembarkation when a person was seen standing at the curtain between the first class and economy class sections.

"He was not a member of the crew and seemed to be casually dressed," he said.

The lights in the cabin had gone off and the passengers were amused. They were joking about the generator having gone off when they heard bursts of fire outside. This ended the joking.

It became oppressively hot in the aircraft and he had got the impression it was being refuelled.

The passengers then heard footsteps and thought they were those of people joining the flight.

People were moving up and saying "Why not come and sit next to me ... I have an empty seat here,"

➡➡➡➡ To page 2 B

Cape Times 18/3/82

B

From page 1

327

he said.

In the pitch darkness of the cabin Mr Mohammed heard a "kind of roll call" and repeated clicking noises which to him sounded like seatbelts being fastened.

The take-off "seemed pretty quick".

When the aircraft took off there was a sudden burst of clapping and cheering.

Suddenly when the lights went on he saw that the passenger sitting next to him had a machinegun on his lap.

"I said, 'What the hell's going on?' And he said: 'You tell me' ".

On landing at Louis Botha Airport the mercenaries were told: "Collect your toys."

No landing announcements were made and it seemed obvious to him that the mercenaries were in control of the aircraft.

Mr Mohammed said that during the flight there had been a gentleman in the cockpit with a gun slung over his shoulder.

The Divisional Commissioner of Police for Port Natal, Brigadier Don Visser, testified that he had arrested the 45 accused at Louis Botha Airport at about 12.15pm after the allegedly hijacked aircraft arrived.

Sowetan 327

Hope for prisoners

18/3/82 253

POLITICAL prisoners have been given a glimmer of hope of being paroled in terms of a new bill which provides for an "Advisory Release Board".

While the bill does not say anything about prisoners found guilty of crimes against the State, it does not specifically exclude them.

The Minister of Justice, Mr Kobie Coetzee, has confirmed that the new Advisory Release Board could consider the sentences of these political prisoners.

The bill has been welcomed by the official opposition. Mrs Helen Suzman, Police spokesman for the Progressive Federal Party, said she was pleased the bill had been introduced.

"One hopes that an Advisory Release Board separate from the actual prison system will give remission to people convicted of crimes against the State — political prisoners — who have never been given remission," Mrs Suzman said.

"This is a different board from the existing Parole Board and draws its membership largely from outside the prisons system.

"Hopefully it will take a different attitude towards remission or parole for political prisoners.

"Many of these people have been sentenced to life sentences and some have already served nearly 20 years in prison."

In terms of the Prisons Amendment Bill, the Advisory Release Board will be headed by a judge of the Supreme Court, will have a magistrate, an Attorney-General, a member of the South African Police above the rank of brigadier, a member of the Prisons Service on or above the rank of brigadier, and a member of the Release Board on the panel.

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 527 19 Maart 1982

WET OP VREEMDELINGE, 1937

VANSVERANDERING.—FOURIE IN O'REILLY

Dit het die Minister van Binnelandse Aangeleenthede behaag om, kragtens die bepalings van artikel 9 van die Wet op Vreemdelinge, 1937 (Wet 1 van 1937), George William Fourie, sy vrou Christina Elizabeth Hermina, gebore Van der Westhuizen, woonagtig te Steenbokstraat 3, Postmasburg, te magtig om die van O'Reilly aan te neem.

No. 528 19 Maart 1982

WET OP VREEMDELINGE, 1937

VANSVERANDERING.—BROWN IN ORANMORE-BROWN

Dit het die Minister van Binnelandse Aangeleenthede behaag om, kragtens die bepalings van artikel 9 van die Wet op Vreemdelinge, 1937 (Wet 1 van 1937), David Oranmore Brown, sy vrou Coleen Laura, gebore Osborn, en sy kinders, woonagtig te Julius Jeppestraat 214, Waterkloof, Pretoria, te magtig om die van Oranmore-Brown aan te neem.

No. 537 19 Maart 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

LYS/LIST P82/25

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/2/143	***Buz Bey Grill, The***	Printed by Peter Chapman Repro	(a)
P82/3/17	***Blanes—1981*** (Kalender/Calender)	Nie vermeld nie/Not stated	(a)
P82/3/30	***Stern***—Nr 2, 7 Januar 1982	Gruner + Jahr AG & Co., Hamburg	(a)
P82/1/25	***Rabbit is Rich***	John Updike	(a)
P82/2/29	***Black Ivory***	Saliee O'Brien	(a)
P82/2/26	***Maura's Dream***	Joel Gross	(a) + (b)
P82/2/85	***Golden Promises***	Judith Arden	(a)
P82/3/29	***Color Foto***—2/82, 12 Jahrg., 1 Feb 82	Verlag Laterna magica GmbH & Co KG, München	(a)

No. 538 19 Maart 1982

WET OP PUBLIKASIES, 1974

VERTOË KRAGTENS ARTIKEL 14 (3) (b)

Die Direktoraat van Publikasies het op 4 Maart 1982 kragtens artikel 15 van die Wet op Publikasies, 1974, soos gewysig, appèl aangeteken teen die beslissing op 3 Maart 1982 van 'n komitee bedoel in artikel 4 van genoemde Wet dat die ondergenoemde publikasie nie binne die bedoeling van artikel 47 (2) van genoemde Wet ongewens is nie. Die tydperk waarin persone bedoel in artikel 14 (3) (b) van genoemde Wet vertoë tot die Appèlraad oor Publikasies, Privaatsak X114, Pretoria, ten opsigte van genoemde appèl kan rig, word hierby bepaal as 14 dae vanaf die datum van

GOVERNMENT NOTICES

DEPARTMENT OF INTERNAL AFFAIRS

No. 527 19 March 1982

ALIENS ACT, 1937

CHANGE OF SURNAME.—FOURIE TO O'REILLY

The Minister of Internal Affairs has been pleased under the provisions of section 9 of the Aliens Act, 1937 (Act 1 of 1937), to authorise George William Fourie, his wife Christina Elizabeth Hermina, born Van der Westhuizen, residing at 3 Steenbok Street, Postmasburg, to assume the surname of O'Reilly.

No. 528 19 March 1982

ALIENS ACT, 1937

CHANGE OF SURNAME.—BROWN TO ORANMORE-BROWN

The Minister of Internal Affairs has been pleased under the provisions of section 9 of the Aliens Act, 1937 (Act 1 of 1937), to authorise David Oranmore Brown, his wife Coleen Laura, born Osborn, and his children, residing at 214 Julius Jeppe Street, Waterkloof, Pretoria, to assume the surname of Oranmore-Brown.

No. 537 19 March 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

No. 538 19 March 1982

PUBLICATIONS ACT, 1974

REPRESENTATIONS UNDER SECTION 14 (3) (b)

On 4 March 1982 the Directorate of Publications appealed under section 15 of the Publications Act, 1974 as amended against the decision on 3 March 1982 of a committee referred to in section 4 of the said Act that the undermentioned publication is not undesirable within the meaning of section 47 (2) of the said Act. The period within which persons referred to in section 14 (3) (b) of the said Act may make representations to the Publications Appeal Board, Private Bag X114, Pretoria, in respect of the said appeal is hereby determined as 14 days from the date of this

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer
P82/2/76.....	***Ten Days That Shook The World***	John Reed.

19 Maart 1982

No. 539

VERTOË KRAGTENS ARTIKEL 24 (1) (a)

Die Direktoraat van Publikasies het op 8 Maart 1982 kragtens artikel 24 (1) (a) van die Wet op Publikasies, 1974, appèl aangeteken teen die voorwaardelike goedkeuring deur komitees boedel in artikel 4 van die genoemde Wet van die ondergenoemde rolprente. Die tydperk waarin persone bedoel in artikel 24 (2) (b) van genoemde Wet vertoë tot die Appèlraad oor Publikasies, Privaatsak X114, Pretoria, ten opsigte van genoemde appèlle kan rig, word hierby bepaal as 14 dae vanaf die datum van hierdie kennisgewing.

19 March 1982

No. 539

REPRESENTATIONS UNDER SECTION 24 (1) (a)

On 8 March 1982 the Directorate of Publications under section 24 (1) (a) of the Publications Act, 1974, appealed against the conditional approval by committees referred to in section 4 of the said Act of the undermentioned films. The period within which persons referred to in section 24 (2) (b) of the said Act may make representations to the Publications Appeal Board, Private Bag X114, Pretoria, in respect of the said appeals are hereby determined as 14 days from the date of this notice.

Inskrywing No. Entry No.	Rolprent Film	Voorlegger Submitter
R82/2/89	***The Jesus Trip***.....	Sandon Associates.
R82/2/95	***Schoolgirls in Chains***.....	Sandon Associates.
R82/2/87	***Once***.....	Sandon Associates.

19 Maart 1982

No. 540

TERSYDESTELLING VAN VERKLARING DAT PUBLIKASIES ONGEWENS IS

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 15 (2) van genoemde Wet op hersiening beslis dat die ondergenoemde publikasies nie binne die bedoeling van artikel 47 (2) van genoemde Wet ongewens is nie. Die ondergenoemde inskrywings ten opsigte van die publikasie word hierby geskrap:

19 March 1982

No. 540

SETTING ASIDE OF DECLARATION THAT PUBLICATIONS ARE UNDESIRABLE

A committee referred to in section 4 of the Publications Act, 1974, decided under section 15 (2) of the said Act on review that the undermentioned publications are not undesirable within the meaning of section 47 (2) of the said Act. The undermentioned entries in respect of the publication are hereby deleted:

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
P81/11/30	***Last Temptation, The***.....	Nikos Kazantzakis	In SK./G.G. 1291, GK./G.N. 1885 van/of 3/12/65.
P82/1/119	***U-Boat***	Lothar-Günther Buchheim.....	In SK./G.G. 5690, GK./G.N. 1452 van/of 29/7/77.
P82/2/132	***Nude in Art, The*** (Speelkaarte/Playing Cards).....	Heraclio Fournier S.A., Vitoria, Spain	In SK./G.G. 6596, GK./G.N. 1587 van/of 13/7/79.

19 Maart 1982

No. 541

ONGEWENSTE PUBLIKASIES OF VOORWERPE.—REGSTELLING

In *Staatskoerant* 7824, Goewermentskennisgewing 2139 van 9 Oktober 1981, skrap inskrywing P81/9/126.

19 March 1982

No. 541

UNDESIRABLE PUBLICATIONS OR OBJECTS.—CORRECTION

In *Government Gazette* 7824, Government Notice 2139 of 9 October 1981, delete entry P81/9/126.

DEPARTEMENT VAN BUITELANDSE SAKE EN INLIGTING

19 Maart 1982

No. 550

ERKENNING AS EREKONSULÊRE BEAMPTE

Hierby word bekendgemaak dat aan mnr. Victor Paul Joseph Hottevart met ingang van 1 Julie 1981 erkenning verleen is as Erekonsulêre Beampte van Frankryk in Port Elizabeth, met die provinsie die Kaap die Goeie Hoop ten ooste van en met inbegrip van die landdrosdistrikte Port Elizabeth, Uitenhage, Port Alfred, Humansdorp en Grahamstad as sy regsgebied. Mnr. Hottevart is die op-

DEPARTMENT OF FOREIGN AFFAIRS AND INFORMATION

19 March 198

No. 550

RECOGNITION AS HONORARY CONSULAR AGEN

It is hereby notified that, with effect from 1 July 1981 recognition has been granted to Mr Victor Paul Jose Hottevart as Honorary Consular Agent of France in Po Elizabeth with the Province of the Cape of Good Hope t the east of and including the Magisterial Districts of P Elizabeth, Uitenhage, Port Alfred, Humansdorp an Grahamstown as his area of jurisdiction. Mr Hottevart is t successor to Mr C. A. Raicos.

172/30/6 (32

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

PRYS (AVB ingesluit) 30c PRICE (GST included)

As 'n Nuusblad by die Poskantoor Geregistreer BUITELANDS 40c ABROAD *Registered at the Post Office as a Newspaper*

POSVRY · POST FREE

VOL. 201] PRETORIA, 19 MAART / MARCH 1982 [No. 8118

GOEWERMENTSKENNISGEWING

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 587 19 Maart 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

GOVERNMENT NOTICE

DEPARTMENT OF INTERNAL AFFAIRS

No. 587 19 March 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

LYS/LIST P82/26

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/3/9	**Apartheid's Army in Namibia**—No 10	International Defence & Aid Fund, London	(e)
P82/3/11	**Critical Health**—No 6, November 1981	Students' Representative Council for NUSAS, Johannesburg	(d)+(e)
P82/3/47	**Culturele Actie voor Vrijheid**	Paulo Freire	(e)
P82/3/53	**Social Review**—Issue 17, Feb/March 1982	Social Research Agency, Mowbray	(e)
P82/3/54	**Manual on Detention**	Media Projects, SRC, University of Cape Town	(e)
P82/3/55	**Varsity**—Vol 41, No 1, 4 March 1982	SRC, University of Cape Town, Rondebosch	(e)
P82/3/62	**170 Detained, Why?**	Nie vermeld nie/Not stated	(e)
P82/3/65	**No to an Inferior Education & School Expulsions** (Pamflet/Pamphlet)	ANC of SA	(e)
P82/3/67	**In Memory of Boniswa Mkutshulwa** (Pamflet/Pamphlet)	Nie vermeld nie/Not stated	(e)
P82/3/71	**Freedom Charter, The** met opskrif/with heading **"Let Unity in Action; Hasten the Dawn of Freedom? Unite! Mobilise! Fight On!"** (Pamflet/Pamphlet)	Nie vermeld nie/Not stated	(e)

327 19/3/82

Mr. Griffiths Mxenge Hansard Q. 61. 434

*13. Mrs. H. SUZMAN asked the Minister of Law and Order:

(1) Whether an investigation has been instituted into the circumstances of the death of Mr. Griffiths Mxenge; if not, why not; if so,

(2) whether such investigation has been completed; if so, what was the result of the investigation?

The MINISTER OF LAW AND ORDER:

(1) Yes, a murder case is being investigated.

(2) No.

*14. Dr. M. S. BARNARD (Health and Welfare)—Reply standing over.

Pilot's tape at trial

(327) Star 20/3/82

The Star's Africa News Service

The Seychelles Attorney-General has sent a copy of a tape recording of the conversation between Mahe Airport's control tower and the Air India pilot to the prosecutor in the Maritzburg hijack trial.

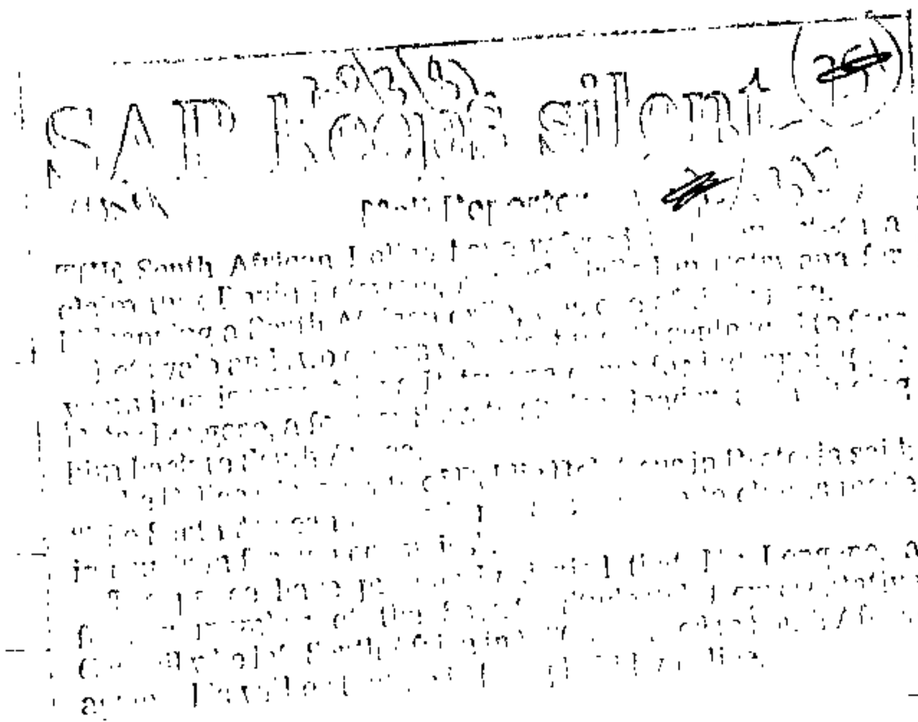
It is thought this tape was among those heard by the defence counsel during yesterday's adjournment.

The Seychelles Director of Information, Mr Tonio Beaudoin, disclosed yesterday that the tape had been supplied to Natal Attorney-General Mr Cecil Rees "at his request".

It appears Mr Rees, who is prosecuting, has taken up the offer made by Seychelles President Rene on January 6 to provide South African legal authorities with evidence relating to the alleged hijack of the Air India Boeing by mercenaries.

On Thursday Mr Justice James postponed the trial to Monday to "enable counsel to listen to and consider certain tapes of conversations relating to air traffic control".

The judge said transcripts of the tapes would be made available and court reporters expect to see them next week.


SAP keeps silent

4 Wits students freed

Own Correspondent

JOHANNESBURG.

Four University of the Witwatersrand University students were freed yesterday after serving an effective 10-day sentence under the Internal Security Act.

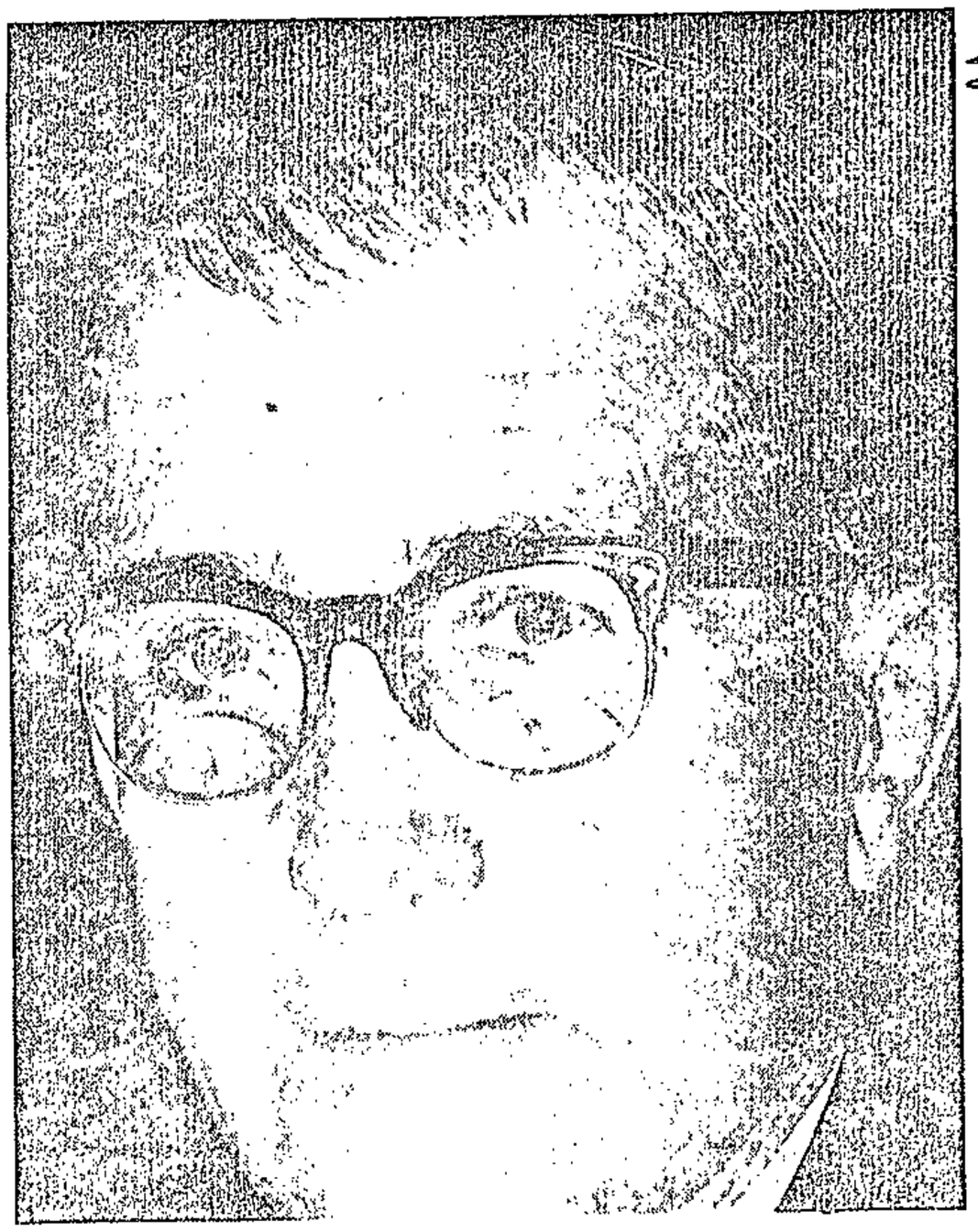
They are Miss Elaine Mohamed, 20, of Wanderer's Street, Newclare, Mr Benjamin Greyling, 20, formerly of Argyle Court, Smit Street, Mr Michael O'Donovan, 21, of Homestead Avenue, Randfontein, and Mr Leslie Lax, 23, of Hunter Street, Yeoville.

Mr O'Donovan's mother, Mrs Mary O'Donovan, was told by prison authorities earlier this week that her son, an Irish citizen, would be deported as soon as he had served his sentence.

However, he was released with the others yesterday, and according to his attorneys has not been issued with a deportation order.

Friends of the four held a party in their honour last night.

They were all detained for almost seven months before being sentenced by a Johannesburg Regional magistrate 10 days ago to 360 days imprisonment, 350 days suspended for five years.



Mr Justice L C Steyn, a former Chief Justice, steered South African justice away from its championing of fundamental rights in favour of the Nationalist Government. His decisions in the Appellate Division had a lasting — and damning — effect on future judgments on human rights

S. Express 21/3/82

war of attrition which would eventually see the English elements in our legal system starved of their support".

According to Mr Cameron the "coming of the British in 1806 had profound effects on the nature and basis of the common law applicable in South Africa.

"By accretion, by growth, by infiltration, by imposition, English law could (have) become an integral source of South African law. This is in fact precisely what occurred.

"Yet Steyn tried to denounce this process ... both by expressly repudiating what he considered to be unjustifiable reliance on English sources or seeking to repel the intrusion of English doctrines and concepts, and by simply ignoring English Law and legal precedents in South African cases."

Mr Cameron added: "It has been suggested that the attitude underlying this approach is the legal counterpart of the nationalist resurgence that was sweeping white South Africa.

"On a broad view it is suggested that what the National Party sought to attain in terms of racial exclusivity and purity by means of the Prohibition of Mixed Areas Act, the Immorality Act and similar measures, the Roman Dutch purists sought to achieve in respect of South Africa's legal system."

Mr Cameron cited particular appeals, where Mr Justice Steyn was the senior judge, in which offences under these Acts were in issue and arrived at the conclusion that "considerations of individual justice and fairness were neglected ... in the interests of executive freedom of action."

Mr Cameron concluded that the influence of Mr Justice Steyn's "learning, personality and perception of justice was far-reaching and that he left a sombre and considerable legacy".

JUDGE WHO STEERED JUSTICE AWAY FROM HUMAN RIGHTS IN STATE'S FAVOUR IS IN THE OPEN NOW

21/3/82 S. Express

Ex-Chief Justice slated for his flaccid defence of liberty

A UNIQUE and critical analysis of the career of the controversial former-Chief Justice L C Steyn, which appears in the February issue of the South African Law Journal, has caused a stir in legal circles.

The analysis, which mainly relies on decisions made by Mr Justice Steyn in the course of his 16-year career in the Appellate Division, was made by Mr Edwin Cameron, a former law lecturer at the University of the Witwatersrand.

He concluded that Mr Justice Steyn had a "towering but parsimonious intellect; that he was a scrupulous but ungenerous judge; that his attempt to rid South African law of its unique and fundamental connection with English law was not only jurisprudentially and historically unjustified, but ultimately quixotic; that he was an unfettered but — of his own volition — executive-minded judge and that during his term of office a legal temperature, already chill for the survival of human values and the preservation of fundamental freedoms, turned several degrees colder".

The phrase "executive-minded" is used by lawyers to indicate a leaning towards the Government or a public body when its interests are at stake rather than towards the individual, and it occurs often in criticism of the former Chief Justice who retired in 1971 and died five years later.

Reactions in academic legal circles to the article range from welcome of the scrutiny to disagreement with Mr Cameron's conclusions.

Professor John Dugard, head of the Centre for Applied Legal Studies at the University of the Witwatersrand, said that "in other countries academic lawyers frequently examine the legal philosophy of judges.

"In South Africa this has not been seriously attempted in the past largely because of the tendency in our society to place judges beyond reproach and criticism.

"Mr Cameron's article is significant in that it breaks with that tradition and places one of South Africa's most controversial Chief Justices under scrutiny.

"For many years Judge Steyn has been much criticised among practising and academic lawyers because he introduced an executive-minded approach to decisions of the Appellate Division in matters affecting human rights thereby breaking with the more liberal approach of the Appellate Division before his appointment.

"Now the criticism is out in the open. I believe this is a very healthy development. It would be a good idea if the present Appellate Division was subjected to the same scrutiny."

On the other hand, Roman Dutch Law expert Professor T J Scott, of Pretoria University, thought that although Mr Cameron's article was "thoroughly written and well-researched, I am not in accordance with the conclusions he reaches. I find it a bit slanted. It casts a disfavourable light on L C Steyn".

By CATHY KENTRIDGE

Born in 1903, Lucas Cornelius Steyn grew up in what Mr Cameron described as the "difficult 'reconstruction' years of what had become the Orange River Colony.

"The Afrikaner minority was embattled on two fronts: By the numerically overwhelming black population and the British victory over the Boer States in the war of 1899-1902 which threatened to portend the political and cultural eclipse of the Afrikaner people."

Mr Justice Steyn attended the University of Stellenbosch and after what is described as a "brilliant career" in the public service, where he is said to have gained "one of the highest assessment ratings accorded anyone in that institution" he was appointed to the Bench in 1951.

His eight-year rise from being a civil servant, through the ranks of Supreme and Appeal courts, to being appointed Chief Justice in 1959 over the heads of more senior members of the Appellate Division, is described by Mr Cameron as "meteoric".

"The bald facts of his elevation leave no question but that he was the man marked by the new regime (the Nationalist Government came to power in 1948) to be its chief legal officer — a role he filled with utter appropriateness.

"His flaccidity in defence of individual liberty and zeal for rendering unto the executive what he thought due to it no doubt suited a government driven to increasingly repressive statutory measures in order to subdue the dissent which the implementation of its ideology occasioned."

From the outset, Mr Justice Steyn's judicial career was controversial. Contemporary newspaper reports record the decision by the Johannesburg Bar to boycott his court for the first 21 days of his appointment to express "the Bar's strong disapproval and deep concern at the breach of principle, namely, the appointment of a public servant to the Bench".

According to the account the Bar felt this step was necessary "to emphasise the necessity in the public interest for an experienced and independent judiciary.

"A Bench which is, and which is known to be, absolutely independent and absolutely fearless is the foundation of our liberties."

And according to Mr Cameron, the initial fears expressed by the Johannesburg Bar were justified by the nature of the decisions handed down by Mr Justice Steyn in the course of his judicial career.

He was a Roman Dutch law purist who wanted to "terminate the 'special bond' with English law" and did so "not only by firing broadsides but by embarking on a

TANTALUS

Mystery SA role in the Botswana kidnapping intrigue

327

S. Express 21/3/82

BID TO FREE THREE MEN CONVICTED OF ABDUCTION

AN APPEAL has been noted in Botswana against the sentence of three men found guilty of kidnapping South African refugee Peter Lengene who denies he was kidnapped.

By GORDON EDDEY

The appeal was filed in Gaborone on the instructions of a firm of lawyers in South Africa who will not disclose the identity of their client. The three men themselves did not initiate the appeal but were told about it.

Mr Lengene was allegedly abducted from Gaborone on February 6.

But Botswana authorities may still apply for Mr Lengene's extradition so he can face criminal charges for his alleged involvement in an attempted bank robbery.

The appeal is against the sentence of three men who were sentenced to four years' jail after pleading guilty to aiding and abetting the abduction of Mr Lengene.

They are: David Letswalo, 30; George Khoza, 36, and Daniel Kazebu, 32.

Letswalo was identified as a South African Police officer on the charge sheet, and Khoza as an SAP informer. Kazebu is an Angolan refugee living in Botswana.

The appeal against their sentence was noted after Gaborone attorney Mr Richard Lyons was instructed by the South African legal firm of Hofmeyr, Van Der Merwe and Botha.

The three men only found out about the appeal when they were told it was to be noted, according to informed sources.

This led to speculation that the appeal had been initiated by a South African Government department.

However, Mr Arthur de Kock, a partner at Hofmeyr, Van der Merwe and Botha, poured water on this speculation.

"The client for whom we are acting is not the Government. I cannot disclose any more details," he said.

At the same time as the appeal was discovered by the Sunday Express, another interesting allegation emerged.

The three jailed kidnappers were allegedly told they would be sentenced and then deported if they pleaded guilty.

But when sentence was passed they were jailed.

Now, say people in the legal fraternity, the three men may have their sentences set aside on appeal. Alternatively, they could be deported, or would have to complete their jail terms.

On the subject of the attempted bank robbery which allegedly involved Mr Lengene, Mr Simon Hirschfeld, Botswana's Commissioner of Police, said Botswana police may apply for the extradition of the former refugee if enough evidence against him is gathered.

The case on the attempted robbery was not closed after two men — Patrick Ledwada, 21, and Sebale Koko, 30 — were sentenced to nine years' jail and nine strokes by Lobatse senior magistrate Mr Neville Chadwick.

Neither Mr Lengene nor a man named as Paul Mokgethe appeared at the trial.

Meanwhile, the whereabouts of Mr Lengene in South Africa is still shrouded in mystery.

His mother, Mrs Evangelina Lengene, claims he is still in police hands.

But an interview was published last week in which Mr Lengene claimed he was a free agent.

Police have stood by their original statement: "No person with the name furnished is being detained in terms of security legislation in South Africa.

"A person with a similar name is, however, assisting police in the investigation of alleged offences and persons have already been arrested and offensive weapons discovered."

Mr Herbert Lengene, 25, brother of the former refugee, said two weeks ago Mr Peter Lengene was not helping police with any investigations.

Free Mandela mayors

327 S. Times
By RICHARD WALKER
New York 21/3/82

AN appeal for the release of Nelson Mandela and other South African prisoners has been signed by 1 400 mayors in 39 countries.

Signatories range from Atlanta Mayor Andrew Young and New York Mayor Ed Koch — who last month made headlines with his heated assault on the United Nations for its treatment of Israel — to London's Al Gleeson.

Freeman

The Civic Chief of Moscow is included, along with the heads of most major Soviet cities — as are the mayors of Dublin, Bombay, Ankara, Hanoi, Toronto, Christchurch and scores of obscure towns in countries such as Sri Lanka and the Philippines.

So too is the mayor of Victoria in the Seychelles.

Seven Zimbabwe mayors have signed, including those of Salisbury and Bulawayo.

The instigator of the idea was Mr Michael Kelly, the Lord Provost of Glasgow.

Last October Mr Kelly proposed a petition supporting "that most illustrous of Glasgow's citizens, Nelson Mandela".

Last year Mandela was named a freeman of Glasgow.

A total of 23 British and 11 American mayors signed.

France dominates with more than 500 mayors listed in the declaration, which urges the release of prisoners "in a spirit of reconciliation".

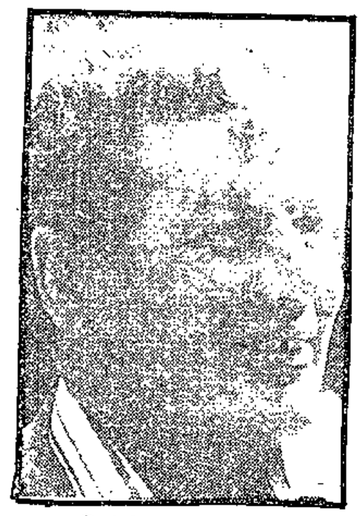
It makes a particular appeal in the case of Mandela.

SUNDAY EXPRESS March 21, 1982

THE MARITZBURG HIJACK TRIAL



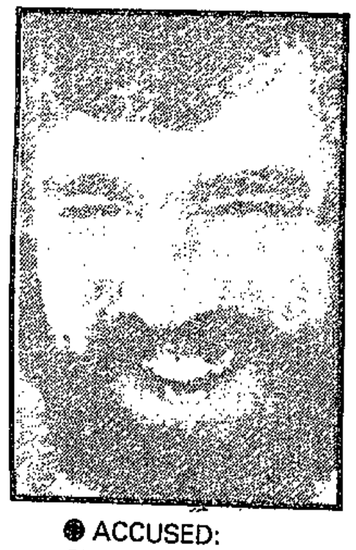
● ACCUSED: Colonel Mike Hoare



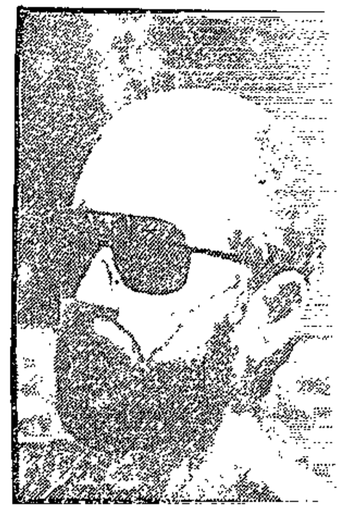
● ACCUSED: Peter Rohwein



● ACCUSED: Peter Duffy



● ACCUSED: Charles Dukes



● ACCUSED: Kurt Priefert

Takeoff (327) — then passengers saw the firearms . . .

Words: Chief Reporter DESMOND BLOW
Picture: DARYL BALFOUR

THE mercenaries hijack trial in Maritzburg continued to be an embarrassment to the Government this week — despite the judge's decision to hear sensitive evidence behind closed doors.

The State, led by Natal Attorney-General Mr Cecil Rees, called several witnesses this week after bringing an application that certain evidence be held in camera at the urging of Mr Piet Combrink, who is holding a watching brief for the Defence Force.

The defence argued vigorously against this but Mr Justice Neville James granted the application on Monday.

Nevertheless, three State witnesses gave evidence in open court which the State might have preferred to have been heard in camera:

● A Bloemfontein doctor, who is a sergeant in No 2 Reconnaisance (Recce) Commando, said one of the reasons he had been prepared to join the so-called mercenaries was because he was told during a briefing that South Africa would have benefited if the attempted coup on the Seychelles had succeeded.

Sgt Christiaan Lodewicus de Jager was giving evidence against 43 men mercenaries who are charged with hijacking an Air India Boeing aircraft.

He said one of the reasons he had been prepared to go to the Seychelles was because he was told in his briefing by Mr Tullio Moneta, Colonel 'Mad' Mike Hoare's second-in-command, that South African Airways was likey to lose its landing rights in Mauritius if a Leftwing government won the forthcoming elections.

Sgt De Jager said he was told the Defence Force was not involved and that he would be on his own. He could not expect help from the Government if anything went wrong.

● Another State witness, Mr Arthur Reid, chief executive for Shell and BP in Central and East Africa, who had been a passenger on the Boeing, said he had overheard a conversation between Col Hoare and Mr Moneta as they landed at Louis Botha airport.

He said Col Hoare had said he was pleased they were to land at Durban as "it gives us the chance to get the general from Pretoria."

Mr Moneta allegedly asked Col Hoare if he wanted to speak to the general and Col Hoare answered: "No, too many people are involved at this stage.

Mr Reid said he was a little angry that "we were involved" and one of the men he spoke to apologised and said: "But for a tragic accident it would have been a bloodless affair and we would have been home by now."

Mr Reid said Mr William Paul, whom he described as the "sergeant major," had told the man: "Don't be so gloomy. It worked."

He said that after the plane had landed there was sudden panic.

"It was the only time Col Hoare showed any emotion. There was some confusion as to whether men on the tarmac were Press or the police. Col Hoare was concerned that they were Press because he had South African Defence Force men aboard.

"But it was clarified that they were police."

● A second passenger, Mr Rashid Ali Mohamed of Lenasia, told the court that after the aircraft had taken off from Mahe airport with the mercenaries aboard, the men had all clapped and shouted "Beauty."

He said he had seen a TV film in which South African Defence Force soldiers shouted the word.

The stop-start hijack trial in Maritzburg's Supreme Court began this week with a four-hour battle about whether some of the proceedings should be held in camera.

Last Friday, after the dramatic evidence by Lieutenant-Colonel Jacob Mouton, head of Railways security in Durban, that one of the 43 accused had told him that seven or eight members of the Government were involved with the hijackers in the coup attempt, the State asked for an adjournment.

There were then consultations with the defence and Mr Combrink about whether the proceedings should be held in camera.

Mr Reid described a young man sitting in front of him as "charming." He described Col Hoare in the same way.

He said he heard Col Hoare saying to Mr Moneta: "I think the boys put up a jolly good show."

Mr Mohamed provided some light moments during his evidence.

He said the merecenaries joined the Boeing in the dark and he thought they were passengers. He said he and other passengers invited the newcomers to sit next to them if there were vacant seats.

The accused laughed when Mr Mohamed said there was clapping and cheering from the mercenaries and shouts of "beauty" when the aircraft took off.

There was laughter again when Mr Mohamed said that when the lights came on "to my surprise my co-passenger had a machine-gun on his lap".

He said a man in the seat next to his wife also had a firearm and so did another next to his son.

There was more laughter when Mr Mohamed said he asked the man beside him: "What's going on?" and the man replied: "Well, you tell me."

Dr De Jager, who turned back at the Swaziland border when he learnt that their weapons had to be taken with them and not picked up at Mahe, was the final 'surprise' witness.

His evidence was heard in open court but the cross-examination was in camera.

This was at the request of the defence because some of the examination involved some members of the Recce being accused of involvement in sensitive military operations.

The case was adjourned at midday on Thursday to enable the defence to study tapes of recordings between the Boeing crew and the control towers at Mahe and Louis Botha airports.



● WITNESS: Sgt Christiaan de Jager — he was told the Defence Force was not involved.

HIJACK: THE ARMY'S MAN

(327) Sunday Express 21/3/82 (~~334~~)

EXCLUSIVE!
PRIVATE
Y OF A
G MAN
— Page 20
n't get me,
nie Mitton
— Page 3

By DESMOND BLOW
Chief Reporter

THE Sunday Express has identified the military officer linked this week to the abortive coup in the Seychelles last November.

He is Brigadier D S (Daan) Hamman of Pretoria, a military officer who, the Sunday Express learnt earlier, apparently played a major part in the operation.

It is alleged Brig Hamman was the man who acquired the weapons for the mercenaries now on trial in the Maritzburg Supreme Court on charges of hijacking an Air India Boeing.

After the men arrived in Durban in the Boeing and it was disclosed that members of No 2 Reconnaisance (Recce) Commando were involved, the South African Defence Force held two investigations.

This was confirmed yesterday by Brig Hamman at his home in Lynnwood, Pretoria.

He told me: "One investigation was into the issuing of call-up papers, and the other was to ascertain where the mercenaries obtained their weapons."

Brig Hamman is obviously an honest and truthful man, and must have told the investigators of his claimed association with the mercenaries.

He is at his military post despite the investigation.

He appeared shocked yesterday when I told him I knew of his involvement.

He refused at first to say anything and walked away.

But when pressed, he said: "I will not say that I did not have prior knowledge of what was happening."

I asked Brig Hamman: "Do you deny that you gave them (the mercenaries) the Communist weapons?"

He replied: "I don't want to

To Page 2

Brigadier confirms inquiries on arms and call-up papers

Q4. The 'Homelands' of
have been alloca
their country. The
extended by the
determined the
farm lands w the
farming is seen
white commercial
the total agricul
reserve farmers w
8-10% w their st
results at a min
Investigations in
in the homelands
much effect.
In 1932 the Fa
established the
simple increase
the economy of
ified w thereby stabilized. It made recommendations
for the introduction of industry into the home-
lands thereby providing employment within
the reserves outside of agriculture w providing in-
come within that would raise living standards
above the poverty datum line.
By 1950 nothing had been done. No changes had
been made to attempt an improved economic
situation.
In 1952 the Tomlinson Commission was appointed
which was to investigate the same concern
w to provide a blue print for public action
toward development. The commission came to

Hijack: Officer confirms inquiries

21/3/82

From Page 1

say anything about that."

The brigadier gave me the impression of being a very upright soldier, who would take responsibility for any of his actions, even if taken with the knowledge of higher authority.

When I told him there were reports that he had acted with the knowledge of members of the Cabinet, he replied: "I do not speak to the Cabinet.

"In my position I deal with many sensitive issues and make decisions on them. It is not necessary for me to tell my superiors. I do not need to go to higher authority unless money is involved.

"A Public Servant is responsible for what he does," he said.

Brig Hamman said that if any of the mercenaries were making accusations "they will hang themselves".

● Hijack trial — Page 14

a viz the reserves which
black inhabitants of
Act, later reinforced w
and w Trust Act in 1936
- of white and black
he evidence for poor
act that by 1870 statistics
e producing 84% of
t of maize and black
ning only 8-10%. That
Subsistence farming
hwarted stunted low production
ere conducted without
sion w Report thereafter
there could be no
ultural output unless
omelands was diversi-
for the introduction of industry into the home-
lands thereby providing employment within
the reserves outside of agriculture w providing in-
come within that would raise living standards
above the poverty datum line.
By 1950 nothing had been done. No changes had
been made to attempt an improved economic
situation.
In 1952 the Tomlinson Commission was appointed
which was to investigate the same concern
w to provide a blue print for public action
toward development. The commission came to

Hijack trial



Mahe coup botched at planning stage

(327)
S. Milburne 21/3/82

TRIBUNE REPORTER

A DISMAL lack of planning in the botched coup of the Seychelles came to light at the hijack trial here when the first account of the recruitment of South African mercenaries was revealed by a sergeant in the elite Reconnaissance Commando.

Describing how he was conscripted by telephone to take part in the Mahe coup attempt, Sergeant Christiaan de Jager told of how he attended only two meetings before the main party of mercenaries left South Africa on their abortive mission.

At the first meeting, Mr de Jager told the court, he was supposed to be given R1 000 for signing up. He was told, however, that Colonel Mike Hoare, the group leader, could not make it to the meeting, attended only by himself and two other men, and he would be paid later.

The second meeting took place only the day before the group left and until then the men had not known what weapons they would be using, Mr de Jager said.

At the meeting on November 23, addressed by Colonel Hoare, the men were merely told that the coup would take place some time after they arrived in the Seychelles — probably "in the same week".

The recruits were also then divided into groups and were told that the objectives on the island of Victoria were to be the airport, the barracks and [illegible]

A contract setting out the terms for payment of the R10 000 balance also itemised military "specialities", Mr de Jager told the Acting Judge President, Mr Justice James, and two assessors.

Their cover for travelling to the islands was to be as members of the Ancient Order of Frothblowers and weapons would be supplied on their arrival at the islands.

Mr de Jager said the group left for Ermelo on November 24 and the men stayed there overnight.

The men were told that each man would receive a new suitcase.

Early the next morning he learnt that the new cases contained weapons and the men would be expected to carry them through customs.

"The risk of going through customs with a weapon was too great, so I left for home," Mr de Jager said.

Mr de Jager was the third witness not on the list of State witnesses to be called to give evidence in the trial in which Colonel Hoare, 63, and his alleged band of 42 mercenaries are facing charges of hijacking an Air India Boeing from Mahe airport on November 25 last year.

The cross-examination of Mr de Jager was carried out behind closed doors after defence counsel warned that their questioning of the witness would cover a greater ambit than that of the State.

As there was a danger of facts that were "not in the interests of State security" being heard, the court proceedings were closed to the public.

Intermittent rifle fire could be heard while the jet was parked on the airport apron, Mr Arthur Reid, chief executive for Shell and BP in Central and East Africa, and Mr Rashid Mahomed, a Lenasia businessman, told the court.

Mr Reid said he had heard Colonel Hoare telling another man: "We made a good choice in Durban. It has the element of surprise and gives time to get the general from Pretoria."

The trial resumes tomorrow.

Kitson's daughter arrives in SA

Argus 23/3/82

327

Argus Correspondent

JOHANNESBURG.— Miss Amandla Kitson, 19, daughter of David Kitson, who is serving a 20-year jail sentence for sabotage, arrived in South Africa today for a five-day stay.

Miss Kitson was met by Mr Ray Goldstein, a friend of her brother, Stephen, who was detained briefly last Christmas when he came to visit his father.

Mr Stanley Clinton Davis, Labour Party MP, and chief opposition spokesman for Southern Africa is accompanying Miss Kitson.

'I have only come here to see my father,' said Miss Kitson. 'I have no other reason for coming here.'

She said she was 'angry' that a visa had not been granted to her journalist friend, Jill Tweedie of the Guardian newspaper. 'We have been given no reason as to why she was refused a visa.'

Miss Kitson said she had last seen her father two years ago. On this visit, she hoped to see David Kitson at least twice.

'My first visit has been arranged for Wednesday but I am not sure of any further arrangements,' she explained. She said her visit had not been made subject to any preconditions but she was apprehensive about returning to South Africa.

Questioned further on how it felt to be in South Africa, Miss Kitson replied: 'Well I am home.'

Jet's landing was unusual, Court told

Pietermaritzburg Bureau

THE landing of an Air India jet at Louis Botha Airport in Durban in November last year had not been normal, two air-traffic controllers told the hijack trial yesterday.

Both Mr P W Stanton and Mr A R Griffiths, who talked to the allegedly hijacked jet as it made its landing, referred to tape recordings made while the plane was in flight.

It was unusual, they said, for a pilot to request information about what navigational facilities were available to assist in landing because it was normal practice for the crew to study this before the plane took off.

Mr Griffiths said the pilot had requested that senior security personnel and a doctor be waiting for the plane.

However, when the plane landed, the pilot had insisted that a civilian ambulance be removed from its position near the plane.

'I thought it strange as he had requested a doctor,' Mr Griffiths said.

Both men agreed that it sounded as though the pilot was acting on the orders of somebody else.

There had been no warning that a hijacking had taken place because Louis Botha Airport did not have SSR radar which a pilot could use to warn that a hijack was in progress without alerting the hijackers, Mr Griffiths said.

Two miss proceedings

Pietermaritzburg Bureau

TWO of the 43 alleged hijackers of an Air India jet missed proceedings in the Supreme Court here yesterday after being excused attendance.

The first person granted leave not to attend the day's proceedings by the Acting Judge President, Mr Justice James, was Mr Desmond Botes, of Durban, who was too ill to attend the hearing.

Shortly after the lunch adjournment, another of the men, Mr Sven Forsell, was given leave to go after it was announced that his wife had been injured in a car accident near Newcastle.

Mr Justice James said Mr Forsell should be back in court with his co-accused on Wednesday.

Mercury Seychelles

FROM PAGE 1

When the aircraft was in its final approach, Mr Loustau-Lalanne said he requested that the runway be examined because he was sure there was an obstruction near one end.

His request had been relayed by walkie-talkie by one of the men and the pilot had been warned to land 'deep', he said.

'At the same time I saw two red pyrotechnic rocket flares which had been fired across the final approach track of the aircraft.

'This was followed by a series of red flares and I was surprised to see that the Air India jet continued on its stabilised approach.'

The flight had landed about 10 45 p m and Mr Loustau-Lalanne requested that he be taken back to the traffic office to rest.

There was still heavy firing when some of the men entered the traffic office looking for personnel to refuel the plane.

He was taken to the arrivals hall where he found the captain and co-pilot of the Air India jet, some armed men and the man who was in control of the operation.

'He, the leader, informed me the plane should never have landed and that he was prepared to negotiate with the Government and instructed Patrick Elizabeth, the duty officer of the handling agent, to telephone the Commissioner of Police.

'I was then requested to speak to the authorities who said the Air India flight would be allowed to take off safely.

'Our army would hold its fire from then until the safe departure of the aircraft, but the armed men were not to board the plane.

'I then ordered that a runway inspection be carried out,' Mr Loustau-Lalanne said.

Later, he said, he spotted the leader with the captain and co-pilot walking towards the plane, followed by another half-a-dozen armed men.

'Soon afterwards I was escorted to the traffic office and joined the rest of the hostages. Two armed men then proceeded to cut or tear all the telephone lines and switchboard.'

The men left and he then heard the jet starting up, apparently using emergency power instead of the normal ground unit starter, and taking off.

Mr Mike Hannon and Mr Eddie Stafford, SC, who are appearing for the accused, said they would oppose the application when Court resumed today.

SA blamed for Cabora sabotage

Mail Correspondent

LISBON. — Mozambique has accused South Africa of deliberate economic sabotage against key rail and power installations in the country in a bid to keep Mozambique dependent on Pretoria.

Maj Gen Jacinto Soares Veloso, Mozambique's Security Minister, claimed in a Lisbon newspaper interview at the weekend that South Africa was masterminding sabotage of the Cabora Bassa hydro-electric scheme's power lines and rail networks between Maputo and South Africa.

He said hardline South African military chiefs were overriding the advice of business and civilian leaders and stepping up aggressive tactics against Mozambique on the pretext of wiping out guerrilla opponents allegedly based inside the country.

The minister said Escom, the South African electricity company, had told Portugal, which administers the Cabora Bassa dam company until full debt repayment on construction costs has been completed, that it could not negotiate higher power prices because of the uncertainty of supplies from the dam.

"Yet it is the South African military authorities themselves who order the sabotage of the power lines carrying electricity to South Africa," the minister complained.

Guerrillas of the Mozambique National Resistance Movement, said to have overt South African backing, have been responsible for regular attacks on power pylons from the dam, interrupting supplies for many months and depriving the Portuguese Government of revenue for loan repayments.

Portugal recently sent a mission to Maputo in a bid to persuade the Government there to step up its campaign against the guerrillas so that Portuguese technicians could repair sabotage damage and get power flowing to South Africa, which relies on the dam for between 12% and 16% of its total electricity needs.

● A spokesman for the South African Defence Force said last night: "General Veloso is obviously quite uninformed about circumstances in Mozambique.

"He does not take cognisance of the fact that there is a civil war in Mozambique, and uses the old habit of blaming South Africa for problems in his country."

rds

ARIES

from ARAM
of R15,00 or

April 10.

— 783-5212
42-9272

SA blamed for Cabora sabotage

Mail Correspondent

LISBON. — Mozambique has accused South Africa of deliberate economic sabotage against key rail and power installations in the country in a bid to keep Mozambique dependent on Pretoria.

Maj Gen Jacinto Soares Veloso, Mozambique's Security Minister, claimed in a Lisbon newspaper interview at the weekend that South Africa was masterminding sabotage of the Cabora Bassa hydro-electric scheme's power lines and rail networks between Maputo and South Africa.

He said hardline South African military chiefs were overriding the advice of business and civilian leaders and stepping up aggressive tactics against Mozambique on the pretext of wiping out guerrilla opponents allegedly based inside the country.

The minister said Escom, the South African electricity company, had told Portugal, which administers the Cabora Bassa dam company until full debt repayment on construction costs has been completed, that it could not negotiate higher power prices because of the uncertainty of supplies from the dam.

"Yet it is the South African military authorities themselves who order the sabotage of the power lines carrying electricity to South Africa," the minister complained.

Guerrillas of the Mozambique National Resistance Movement, said to have overt South African backing, have been responsible for regular attacks on power pylons from the dam, interrupting supplies for many months and depriving the Portuguese Government of revenue for loan repayments.

Portugal recently sent a mission to Maputo in a bid to persuade the Government there to step up its campaign against the guerrillas so that Portuguese technicians could repair sabotage damage and get power flowing to South Africa, which relies on the dam for between 12% and 16% of its total electricity needs.

● A spokesman for the South African Defence Force said last night: "General Veloso is obviously quite uninformed about circumstances in Mozambique.

"He does not take cognisance of the fact that there is a civil war in Mozambique, and uses the old habit of blaming South Africa for problems in his country."

Boeing in court order drama

Court Reporter

THE sheriff was yesterday authorised by the Rand Supreme Court to attach a Boeing 707 jet aircraft belonging to a Zaire company.

It was parked at Jan Smuts Airport and was due to leave within a few hours.

The Zaire company had failed to pay for R171 882 worth of meat and milk powder bought from Silverpride Sales (Pty) Limited, of Braamfontein, Johannesburg, the court was told.

An urgent application for attachment of the aircraft to found jurisdiction was brought by Silverpride before Mr Justice Van der Walt.

Mr Frederick Johannes Wessels, a Silverpride representative said his company had delivered meat and milk powder to Inter-Fret, of Kinshasha in Zaire, between October 20 and December 1 last year for which Inter-Fret was obliged to pay US $201 189. Inter-Fretpaid only $35, leaving an outstanding balance of R171 382, the court was told.

Inter-Fret was the owner of a Boeing 707 jet aircraft, now parked at Jan Smuts Airport, the court was told.

The aircraft was due to depart on March 23 but for technical reasons it was being delayed for a day or two. The aircraft was the only asset of Inter-Fret in South Africa and was due to leave in the next few hours, it was alleged.

Secunda gets a spanking new post office

Mail Reporter

A R900 000 post office was opened in Secunda yesterday by the Minister of Posts and Telecommunications, Mr Hennie Smit.

Postal income at Secunda is now R271 000 annually with nearly 5,8-million postal articles delivered and 3,5-million articles posted every year.

The new post office, with a staff of 34, will operate 6 500 private postboxes.

Two mail collecting points each with 600 postboxes are planned in the suburbs where people may collect mail.

The building in which the Secunda Post Office was housed originally will become a branch post office.

'Clients' draw cash at gunpoint

Mail Reporter

THREE robbers escaped with R3 000 in cash yesterday morning after holding up a building society branch in Braamfontein, Johannesburg.

An employee, Mrs Magda McAdam, said: "I thought they were clients and asked them if they needed any help."

Then one pulled a gun and told her to fill bank bags with money. As she opened the cash drawer, she set off the alarm.

Once the bags had been filled, the man grabbed them and fled with his two accomplices.

No arrests have been made.

Meanwhile it was a bad weekend for three overseas tourists in Johannesburg, victims of city centre muggings.

Mr Peter Borg, 50, a Briton, was robbed in Noord Street by two men with knives who took his wallet, documents and watch, total value R600.

A Californian tourist, Mr Robert Riedel, 44, was thrown to the ground in Noord Street by four men who removed his wallet containing R200.

And Mr Lee Doape, 44, of the United States, was robbed by three men of his cash and personal documents, to the tune of about R650.

A man is in serious condition in the Hillbrow Hospital after being shot in the head when he allegedly threatened a Bree Street jeweller, Mr Michael Hruschuka, with a knife on Saturday.

Late on Sunday night, a watchman at the Legal and General Building in Orange Grove was held up by four men.

They tied him up, broke into an office on the second floor of the building and took cash, several gold medallions and a 0,35 Browning pistol.

The total value of the haul has not yet been estimated.

DON'T LOSE THIS ADVERT

day, March 23, 1982

Mercury 23/3/82

Durban union's files seized

Mercury Reporter

THE Durban-based National Domestic Workers' Union has had to postpone its annual general meeting because all the administration files and records have been confiscated by the Security Branch.

The files and other office equipment, including a typewriter, were confiscated on March 13, when Mr Matthews Oliphant, general secretary of the National Federation of Workers, to which the National Domestic Workers' Union is affiliated, was detained.

Mr Oliphant was later transferred to John Vorster Square in Johannesburg where he is being held under Section 22 of the General Law Amendment Act.

The union's national organiser, Mr Magwaza Maphalala, said yesterday that although the annual general meeting had to be postponed, the Domestic Workers' Union had held a meeting and had issued the following statement:

Conditions

'The union requests both local and international labour organisations to support the struggle of domestic workers and farm labourers to be included in the country's labour legislation.

'The union urges the Housewife's League of South Africa to meet the minimum conditions of employment for domestic workers laid down by the union.'

The minimum conditions of employment are a wage of R110 a month for full-time domestic workers and a daily wage of R10 for part-time workers.

The statement also called for church bodies to support domestic workers who were being exploited by employers or Government bodies, and demanded the immediate release of all people in detention without trial.

Year	Total
1970	
1971	
1972	
1973	
1974	
1975	
1976	
1977	
1978	
1979	
1980	

Kitson in SA to see father

CAPE Times 24/3/82 327

Own Correspondent

JOHANNESBURG. — Miss Amandla Kitson arrived here yesterday to visit her father, Mr Ian Kitson, who has been jailed for 20 years for sabotage while a member of the banned African National Congress.

Miss Kitson, 19, is accompanied on her six-day visit to South Africa by the family lawyer and Labour Party spokesman on South Africa in the House of Commons, Mr Stanley Clinton-Davies.

Her visit follows an outcry in Britain late last year when her brother Steven was detained in South Africa for six days for allegedly planning to help his father in an escape attempt.

Police have claimed that Mr Kitson made sketches of the prison while waiting to see his father.

Refused entry

Miss Kitson and Mr Clinton-Davies arrived at the Jan Smuts Airport without her would-be chaperone, Guardian journalist Miss Jill Tweedie, who was refused entry to South Africa because she did not have a special visa — a requirement for visiting journalists.

Miss Kitson told reporters that she was angry about the refusal.

They were met at the airport by a family friend, Mr Ray Goldstein and the British vice-consul, Mr Brian Baldwin and his wife.

Asked whether she did not fear she might be detained as well, Miss Kitson told reporters: "No, I have Mr Clinton-Davies with me."

Prison authorities have given Miss Kitson permission to visit her father in the Pretoria Central Prison today — for the first time in two years — but she said yesterday she hoped to see him on Friday as well.

Mr Clinton-Davies said he had accompanied Miss Kitson solely to look after the interests of the family and would not be "discussing policies" with the South African Government.

He had, however, told the South African Consulate in Britain that he would also like to visit Mr Kitson in jail, and see "the minister responsible for security matters" — Mr Kobie Coetzee, Minister of Justice.

"I haven't had the politest of replies, which is quite surprising," Mr Clinton-Davies said. He did not elaborate.

He said he did not know whether his requests would be granted.

There were no conditions attached to Miss Kitson's visit to South Africa, Mr Clinton-Davies said.

Miss Kitson's father, Mr Ian David Kitson, 63, is the longest-serving British political prisoner in South Africa. He was jailed for sabotage in 1964 and his due for release in two years' time.

Court told of Boeing's hijack call

Argus Correspondent

MARITZBURG. — The Air India crew hit the hijack button, the first man from South Africa to make radio contact with the plane told the Maritzburg Supreme Court yesterday.

A Jan Smuts traffic controller, Mr Dirk Hoogewind, told of his growing suspicions about a hijack based on radio messages transmitted from the Boeing.

At 1 am SAST on November 26 he received a 'high priority' teleprinted signal from Mauritius saying the flight was diverting from Mahe to Durban in 'extreme emergency.'

ILLOGICAL

'The signal seemed illogical to me. I couldn't understand why the aircraft had not rather gone to other airfields on the East Coast,' Mr Hoogewind said.

Durban was further from Mahe Airport than Bombay, he added.

The conversations between the control tower and the aircraft were taped and a transcript was handed to the court.

Mr Eddie Stafford, appearing for 10 accused, admitted the transcript was correct, but not the truth of the contents and the origin of the voices.

At 2.05 am Mr Hoogewind contacted the Boeing over high-frequency radio.

EMERGENCY

Johannesburg: I believe you have an emergency. Can you explain what the emergency is? Over.

Air India: Okay. Will get back to you in two minutes. Stand by. Will get that message from the guys concerned.

Four minutes later the plane radioed back to say it had diverted to Durban because of damaged flaps.

'Unable explain further,' the transcript read.

Mr Hoogewind said: 'I was very suspicious because the captain should have been able to tell me this immediately. I thought there had possibly been a hijack.'

Mr Hoogewind asked for crew and passenger details, tagging on the question: 'Have you got a transponder,' in a hopefully inconspicuous way.

The plane replied they had one on board and it was on.

He explained to the court that the pilot could send a secret code through the transponder to warn air control the aircraft had been hijacked.

At that stage, at 2.12 the plane was outside the radar's 320 km range.

(Proceeding)

'No' to Suzman's plea for Robben Island 'lifers'

ARGUS 25/3/82

327

Parliamentary Staff

THE Minister of Justice, Mr H J Coetzee, rejected an Opposition plea in the Assembly yesterday for a more lenient attitude to political prisoners serving life sentences on Robben Island

The issue was raised by Mrs Helen Suzman (PFP Houghton) during the second-reading debate on the Prisons Amendment Bill, which provides for the establishment of an advisory release board.

The board will, among other matters, advise the Minister on the basis on which remission of sentences ought to be granted to different categories of prisoners.

Supporting the Bill, Mrs Suzman said the time had come for serious consideration to be given to the granting of remission of sentences for crimes against the State.

According to her information there were 486 prisoners in this category on Robben Island.

Mrs Suzman said 38 of the prisoners were serving life sentences and as far as she knew 'lifers' in this category received no remission of sentences.

Mr Z P le Roux (NP Pretoria West) said the general policy in regard to the release of prisoners was 'wide and open'.

There was not only a theoretical but also a practical situation to be considered.

Prisoners could not simply be released into society. The interests of the community had to be taken into account.

Replying to the debate, the Minister of Justice said Mrs Suzman should see prisoners serving sentences for crimes against the State as 'a category of their own'.

Among them were people who had been responsible for serious crimes of violence.

In such matters the interests of the community had to be considered.

In certain cases of stock theft, for example, there were prisoners who could not be considered for early parole or unconditional release.

Mr Coetsee said factors taken into account when remission of sentence was considered included the interests of the community, the interests of the State and the interests of the prisoners themselves.

Big boost for decentralisation

Parliamentary Staff

THE Government is to pump R106-million into decentralising industry in South Africa over the next year.

Most of the money will go in concessions to industrialists who are prepared to go along with the Government's decentralisation policy.

The Prime Minister, Mr P W Botha, who launched the programme of decentralisation at the Good Hope business leaders conference earlier this year, has made decentralisation one the central pillars of his administration.

Last year a comparatively low amount of R45-million was spent on the programme.

Examples of subsidies are R19 100 000 on electricity and R10-million for the creation of employment opportunities.

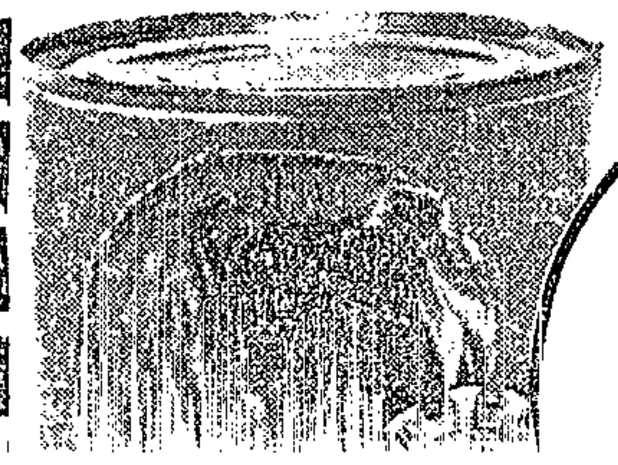
A considerable amount which is not reflected in the estimates will also be lost by the Government in tax concessions.

Go-ahead for

Javelin meet back?

OK KENILWORTH SUPERSTORE SPECIALS

(6 per customer)



Din Din Dog Food

21C

327

LYS/LIST P82/27

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/2/145	***Master of Ecstasy/Her Kinky Fantasies*** (Beeline Double Novel)	Hy Nee/May Besoone	(a)
P82/2/28	***Sexual Fiction***	Maurice Charney	(a) + (b)
P82/2/59	***From Here to Virginity***	Fiona Richmond	(a)
P82/2/60	***On the Road***	Fiona Richmond	(a)
P82/2/141	***Techniques of Photographing Girls***	Peter Barry	(a)

No. 589 26 Maart 1982

VERBOD OP BESIT VAN ONGEWENSTE PUBLIKASIES

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, wat kragtens artikel 11 (2) van genoemde Wet beslis het dat die ondergenoemde publikasies ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet, het kragtens artikel 9 (3) van genoemde Wet die besit van genoemde publikasies verbied. Genoemde verbod is kragtens artikel 9 (5) van genoemde Wet deur die Appèlraad oor Publikasies bekragtig.

No. 589 26 March 1982

PROHIBITION ON POSSESSION OF UNDESIRABLE PUBLICATIONS

A committee referred to in section 4 of the Publications Act, 1974, which decided under section 11 (2) of the said Act that the undermentioned publications are undesirable within the meaning of section 47 (2) of the said Act, has under section 9 (3) of the said Act, prohibited the possession of the said publications. The said prohibition was confirmed by the Publications Appeal Board under section 9 (5) of the said Act.

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/1/13	***Forward to People's Power: 16 Dec Umkhonto Day*** (Kleefseël/Sticker)	Nie vermeld nie/Not stated	(e)
P81/11/37	***New Dawn***—Vol 1, No 2, '81 (Edition on South Africa)	Nie vermeld nie/Not stated	(e)
P81/12/9	***Class Struggle*** (Speletjie/Game: Voorwerp/Object)	Class Struggle, Inc, New York	(e)
P81/12/45	***To be Born a Nation: The Liberation Struggle for Namibia***	Department of Information and Publicity, SWAPO of Namibia, Luanda, Angola	(e)
P81/12/94	***December 16th: The 20th Anniversary of Umkhonto Wesizwe***, (Pamflet/Pamphlet) (sic)	Nie vermeld nie/Not stated	(e)
P82/1/98	***Freedom Charter, The***—Gedruk binne gewone verkoopspamflet/Printed inside ordinary sales pamphlet (Pamflet/Pamphlet)	Nie vermeld nie/Not stated	(e)
P81/11/104	***Dancing Nymphs***	Robert Wahl	(a)
P81/11/106	***Amandla***—Vyfde Jaargang, Nummer 8/9, Augustus/September 1981	Komitee Zuidelijk Afrika (Angola Comité), Amsterdam	(e)
P81/12/6	***Gods Power is the People's Power*** (Pamflet/Pamphlet)	Nie vermeld nie/Not stated	(e)
P81/12/18	***Tclsac Reports***—Sept/Oct 1981	Toronto Committee for the Liberation of Southern Africa, Toronto, Ontario, Canada	(e)
P81/12/19	***Sechaba***—October 1981	African National Congress of South Africa, Lusaka, Zambia	(e)
P81/12/24	***"We, the People of South Africa, . . ."*** (Pamflet met Freedon Charter/Pamphlet with Freedom Charter)	Nie vermeld nie/Not stated	(e)
P81/12/26	***Jawaharlal Nehru Award for International Understanding—Presidential Address—14 November 1980***	African National Congress (South Africa), Department of Information & Publicity	(e)
P81/12/29	***Freedom Songs from Azania***	Luyanda ka Msumza	(e)
P81/12/42	***Ayivive!!***—No 1 & No 2	African National Congress	(e)
P81/12/43	***Message to the People of South Africa by Comrade President Oliver Tambo on the occasion of the 69th Anniversary of the African National Congress***—January 8th, 1981	African National Congress	(e)
P81/12/44	***Freedom Charter, The*** met aanhef op die agterkant/with heading on reverse side ***"Non-racial democrats' hold first assembly"*** (Pamflet/Pamphlet)	Nie vermeld nie/Not stated	(e)
P81/12/65	***STP Socialism: Theory and Practice***—No 9, September 1981	Novosti Press Agency	(e)
P81/12/69	***MEDU Newsletter***—Vol 3, No 3	MEDU Art Ensemble, Gaborone, Botswana	(e)
P81/12/69	***No to Resettlement!*** (Plakkaat/Poster)	MEDU Art Ensemble, Gaborone, Botswana	(e)
P81/12/72	***Letter to Churches*** (Pamflet/Pamphlet)	African National Congress, Lusaka, Zambia	(e)
P81/12/72	***Appeal of the African National Congress on the 70th Anniversary of its Foundation*** (Pamflet/ Pamphlet)	African National Congress, Lusaka, Zambia	(e)
P81/12/72	***General Guidelines of Activities for marking the 70th Anniversary of the African National Congress*** (Pamflet/Pamphlet)	African National Congress, Lusaka, Zambia	(e)
P81/12/73	***International Day of Solidarity with South African Political Prisoners***—Press Release A/30, 4/10/81	The Afro-Asian Peoples' Solidarity Organization (AAPSO)	(e)
P81/12/74	***Kill the Traitors!*** Pamflet/Pamphlet	African National Congress	(e)

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/12/74	*MK Strikes against Mpimpis!* (Pamflet/Pamphlet)	African National Congress	(e)
P81/12/74	*Their case in closed . . .* (Pamflet/Pamphlet	African National Congress	(e)
P81/12/83	*Workers' Unity*—Issue No 28, November 1981	South African Congress of Trade Unions, London	(e)
P81/12/91	*Namibia Today*—Vol 5, 7/81	SWAPO, Department for Information and Publicity, Luanda	(e)
P81/12/96	*All God's Children* (Grammofoonplaat/Gramophone Record)	John Baptiste	(e)
P81/12/113	*Castro*	John Griffiths	(e)
P82/1/7	*Observe Heroes' Day—December 16th, 1981* (Vlugskrif/Leaflet)	African National Congress	(e)
P82/1/12	*Forward*—Vol 1, November 1981	ANC Youth	(e)
P82/1/15	*People's Hero: Solomon Mahlangu* (Vlugskrif/Leaflet)	Nie vermeld nie/Not stated	(e)
P82/1/16	*ANC South Africa—70th Anniversary*, 1912–1982, 1982 Diary	African National Congress	(e)
P82/1/18	*Mayibuye*—No 10, 1981	African National Congress	(e)
P82/1/18	*Mayibuye Special Issue*—No 11, 1981	African National Congress	(e)
P82/1/32	*African Communist, The*—No 60, First Quarter 1975	Inkululeko Publications, London	(e)
P82/1/33	*African Communist, The*—No 69, Second Quarter 1977	Inkululeko Publications, London	(e)
P82/1/37	*Anti-Apartheid News*—December 1981	Anti-Apartheid Movement, London	(e)
P82/1/42	*Bericht über die tätigkeit Des 3. Zentralkomitees der Kommunistischen Partei Deutschlands/Marxisten-Leninisten*	Verlag Roter Morgen, Dortmund, West Germany	(e)
P82/1/59	*Zed Pan Africa Handbook, The*—1982	Zed Press, London	(e)
P82/1/60	*Focus on Political Repression in Southern Africa*—No 37, Nov–Dec 1981	International Defence and Aid Fund for Southern Africa, London	(e)
P82/1/60	*International Defence & Aid Fund*—Briefing Paper on Southern Africa—No 3, November 1981	International Defence and Aid Fund for Southern Africa, London	(e)
P82/1/67	*Freedom for Nelson Mandela and all Political Prisoners in South Africa!* (Kleefseël/Sticker)	World Federation of Democratic Youth	(e)
P82/1/99	*Unity in Action—70* (Feesgety Groetekaart/Seasonal Greetings Card)	Nie vermeld nie/not stated	(e)
P82/1/102	*Unity in Action—1912–1982* (Kleefseël/Sticker)	Nie vermeld nie/Not stated	(d)
P82/1/102	*Lion of Chiawelo—Petrus Linda Jabane* (Kleefseël/Sticker)	Nie vermeld nie/Not stated	(d)
P82/1/102	*Heroic Soldier—Steven Ngcobo* (Kleefseël/Sticker)	Nie vermeld nie/Not stated	(d)
P82/1/102	*People's Hero—Joe Gqabi* (Kleefseël/Sticker)	Nie vermeld nie/Not stated	(d)
P82/1/102	*Heroic Worker Poet—Vuyisile Mini* (Kleefseël/Sticker)	Nie vermeld nie/Not stated	(d)
P81/12/74	*Habashwe!! Abafe!! Death to the Mpimpis! Death to the Traitors!* (Pamflet/Pamphlet)	African National Congress	(e)

No. 590 26 Maart 1982

TERSYDESTELLING VAN VERKLARING DAT PUBLIKASIES ONGEWENS IS

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 15 (2) van genoemde Wet op hersiening beslis dat die ondergenoemde publikasies nie binne die bedoeling van artikel 47 (2) van genoemde Wet ongewens is nie. Die ondergenoemde inskrywings ten opsigte van die publikasies word hierby geskrap:

No. 590 26 March 1982

SETTING ASIDE OF DECLARATION THAT PUBLICATIONS ARE UNDESIRABLE

A committee referred to in section 4 of the Publications Act, 1974, decided under section 15 (2) of the said Act on review that the undermentioned publications are not undesirable within the meaning of section 47 (2) of the said Act. The undermentioned entries in respect of the publications are hereby deleted:

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
P82/3/44	*Kwestie van warmte omhulling, Een*	Printed in Denmark by Aug. Laursen	In SK./G.G. 5417, GK./G.N. 312 van/of 4/3/77.
P82/2/75	*Assistant, The*	Bernard Malamud	In GK./G.N. 1036 van/of 17/11/61.

No. 591 26 Maart 1982

PUBLIKASIES OF VOORWERPE.—APPÈL DEUR DIREKTORAAT

Die Direktoraat van Publikasies het op 11 Maart 1982 kragtens artikel 13 van die Wet op Publikasies, 1974, appèl aangeteken teen die beslissing op 3 Maart 1982 van 'n komitee bedoel in artikel 4 van genoemde Wet dat die ondergenoemde publikasie binne die bedoeling van artikel 47 (2) (b) van genoemde Wet ongewens is:

No. 591 26 March 1982

PUBLICATIONS OR OBJECTS.—APPEAL BY DIRECTORATE

On 11 March 1982 the Directorate of Publications appealed under section 13 of the Publications Act 1974, against the decision on 3 March 1982 of a committee referred to in section 4 of the said Act, that the undermentioned publication is undesirable within the meaning of section 47 (2) (b) of the said Act:

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author of producer
P82/2/122	***Wits Student***—Vol 34, No 1	Student's Representative Council, University of the Witwatersrand, Johannesburg.

No. 592 26 Maart 1982

PUBLIKASIES OF VOORWERPE.—APPÈL DEUR DIREKTORAAT

Die Direktoraat van Publikasies het op 11 Maart 1982 kragtens artikel 13 van die Wet op Publikasies, 1974, appèl aangeteken teen die beslissing op 8 Maart 1982 van 'n komitee bedoel in artikel 4 van genoemde Wet dat die ondergenoemde publikasie binne die bedoeling van artikel 47 (2) (a) van genoemde Wet ongewens is:

No. 592 26 March 1982

PUBLICATIONS OR OBJECTS.—APPEAL BY DIRECTORATE

On 11 March 1982 the Directorate of Publications appealed under section 13 of the Publications Act, 1974, against the decision on 8 March 1982 of a committee referred to in section 4 of the said Act, that the undermentioned publication is undesirable within the meaning of section 47 (2) (a) of the said Act:

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author of producer
P82/1/25.....	***Rabbit is Rich***	John Updike.

No. 593 26 Maart 1982

WET OP PUBLIKASIES, 1974

ROLPRENT

Die Appèlraad oor Publikasies het kragtens artikel 24 van die Wet op Publikasies, 1974, die voorwaardelike goedkeuring van die ondergenoemde rolprent deur 'n komitee bedoel in artikel 4 van genoemde Wet gewysig deur te bepaal—

dat die ondergenoemde rolprent nie aan persone in die ouderdomsgroep 2–14 jaar vertoon mag word nie:

No. 593 26 March 1982

PUBLICATIONS ACT, 1974

FILM

The Publications Appeal Board under section 24 of the Publications Act, 1974, varied the conditional approval of the undermentioned film by a committee referred to in section 4 of the said Act by stipulating—

that the film shall not be exhibited to persons in the age group 2–14 years:

Inskrywing No. Entry No.	Rolprent Film	Vertoëmaker Representer
R81/12/72.....	***A Woman is a Woman*** (Frans met Engelse onderskrif/French with English subtitles)	Intervision.

No. 594 26 Maart 1982

WET OP PUBLIKASIES, 1974

ROLPRENT

Die Appèlraad oor Publikasies het kragtens artikel 24 van die Wet op Publikasies, 1974, die voorwaardelike goedkeuring van die ondergenoemde rolprent deur 'n komitee bedoel in artikel 4 van genoemde Wet gewysig deur te bepaal—

(a) dat die ondergenoemde rolprent nie aan persone in die ouderdomsgroep 2–14 jaar vertoon mag word nie; en

(b) dat sekere weglatings aangebring moet word.

No. 594 26 March 1982

PUBLICATIONS ACT, 1974

FILM

The Publications Appeal Board under section 24 of the Publications Act, 1974, varied the conditional approval of the undermentioned film by a committee referred to in section 4 of the said Act by stipulating—

(a) that the film shall not be exhibited to persons in the age group 2–14 years; and

(b) that certain excisions be made.

Inskrywing No. Entry No.	Rolprent Film	Vertoëmaker Representer
R81/10/94.....	***The Gauntlet***.....	Wea Records (Edms.) Bpk./(Pty) Ltd.

No. 595 26 Maart 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE.—REGSTELLING

In *Staatskoerant* 7994. Goewermentskennisgewing 105 van 15 Januarie 1982, vervang die inskrywing P82/1/15 deur die volgende inskrywing:

No. 595 26 March 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS.—CORRECTION

In *Government Gazette* 7994, Government Notice 105 of 15 January 1982, substitute the following entry for entry P82/1/15:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/1/15	***People's Hero: Soloman Mahlangu*** (Vlugskrif/Leaflet)	Nie vermeld nie/Not stated	(e)

DEPARTEMENT VAN BUITELANDSE SAKE

No. 583 26 Maart 1982

GELOOFSBRIEFOORHANDIGING

Hierby word bekendgemaak dat Sy Eksellensie genl. Luis Joaquim Ramirez op Maandag, 8 Maart 1982, aan Tuynhuys, Kaapstad, deur die Staatspresident ontvang is en dat hy by daardie geleentheid sy Geloofsbrief as Buitengewone en Gevolmagtigde Ambassadeur van Chili in die Republiek van Suid-Afrika oorhandig het.

[72/42/1 (32)]

No. 584 26 Maart 1982

GELOOFSBRIEFOORHANDIGING

Hierby word bekendgemaak dat Sy Eksellensie dr. Giacomo Ivancich Biaggini op Maandag, 8 Maart 1982, aan Tuynhuys, Kaapstad, deur die Staatspresident ontvang is en dat hy by daardie geleentheid sy Geloofsbrief as Buitengewone en Gevolmagtigde Ambassadeur van Italië in die Republiek van Suid-Afrika oorhandig het.

[72/5/1 (32)]

No. 596 26 Maart 1982

Hierby word bekendgemaak dat ondergenoemde persoon ingevolge artikel 4 van die Wet op Diplomatieke Voorregte, 1951 (Wet 71 van 1951), geregistreer is as geregtig op diplomatieke immuniteit kragtens genoemde Wet:

Vise-president en Minister van Plaaslike Besture en Landerye van Botswana (Republiek):

Lenyeletse Mpetwana Seretse.

DEPARTMENT OF FOREIGN AFFAIRS

No. 583 26 March 1982

PRESENTATION OF CREDENTIALS

It is hereby notified that His Excellency Genl. Luis Joaquim Ramirez was received by the State President at Tuynhuys, Cape Town, on Monday, 8 March 1982, on which occasion he presented his Letter of Credence as Ambassador Extraordinary and Plenipotentiary of Chile to the Republic of South Africa.

[72/42/1 (32)]

No. 584 26 March 1982

PRESENTATION OF CREDENTIALS

It is hereby notified that His Excellency Dr Giacomo Ivancich Biaggini was received by the State President at Tuynhuys, Cape Town, on Monday, 8 March 1982, on which occasion he presented his Letter of Credence as Ambassador Extraordinary and Plenipotentiary of Italy to the Republic of South Africa.

[72/5/1 (32)]

No. 596 26 March 1982

It is hereby notified that the following person is registered in terms of section 4 of the Diplomatic Privileges Act, 1951 (Act 71 of 1951), as being entitled to diplomatic immunity under the said Act:

Vice-President and Minister of Local Government and Lands of Botswana (Republic):

Lenyeletse Mpetwana Seretse.

DEPARTEMENT VAN FINANSIES

No. 620 26 Maart 1982

Hiermee word bekendgemaak dat die oordragboeke van ondergenoemde plaaslike/binnelandse geregistreerde effekte van 1 April 1982 tot en met 1 Mei 1982 gesluit sal wees en dat die rente betaalbaar op 1 April 1982 aan die effektebesitters wat op die datum van sluiting van die oordragboeke geregistreer is, betaal sal word:

Plaaslike Geregistreerde Effekte, 6½ Persent, 1991.
Binnelandse Geregistreerde Effekte, 10 Persent, 1991.
Binnelandse Geregistreerde Effekte, 13 Persent, 1984.
Binnelandse Geregistreerde Effekte, 13 Persent, 2002.

DEPARTMENT OF FINANCE

No. 620 26 March 1982

Notice is hereby given that the transfer books of the undermentioned local/internal registered stocks will be closed from 1 April 1982 to 1 May 1982, both days inclusive, and that the interest due on 15 April 1982, will be paid to the stockholders registered at the date of the closing of the transfer books:

Local Registered Stock, 6½ Per Cent, 1991.
Internal Registered Stock, 10 Per Cent, 1991.
Internal Registered Stock, 13 Per Cent, 1984.
Internal Registered Stock, 13 Per Cent, 2002.

No. 663 26 Maart 1982

OPSKORTING KRAGTENS ARTIKEL 13 VAN DIE WET OP PUBLIKASIES 1974 SOOS GEWYSIG, DEUR DIE VOORSITTER VAN DIE APPÈLRAAD OOR PUBLIKASIES VAN 'N BESLISSING VAN 'N KOMITEE VAN PUBLIKASIES

Die Voorsitter van die Appèlraad oor Publikasies het die beslissing van 'n Komitee van Publkasies dat die publikasie **Rabbit is Rich** deur John Updike ongewens, is opgeskort totdat die Appèlraad oor die appèl van die Direktoraat beslis het.

ALGEMENE KENNISGEWING

KENNISGEWING 197 VAN 1982

DEPARTEMENT VAN POS- EN TELEKOMMUNIKASIEWESE

WYSIGING VAN DIE TARIEFLYS VIR TELEKOMMUNIKASIEDIENSTE

Ek. Henry Odendal Bester, Posmeester-generaal, bepaal hierby kragtens artikel 2B (1) (e) van die Poswet, 1958 (Wet 44 van 1958), en met die goedkeuring van die Minister van Pos- en Telekommunikasiewese, ooreenkomstig onderstaande Bylae die gelde, tariewe of koste wat ten opsigte van die betrokke telekommunikasiedienste geëis of ontvang moet word.

H. O. BESTER, Posmeester-generaal.

BYLAE

1.0 In hierdie Bylae beteken die uitdrukking "die Tarieflys" die Tarieflys vir Telekommunikasiedienste afgekondig by Goewermentskennisgewing 1192 van 1 Julie 1977, soos gewysig.

2.0 Die Tarieflys word hierby met ingang van 1 April 1982 soos volg verder gewysig:

DEEL 1: BINNELANDSE TELEFOONTARIEWE

Item 16.39.—*Vervang* "0,50" deur "1,50".

Item 17.1.—*Vervang* "6c" deur "12c (2 eenhede)" waar dit in voetnoot (i) by die tabel verskyn.

DEEL 2: BINNELANDSE TELEGRAMTARIEWE

Voeg die volgende item *by* onder item 19.0:

No.	Diens	Koste
"19.9	Hanteringsgeld per telegram (van toepassing op alle klasse telegramme uitgesonder telegrafiese poswissels).....	R 1,00"

DEEL 4: INTERNASIONALE TELEKOMMUNIKASIETARIEWE

Item 34.1.—*Vervang* die inskrywing teenoor Alaska *deur* die volgende:

Diens na	Grondtarief		Persoonlike oproepgeld
	3 min.	1 min.	
"Alaska.....	R 9,90	R 3,30	R 3,30"

No. 663 26 March 1982

SUSPENSION IN ACCORDANCE WITH SECTION 13 OF THE PUBLICATIONS ACT 1974 AS AMENDED BY THE CHAIRMAN OF THE PUBLICATIONS APPEAL BOARD OF A DECISION OF A COMMITTEE OF PUBLICATIONS

The Chairman of the Publications Appeal Board has suspended the decision of a Committee of Publications that the publication **Rabbit is Rich** by John Updike is undesirable, until the Appeal Board has determined the appeal of the Directorate.

GENERAL NOTICE

NOTICE 197 OF 1982

DEPARTMENT OF POSTS AND TELECOMMUNICATIONS

AMENDMENT OF TARIFF FOR TELECOMMUNICATION SERVICES

I, Henry Odendal Bester, Postmaster General, do hereby under section 2B (1) (e) of the Post Office Act, 1958 (Act 44 of 1958), and with the approval of the Minister of Posts and Telecommunications, determine in accordance with the Schedule below the fees, rates or charges to be demanded or received in respect of the telecommunication services concerned.

H. O. BESTER, Postmaster General.

SCHEDULE

1.0 In this Schedule the expression "the Tariff" means the Tariff for Telecommunication Services promulgated under Government Notice 1192 of 1 July 1977, as amended.

2.0 The Tariff is hereby further amended with effect from 1 April 1982 as follows:

PART 1: INLAND TELEPHONE RATES

Item 16.39.—*Substitute* "1,50" for "0,50".

Item 17.1.—*Substitute* "12c (2 units)" for "6c" where it appears in footnote (i) to the table.

PART 2: RATES FOR INLAND TELEGRAMS

Add the following item under item 19.0:

No.	Service	Charge
"19.9	Handling fee per telegram (applicable to all classes of telegrams excluding telegraphic money-orders).....	R 1,00"

PART 4: INTERNATIONAL TELECOMMUNICATION RATES

Item 34.1.—*Substitute* the following for the entry against Alaska:

Service to	Basic rate		Personal call fee
	3 min.	1 min.	
"Alaska.....	R 9,90	R 3,30	R 3,30"

Item 35.4.3.—*Vervang* "0,50" deur "1,50".

Item 37.0.—*Voeg* die volgende nuwe paragraaf onder die paragraaf insake perstelegramme *in:*

"Hanteringsgeld van R1,00 per telegram is op alle klasse telegramme (behalwe telegrafiese poswissels) betaalbaar, asook op telegramme na die bestemmings wat onder items 37.1 en 37.2 aangedui word."

Item 37.1.3.—*Vervang* onder die hoof "Bestemming" die woorde "Transkei (Republiek), Bophuthatswana, Venda" deur "Bophuthatswana, Ciskei (Republiek), Transkei (Republiek) en Venda."

(26 Maart 1982)

Item 35.4.3.—*Substitute* "1,50" for "0,50".

Item 37.0.—*Insert* the following new paragraph under the paragraph about press telegrams:

"A handling fee of R1,00 per telegram is payable on all classes of telegrams (except telegraphic money-orders), including telegrams to the destinations indicated under items 37.1 and 37.2."

Item 37.1.3.—*Substitute* "Bophuthatswana, Ciskei (Republic of), Transkei (Republic of) and Venda" under the heading "Destination" for "Transkei (Republic of), Bophuthatswana, Venda."

(26 March 1982)

AGROCHEMOPHYSICA

Hierdie publikasie is 'n voortsetting van die Suid-Afrikaanse Tydskrif vir Landbouwetenskap Jaargang 1 tot 11, 1958–1968 en bevat artikels oor Biochemie, Biometrika, Grondkunde, Landbou-ingenieurswese, Landbouweerkunde en Ontledingstegnieke. Vier dele van die tydskif word per jaar gepubliseer.

Verdienstelike landboukundige bydraes van oorspronklike wetenskaplike navorsing word vir plasing in hierdie tydskrif verwelkom. Voorskrifte vir die opstel van sulke bydraes is verkrygbaar van die Direkteur, Landbou-inlingting, Privaatsak X144, Pretoria, aan wie ook alle navrae in verband met die tydskrif gerig moet word.

Die tydskrif is verkrygbaar van bogenoemde adres teen R1,50 per eksemplaar of R6 per jaar, posvry (Buitelands R1,75 per eksemplaar of R7 per jaar).

Verkoopbelasting moet by binnelandse bestellings ingesluit word.

AGROCHEMOPHYSICA

This publication is a continuation of the South African Journal of Agricultural Science Vol. 1 to 11, 1958-1968 and deals with Biochemistry, Biometry, Soil Science, Agricultural Engineering, Agriculutural Meteorology and Analysis Techniques. Four parts of the journal are published annually.

Contributions of scientific merit on agricultural research are invited for publication in this journal. Directions for the preparation of such contributions are obtainable from the Director, Agricultural Information, Private Bag X144, Pretoria, to whom all communications in connection with the journal should be addressed.

The journal is obtainable from the above-mentioned address at R1,50 per copy or R6 per annum, post free (Other countries R1,75 per copy or R7 per annum).

Sales tax must accompany inland orders.

AGROPLANTAE

Hierdie publikasie is 'n voortsetting van die Suid-Afrikaanse Tydskrif vir Landbouwetenskap Jaargang 1 tot 11, 1958–1968 en bevat artikels oor Akkerbou, Ekologie, Graskunde, Genetika, Landbouplantkunde, Landskapbestuur, Onkruidmiddels, Plantfisiologie, Plantproduksie en -tegnologie, Pomologie, Tuinbou, Weiding en Wynbou. Vier dele van die tydskrif word per jaar gepubliseer.

Verdienstelike landboukundige bydraes van oorspronklike wetenskaplike navorsing word vir plasing in hierdie tydskrif verwelkom. Voorskrifte vir die opstel van sulke bydraes is verkrygbaar van die Direkteur, Landbou-inligting, Privaatsak X144, Pretoria, aan wie ook alle navrae in verband met die tydskrif gerig moet word.

Die tydskrif is verkrygbaar van bogenoemde adres teen R1,50 per eksemplaar of R6 per jaar, posvry (Buitelands R1,75 per eksemplaar of R7 per jaar).

Verkoopbelasting moet by binnelandse bestellings ingesluit word.

AGROPLANTAE

This publication is a continuation of the South African Journal of Agricultural Science Vol. 1 to 11, 1958–1968 and deals with Agronomy, Ecology, Agrostology, Genetics, Agricultural Botany, Landscape Management, Herbicides, Plant Physiology, Plant Production and Technology, Pomology, Horticulture, Pasture Science and Viticulture. Four parts of the journal are published annually

Contributions of scientific merit on agricultural research are invited for publication in this journal. Directions for the preparation of such contributions are obtainable from the Director, Agricultural Information, Private Bag X144, Pretoria, to whom all communications in connection with the journal should be addressed.

The journal is obtainable from the above-mentioned address at R1,50 per copy or R6 per annum, post free (Other countries R1,75 per copy or R7 per annum).

Sales tax must accompany inland orders.

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA
REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

PRYS (AVB ingesluit) 30c PRICE (GST included)

As 'n Nuusblad by die Poskantoor Geregistreer BUITELANDS 40c ABROAD *Registered at the Post Office as a Newspaper*

POSVRY · POST FREE

VOL. 201] PRETORIA, 26 MAART / MARCH 1982 [No. 8126

327

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 661 26 Maart 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, het kragtens artikel 11 (2) van genoemde Wet beslis dat die ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet:

GOVERNMENT NOTICES

DEPARTMENT OF INTERNAL AFFAIRS

No. 661 26 March 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, decided under section 11 (2) of the said Act that the undermentioned publications or objects are undesirable within the meaning of section 47 (2) of the said Act:

LYS/LIST P82/28

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/3/15.....	**Nyanga Story, The**.....	Wits Alternate Service Group, University of the Witwatersrand, Johannesburg	(e)
P82/3/38.....	**SASPU National**—Vol 3, No 1, Feb/March 1982	SASPU, Braamfontein.....	(d)+(e)
P82/3/73.....	**ICSA Bulletin**—Issue No 17, February 1982....	International Committee against Apartheid, Racism and Colonialism in Southern Africa, London	(e)
P82/3/74.....	**New Africa News**—No 34, March—April 1982..	New Africa News Collective, Victoria, Australia	(e)
P82/3/75.....	**Unity in Action**—A History of the African-National Congress 1912–1982	African National Congress (SA), London.....	(e)
P82/3/82.....	**Political Role of Public Libraries, The**.....	Joss O'Kelly.....	(e)
P82/3/88.....	**Let us Speak of Freedom: The Roots of Armed Resistance**	Nie vermeld nie/Not stated.....	(e)
P82/3/89.....	**1906–1961: The Roots of Armed Struggle**—Important Dates and Events in the History of Resistance	SSD, Projects Comm., Wages Comm., Women's Movement, University of Cape Town, Rondebosch	(e)
P82/3/93.....	**Strategy for Conquest: Communist Documents on Guerrilla Walfare**	Edited by Jay Mallin.....	(e)
P82/3/66.....	**Hakika**—Vol 3, No 4, December 1981.....	Southern Africa Liberation Centre, Sydney.....	(e)
P82/3/91.....	**Introduction to Labour Organisation in SA, An**	Wages Comm., University of Cape Town, Rondebosch	(a), (d)+(e)

No. 662 26 Maart 1982

OPSKORTING KRAGTENS ARTIKEL 13 VAN DIE WET OP PUBLIKASIES 1974 SOOS GEWYSIG, DEUR DIE VOORSITTER VAN DIE APPÈLRAAD OOR PUBLIKASIES VAN 'N BESLISSING VAN 'N KOMITEE VAN PUBLIKASIES

Die Voorsitter van die Appèlraad oor Publikasies het die beslissing van 'n Komitee van Publikasies dat die publikasie **Wits Student**—Vol 34 No 1 1982 ongewens is, opgeskort totdat die Appèlraad oor die appèl van die Direktoraat beslis het.

No. 662 26 March 1982

SUSPENSION IN ACCORDANCE WITH SECTION 13 OF THE PUBLICATIONS ACT 1974 AS AMENDED BY THE CHAIRMAN OF THE PUBLICATIONS APPEAL BOARD OF A DECISION OF A COMMITTEE OF PUBLICATIONS

The Chairman of the Publications Appeal Board has suspended the dicesion of a Committee of Publications that the publication **Wits Student**—Vol 34 No 1 1982 is undesirable, until the Appeal Board has determined the appeal of the Dorectorate.

No. 663 26 Maart 1982

OPSKORTING KRAGTENS ARTIKEL 13 VAN DIE WET OP PUBLIKASIES 1974 SOOS GEWYSIG, DEUR DIE VOORSITTER VAN DIE APPÈLRAAD OOR PUBLIKASIES VAN 'N BESLISSING VAN 'N KOMITEE VAN PUBLIKASIES

Die Voorsitter van die Appèlraad oor Publikasies het die beslissing van 'n Komitee van Publkasies dat die publikasie **Rabbit is Rich** deur John Updike ongewens, is opgeskort totdat die Appèlraad oor die appèl van die Direktoraat beslis het.

No. 663 26 March 1982

SUSPENSION IN ACCORDANCE WITH SECTION 13 OF THE PUBLICATIONS ACT 1974 AS AMENDED BY THE CHAIRMAN OF THE PUBLICATIONS APPEAL BOARD OF A DECISION OF A COMMITTEE OF PUBLICATIONS

The Chairman of the Publications Appeal Board has suspended the decision of a Committee of Publications that the publication **Rabbit is Rich** by John Updike is undesirable, until the Appeal Board has determined the appeal of the Directorate.

ALGEMENE KENNISGEWING

KENNISGEWING 197 VAN 1982

DEPARTEMENT VAN POS- EN TELEKOMMUNIKASIEWESE

WYSIGING VAN DIE TARIEFLYS VIR TELEKOMMUNIKASIEDIENSTE

Ek. Henry Odendal Bester, Posmeester-generaal, bepaal hierby kragtens artikel 2B (1) (e) van die Poswet, 1958 (Wet 44 van 1958), en met die goedkeuring van die Minister van Pos- en Telekommunikasiewese, ooreenkomstig onderstaande Bylae die gelde, tariewe of koste wat ten opsigte van die betrokke telekommunikasiedienste geëis of ontvang moet word.

H. O. BESTER, Posmeester-generaal.

BYLAE

1.0 In hierdie Bylae beteken die uitdrukking "die Tarieflys" die Tarieflys vir Telekommunikasiedienste afgekondig by Goewermentskennisgewing 1192 van 1 Julie 1977, soos gewysig.

2.0 Die Tarieflys word hierby met ingang van 1 April 1982 soos volg verder gewysig:

DEEL 1: BINNELANDSE TELEFOONTARIEWE

Item 16.39.—*Vervang* "0,50" deur "1,50".

Item 17.1.—*Vervang* "6c" deur "12c (2 eenhede)" waar dit in voetnoot (i) by die tabel verskyn.

DEEL 2: BINNELANDSE TELEGRAMTARIEWE

Voeg die volgende item *by* onder item 19.0:

No.	Diens	Koste
"19.9	Hanteringsgeld per telegram (van toepassing op alle klasse telegramme uitgesonder telegrafiese poswissels).....	R 1,00"

DEEL 4: INTERNASIONALE TELEKOMMUNIKASIETARIEWE

Item 34.1.—*Vervang* die inskrywing teenoor Alaska *deur* die volgende:

Diens na	Grondtarief		Persoonlike oproepgeld
	3 min.	1 min.	
"Alaska.....	R 9,90	R 3,30	R 3,30"

GENERAL NOTICE

NOTICE 197 OF 1982

DEPARTMENT OF POSTS AND TELECOMMUNICATIONS

AMENDMENT OF TARIFF FOR TELECOMMUNICATION SERVICES

I, Henry Odendal Bester, Postmaster General, do hereby under section 2B (1) (e) of the Post Office Act, 1958 (Act 44 of 1958), and with the approval of the Minister of Posts and Telecommunications, determine in accordance with the Schedule below the fees, rates or charges to be demanded or received in respect of the telecommunication services concerned.

H. O. BESTER, Postmaster General.

SCHEDULE

1.0 In this Schedule the expression "the Tariff" means the Tariff for Telecommunication Services promulgated under Government Notice 1192 of 1 July 1977, as amended.

2.0 The Tariff is hereby further amended with effect from 1 April 1982 as follows:

PART 1: INLAND TELEPHONE RATES

Item 16.39.—*Substitute* "1,50" for "0,50".

Item 17.1.—*Substitute* "12c (2 units)" for "6c" where it appears in footnote (i) to the table.

PART 2: RATES FOR INLAND TELEGRAMS

Add the following item under item 19.0:

No.	Service	Charge
"19.9	Handling fee per telegram (applicable to all classes of telegrams excluding telegraphic money-orders).....	R 1,00"

PART 4: INTERNATIONAL TELECOMMUNICATION RATES

Item 34.1.—*Substitute* the following for the entry against Alaska:

Service to	Basic rate		Personal call fee
	3 min.	1 min.	
"Alaska.....	R 9,90	R 3,30	R 3,30"

Van den Bergh 'seeks to sue judges'

ARGUS 26/3/82

327

Argus Correspondent

JOHANNESBURG. — General Hendrik van den Bergh is expected to bring applications before the Supreme Court in the Cape and Free State to enable him to sue members of the Erasmus Commission of inquiry for damages.

Sources say General van den Bergh, who retired as secretary for National Security during the Information scandal, will have to mount applications seeking leave to sue two judges if he is to bring an action for damages against the commission or its members.



General van den Bergh

Two are judges — Mr Justice R P B Erasmus, of the Free State, who was chairman, and Mr Justice A J 'Braam' Lategan, of Cape Town.

To sue, General van den Bergh would have to seek permission in an application before the Judge-President in the division in which each judge is active.

The third member of the commission was Mr Freek Smalberger, a senior Government law adviser, since retired.

If leave were granted, General van den Bergh would be free to issue summons against the two judges.

Close friends say he has kept in contact with his legal advisers in Pretoria, who are believed to have instructed a Cape Town advocate to act in an application being mounted on his behalf.

The advocate said today he could not comment as 'the matter is so sensitive,' and because he was acting in a fiduciary capacity.

A confidant of the general says one of his main grounds for bringing an action is a finding of the commission that he was 'a liar' in respect of having denied he attended a meeting with fertiliser magnate Mr Louis Luyt at the Burgerspark Hotel, Pretoria.

The man with morse code eyelids

From JOHN MATISONN

WASHINGTON. — Huge, suited American security guards flanked the diminutive Nokonono Delphine Kave of Peddie, Eastern Cape, as she entered the Senate committee room.

At least six security men and a woman were dotted around the panelled chamber. Another two stood at the dark green marble doorframes, alongside uniformed police checking spectators through a metal detector before allowing them to hear the proceedings.

The importance of hearings and their influence on the Washington power structure varies from committee to committee, from chairman to chairman.

American senators are minor barons, with large staffs and often enormous power. But power increases immeasurably for senators who become chairmen of important committees.

In many cases, a chairman of a major committee can in effect veto the President's wishes, though power is constantly changing with the ebb and flow of the President's popularity.

As a "freshman" senator, Senator Jeremiah Denton is in the unusual position of already being chairman of a subcommittee, albeit one whose current influence is small.

In the election of 1980 which brought Senator Denton to the Senate, and President Ronald Reagan to the White House, the Republican Party wrested control of the Senate away from the Democrats.

As a result the liberal Senator Edward Kennedy was replaced in his important post as chairman of the judiciary committee by an arch-conservative, Senator Strom Thurmond.

The new chairman wanted to revive an idea long out of favour, to create an active "security and terrorism" subcommittee to investigate terrorism and communist influence, and he found in Senator Denton a willing chairman.

The new subcommittee is the natural successor to the Senate internal security committee, the House of Representatives' un-American activities committee, and the Senate permanent subcommittee on investigations, whose proceedings became notorious under the chairmanship of Senator Joseph McCarthy.

The original purpose was to concentrate on domestic American activities, Senator Denton acknowledges, but the spotlight soon turned abroad.

The importance of any committee or subcommittee is determined by its influence on legislation and the esteem in which it is held by other senators. The chairman has great power in determining the focus of committee attention, and whether hearings should be held.

Senator Denton punctuates the testimony with comparisons to his experiences as a prisoner of war in North Vietnam. His seven years and seven months as a PoW, sometimes inside a tiny cell little bigger than a refrigerator, left an indelible impression on him.

While a PoW, the then Admiral Denton made a national reputation by signalling in morse code with his eyelids to a television camera to indicate that what was said about PoW conditions during a controlled visit was not true.

He returned in 1973 a war hero, involved himself in politics and became the first Republican since reconstruction to win a Senate seat in the conservative Democratic state of Alabama.

Excited by his new office, he soon made a name for himself by calling for legislation on teenage chastity, and by making the security and terrorism subcommittee active.

The subcommittee's activities gave him a reputation amongst senators, but not one he could have particularly liked. No hearing passes in which he fails to complain at the lack of media attention.

Democratic senators, who on most committees ensure that one of their number is present to balance the proceedings, do not attend. Their staff keep them informed, but they have taken the deliberate decision to be absent to avoid drawing attention to the proceedings which they oppose.

Spokesmen for the Democrats said they were monitoring the hearings closely, but they have no reason to believe that Senator Denton plans to do more than "educate".

'No SA hand in US terror probe

w/l ARGUS 27/3/82 (327)

Weekend Argus Bureau

WASHINGTON. — A spokesman for the Senate sub-committee on security and terrorism has denied any suggestion that South Africa had influenced its activities — and especially its present hearings.

Under the chairmanship of Senator Jeremiah Denton, the sub-committee is examining the role of Russia, Cuba and East Germany in fomenting terrorism in Southern Africa.

'This is part of an inquiry into communist influence in world terrorism.

American newspapers have all but ignored the hearings.

STRATEGIC

The spokesman said the committee had decided to look into Russian involvement in Southern Africa because of the region's strategic importance to the US.

A long letter was written to the South African Government setting out the assistance the committee required, the documents it wanted to examine, and the kind of people it wanted to interview.

REFUSAL

South Africa offered 'considerable' co-operation and two staff members, chief counsel and staff director Mr Joel S Lisker and counsel, Mr Bert W Milling visited the Republic in January to gather evidence.

They interviewed a number of people although there were some the South African Government would not allow them to speak to.

It was decided to bring four ANC members from South Africa to testify.

'We took the initiative. To say that the South African Government or any of its agencies influenced our activities, except insofar as they provided access to information, is ridiculous.

'INFOGATE'

'In any case, this is not something anybody would suspect of Mr Lisker who, when he was in the Department of Justice, handled the investigation of the implications in the United States of what South Africans now refer to as Infogate.'

The spokesman emphasised that the South African inquiry was only a very small part of the committee's interest in international terrorism.

He could not understand a claim by Mr Andreas Shipanga, leader of the Swapo Democrats in SWA/Namibia, that his evidence was unacceptable because it was not sufficiently anti-communist.

'We spoke to Mr Shipanga and, as far as we are concerned, he is due to give evidence here on Monday.

FOCUS

'We stressed to him that the focus of the hearings was Russian, Cuban and East German involvement in terrorism and on the repercussions dissenters faced in the ANC and in Swapo.

'Because we are sensitive about how limited our jurisdiction is and because we do not want to get involved in the area of foreign policy, we said we wanted to exclude politics from our evidence.

'We received a telegram that Mr Lisker had tried to structure Mr Shipanga's evidence and we replied that there was no way that we would have done this, apart from our attempt to focus his evidence on the areas of the inquiry.'

The spokesman said Mr Sam Nujoma, president of Swapo, and Mr Oliver Tambo, president of the ANC, had also been invited to give evidence.

Neither had replied.

Deep concern in Canada over Kave evidence

Weekend Argus Bureau

WASHINGTON.—There is deep concern at the University of Calgary in Canada over the role now being played by Miss Nokonono Delphine Kave, the young South African woman who gave sensational evidence to the United States Senate sub-committee on Security and Terrorism earlier this week.

Miss Kave, who said she was a former member of the Black Consciousness Movement in the Eastern Cape, told the sub-committee of her disputes with the African National Congress, of her experiences in Russia and the front-line states and of her 'treatment' in a Russian mental asylum.

She said she had been tortured, sexually abused and given injections which led to temporary blindness.

Yesterday Dr Donald Ray, an associate professor of political science at the University of Calgary and one of the men who 'sponsored' Miss Kave for immigration purposes when she came to Canada and to the university last year, said he had doubts about Miss Kave.

CIRCUS TOURS

Mr Ray knows South Africa well, having toured the country for six years with Wilkie's Circus in the late 50s and early 60s. His parents appeared as 'Buffalo Bill' and 'Annie Oakley' while he came into the ring as 'Billie the Kid.'

He said World University Services of Canada (WUSC), an organisation which helps refugees from Southern Africa receive an education at Canadian universities, asked him to join a group that would sponsor Miss Kave in 1981.

He was told she was a refugee from the South African Government. Later he heard she was a refugee from the African National Congress.

It made no difference to him whether she was a refugee from the Government or the ANC or both, he was glad to help a genuine refugee start a new life.

Miss Kave arrived in August 1981. Insufficient facts had been provided by WUSK. Stories told at different times by Miss Kave did not coincide.

She appeared to be without financial resources, yet she suddenly made a trip from Calgary to Ottawa and Toronto.

TELEPHONE BILL

At one stage she ran up a telephone bill of 500 Canadian dollars (about R425 on a student's telephone and said that she had been telephoning a newspaperman in the Eastern Cape and that he would meet the bill.

Later she said the student should collect the money from the Malawi Embassy — the bill remained unpaid.

In September she claimed she could not do her 'work' properly at the university.

'I asked her what she meant because I thought she had every opportunity to follow her studies. She answered that she could not do her "work against the ANC" and that she was going to the United States.'

PLANTED AGENTS

She left Calgary some time in September.

Mr Ray said he remained deeply suspicious of her because he knew the South African Government used planted agents extensively in the liberation movements.

He said that, although he supported the anti-apartheid movement, he was not a member of the movement.

There were only a few Southern African students at the university.

New chance for old lag

Brigadier and the mercs allegation

28/3/82

By DESMOND BLOW
Chief Reporter

BRIGADIER D S (Daan) Hamman, the South African Defence Force man linked to the abortive Seychelles coup, was once accused in London of complicity in hiring mercenaries for Zimbabwe (at that time Rhodesia).

He denied the charges published in the British magazine 'Time Out' in 1976 while he was army attaché at the South African Embassy in London. He was then a commandant.

He was accused of telling two journalists he was often visited by men wishing to enlist in the Rhodesian Army. He said they should write to a Salisbury address he gave them.

'Time Out' said in an article published on May 28, 1976, that when the journalists challenged him about being involved in recruiting, Cmdt Hamman told them: "I've been telling nobody how to get to Rhodesia. I think it best that you should speak to our Press attaché."

In the article 'Time Out' said that a German was searching for his brother whom he believed to be in Britain trying to enlist as a mercenary in the Rhodesian Army.

A mercenary recruiter gave him a number where he was to ask for 'the commandant".

A reporter later watched him go to South Africa House in London. He came out 25 minutes later and, according to the magazine, was offered an address for the Rhodesian Army headquarters.

When he insisted that the post to Rhodesia was too slow he said the commandant arranged for him to meet a recruiter.

The man eventually disappeared and the magazine was not able to check his story properly. Cmdt Hamman denied it.

SEYCHELLES HIJACK TRIAL

Secret SAP evidence before coup court moves to Seychelles

(327
S. Cymes
28/3/82

A PRETORIA CID officer, Major D S Lambrechts, became the first witness to testify behind closed doors in the Seychelles hijack trial in Maritzburg this week.

He appeared on Thursday shortly before the controversial trial was adjourned to April 20.

At the same time two statements taken from two of the accused, Zimbabweans Charles Glen Goatley and Vernon Anthony Prinsloo, were handed in to the court, the Sunday Express has learnt.

Major Lambrechts was one of the senior police officers who questioned the alleged hijackers and took statements from them while they were in custody in Pretoria in November last year.

The police officer was a surprise witness in the afternoon after the court had adjourned earlier at 11am to enable advocates to make travel arrangements to visit the Seychelles next month.

When the court reconvened, prosecutor Mr Gideon Scheltema applied for the evidence of Major Lambrechts to be heard in camera.

Later, when court was reopened to the public and Press, Mr Justice James announced he had agreed to issue a commission to a judge in the Seychelles to take the evidence of three key witnesses — Air India pilots Captain Umesh Saxena and Captain S N C Misra, and the Seychelles' director of Civil Aviation, Mr M J Loustau-Lalanne.

State and Defence advocates and three instructing attorneys will fly to the Seychelles on April 10.

Judge James issued a commission to Seychelles Supreme Court judge Mr Justice Frank Wood, or his nominee (who must be a judge of the Supreme Court), to take evidence and hand over a record of proceedings to State and defence representatives.

Earlier in the week a statement from Mr Loustau-Lalanne was read to the court to show his evidence was vital to the case.

In it Mr Loustau-Lalanne said he arrived at Mahe Airport to find it under the control of armed men. He said he then took the place of the duty controller in the control tower and was guarded by two armed men.

Later headlights were seen approaching the tower and there was gunfire, he said.

"The firing was rapid and frequent and all the armed men fled from the tower. I was left alone and the tower was still being fired at. As an act of survival I placed a metal dustbin over my head for protection against falling glass."

Mr Loustau-Lalanne said the firing died down and he managed to telephone police headquarters and tell them he would not allow the Air India Boeing to land.

"I repeatedly told the armed men before the attack on the tower the flight should be informed it should divert as early as possible. I was repeatedly told it should land as normal and all actions taken by me should indicate everything was normal," Mr Loustau-Lalanne said.

Later the armed men returned to the tower by which time the Air India flight was in radio contact.

"I was then asked what the call sign of the aeroplane was as well as other vital data needed to communicate with it.

"One of the armed men then decided to control the aircraft in view of my insistence not to allow it to land. Under threat I had to furnish the correct information to be relayed to the plane," he said.

Mr Loustau-Lalanne said he had asked the armed men to examine the runway. After this had been done the pilot was told to land 'deep'.

"At the same time I saw two red rocket flares fired across the final approach track of the aircraft. These were followed by a series of red flares and I was surprised to see the Air India jet continue on its stabilised approach."

Mr Loustau-Lalanne said the Air India Boeing landed about 10.45pm amid heavy firing.

Later several armed men entered the traffic control office looking for someone to refuel the plane.

Soon afterwards Mr Loustau-Lalanne was taken to the arrivals hall where he met the Boeing pilot and co-pilot, some of the armed men and the man in control of the operation.

"He, the leader, told me the plane should never have landed and that he was prepared to negotiate with the Government and instructed Patrick Elizabeth, the duty officer of the handling agent, to telephone the Commissioner of Police.

"I was then requested to speak to the authorities who said the Air India flight would be allowed to take off safely.

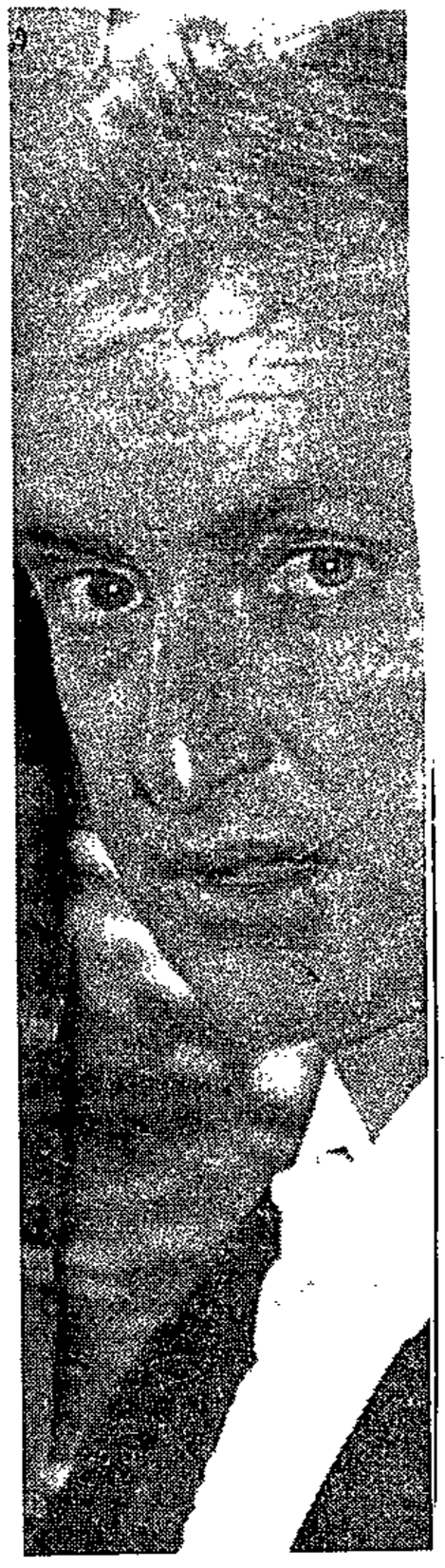
"Our army would hold their fire until the safe departure of the aircraft, but the armed men were not to board the aircraft."

Mr Loustau-Lalanne said he later saw the leader of the armed men walking towards the plane with the captain and co-pilot of the jet, followed by about half a dozen armed men.

Shortly after that he was taken to the traffic control office where two men cut all the telephone lines. After they left he heard the Boeing starting up and take off, he said.

SURPRISE WITNESS GRILLED 'HIJACKERS'

By DARYL BALFOUR



● Gideon Scheltema ... prosecutor

ARGUS 29/3/82

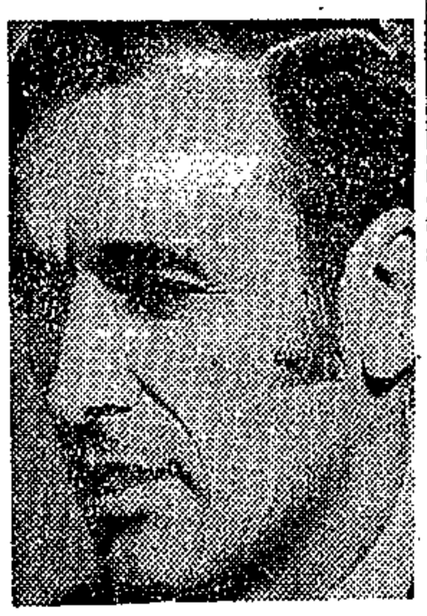
'Super-Boss' planned — Rhoodie

Argus Correspondent

JOHANNESBURG. — What could be the best-kept secret of the Info affair is out — Dr Eschel Rhoodie claims he was being groomed to take over as head of a new super Boss organisation.

He said that at the height of the Information scandal, after he had resigned as Secretary for Information, plans were devised for the creation of a new ministry of law and order which would take control of all the functions of the Department of National Security (DONS), military intelligence and the security police.

Dr Rhoodie said he was being groomed to head the new ministry while the Secretary for National Security, General Hendrik van den Bergh, was earmarked to become its first minister.



Dr Eschel Rhoodie

In an interview before leaving South Africa for the United States yesterday, he claimed that over a long period of time before and during the Information affair he was being groomed to take over as the head of Dons from General van den Bergh.

PLAN

Then General van den Bergh devised a plan for a new Boss organisation to be called the National Strategy Centre which was to have an advice bureau consisting of Defence, Foreign Affairs, Justice, Police, Plural Relations, Information, Dons and other departments.

Dr Rhoodie said a letter outlining these proposals was sent to the then Prime Minister, Mr John Vorster, with a diagram setting out the structure of the new body.

General van den Bergh would have been its chairman and Dr Rhoodie its director.

The National Strategy Centre would, like Dons, have fallen under the Department of the Prime Minister.

It would, according to the diagram, also have had links with the so-called Cabinet Committee which Dr Rhoodie and Dr Connie Mulder have always claimed was reported to on Information matters.

'My links with national security covered three phases,' said Dr Rhoodie.

'Firstly, before I resigned from the Public Service, I was being groomed to take over the Department of National Security.

'To this end I was visiting Boss headquarters two to three times a week, where I was acquainted with its most intimate secrets.'

'After I had resigned, the plan for a policy centre, the National Strategy Centre, was devised, and then came the plan for a new ministry to take control of all security matters.

'Although General van den Bergh wanted to retire, it is probable he would have been asked to become its first minister for at least a caretaker period.'

Dr Rhoodie said that apart from assuming control over the various functions of security, the new ministry would have had access to advice from various departments and would also have had an advisory body consisting of leading academics, much along the lines of the President's Council.

It could have replaced the functions of Parliament and worked out a new dispensation for South Africa.

Dr Rhoodie said he would return from the US.

'I only have permission to stay there for three years at the moment, and I think I will be returning when the three years are up.'

He is to settle in Atlanta, Georgia and devote himself to business interests in the US, Europe and Africa, including South Africa.

'Contact' with Kitson refused – daughter

ARGUS 29/3/82 327

Argus Correspondent

JOHANNESBURG. — Miss Amandla Kitson flew out of South Africa yesterday after visiting her jailed father, complaining that she had been refused contact visits with him.

Her escort, Mr Stanley Clinton Davis, a British Labour Party MP, was not allowed to see Miss Kitson's father, David. He accused the South African authorities of 'extremely discourteous' behaviour.

Miss Kitson, Mr Davis and a family friend, Mrs Hazel Selbourne, arrived in the country last Tuesday for a six-day visit during which time Miss Kitson saw her father five times.

'INHUMAN'

'I don't see how it could harm the Government by allowing me a cuddle with my father. It is inhuman', said Miss Kitson.

'My father needed physical contact and comfort after the death of my aunt, Mrs Sheila Weinberg, who was his main contact in South Africa, and after my brother Steven's detention last Christmas.

David Kitson, 62, has served 17 years of a 20-year jail sentence after being convicted under the Sabotage Act.

Miss Kitson saw her father four times for an hour and once for half-an-hour.

'Since I last saw my father his mental and physical condition has deteriorated but his morale is high. But his memory has started to fade.'

NEWSPAPER

Mr Davis, the family lawyer and British opposition spokesman on Southern Africa, referred to a report in a Sunday newspaper which stated that Miss Kitson was a member of the British Communist Party.

'This is totally untrue and it is abundantly clear that this story has been presented because they were not granted a specific interview.' said Mr Davis.

Kitson's daughter and MP attack govt

327A 29/3/82 CAPE TIMES

Own Correspondent

JOHANNESBURG. — Miss Amandla Kitson, daughter of South Africa's longest serving political prisoner, and her British MP lawyer, Mr Stanley Clinton Davis, yesterday attacked the South African Government for its "lack of concern for human rights".

Miss Kitson and her party left for London yesterday after seeing her father, David Kitson, 62, five times since she arrived in South Africa on Wednesday.

In the process Kitson used up nine of his quota of the 30 half-hour visits he is entitled to receive in a year. He was jailed 17 years ago for sabotage and is to be released in less than three years time.

Miss Kitson told local and overseas reporters at the press conference that she was not allowed physical contact with her father and could speak to him only through a glass partition in the presence of guards.

She was not allowed to discuss anything else but family matters.

"The last time I touched him was when I was 14. I can't see what harm it can do to the South African regime for me to touch him, give him a cuddle or something like that.", she said.

Asked to comment, a spokesman for the Prisons Department said: "Security prisoners are not granted contact."

According to Miss Kitson, the mental and physical condition of her father had deteriorated since she last saw him two years ago.

"But his morale is high. He has done more than 50 university degrees in the past 17 years. He has an active mind".

She said she had come to visit her father to comfort and support him after the murder of his closest family contact in South Africa, Mrs Julia Weinberger, and the "attempted frame-up and torture" of her brother Steven.

She hoped to visit her father again by Christmas.

Mr Clinton Davis accused Mr Kobie Coetsee, Minister of Justice, of being discourteous for refusing to see him without giving reasons.

Mr Davis said he had wanted to discuss Kitson's proposed application to become a British citizen and possibilities of having his sentence remitted.

All answ

Numb

Numb

Surnar

First N

Date

Degre
you a

Subje
(t

Pape
(

ANC probe girl 'not planted by SA'

RAGUS 29/3/82 (327) ANC

Argus Bureau

EAST LONDON. — Ciskei's President Lennox Sebe has claimed that his niece, Miss Nokonono Delphine Kave, the star witness in the US Senate probe of the African National Congress, is not a plant of the South African Government.

'The allegations that she is will be proved to be very hollow indeed. She is speaking from experience,' President Sebe said today

SUSPICIOUS

Professor Donald Ray, of the University of Calgary, who sponsored Miss Kave, 27 when she arrived in Canada, said he was very suspicious of her and has charged that she was a plant of the South African Government.

Miss Kave, who grew up in the Peddie district in Ciskei, went to school in Port Elizabeth, and later studied law at Fort Hare University, left South Africa via Botswana in 1977.

She joined the ANC and later went to Zambia and Soviet Union.

Miss Kave told the Senate sub-committee that she was tortured and sexually abused by the KGB and was put in a psychiatric hospital in Moscow for 're-education.'

She continually clashed with members of the ANC, which, she said, had been taken over by communists.

President Sebe said he did not believe that Miss Kave was a South African Government plant. 'I don't say that all she has told the sub-committee is genuine but she has been through the mill and is speaking from experience.'

The President described Miss Kave as a 'very brainy girl'. He had had a lot of contact with her while she was at primary school as her parents were very poor. Miss Kave had not however, lived at his home.

Asked whether Miss Kave, who is opposed to homeland Governments, had sought assistance from Major-General Charles Sebe when she wanted to leave Canada, President Sebe said: 'I can't say it is like that or that it isn't like that. It is asecurity matter.'

General Sebe has refused to speak about Miss Kave.

While at Fort Hare, Miss Kave was active in the Black Consciousness Movement and worked with Mr Steve Biko. After his death, she fled to Port Elizabeth as the Ciskei security police were looking for her, she said, and later left the country.

At the time, General Sebe worked for the South African Security Police and one of his main duties was to keep tabs on Steve Biko.

President Sebe said he was not disappointed in Miss Kave and added that if she wished to return to the homeland, her request would be considered.

Miss Kave worked for the Ciskei Government until she fled to Port Elizabeth.

'ACTIVE'

Former friends and colleagues of Miss Kave agree that she was brilliant. Her academic record at Fort Hare has been described by a universiity spokesman as 'unusual.'

A social worker who went to school with Miss Kave in Port Elizabeth and studied with her at Fort Hare, said she had not taken part in student politics while she was at the university.

Only in 1976 did she hear that Miss Kave was very active in student politics on campus. She had also taken an active part in student unrest in Port Elizabeth at the end of that year, the social worker said.

Miss Kave's friends had wondered why she had become involved in politics as she had always emphasised her poor family background and the need to concentrate on her studies, the social worker said.

A Zwelitsha woman, with whom Miss Kave lived in 1977, said she was 'a nice girl'. She could remember only one argument that was not political that Miss Kave had been involved in the house.

She left the house on the day of Steve Biko's funeral and never returned.

A Ciskei Government colleague said her friends used to joke about Miss Kave becoming politically involved as 'we had come to know her as one who shied away from anything political.'

NOTE CAREFULLY

1. The answers only on the right hand pages will be marked. The left hand pages may be used for rough work, but no credit will be given for such work.
2. Enter at the top of each page and in column (1) of the block on this cover the number of the question you are answering.
3. Blue or black ink must be used for written answers. The use of a ball point pen is acceptable. Red or green ink may be used only for underlining, emphasis or for diagrams, for which pencil may also be used.
4. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.

WARNING

1. No books, notes, pieces of paper or other material may be brought into the examination room unless candidates are so instructed.
2. Candidates are not to communicate with other candidates or with any person except the invigilator.
3. No part of an answer book is to be torn out.
4. All answer books must be handed to the commissioner or to an invigilator before leaving the examination.

Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University

EDSON

CAPE TIMES 29/3/82

Exile witness left SA after Biko funeral

(327)

Own Correspondent

EAST LONDON. — Miss Nokonono Delphine Kave, 27-year-old former Fort Hare student who appeared before a United States Senate committee in Washington this week, disappeared from the Zwelitsha house she lived in on the day of the funeral of black consciousness leader Mr Steve Biko.

This was confirmed yesterday by Mrs Nokuzola Msutu, of Zwelitsha, who lived with Miss Kave for about two months when the latter was employed by the Ciskei authorities in 1977.

Mrs Msutu said she got the surprise of her life this week when she heard over the late television news that Miss Kave had appeared before the US Senate committee.

"She left about the day of Steve Biko's funeral — in fact she left on the morning of the funeral and said she was going there, but never returned."

Mrs Msutu said Miss Kave's friends used to remark on the the fact that she had not even bothered to collect her pay cheque, which included the annual bonus paid to civil servants at the end of September, 1977.

'Politically-minded'

"I knew she was politically-minded. She used to ask me if I had ever listened to Radio Zambia and Radio Uganda, but as a person who has always been apolitical I used to tell her such matters were too complicated for my simple mind."

Mrs Msutu said Miss Kave was a complete stranger to her when she called at her home for the first time.

"But I grew to like her and when we stayed together she was good around the house and even offered to pay for groceries sometimes."

She said Miss Kave seemed attached to her family, who lived in Port Elizabeth, and paid frequent visits to them at the end of the month.

The only time Mrs Msutu remembered Miss Kave being involved in any argument other than political was when she brought home a man she said was her boyfriend from Port Elizabeth.

Biko vigils

"For some time she had visits from her local boyfriend and when she came with this man my husband told her she should not bring other men to the house.

Former colleagues in the Ciskei government service said Miss Kave did not report for work after the news of Biko's death had appeared in the press.

"But those of us who knew her from Fort Hare used to joke about the fact that she had become so politically involved," said a former colleague.

"Whenever there was trouble at Fort Hare she would pack her belongings and leave the campus to spend time with relatives until everything had returned to normal.

"Now she was the big noise in political rallies and we later heard she was leading student rioters in Port Elizabeth," the former colleague said.

The head of the Ciskei Central Intelligence Service, General Charles Sebe, who was reported from Washington to have been Miss Kave's uncle and to have arranged her transit from Canada, yesterday declined to comment.

He would not say they were related and declined to answer questions about claims that Miss Kave had lived in his home.

Why the Rabie commission could not ignore politics

CAPE TIMES 30/3/82

327

The Rabie commission, which investigated South Africa's security legislation, said in its recent report that it could not venture on to the political terrain. It is a remarkable proposition, says Professor ANTHONY MATHEWS, head of the department of law at Natal University and the man widely regarded as the country's foremost expert on security legislation. The proposition, he says in this analysis, is hardly different from the case of a minister of religion who states he has no business with sin.

THE task entrusted to the Rabie commission was clearly momentous. The central question which it was required to answer was whether the draconian and generally permanent laws which comprise our internal security operations require reform and alteration.

It was while being detained under one of these laws that Dr Neil Aggett became the 46th person to die under "unsatisfactory circumstances", to use a neutral expression for such a disturbing record. Are these deaths an unavoidable consequence of maintaining law and order in South Africa and are they reconcilable with the avowedly Christian nature of our government?

Section two of the Constitution declares that: "The people of the Republic of South Africa acknowledge the sovereignty and guidance of Almighty God". It must be a serious question for a Christian and for a commission investigating the laws of a Christian government whether these laws, and in particular the law under which Dr Aggett was held, either in their formulation or application, can be said to reflect acknowledgment of the "guidance of Almighty God".

In another avowedly religious society with a long history of disorder far more serious than our own — Northern Ireland — there have been no deaths of detainees in unsatisfactory circumstances despite the extensive use for decades of that dire instrument of control. This is but one illustration of the gravity of the moral and practical issues on which the judgment of the commission was required.

The composition of a commission appointed to deal with such issues is clearly a crucial matter. The 45 persons who died before Dr Aggett were all black South Africans; and it is primarily the black section of our heterogeneous community that feels the weight of internal security laws. Yet no member of the black comunity was appointed to serve.

As the commission itself declared, its work involves the balancing of state interests against those of the individual. It is again surprising that no recognized exponent of the law relating to individual and civil rights was given a place on the commission.

Not convincing

Of course, these omissions are in no sense the fault of the commission itself since it has no power to determine its own composition. But the problem remains and it is not convincing to answer criticism of an unbalanced composition by saying that the commission was empowered to and did hear evidence from black South Africans and civil libertarians. At that crucial moment when a commission begins to frame its major judgments and conclusions, an advocate of neglected interests needs to be present to ensure that such interests are not lost sight of or undervalued in the final report. The absence of such advocates on the Rabie commission seems to have been fatal when one considers the shape and general trend of its report.

An evaluation of the recommendations of the commission must clearly begin with the basic assumptions and premises upon which those proposals rest. Some of these have been expressly stated by the commission whereas others constitute what Roscoe Pound called "inarticulate major premises". When these are identified and drawn together we have a description of the general philosophical approach of the commission.

The first of the assumptions or premises upon which the commission acted is one which it expressly adopted when it declared (in the Report) that in its view it could not venture on to the political terrain ("*Hy hom nie op die politieke terrein kan begeef nie*").

At first blush this appears to be a statement which could not have been seriously made. A commission investigating reform of internal security laws sees its task as being outside politics! This is hardly different from the case of a minister of religion who states that he has no business with sin. However, the commission reaffirms its stand on the non-political role of its task in other places, notably in its cursory treatment and virtual rejection of the rule of law as a helpful guide in the solution of its tasks.

Unfortunate

The commission expresses wholehearted agreement with a rather unfortunate statement made by the late O D Schreiner that a complaint that the rule of law has been infringed is a political and not a legal complaint (f 5.16 of the Report) and mainly on this ground, that the doctrine is essentially a political one, it consigns the rule of law into official oblivion.

This assumption of the irrelevance of the rule of law, made by a commission on which lawyers are heavily represented, is the second major premise of the commission's report and it is one which in the Western democracies at least will occasion much surprise, even though the precise meaning of the doctrine is difficult to establish.

The rule of law has a core meaning which may be described as the protection through open, clear and definite rules administered by independent tribunals, of the basic rights of the individual. In this form the doctrine has legal or juridical elements as much as political ones; but even if it incorporates political principles, its requirements are central to any



Professor Mathews

vated either by religious, humanitarian or democratic principles. However expedient it may be to the state to keep persons in detention for interrogation to the point where they commit suicide or become mentally unbalanced or disturbed, is this a moral action for any government to undertake? The commission avoids this question to the extent of completely failing to investigate how, and by what methods, evidence or information is obtained through pre-trial detention. Had it done so, and related its findings to the moral issue, it might well have been forced to conclude that these are methods by which no decent society should attempt to save itself.

Taken together, the expressed and unexpressed premises of the commission's report amount to an attempt to carry out its task within the framework of philosophical positivism. This means the avoidance of value judgments, the consideration of "objective" facts to the exclusion of all others and a scrupulous detachment from "politics".

Inappropriate

It is clear from the preceding discussion that such a framework is totally inappropriate for an investigation into the reform of internal security laws and that a commission which employs it will either make judgments so detached from

crete example, the commission recommends the continuation of pre-trial detention and interrogation in solitary confinement without effective judicial safeguards. It regards detention as necessary to counter the security threat against South Africa. It does not face the question whether it is morally right for a country that describes itself as Christian, Western and democratic to employ such methods even if they are useful on utilitarian grounds.

One searches the report in vain for evidence of conscience strongly activated by the fact that the commission's terms of reference required it to investigate the laws of a country which has a long history of detention without trial and which has recently had the highest number of detainees in its history. Nor is there any evidence of concern that the commission's terms of reference required it to investigate the laws of a country which has had the highest number of deaths in detention in its history.

CT 30/3/87

321

ture and scope of security legislation,

The commission's third major premise is largely unexpressed although it is associated with the refusal to entertain political questions or recognize the relevance of the rule of law. Anyone who has read the report must come to the conclusion that it is an unarticulated assumption of the commission that it is not part of its function to make moral judgments. In its own words, the commission described its function as involving, firstly, the determination of the factual background (*feitlike agtergrond*), and, secondly, a decision as to the necessity, scope, reasonableness and effectiveness of existing law for dealing with the problems disclosed by the factual investigation (f 6.1).

Moral issues

The analysis of present laws and possible alternatives, however, skirts around the moral issues and is almost exclusively a discussion of the laws that are instrumentally necessary to deal with the situation. To give a contor will introduce politics in some other garb (for example, "objective" facts) into its analysis and findings.

In fact, the report may be criticized on both these grounds. The commission has not examined, for example, the realities of pre-trial detention and the reasons why magisterial visits and district surgeon examinations fail to provide satisfactory protection for the detainees. It has not even looked into the nature and extent of abuses under detention laws. Its recommendations appear unrelated to the hard facts of pre-trial interrogation and therefore to be abstract and divorced from practical realities.

The commission's attempt to eschew political judgments breaks down from the start and findings of a political nature, albeit latent, are manifest throughout the report. The heavy reliance on police evidence of the necessity of security laws, on the one hand, and the failure, on the other, to examine the case that these laws are extensively abused for party politi-

Agents may kill me—Dolinchek

(327) Star 30/3/82

The Star's Africa News Service

VICTORIA — Martin Dolinchek, one of seven facing trial in the Seychelles for allegedly trying to overthrow the Government, has told a court he fears South African agents may try to kill him.

Appearing for remand, Mr Dolinchek told Chief Justice Earl Seaton he had been informed from South Africa that the director of South Africa's National Intelligence Service had issued orders that he be "dealt with severely" for reportedly revealing intelligence secrets to Seychelles authorities.

Mr Dolinchek said an agent of the United States Central Intelligence Agency had interpreted this to mean he would be killed.

He also told the court he feared for the safety of his wife and two children who were still in South Africa.

He said a South African lawyer who had offered to defend him in the Seychelles trial had suddenly withdrawn the offer without explanation.

Mr Dolinchek has claimed to be a serving member of NIS and has said he arrived in the Seychelles in advance of the mercenary group which attempted a coup to observe the situation.

The seven accused were remanded to April 12. Their trial is due to start on April 13.

India crew to testify

The Star Bureau

LONDON — The Air India crew forced to fly South African mercenaries from the Seychelles to Durban last year will be allowed to testify.

The Indian Government has agreed to this on condition that the crew give evidence at a neutral venue and before a non-South African judge.

The crew is expected to go to the Seychelles between April 10 and 16. Its evidence will be heard by the judge of the Seychelles High Court.

Kitson's lawyer: SA Govt boorish

CAPE TIMES 30/3/82 (377)

Own Correspondent

LONDON. — Mr Stanley Clinton Davis, a Labour MP and opposition spokesman on South Africa, yesterday attacked the South African Government for "extraordinarily boorish behaviour."

He was referring to events during his trip to South Africa while accompanying Miss Amandla Kitson on a visit to see her jailed father, David Kitson.

Addressing a press conference on his return to the UK, Mr Clinton Davis said: "I do believe we must garner international support for a boycott of South Africa.

"One can't go on bolstering a regime as evil as this."

Mr Clinton Davis referred to "boorish behaviour" because of the refusal of the authorities to let him visit Kitson in jail, and the refusal of the Minister of Justice to see him.

Mr Clinton Davis said that he, as the Kitson family lawyer, had wanted to see Kitson to discuss legal matters.

He referred to the refusal as a "refusal of basic human rights" and said he found this astonishing.

Of his failure to gain an interview with the Minister of Foreign Affairs or a senior representative of the department, Mr Clinton Davis said: "I find it incredible that ministers should behave in this stupidly insular manner, that they did not jump at the opportunity to explain their point of view to a visiting parliamentarian and opposition spokesman. Perhaps it is that they make their mistakes by design rather than accident."

Amandla Kitson said she was afraid that her father would be exiled following his release from jail. That is why he was applying for British citizenship.

Also present at the conference was Mrs Hazel Selbourne, who had accompanied Miss Kitson to South Africa. She is a family friend whose husband, David, is a tutor in political science at Ruskin College, Oxford. She too had hoped to see Mr Kitson to tell him of a fellowship available to him at Oxford.

She told the conference that a new building that housed a library in Ruskin College had been named after Mr Kitson.