

TOTALITARIANISM — GENERAL

1 APRIL 1982 — 30 JUNE 1982

Convicted man shouts 'amandla' from dock

Argus Correspondent

JOHANNESBURG.

After a Johannesburg Regional Court magistrate had sentenced three men to one year's jail each for harbouring a maximum security prisoner who had escaped from Pretoria Central, one of the accused, Parmanathan Naidoo, turned to the packed gallery, raised a clenched fist and shouted 'amandla'.

As the people in the gallery responded with a united shout of 'amandla', a court orderly pushed Naidoo down the steps leading to the cells.

The second accused, Shirish Nanabhai, was grabbed from behind by the orderly and told to go down the steps.

Naidoo, 37, and Nanabhai, 44, both of Lenasia and Michael Jenkin, 31, of Berea, had pleaded guilty under the Prison's Act to harbouring Stephen Bernard Lee after his escape.

SENTENCE

The magistrate, Mr I. J. J. Luther, sentenced the men to three years' imprisonment, two years being conditionally suspended for five years.

Lee had been convicted under the Terrorism Act and sentenced to eight years' jail in June 1978. He escaped in December 1979 and fled the country.

Statements on behalf of the three men were handed to the court. Mr D. Kuny, who represented Naidoo and Nanabhai, said that in December 1979, Nanabhai was contacted by Jenkin. Jenkin told him of his escape.

KNEW LEE

Lee was known to Nanabhai before Lee's conviction. Jenkin asked Nanabhai for a place to keep Lee. In turn Nanabhai asked Naidoo for a place.

Naidoo arranged a venue and Lee was fetched from a Germiston hotel where he had been hiding. Jenkin paid for the hotel room and gave Lee clothes.



UNIVERSITY OF CAPE TOWN
EXAMINATION ANSWER BOOK

EVERY CANDIDATE MUST enter in column (1) the number of each question answered (in the order in which it has been answered); leave columns (2) and (3) blank.

Dolinchek tells court...

'SA agents out to kill me'

AKG 49

1/4/82

327

PA



Martin Dolinchek

Argus Africa News Service
VICTORIA. — Martin Dolinchek, one of seven people facing trial in the Seychelles for allegedly trying to overthrow the Government, has told a court he fears that South African agents may try to kill him.

Appearing with the others for formal remand, Mr Dolinchek told Chief Justice Earl Seaton that 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 Seychellois authorities.

Mr Dolinchek said an agent of the United States Central Intelligence Agency had interpreted this to mean he would be killed. He did not say who had given him the information about the alleged NIS instruction or how he had learned of the CIA interpretation.

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 with no explanation. Mr Dolinchek said he believed this had something to do with the political situation in South Africa, where it was thought that he was revealing intelligence secrets to the Seychelles.

Mr Dolinchek has previously claimed to be a serving member of the NIS and that he had arrived in the Seychelles in advance of the mercenary group that tried to stage a coup to observe the situation.

The seven accused were remanded in custody to April 12. Their trial is due to start on April 13.

(to be copied from the heading on the Examination Paper)

Paper No.....

(to be copied from the heading on the Examination Paper)

NOTE CAREFULLY

1. 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.
2. 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.
3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
4. Do not write in the left hand margin.

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

Judge says Terrorism Act 'draconian'

ARGUS
2/4/82

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12/1/82

Argus Correspondent
MARITZBURG. — The Terrorism Act was draconian because it prevented a person from taking legal action while in detention, a Supreme Court judge said here today in dismissing a special appeal by the Minister of Police.

Mrs Mavis Magubane of Sobantu Village was allowed to proceed with her action against the Minister for alleged torture by the police. She is claiming R4 200 damages.

A claim by the Minister that she had failed to comply with the Police Act by not instituting an action against him within

six months of the date of the alleged torture was dismissed with costs.

Mrs Magubane was arrested in September 1976, in terms of section six of the Terrorism Act. She claims she was assaulted by two white security policemen in the Loop Street prison on September 13, 14 and 15.

Mrs Magubane was prevented from instituting an action for alleged assault during her detention because she had no access to legal representatives.

She had no recourse to law until her release 14 months after the alleged assault.

Within five months of her release from prison — no charges were laid against her during her detention — she instituted an action against the Minister.

Mr R.C. Hiemstra, counsel for the Minister, said Mrs Magubane's action was invalid because it had not been instituted within six months of the alleged assault.

Mr Justice Leon said: 'The Terrorism Act is draconian, both in intent and effect, and that is why she was prevented by her detention from obtaining legal advice or from instituting legal action.'

'But it is equally clear that the Act does not sanction violence to detained persons.'

He said it was common cause that Mrs Magubane was prevented 'by superior force' from serving a summons during the prescribed time.

The judge added: 'On the facts before me it was lawful detention. The conduct of the police in keeping her in detention was not done with the intention of frustrating her from exercising her legal rights.'

The hearing was adjourned until a date for Mrs Magubane's action could be arranged.

Cape Times 2/4/82

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Aided prisoner after escape: 3 sentenced

Own Correspondent

JOHANNESBURG. — Three men were sentenced to three years' imprisonment, two years suspended for five years, for harbouring political prisoner Stephen Lee after he had escaped from Pretoria Central Prison.

One of those sentenced is Michael Jenkin, 31, brother of another political prisoner, Timothy Jenkin, who escaped with Lee and Alexander Moumbaris in 1979.

The others are Sarish Nanabhai, 44, who has served 10 years on Robben Island for sabotage, and Prema Naidoo, 33, brother of Mr Ingres Naidoo, a former Robben Island prisoner now living in London.

All three pleaded guilty in the Johannesburg Magistrate's Court to a charge under the Prisons Act.

There was a scuffle in court between a policeman and Naidoo, who shouted "Amandla" after he had been sentenced.

Mrs Ama Naidoo shouted before a stunned courtroom: "How can you push my son down the stairs? He is not a criminal. He is not a robber. He didn't murder anyone."

Maximum security

The court heard that Lee approached an unnamed person after escaping from the maximum security section of Pretoria Central Prison.

That person put him in touch with Jenkin, brother of Lee's co-accused.

Jenkin put him in touch with Nanabhai, who asked Naidoo to arrange a place for Lee to stay. Naidoo never communicated with Lee.

Mr Denis Kuny, SC, who represented two of the accused, appealed for a less severe sentence because Lee had escaped without the knowledge and help of the accused.

"The accused were involved as conduits for a person who had already escaped. They did not initiate the escape," he said.

The two accused, Naidoo and Nanabhai, had responded to a request from a friend to find a place for Lee to stay.

They were moved on humanitarian grounds, even though they knew that to do so was against the law.

"This is a unique type of situation for the accused, and one which is never likely to occur again. The accused do not need to be in prison for a long time to deter them from repeating the offence," Mr Kuny said.

Also appealing for a light sentence, Mr J H Engelbrecht, SC, said Jenkin rendered assistance because he was an old family friend of Lee's.

Mr J D Pretorius, SC, for the State, said the accused should not be given suspended sentences because of the seriousness of the crime.

Passing sentence, the magistrate, Mr I J J Luther, said that although none of the accused had helped Lee escape, Lee had been sentenced to eight years in prison for a serious crime. It was in the interest of society that Lee serve his sentence.

Although the accused did not have to be deterred from committing the offence again, other people had to be deterred from harbouring or concealing an escaped prisoner.

Mr Kuny had asked the magistrate to take into account that Naidoo, a married artisan with two sons aged 12 and 9, was detained on November 27, 1981, and Nanabhai, a married salesman with a child, has been in detention since January 5.

Jenkin, a married laboratory manager with two children, was in detention for two months.

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Brigadier D. S. Hamman: capacity in which
employed Q. Col. 547-
2/4/82 548
S. Mr. P. A. MYBURGH asked the
Minister of Defence:

In what capacities has Brigadier D. S.
Hamman been employed in the South

APRIL 1982

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African Defence Force over the last 12
months?

The MINISTER OF DEFENCE:

As a staff officer operations.



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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Vol. 202]

PRETORIA, 2 APRIL 1982

[No. 8138

GOEWERMENTSKENNISGEWINGS

GOVERNMENT NOTICES

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

DEPARTMENT OF INTERNAL AFFAIRS

No. 719 2 April 1982
ONGEWENSTE PUBLIKASIES OF VOORWERPE

No. 719 2 April 1982
UNDERSIRABLE PUBLICATIONS OR OBJECTS

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, soos gewysig, 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:

A committee referred to in section 4 of the Publications Act, 1974, as amended, 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 P82/31

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/2/125.....	Communist International 1919-1943, The: Documents—Vol 1, 1919-1922	Selected & Edited by Jane Degras.....	(e)
P82/2/126.....	Communist International 1919-1943, The: Documents—Vol 2, 1923-1928	Selected & Edited by Jane Degras.....	(e)
P82/2/127.....	Communist International 1919-1943, The: Documents—Vol 3, 1929-1943	Selected & Edited by Jane Degras.....	(e)
P82/3/119.....	Apartheid—Vol 1, No 1, April 1977.....	International University Exchange Fund, Geneva, Switzerland	(e)
P82/3/133.....	Azania Struggle—Vol 2, No 3, December 1981..	Support Committee for the Pan Africanist Congress of Azania (SA), Wellington, New Zealand	(e)
P82/3/84.....	Rich and Poor in New Zealand.....	David Bedggood.....	(e)
P82/3/115.....	Korean Youth and Students—No 4 (137), 1975...	Central Committee of the League of Socialist working Youth of Korea and the Korean Students Committee	(e)
P82/3/125.....	Capital & Class—No 15, Autumn 1981.....	Studies in Political Economy, Ontario, Canada..	(e)
P82/3/128.....	Mobilize!! Don't Mourn... (Pamflet/Pamphlet)	Nie vermeld nie/Not stated.....	(e)
P82/3/130.....	We Pay Tribute to the Martyrs of the Struggle...	Issued by AZAPO (Western Cape).....	(c)

No. 720 2 April 1982
ONGEWENSTE PUBLIKASIES OF VOORWERPE.—
REGSTELLING

In Staatskoerant 8110, Goewermentskennisgewing 537 van 19 Maart 1982, vervang die inskrywing P82/2/143 deur die volgende inskrywing:

No. 720 2 April 1982
UNDESIRABLE PUBLICATIONS OR OBJECTS.
CORRECTION

In Government Gazette 8110, Government Notice 537 of 19 March 1982, substitute the following entry for entry P82/2/143:

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 (Spyskaart/Menu: Illustrasie/ Illustration)	Printed by Peter Chapman, Repro.....	(a)

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE
AANGELEENTHEDE

No. 667

2 April 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 P82/29

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/3/95.....	<i>True Love and Family</i> —April 1982.....	Elephant Publications, Johannesburg.....	(a)
P82/2/37.....	<i>Witchcraft for Tomorrow</i>	Doreen Valiente.....	(a)+(b)
P82/2/75.....	<i>Captive Innocence</i>	Fern Michaels.....	(a)
P82/2/103.....	<i>Emerald Embrace, The</i>	Diane du Pont.....	(a)
P82/2/139.....	<i>Enigma Variations, The</i>	Brian Murphy.....	(a)+(b)
P81/11/26.....	<i>Mother's Day</i>	Robert Miner.....	(a)
P81/12/14.....	<i>Cutting Room, The</i>	Ethan Barnett.....	(a)

No. 668

2 April 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 P82/30

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/1/129.....	<i>I married a Nun . . . Nun in the Morning and Nun at Night!</i> —R44641 (Afstrykpatroon/Transfer)	Printed in U.S.A.	(b)

No. 669

2 April 1982

ONGEWENSTE PERIODIEKE PUBLIKASIES OF
VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, wat kragtens artikel 11 (2) van genoemde Wet beslis het dat ondergenoemde publikasie of voorwerp ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet, het kragtens artikel 9 (1) van genoemde Wet elke latere uitgawe van genoemde publikasie of voorwerp aldus ongewens verklaar:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/3/38.....	<i>SASPU National</i> —Vol 3, No 1, Feb/March 1982.....	SASPU, Braamfontein.....	(d)+(e)

GOVERNMENT NOTICES

DEPARTMENT OF INTERNAL
AFFAIRS

No. 667

2 April 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. 668

2 April 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. 669

2 April 1982

UNDESIRABLE PERIODIC PUBLICATIONS OR
OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, which decided in terms of section 11 (2) of the said Act that the undermentioned publication or object is undesirable within the meaning of section 47 (2) of the said Act, has in terms of section 9 (1) of the said Act declared every subsequent edition of the said publication or object to be so undesirable:

No. 670

2 April 1982

**TERSYDERSTELLING VAN VERKLARING DAT
PUBLIKASIES ONGEWENS IS**

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, soos gewysig 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 inskrywing ten opsigte van die publikasies word hierby geskrap:

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
P82/2/58.....	<i>Alexa</i>	Andrea Newman	In SK./G.G. 2192, GK./G.N. 1911 van/of 18/10/68.
P82/2/106	<i>Flamingo Road</i>	Robert Wilder	In GK./G.N. 1127 van/of 1/12/61.

No. 670

2 April 1982

**SETTING ASIDE OF DECLARATION THAT
PUBLICATIONS ARE UNDESIRABLE**

A Committee referred to in section 4 of the Publications Act, 1974, as amended, 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:

No. 671

2 April 1982

VERTOË Kragtens ARTIKEL 24 (1) (a)

Die Direkoraat van Publikasies het op 22 Maart 1982 kragtens artikel 24 (1) (a) van die Wet op Publikasies, 1974, soos gewysig appèl aangeteken teen die voorwaardelike goedkeuring deur 'n komitee bedoel in artikel 4 van genoemde Wet van die rolprent *China 9 Liberty 37*. 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 10 dae vanaf die datum van hierdie kennisgewing.

Inskrywing No. Entry No.	Rolprent Film	Voorlegger Submitter
R82/2/8	<i>China 9 Liberty 37</i>	Ster-Kinekor (Edms.) Bpk./ (Pty) Ltd.

No. 671

2 April 1982

REPRESENTATIONS UNDER SECTION 24 (1) (a)

On 22 March 1982 the Directorate of Publications under section 24 (1) (a) of the Publications Act, 1974, as amended appealed against the conditional approval by a committee referred to in section 4 of the said Act of the film *China 9 Liberty 37*. 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.

No. 672

2 April 1982

AFKEURING VAN ROLPRENT

Die Appèlraad oor Publikasies het kragtens artikel 24 van die Wet op Publikasies, 1974, soos gewysig—

(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 afkeuring van die rolprent deur 'n komitee bedoel in artikel 4 van die genoemde Wet, bekragtig.

Inskrywing No. Entry No.	Rolprent Film	Verloëmaker Representer
R82/2/142	<i>Private Lessons</i>	Video Vision Enterprises.

No. 672

2 April 1982

REJECTION OF FILM

The Publications Appeal Board under section 24 of the Publications Act, 1974, as amended—

(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) confirmed the rejection of the film by a committee referred to in section 4 of the said Act.

KANTOOR VAN DIE EERSTE MINISTER

No. 646

2 April 1982

AANSTELLING VAN WAARNEMENDE MINISTER

Hierby word bekendgemaak dat die Staatspresident goedkeuring gegee het aan die aanstelling, van 1 April 1982 af, van Sy Edele L. le Grange, DVD, as Waarnemende Minister van Gemeenskapsontwikkeling gedurende die afwesigheid uit Suid-Afrika van Sy Edele S. F. Kotzé.

OFFICE OF THE PRIME MINISTER

No. 646

2 April 1982

APPOINTMENT OF ACTING MINISTER

It is hereby notified that the State President has approved the appointment, from 1 April 1982, of the Honourable L. le Grange, DMS, as Acting Minister of Community Development during the absence from South Africa of the Honourable S. F. Kotzé.

Bill on court demos

327

ROM

3/4/82

THE ASSEMBLY. — Bills proposing to prohibit intimidation and demonstrations in or within 500m of buildings containing courts of law were published yesterday.

The Intimidation Bill, carrying maximum penalties of R20 000 or 10 years' jail, or both, proposes to make it an offence for any person to assault, injure, damage or to threaten to kill, assault, injure or cause damage to another person without lawful reason and with intent to compel any person to perform or abstain from any act or to assume or abandon a particular standpoint.

The proposed legislation would place the onus on the accused to prove the existence of lawful reason.

The Bill proposes the repeal of six sections of the Riotous Assemblies Act.

The Demonstrations in or near Court Buildings Prohibition Bill proposes to render illegal all demonstrations or gatherings in any building in which a courtroom is situated, or at any place in the open air within a 500m radius of the building on all days except Saturdays, Sundays and public holidays.

The measure provides for penalties of R1 000 or a year's jail or both.

Mr Ray Swart, Opposition spokesman on law and order, said he was concerned at legislation placing the onus on a person accused of intimidation to prove a lawful reason for his action because this was contrary to normal principles of justice. — Sapa.

NATS TAPPING OUR PHONES, SAY MPs

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By PETER MANN
Parliamentary Correspondent

ANOTHER row is brewing over whether the Government is spying on its political opponents. In Parliament this week the leader of the new Conservative Party, Dr Andries Treurnicht, said he suspected there was some type of "spying action" going on against his party.

His remarks were backed by the former Minister of Transport, Mr Lourens Muller, who said he had reason to believe his telephone had been tapped when he resigned from the Cabinet after a furious row with the Prime Minister, Mr P. W. Botha.

"I will put nothing out-of-court settlement after it was disclosed that Boss agents had tapped the HNP telephone, said he had no doubt that the Government would be tapping the telephones of Conservative Party members.

"In fact they were probably doing it while Dr Treurnicht was still in the Cabinet and his supporters were members of the National Party," Mr Marais said.

Dr Rhoodie even claimed to know of a file on a sitting member of the Cabinet which allegedly details his affairs with a number of women and claims that he underwent a forced marriage. And Mr Jaap Marais, the leader of the HNP, whose party was paid a substantial sum in an



MULLER . . . "put nothing past P. W. Botha."

RHOODIE . . . files on top politicians.

TREURNICHT . . . "spying action" against his party.

NEL . . . information on Treurnicht's meetings.

close contact with the Afrikaner Weerstandsbeweging (AWB). Mr Nel, who has been regarded as one of Dr Treurnicht's arch enemies ever since he was briefly expelled from the National Party for criticising Dr Treurnicht's Bols joke, had been deliberately allowed to be the speaker immediately preceding Dr Treurnicht's debut.

He was obviously enjoying himself as he claimed to have information detailing the meetings between Dr Treurnicht, the CP and the AWB.

Dr Treurnicht responded to the allegations saying it appeared there was some type of spying action going on.

Asked later, in an interview outside the House, whether his remarks meant that he believed his telephone was being tapped, or that the Government was spying on him, Dr Treurnicht said: "I reacted to Louis Nel. He wouldn't have known about meetings we supposedly had unless he had access to certain information — more than that I don't want to say."

Mr Marais was not as cautious. "In February 1970 I produced a document which showed that Boss was tapping our telephones. I was taken to task over the allegation. "But only eight or nine years later it was proved that they had been listening to the telephone at our head office. They settled out of court in that case. "I'm entirely certain that they are listening to the telephones of the Conservative Party. I am sure they did it while Dr Treurnicht was in the Cabinet and his MPs in the National Party. Where else would they have got all that information about secret meetings held at the home of Daan van der Merwe. Asked whether he had any information about Dr Rhoodie's allegations that Boss had a file on a sitting member of the Cabinet detailing his extra-marital affairs, Mr Marais said: "I'm sure Dr Rhoodie also revealed that the Dons filing system was wired to self-destruct in the event of a coup d'etat, and probably even in the event of a change of government."

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New Bill may replace Secrets Act

ARGUS
5/4/82

327

Political Staff

THE Official Secrets Act and parts of other Acts will be scrapped if the Protection of Information Bill, which is published in Cape Town today, is approved by Parliament.

The Bill is the third recommended by the

Rabie Commission to revise the country's security legislation.

Last week Bills prohibiting intimidation and demonstrations outside Supreme Court buildings were published.

The Protection of Information Bill is the same as the legislation drawn up and recommended by the Rabie Commission.

POLICE

The Bill proposes the scrapping of the Official Secrets Act, parts of the General Law Amendment Act of 1969 and 1972 and Section 27 (3) of the Police Amendment Act, which prohibits the publication of details of police operations.

The bill provides for the protection of information on Government services and the military.

Anyone who goes anywhere near a 'prohibited place' for any purpose that is prejudicial to the security or interests of the country, could, on conviction, be sentenced to a maximum of 20 year's imprisonment.

A 'prohibited place' can be proclaimed by the State President and is defined in the Bill as 'any work of defence belonging to or occupied or used by or on behalf of the Government.'

SPYING

The same penalty will apply to anyone who gives or proposes to give prejudicial information to 'any foreign state or to any agent, or to any employee or inhabitant of, or any organisation, party, institution, body or movement in, any foreign state, or to any hostile organisation, or to any office-bearer, officer, member, or active supporter of any hostile organisation.'

Anyone who assists someone in spying activities could, on conviction, be fined a maximum of R5 000 or be imprisoned for five years.

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New anti-spies Bill (327) has 20-year penalty Stan 6/4/82

Political Staff

CAPE TOWN — The Official Secrets Act and parts of other Acts will be scrapped if the Protection of Information Bill is approved by Parliament.

The Bill is the third in a series recommended by the Rabie Commission to revise the country's security legislation.

Last week Bills prohibiting intimidation and demonstrations outside Supreme Court buildings were published.

As in the case of the other two Bills, the Protection of Information Bill is the same as the legislation drawn up and recommended by the Rabie Commission.

The Bill proposes the scrapping of the Official Secrets Act, parts of the General Laws Amendment Act of 1969 and 1972 and section 27 (3) of the Police Amendment Act which prohibits the publication of details of police operations.

The Bill provides for the protection of information relating to government services and the military.

Anyone who goes anywhere near a "prohibited place" for any purpose that is prejudicial to the security or interests of the country could be sentenced to a maximum of 20 years imprisonment.

A "prohibited place" can be proclaimed by the State President and is defined in the Bill

as "any work of defence belonging to or occupied or used by or on behalf of the Government."

The same penalty will apply to anyone who gives or proposes to give prejudicial information to "any foreign state or to any agent or to any employee or inhabitant of, or any organisation, party, institution, body or movement in any foreign state or to any hostile organisation or to any office-bearer, officer, member, or active supporter of any hostile organisation."

Anyone who assists someone in spying activities could on conviction be fined a maximum of R5 000 or be imprisoned for five years.

ARGUS 7/4/82 327 327

ANC 'had role in Biko death'

Argus Correspondent

PRETORIA. — Allegations that the banned African National Congress (ANC) played a part in the death of Steve Biko were made at a Press conference by Miss Nokonono Kave, former member of the ANC.

Miss Kave, a cousin of the black consciousness leader who died in detention in 1977 and niece of Ciskei's President Lennox Sebe, has returned to South Africa after taking part in a United States Senate probe of the ANC and the role of the Soviet Union, Cuba and East Germany in fomenting terrorism in Southern Africa.

At the time of Biko's detention by the South African security police,



Miss Nokonono Kave

Miss Kave was involved in activities of the black consciousness movement in the Eastern Cape.

After fleeing from the Ciskei security police, she

was also in hiding from the South African security police in Port Elizabeth and various other places in the country, Miss Kave said.

She claimed that elements of the ANC who had infiltrated the black consciousness movement in the Eastern Cape, wanted Steve Biko 'out of the way'. They alleged that he was an agent of the American Central Intelligence Agency (CIA) she said.

Miss Kave believes that Biko was arrested after the ANC tipped off the security police of his plans to leave the country.

She told newsmen earlier this week that the PLO was closely involved in the activities of banned South African organisa-

tions such as the ANC and the PAC in neighbouring states.

According to Miss Kave, members of the PLO had been used in Angola to execute South African exiles who had become disillusioned with the ANC.

She also claimed that ANC members returning to South Africa were given capsules containing cholera germs which were to be put in water supplies.

At an all-night vigil in Johannesburg this week for Solomon Mahlangu, the ANC member who was hanged in 1979, it was alleged that Miss Kave was a CIA agent 'working towards the destruction of the peoples' government-in-exile'.

Pollsmoor move for Mandela

ARGUS
7/4/82

(327)
MB

NELSON MANDELA, the 63-year-old jailed former leader of the African National Congress, has been moved from Robben Island, his 'home' for nearly 20 years, to the maximum-security wing of Pollsmoor Prison.

This surprise move was confirmed today by officials at the Department of Prisons in Pretoria.

Three other political prisoners, Walter Sisulu, Raymond Mhlaba and Andrew Mlangeni — all have been on the island since the early sixties — were also moved to the mainland.

This was the first time these political prisoners had changed prisons — a move described by department officials as being for 'administrative reasons'.

TREATMENT

Mandela has, however, visited the mainland on a number of occasions for medical treatment. In 1979 he underwent a minor operation on his right foot at Woodstock Hospital.

Together with seven companions he was sentenced to life imprisonment in July 1963 during the Rivonia sabotage trial.

At the time of the trial he was already serving a five-year sentence for incitement and for leaving the country illegally.

Documents found at the Rivonia hideaway implicated Mandela in certain planned illegal activities.

Before his arrest he had been hunted for more than two years by the Security Police.

His wife, Mrs Winnie Mandela, has been repeatedly restricted and banned by successive Ministers of Justice for more than two decades.

At present she is restricted to the Free State town of Brandfort. Her most recent banning order came soon after Christmas last year.

From time to time she is granted permission to visit her husband in Cape Town as are their daughters Zinzi and Zenani.

Her son, Styles, was killed in a car accident near Touws River in 1969.

CAMPAIGN

In 1980 a nation-wide campaign was launched calling on the Government to free Mandela. In a survey conducted in Johannesburg it was found that a margin of 54 to 41 percent of whites favoured his release.

He is still widely regarded by blacks as being the father of modern African nationalism.

Over the years concern has been expressed for Mandela's health in prison but a prisons spokesman, Major R Gamble, said today his move to the mainland had nothing to do with his health.

Mandela moved to Pollsmoor

Cape Times 7/4/82

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By ENRICO KEMP

THE jailed former leaders of the banned African National Congress (ANC), who are serving life sentences, were secretly transferred from Robben Island to Pollsmoor Prison near Retreat last week "for administrative reasons".

The four political prisoners are Nelson Mandela, Walter Sisulu, Raymond Mhlaba and Andrew Mlangeni.

Together with four others, they were sentenced to life imprisonment on June 12, 1964, at the end of the marathon Rivonia sabotage trial in Pretoria. Mandela is the former president of the ANC and Sisulu was the movement's secretary-general.

'Few days ago'

Brigadier H J Botha, chief liaison officer of the Department of Prisons in Pretoria, last night confirmed that "certain prisoners have been transferred a few days ago".

On inquiry, he confirmed that Mandela, Sisulu, Mhlaba and Mlangeni had been transferred from the island's maximum security prison to Pollsmoor Prison. He said this was the first time that the four prisoners had been transferred to another prison since their incarceration.

Asked what the reason for the transfer was,

Brigadier Botha replied: "Transfers from one prison to another take place regularly for administrative reasons. It is not the policy of the Prisons Department to give details of such reasons."

Brigadier Botha denied earlier reports that Swapo's founding president, Herman Toivo Ja Toivo, had been transferred together with the four men. Toivo, considered to be the "Father of Namibia", is also serving a life sentence on Robben Island.

The Cape Times also inquired whether the other Rivonia trialists serving their sentences on Robben Island had been transferred. Brigadier Botha said Govan Mbeki, Ahmed Kathrada and Elias Motsoaledi had not been transferred from the island's prison.

He said the families of the four prisoners had been informed of the transfer, but Mrs Albertina Sisulu said from her Orlando West home last night she heard the news for the first time when contacted by the Cape Times.

"We were not informed of this. I am hearing this for the first time. It is terrible — they should have told us," Mrs Sisulu said.

She said that her son, Zwelakhe, the banned former president of the Media Workers' Association of South Africa (Mwasa), had applied to Robben Island's prison authorities

to visit his father during last week.

After a long delay, they had informed him that his application had been submitted too late for consideration. Mr Sisulu has since applied to visit his father at the end of May.

Mrs Sisulu said her daughter, Nonkululeko, also applied to visit her father over the Easter weekend, but had received no reply from the prisons authorities.

Mrs Sisulu, who has been banned several times herself, said she last saw her husband during a visit to the island on January 9 and 10 this year. She has applied for permission to visit Mr Sisulu over the December holiday period.

Contacted for comment last night, a spokesman for the Minister of Justice, said Mr H J Coetsee had no further news available.

He referred the Cape Times to the Department of Prisons which, he said, was "handling the whole matter".

● Mandela and Sisulu 'true leaders', page 17

Statement made (327) (11/18) Sonetan 8/4/82 in Mxenge case



MXENGE: Victim of vicious slaying.

ADVOCATE Pius Langa, believed to be the last person to see slain attorney Mr Griffiths Mxenge alive on November 19, made a statement to the police this week.

Mr Langa said he told detectives he spoke briefly about legal matters with Mr Mxenge on that day. As he drove away, he heard a hooter sounding, possibly that of Mr Mxenge's vehicle.

Next morning Mr Mxenge's body was found dumped near the Umlazi Cycle Stadium.

A former Robben Island prisoner, jailed for furthering the aims of the ANC, Mr Mxenge had been stabbed 49 times in the chest and stomach.

A private pathologist hired by the Mxenge family discovered his throat was cut nearly to the bone. His forehead was bashed with a blunt instrument and one of his ears was almost severed.

New bill may limit reports on detentions

By MICHAEL ACOTT
Political Correspondent

REPORTING of Terrorism Act and other detentions could be severely restricted by new legislation intended to replace and tighten up the Official Secrets Act.

The legislation was introduced in Parliament by the Minister of Justice, Mr Kobie Coetsee, last week and published during this week's Easter recess.

Under pain of heavy penalties, it implicitly puts the onus on newspapers not to publish reports of a detention where this may prejudice State security and contains a presumption that prejudice was intended.

Rabie report

The Protection of Information Bill is, with a few small changes, what the Rabie Commission on security matters recommended. It does not refer specifically to detentions, but the commission said it was intended to cover reporting of detentions or anti-terrorist police actions when disclosure of information could hamper these actions.

If the government puts the same interpretation on the new bill, it could result in newspapers having to seek official clearance for reports on detentions unless the news of the detention is already widely known.

Urging the repeal of the Official Secrets Act, the Rabie commission noted strong criticism that the Act was vague and its provisions too wide. The new bill closely follows the existing Official Secrets Act, but incorporates amendments and additions recommended by the commission.

The bill does not refer to "official secrets" which the commission said was a term impossible to define satisfactorily in law.

Among the commission's principal recommendations was that obtaining or disclosing official information should only be an offence where this was done with intent to pass it on to a foreign state or agent, or where the person knew or should reasonably have known disclosure could prejudice state security.

Reintroduction

It is under the latter heading that the Bill could be used to reintroduce controversial prohibitions on reporting detentions without trial.

After a storm of public and opposition criticism, the then Minister of Police, Mr Louis le Grange, dropped a plan in 1980 to ban reports of detentions under section 6 of the Terrorism Act and section 22 (i) of the 1966

To page 2



The example given by the commission is where a terrorist is detained and gives information that another terrorist was to come across the border and meet him at a particular time and place. Police said the second man would not be arrested if he was warned of operations.

This clause, the commission said, would also apply to reporting on anti-terrorist activities by the police. It said the present section 27C of the Police Act, which it said should also be repealed, is far too wide and prohibits publication of information which need not

of the state. The clause does not mention detentions but prohibits anyone with information which he knows, or should reasonably know, relates to the prevention or combating of terrorism, publishing or using it in a manner or with a purpose which is, or could be, prejudicial to the interests or security of the state.

Third bill

The bill is the third introduced this session following the government's acceptance in principle of the Rabie commission's main recommendations. The other two create a new offence of intimidation and prohibit demonstrations in or near courts.

The commission's main draft legislation, a lengthy Internal Security Bill which would replace the existing Internal Security Act, the Terrorism Act and other security measures, has not yet been turned into government legislation.

the detention of his colleague. The Rabie commission therefore rejected arguments that disclosing detentions could not prejudice state security. Its proposed law, now introduced by the government, contained a clause which the commission said was intended to cater for incidents of this nature.

The Terrorism Act provision allows for indefinite detention without trial, while detainees may be held for 14 days at a time under the General Laws Amendment Act.

The proposed section in the Police Act was instead referred to the Rabie Commission, which accepted arguments raised by Mr Le Grange and senior police officers that it was not the intention to keep detentions secret indefinitely, but to prevent police being hampered in follow-up operations.

Penalties for disclosure are a maximum fine of R10 000, or ten years' imprisonment, or both. Where disclosure was intended for a foreign state or hostile organization, the maximum penalty becomes imprisonment for up to 20 years without the option of a fine.

The commission was strongly opposed to prohibiting reports of information already known to many people — such as where detentions took place in public or the news had been widely spread by word of mouth — or which could not in any way prejudice state security.

Cape Times 8/4/82
From page 1327

the detention of his colleague.

FOUR BACK

DETENTION

W/E Argus 10/4/82

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RRR

RRR

Weekend Argus Correspondent

JOHANNESBURG. — Advertisements in two Johannesburg newspapers announced the formation by four businessmen of the Security Forces Support Committee — an organisation which sees detention without trial as the 'most effective weapon against' revolution, terrorism and subversion.

The four, all formerly 'associated' with the security forces, have formed the committee in

reaction to the Detainees' Parents Support Committee (DPSC) and the one-sidedness of reports about the security forces and detention without trial.

They are: Mr Paul Asmussen, Mr Jonty Leonas, Mr Jan Smit and Mr T V Pini.

INVITATION

The committee invited all concerned South Africans to sign a declaration thanking the security forces for the 'unremitting defence of South Africa and all its people.'

The advertisement was published by The Star and the Afrikaans Sunday newspaper, Rapport.

In reaction to the advertisement, the De-

tainees' Parents Support Committee said it was pleased that its activities had had so much impact that the need had been felt to launch into propaganda to justify a system of detention 'which in civilised countries has been held to be torture.'

A spokesman for the committee challenged the authors of the advertisement to debate these issues on a public platform, thus allowing the public to judge for themselves.

● A row has erupted within the Trade Union Council of South Africa (Tucsa) over the federation's refusal to back a petition against detention without trial which has

been organised by the Detainees' Parents' Support Committee.

The council's objections to the petition — which calls for 'the release of all detainees and the abolition of the detention laws' — are set out in a circular recently distributed to its affiliated unions.

Tucsa general secretary, Mr Arthur Grobbelaar, says that Tucsa has always opposed detention without trial but that the federation 'cannot' subscribe to any attempts which seek the abolition of all laws in respect of detention, since this would imply that Tucsa sought the abolition of the rule of just law.'

NETAN, Thursday, April 8, 1982

'ANC wanted Biko out of way'

Kave ties Biko death to ANC

327 *Sowetan* *11/4/82*

THE African National Congress played a part in the death in detention of Steve Biko, according to Miss Nokonono Kave, the ANC defector who recently testified before the United States subcommittee on security.

Miss Kave, who made the startling allegation at a news conference in Pretoria yesterday, claimed that elements of the ANC which had infiltrated the Black Consciousness Movement (BCM) in the Eastern Cape wanted Biko out of the way.

She said the ANC members spread a story that he was an agent of the Central Intelligence Agency and distributed radical pamphlets without the knowledge of Biko. He considered the Security Police responsible.

SA PRESS ASSOCIATION

She said she believes Biko was detained in 1977 after the ANC had tipped off the Security Police of his plans to leave the country.

According to Miss Kave, who was a cousin of Biko and is a niece of Ciskei's President Lennox Sebe, there was tension amongst the different members of the ANC and BCM at that time.

Miss Kave also told the conference that the Palestinian Liberation

Organisation worked closely with the ANC in the planning of acts of sabotage in South Africa.

She alleged that the PLO was directly involved in the planning of the Sasol attack in 1980.

Miss Kave said she had reliable information about the co-operation between the organisations because she had been connected with the ANC's propaganda wing.

Lawyers welcome reform move, but...

By NEIL HOOPER

THE Government could outlaw the objectives of any organisation — even the official Opposition — simply through a notice in the Government Gazette, in terms of a Draft Bill proposed by the Rabie Commission.

This is claimed in the report of a seminar attended by 38 leading lawyers, advocates and legal experts to discuss the Rabie Commission report on security legislation.

The 98-page seminar report is to be sent to opinion-makers, including all Members of Parliament, throughout South Africa.

The Rabie Commission report refers to the objectives of the ANC, PAC and the South African Communist Party and points out that evidence has been led on the aims of these organisations in many trials and repetition is, therefore, unnecessary.

"Clause 69 (7) of the Draft Bill goes further than this, however, as it will allow the State President to add other organisations to Schedule 4 by proclamation in the Gazette," the lawyers' report says.

"This would permit the Executive to add any organisation it pleases to the list ...

"It would then be unnecessary for the State to prove that the objectives of the organisation in question were to overthrow the State by violence in a prosecution of a person associated with such an organisation for terrorism or subversion," the seminar report points out.

The report also expresses concern about the reflection cast on South African lawyers by the Rabie Commission which named five South African lawyers as having been engaged in subversive activities.

It points out that one of the people named, Alexander Hepple, was not a lawyer at all, but a former Member of

Parliament.

The report, edited by Professor John Dugard of Wits University, says the seminar, chaired by Mr Sydney Kenridge, SC, found the report of the Rabie Commission contained a number of positive recommendations.

"But if ALL its recommendations are 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," points out the seminar report.

It says the "most disappointing feature" of the Rabie Commission's report was the failure of the commission to fully consider that detention for the purpose of interrogation was the focal point of the South African security system.

The seminar report points out that, although physical coercion to obtain admissions from detainees is unlawful, it is equally clear that this method is not infrequently used.

The seminar felt that it was an omission on the part of the Rabie Commission not to take note of such cases.

Dead lecturer's mum flies to se

WHO-KILLE

QUIZ ON SI

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By DAVID NIDDRIE

THE mother of assassinated academic Rick Turner is on a secret visit to the Seychelles to interview a South African intelligence agent about his knowledge of the unsolved murder of her son in 1978.

Mrs Jane Turner will ask Martin Dolinchev, now behind bars on the Indian Ocean islands awaiting trial for his role in the failed mercenary takeover of the Seychelles last year, if he can help her to track down her son's killer.

Dolinchev, an admitted agent of the National Intelligence Service (NIS) and its predecessor, the Bureau for State Security, BOSS, was stationed in Durban at the time of Dr Turner's death.

Dr Turner's killing — he was gunned down in front of his two daughters at the door of his Durban home in the early hours of January 6 — has not been solved and Mrs Turner hopes he may be able to throw some light on her son's death because of statements made by self-confessed BOSS defectors about the murder of the banned Natal University political lecturer.

Two years after Dr Turner's death, in 1980, alleged BOSS defectors, Arthur McGiven and Alexander Lambert referred to the possible involvement of renegade South African intelligence operatives in the killing.

McGiven, speaking from his hideout in London, told newsmen of the fear among BOSS operatives that a renegade agent may have killed Dr Turner.

Lambert, who sought asylum in Sweden, claimed to be a defector from BOSS and that a BOSS-trained hit-man known as "Cougar" Kruger was involved in Dr Turner's death.

No trace



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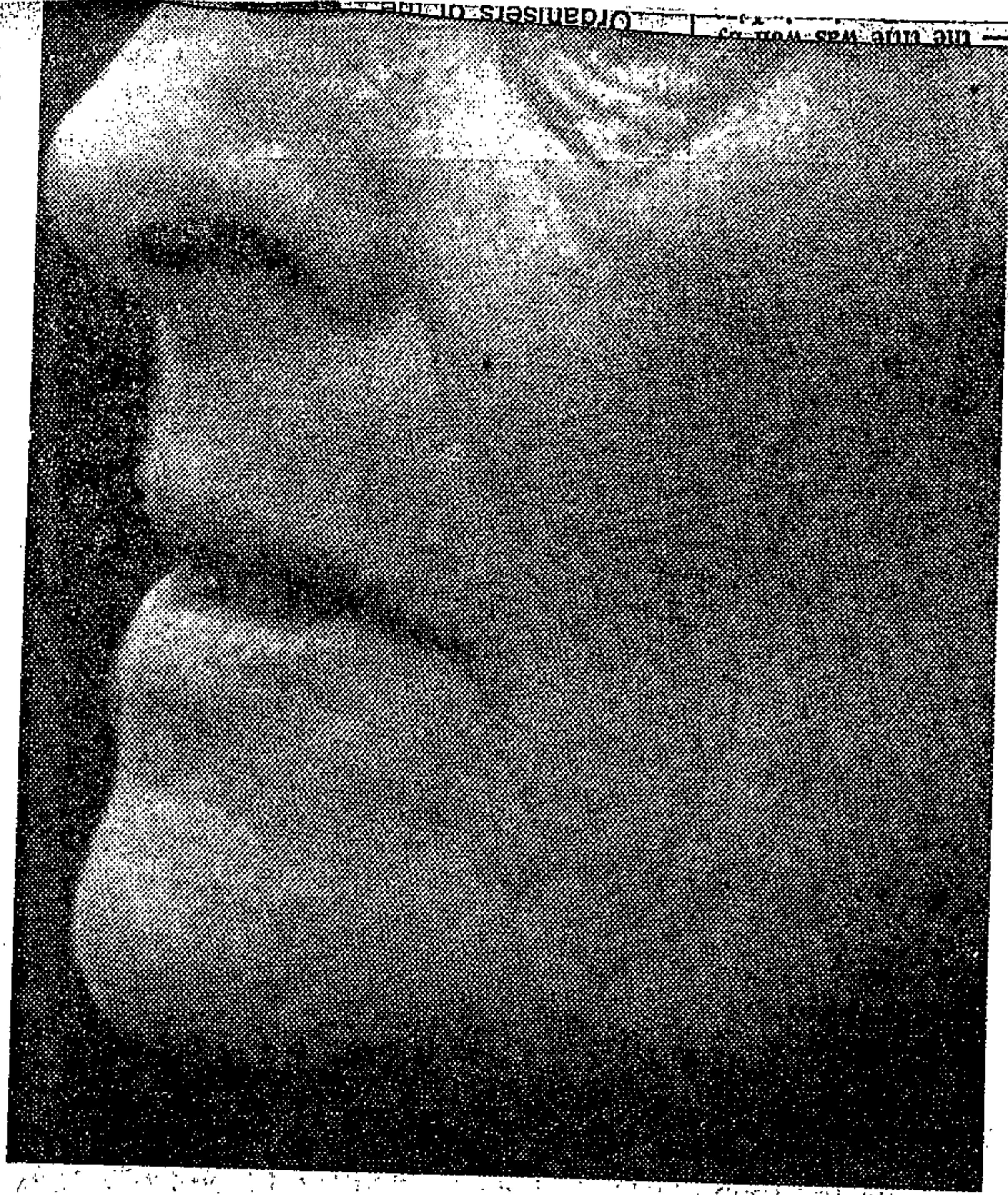
Police said they could find no trace of a man by that name or any indication that he might have fired the 9mm bullet that killed Dr Turner.

Although a privately-sponsored investigation was launched into Dr Turner's killing in early 1978, to run alongside the official police investigation, no indication of the killer's identity was established.

However, those close to Dr Turner believed the man who killed him had links either to an extremist right-wing group or to one of the intelligence services.

Dolinchek — who emigrated to South Africa in the early 1960s and trained as a miner in the Free State before joining the police and later moving on to BOSS — was known to have taken an active interest in Dr Turner some months before his death.

Under the alias of Donaldson, Dolincheck spoke openly to journalists in Durban, with whom he spent a great deal of time, of his involvement with BOSS (and later NIS) and of his interest in Dr Turner.



Mrs. Jane Turner: she hopes Martin Dolincheck may be able to help in her hunt for the killer.

NEWS SCOOP

Seychelles coup

(587) Varsity April 1982

UCT student on trial

by Jo-Ann Bekker

Varsity newspaper today reveals that one of the Seychelles mercenaries is a UCT student and resident of Smuts Hall.

Andrew Standish-White, 22, is one of the 43 coup merchants presently standing trial in Pietermaritzburg on charges of hijacking an Air India jetliner from the Seychelles to Durban.

Traced to his res room last week, where he is getting on with his studies in Microbiology 2 while the trial is adjourned, Standish-White refused to be interviewed.

"You'll just have to rely on rumours," he told a **Varsity** reporter.

Friends of Standish-White, however, were prepared to give details on his background.

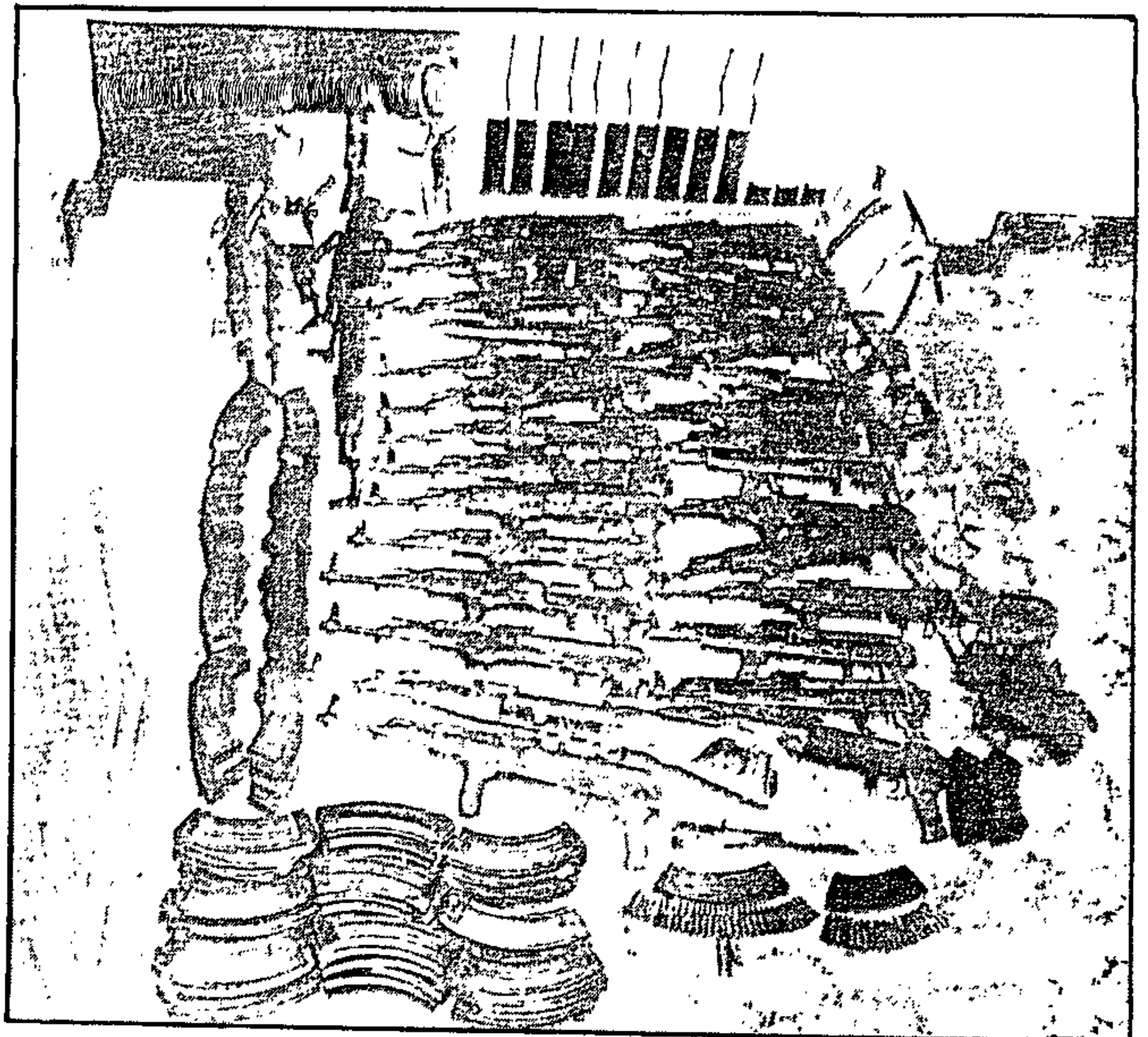
Crack Unit

A Zimbabwean citizen, Standish-White served for three years during the Rhodesian war in a crack unit.

"He's really a quiet guy," they said, but weren't prepared to offer an opinion on the reasons for his involvement.



Andrew Standish-White (22) ... Seychelles mercenary and presently on trial. "One night he didn't turn up for a party where he was expected. Next thing we heard of the coup."



Weapons brought back to South Africa by the Seychelles mercenaries after the abortive coup and the hijacking of an Air India boeing to the Louis Botha airport, Durban.

Other friends spoke of how surprised they were when they heard of Standish-White's participation in the abortive coup. Said one: "What happened is that one night he didn't turn up for a party where he was expected. Next thing we heard of the coup."

What is the University's reaction to the presence of a mercenary on campus?

Waiting

Said Don Cooper, Deputy Registrar for Student Affairs: "We've never had one like this before." He added that the University would be waiting for the outcome of the court proceedings. If any action was then to be taken, it would go through the disciplinary court.

If Standish-White is convicted on the charges he faces a minimum five-year prison sentence. "In that case it wouldn't be our problem," said Mr Cooper.

Richard (Bugs) Bucholtz, head of Smuts House Committee, said "the University policy is to allow any person to stay in residence and attend lectures until he is proved guilty. As far as I am concerned, he is welcome to stay in Smuts."

Law focuses

The Law Students Council and the Nusas Law Directive are running a programme of lunchtime meetings as an extension of the 'Lifting the Veil' theme.

This theme, which was initiated at the Law Conference in July last year, aims to show how the law is integral to the political system in South Africa. It also aims to provide a critical analysis for students and to broaden their perspectives.

The focuses take the form of Wednesday lectures in PD Hahn LT4 with follow up discussions on Thursdays in MB2, led and introduced by an invited speaker.

The first focus, Law and Ideology, took place two weeks ago. Speakers argued that the role of law is not only as a coercive and repressive mechanism, but also one of legitimating the system. Law was seen to have an ideological function in ensuring an element of consent by the oppressed masses.

Review of term for Mandela?

Own Correspondent

JOHANNESBURG. — The Prisons Department will not comment on reports that the life sentence imposed on ANC leader Nelson Mandela may be reviewed.

A department spokesman said yesterday that it was a long-standing policy not to comment on the treatment or circumstances of individual prisoners.

It was reported yesterday that Mandela's sentence for sabotage might be reviewed in terms of the new Prisons Amendment Bill, which will create a new board to review the sentences of political prisoners.

Political prisoners have previously not been able to have their sentences remitted.

The report quoted a "senior intelligence source" who said this was one of the reasons why Mandela had been moved

from the maximum security Robben Island prison to Polsmoor Prison in Cape Town. Three other political prisoners — Walter Sisulu, Raymond Mhlaba and Andrew Mlangeni — were moved with him.

The source was quoted as saying "it might even be possible that Mandela would be freed". He would then probably be restricted to a specific area of South Africa or one of the independent homelands, the source said.

But there is no firm indication that Mandela will be released.

The ANC leader, who has served 18 years of his sentence, is still a nominal leader of the ANC and has become a symbol of the plight of political prisoners in South Africa. He has featured in a number of campaigns for the release of political prisoners.

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Schwarz wants SADF to react to Dolincheck claims

By BRIAN POTTINGER, Political Correspondent

CAPE TOWN — Mr. Harry Schwarz, chief Opposition spokesman on defence, has called on the South African Defence Force to react to the allegations by captured spy Martin Dolincheck that South African authorities were deeply involved in the Seychelles coup attempt.

The National Intelligence Service agent, in prison on the Seychelles, is reported to have claimed General Charles Lloyd, now commander of the SWA Territorial Force, was aware of the planned coup and that it had been approved by the SADF.

The SADF today refused to respond to the allegations, saying the matter was *sub judice* by a ruling of the Speaker of Parliament.

Mr Schwarz said today the allegations required comment from General Lloyd and the SADF but emphasised he did not necessarily believe what Mr Dolincheck said.

A spokesman for the SADF said today it would be unacceptable to make any comments regarding the Seychelles coup or events connected with it in view of the Speaker's ruling that the matter was *sub judice* while the trial of the alleged mercenary hijackers continued in Maritzburg.

He was unable to say whether the SADF would respond to the various allegations once the trial was completed.

General Magnus Malan was unavailable for comment but an SADF official said it was assured that the Minister would not be commenting on the allegations.

Among the allegations apparently made by Mr Dolincheck under interrogation by Seychelles authorities is that South Africa wished to seize the islands for the long-term purpose of destabilising Tanzania.

It was claimed South Africa had supplied the mercenaries with weapons captured in southern Angola and that General Lloyd had intimate prior knowledge of the coup attempt.

General Lloyd was OC Natal Command at the time of the plotting of the coup and has good connections with the intelligence community having been one of the founder members of the Bureau for State Security.

Dolinchek says senior officer knew about bungled Seychelles coup

Mercury Correspondent

Mercury

VICTORIA—South African spy Martin Dolinchek has claimed that Gen Charles Lloyd, Officer Commanding South West African security forces, had intimate prior knowledge of the bungled Seychelles coup.

This emerges from taped conversations between the captured mercenary and Seychelles authorities, and further discussions between Mr Dolinchek and the special UN commission investigating the foiled attack.

Mr Dolinchek told investigating officials that he had done a full report on the Seychelles invasion plan, and this had been given to the South African Defence Force and his own department — the National Intelligence Service.

An SADF recipient of his report was, he said, Gen Lloyd, who was officer commanding Natal Command before he was appointed OC in South West Africa.

Mr Dolinchek said that Col Mike Hoare's plan for a coup in the Seychelles had been turned down by the South African Administration in 1979.

Then it was accepted and arms captured from Angola were supplied to Col Hoare's strike force whose coup attempt was unexpectedly triggered when a customs official spotted an AK-47 assault rifle in the luggage of mercenary Johan Fritz. Sources said yesterday

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Spy's claim about general

GEN Lloyd ... 'He knew claim.'

that Gen Lloyd's name appeared in an unreleased section of the UN commission's report.

But the report, published three weeks ago, said, although the commission found it difficult to believe South Africa did not know of the coup attempt, it could not be definite.

Gen Lloyd is one of a number of top SADF officers whose names have been mentioned in connection with the November attack.

Aim

Mr Dolinchek also said that the long-term aim in overthrowing the Seychelles Government was to have a base from which the Tanzanian Government could be destabilised.

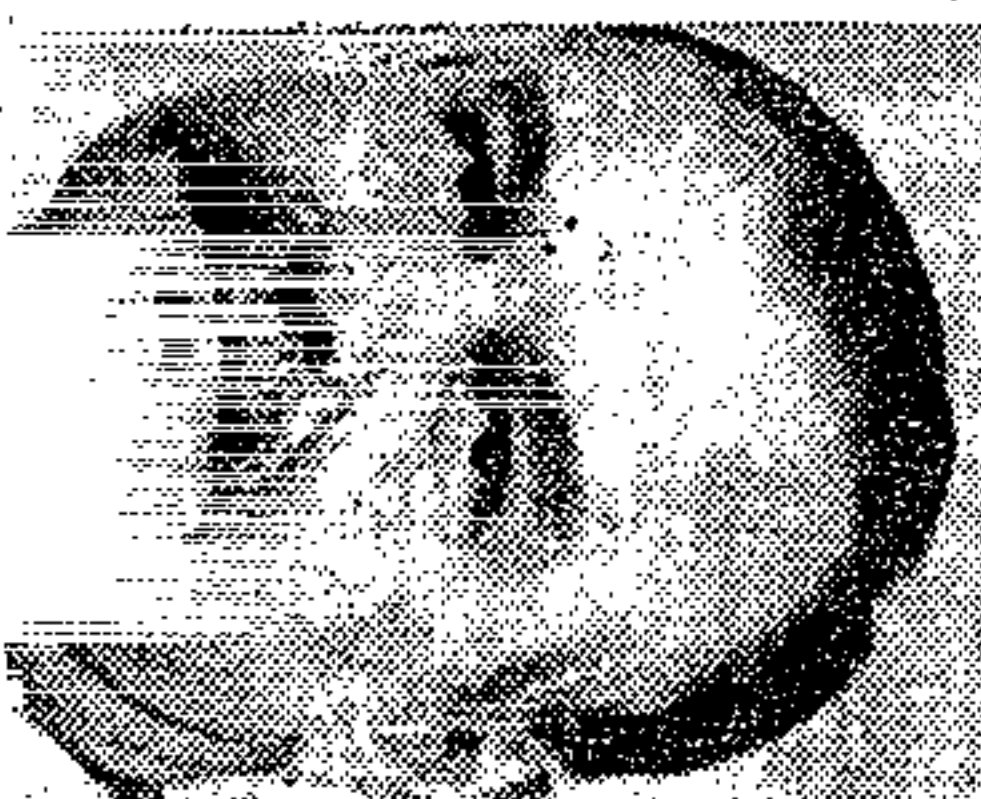
Other reasons included landing rights for South African Airways and a strategic base on the important Cape sea route.

An SADF spokesman last night said he could not comment because Parliament had ruled the matter to be sub judice.

He said the Defence Force would not respond to the allegation until the trial of the mercenaries involved in the coup attempt had ended.

Gen Lloyd himself could not be contacted for comment, in spite of repeated attempts.

Minister of Defence Magnus Malan said last night: 'I know nothing about it and have no comment to make.'



Mercenaries tell Victoria Court their tale of woe

Mercury Correspondent
VICTORIA—Seven sad-looking mercenaries trooped into the Supreme Court here yesterday to tell a tale of woe.

Since control over them had passed from police to the military, they were not receiving exercise, not allowed to shave or have haircuts, had problems with their mail and were being held in solitary confinement.

One of them was South African spy Martin Dolinchek.

Mr Dolinchek, who is considering turning State witness, has been told he could escape a possible death penalty by co-operating with the State.

Seychelles sources disclosed that contact had been made between Mr Dolinchek and his wife, Ina, as part of the plan to use him as a State witness.

Correspondence

The couple had been permitted to talk by telephone between Victoria and the Transvaal farm where Mrs Dolinchek had sought refuge since the capture of her husband.

There also has been an exchange of correspondence between the two.

Mrs Dolinchek appeared among onlookers in court yesterday to have first sight of her husband in the 15 weeks since he was captured on these Indian

Ocean islands.

He saw her, his eyes lit up, and then he broke the ranks of parading mercenaries to move towards her, his arms outstretched.

A security guard made a half-hearted attempt to stop him then let him go. They embraced, kissed and Mr Dolinchek moved off to the dock. Ina stared out over the balcony, tears welling in her eyes.

This was the dramatic start to a hearing which was adjourned to June 16.

But if the Pietermaritzburg hijack trial finished earlier, the Seychelles treason trial would continue immediately.

Defence counsel Mike Hannon, who has flown to the Seychelles to hear evidence from the Air India crew, asked Mr Justice Earl Seaton for a postponement in agreement with Seychelles Attorney General Bernard Rassool.

But before the bewigged black judge could give his decision, Mr Hannon complained about the conditions under which six of the defendants were being held.

He asked the Judge to make an order guaranteeing their treatment. At the same time Mr Dolinchek, acting for himself, made the same complaint.

The Judge said that

★ TURN TO PAGE 2

Natal province to do well in the championships.

Tale of woe

★ FROM PAGE 1

while the Court could instruct the police it could not instruct the army. But he said that the matter would be taken up with the army.

And later last night, the Minister of Information and Army Chief of Staff, Mr Jean Michel, gave the assurance that the matter would be attended to.

Mr Dolinchek asked for documents to help him conduct his own defence including a copy of the Judge's rules, a copy of the criminal procedure code and penal code.

The Court ordered that he should receive these immediately.

The hearing then ended and the mercenaries filed out with Mr Dolinchek passing a longing glance towards his wife.

Mrs Dolinchek wandered off among the palm trees outside the court and said: 'It was horrible.'

The special commission convened to hear the evidence of the Air India crew will start at 9 am today.

42,235; 41,295; - 0.94.

Cars: 1 B Elliot (Cortina 1500) 57.07; 45.83; - 11.24 2 K Korte (Lotus 20) 43.86; 40.15; - 3.71. 3 (tie) R Thompson (Escort PV) 47.98; 45.53; - 2.45 and V Warren-Hansen (Austin Healey) 51.72; 49.27; - 2.45

Orrey in front

By PITSTOP

TONY ORREY (SWM) of Port Elizabeth got closer to regaining his SA Observed Trial championship title when he won the second round at Mariannhill on Sunday.

Brian Barson (SWM) of Cape Town, the 1980 champion, took second place.

Unofficial placings in the championship log put Orrey in the lead with 50 points with Brian Norcott and Barson tying for second on 35 points.

1 T Orrey (SWM) 72 points lost; 2 D Barson (SWM) 96; 3 M Degon (SWM) 109; 4 B Norcott (Montesa) 117; 5 K Rodgers (Honda) 121.

Clubman class: 1 N Potgieter (SWM) 95; 2 D Deglon (Montesa) 101; 3 S Norcott (Yamaha) 102

marshalls struggled Winn's leg from the grip of his lamed which was carrying injured leg high.

In great pain, the reared up while he battled to keep him control as a vet screens around the and administered gency aid.

Although it had been nounced that Cronus suffered only a sp muscle, the vet realised immediately was a fracture of the ula (shoulder bone).

A postmortem re the shoulder bon splintered in at le places.

'It is like taking and just shattering bone because with like that the foot is one direction and then in another,' the vet.

Cronus belong Winn's girlfriend, Michelle Rens.

Victory

South Africa's eventing Springb Ernst Holtz, made a ling comeback at the 49 to win the tri awards at the trials come, for the thi the national eve champion.

Both his horses, and Nossob, took victory yesterday.

Last year's winner Foxcroft, was seen Schweppes Bally while third was Suntheim on Poker.

Gilson 'improved'

Pietermaritzburg Bureau

THE Deputy-mayor of Pietermaritzburg, Councillor Rusty Gilson, was reported yesterday to be still in the intensive care unit of Grey's Hospital after suffering a suspected heart attack on Thursday. His family said his condition had improved at the weekend.

Poor weather made for lean catches over East

POMPANO

NATAL has won the inter-provincial skiboat game-fishing tournament fished over three days off Richards Bay and which ended yesterday in wet and windy weather with a heavy swell on the sea. Competition host was the Richards Bay Skiboat Club.

The Natal team had a field day in yesterday's heavy conditions and caught 25 fish, most of them small yellowfin tunny. First four placings were Natal with 2 577 points, Transkei with 1 372 points, Western Province with 1 131 points and the Natal Invitation team with 969 points.

In an international contest fished in conjunction with the inter-provincial, the Austrian team, thanks to two barracouta weighing 19.5kg and 12kg, and an 8kg dorado caught yesterday took its score to

Angling Club

Some small shad were caught along the upper South Coast rocky outcrops, but most of the North and South Coast beaches were hardly fishable.

A report from Margate yesterday was that a heavy ground swell was again building up there and that the rivers were in spate after heavy rains in the area on Sunday, discolouring the sea.

Durban's South Pier has been dangerous at times during the holiday weekend, and an angler was washed off the end on Saturday morning and another yesterday morning. Both suffered minor abrasions. Several lost rods and fishing tackle.

Most of the fish caught

from the pier were do fish, but catches included at least grunter, two rock around the 3kg max, small queenfish, and an occasional

Most skiboats the sea from Durban's ching site during weekend returned with empty hatches; lucky boats caught three snoek each.

Fishing in Durban on Sunday Bob Munged a 2.5kg grunter, small queenfish. reports that two sized grunter were landed from other The bay is teeming juvenile grunter an estuarine fish. that there has been breeding in the region this season.

SKIMCOTE LEVELS
THESE WALLS
LY.

FILL PROBLEM CRACKS WITH MENDALL 90,
AND COLOUR - MATCH TO WOOD WITH OXIDE.

8083/E

ALL DONE!
MMMMM, MY HERO!

Polyfilla

CARSONS OFFICE FURNITURE

By EUGENE HUGO

VICTORIA. — South African spy Mr Martin Dolinchek is considering turning State witness in the trial of the seven mercenaries captured after the abortive November coup.

This was told to the Rand Daily Mail by top Seychelles government sources yesterday.

It has been put to Mr Dolinchek that he could escape a possible death penalty by co-operating with the State and confessing all at the mercenaries' treason trial now scheduled for June 16.

It is understood that Mr Dolinchek's wife, Ina, is considered a key factor in his decision — a decision which

Dolinchek may be State witness

might make it impossible for the intelligence agent to return to South Africa.

Another "carrot" is Seychelles citizenship for himself and his wife.

Another factor in the Dolinchek decision whether or not to become a "turncoat" in terms of his mercenary colleagues, is the treatment so far meted out to his wife in South Africa by his old department.

Instead of accepting his "cover story" that he did not tell his superiors about the

Seychelles venture and said he was going on a hunting trip in Botswana, NIS disowned him by saying he had left their employ two months before the failed coup.

This angered Mr Dolinchek who feels there is little future in South Africa if he is eventually freed.

The Mail learnt this week that two suspected South African agents have visited the Seychelles since Mr Dolinchek was captured to assess the situation. And it is now believed that

one of them — posing as a lawyer — recommended on his return that the NIS should not contribute to the "rogue" agent's defence.

An earlier offer, for Mr Dolinchek's defence, the Mail was told, was made to his wife but was subsequently withdrawn.

Mr Dolinchek has already admitted that the 80 AK assault rifles tested by himself and his colleagues — including Colonel "Mad Mike" Hoare's two sons — at La Mercy Airport near Durban,

came from official Pretoria sources.

His other allegations include that:

- He obtained a false passport for Col Hoare to travel to Swaziland with permission "at the highest level".

- Both his department, the NIS, and the SADF had full and prior knowledge of the coup plans.

- He was still a member of the NIS when he participated in the Seychelles coup.

- The coup plans were put to the South African Govern-

ment in 1979 and rejected — only to be accepted in 1980 with the logistical support given by the SADF in the form of weapons.

Seychelles sources disclosed to the Mail that contact had been made between Mr Dolinchek and his wife as part of the plan to use him as a State witness.

The couple were once even allowed to talk by telephone between Victoria and the Transvaal farm where Mrs Dolinchek has sought refuge since the capture of her

husband.

But before Mrs Dolinchek sees her husband alone, she will be thoroughly questioned by Seychelles investigators intent on keeping any South African Government interference under control.

Just as Air India pilot, Captain Umesh Saxena, is regarded as vital to the outcome of the Maritzburg Supreme Court trial of Col Hoare's mercenaries on hijack charges, so too, is Martin Dolinchek being regarded here as a key figure.

Coup plan 'given to SA General'

327 004

13/4/82

By EUGENE HUGO
Investigations Editor

SOUTH African spy Mr Martin Dolinchek has named Major-General Charles Lloyd, Officer Commanding South West African security forces, as a man with intimate prior knowledge of the bungled Seychelles coup.

This emerges from taped conversations between the captured merce-

nary and the Seychelles authorities, and discussions between Mr Dolinchek and the special United Nations Commission investigating attack.

Court told of prison plight of 'dogs of war'

By EUGENE HUGO

VICTORIA. — Seven sad-looking mercenaries trooped into the Seychelles Supreme Court yesterday to tell of bad treatment.

Since control over them had passed from police to military they were not receiving exercise, were not allowed to shave, were not allowed haircuts, had problems with their mail and were being held in solitary confinement.

One of them, South African spy, Mr Martin Dolinchek, had an added moment of grief.

13/04/82

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Mr Dolinchek told investigating officials that he had written a full report on the Seychelles invasion plan as presented by Colonel "Mad Mike" Hoare in 1980.

This report had been given to two top South African Government departments:

- The South African Defence Force, and;
- His own department — the National Intelligence Service.

An SADF recipient of his report was, he said, Gen Lloyd, before he was appointed OC in SWA.

Mr Dolinchek said that Col Hoare's plan for a coup in the Seychelles had earlier been turned down by the South African administration in 1979.

Then it was accepted, and arms captured from Angola were supplied to Hoare's strike force.

The coup attempt was unexpectedly triggered when an alert customs official spotted an AK-47 assault rifle in the luggage of dead mercenary, Mr Johan Fritz.

Rand Daily Mail sources said yesterday that Gen Lloyd's name appears in a not-yet released section of the UN Commission's report.

Gen Lloyd is one of a number of top SADF officers who have been linked to the November attack.

Mr Dolinchek also said that the long-term aim in overthrowing the Seychelles Government was to have a base from which the Tanzanian Government could be destabilised.

Other reasons included landing rights for SAA aircraft and a strategic base on the important Cape sea route.

An SADF spokesman last night said he could not comment because Parliament had ruled the matter to be sub judice. He said the defence force would not respond to the allegation until the trial of the mercenaries involved in the coup attempt had ended.

Up to the time of going to Press, Gen Lloyd himself could not be contacted for comment, despite repeated attempts.



Mrs Ina Dolinchek, wife of self-confessed South African agent, Mr Martin Dolinchek, in the Seychelles. With her is an unidentified friend.

She was then whisked away by the Johannesburg Afrikaans Sunday newspaper that had paid her fare.
● The special commission convened to hear the evidence of the allegedly hijacked Air India crew will start at 9am today.

of her husband in the 15 weeks since he was captured.

The reunion was emotional. He saw her. His eyes lit up and then he broke the ranks of parading mercenaries to move towards her... his arms outstretched.

A security guard made a half-hearted attempt to stop him and then let it go. They embraced, kissed and Mr Dolinchek moved off to the dock.

Ina stared out over the balcony, tears welling in her eyes.

This was the dramatic start to a hearing in which the Seychelles Chief Justice was asked to postpone — and did — the final trial date of the seven mercenaries to June 16.

But there was one proviso: if the Maritzburg hijack trial finished earlier the Seychelles treason trial would continue immediately.

Defence counsel, Mr Mike Hannon, who has flown to the Seychelles to hear evidence from the allegedly hijacked Air India crew, asked Mr Justice Earl Seaton for a postponement in agreement with Seychelles Attorney-General Mr Bernard Rassool.

But before the judge — wearing a powdered wig and glasses — could give his decision, Mr Hannon complained about the conditions under which six of the defendants were being held.

He asked the judge to make a court order guaranteeing the prisoners' treatment. At the same time Mr Dolinchek, acting for himself, made the same complaint. The judge said that while the court could instruct the police it could not instruct the army. He said the matter would be taken up with the army.

And later last night the Minister of Information and Army Chief of Staff, Mr Jean Michel, assured the Mail that the matter would be attended to.

Mr Dolinchek asked for documents to help him conduct his own defence.

These included copies of the judge's rules, the criminal procedure code and the penal code.

The court ordered that he should receive those immediately.

The hearing then ended and the mercenaries filed out with Mr Dolinchek passing a longing glance towards his wife.

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Dolinchek 'knows who slew Turner'

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Star
13/4/82

By Tony Stirling
The Star's Africa
News Service

VICTORIA — Mrs Jane Turner, octogenarian mother of slain South African academic Dr Rick Turner, is in the Seychelles to see if the captured South African spy, Mr Martin Dolincheck, can give her any information on her son's murder in 1978.

She is convinced he knows who murdered her son.

Mrs Turner disclosed yesterday that she had seen Mr Dolincheck for 30 minutes last week and came away "convinced that he knows who killed my son."

INTERVIEW

She said she had seen Mr Dolincheck at police headquarters in Victoria and was now trying to arrange a further interview through the military authorities, who are holding the professed member of South Africa's national intelligence service.

She said Mr Dolincheck had admitted meeting her son "about three to four months before he was murdered."

But this did not coincide with information she had received from other sources that Mr Dolincheck had known her son at least a year before his death and had been a regular visitor at his house.

BANNING

According to Mrs Turner, Mr Dolincheck had confirmed holding "the complete dossier" on her son and claimed that he would have recommended that the banning order on Dr Turner be lifted as he considered him no danger to the State.

She said that at the time of his death his banning order had been due to expire within two to three weeks.

According to Mrs Turner, Mr Dolincheck had been informed of

the nature of her visit in advance of her seeing him and she had thus been "robbed of the element of surprise" in her talk with him.

He had appeared smiling and confident and had joked: "So you think I know who killed your son?"

Mrs Turner said that from the outset she had believed there had been official involvement in the killing of her son and she remained convinced that this was so.

Before coming to the Seychelles she spent some time in London with people who had an interest in her son's murder and at least one reporter has followed her from London.

EXPLORATORY

She said she had applied in writing to the Minister of Defence in the Seychelles for a further interview with Mr Dolincheck as she regarded her interview with him as exploratory.

● A private investigator who probed the killing of Dr Turner, concluded that two members of BOSS killed him by accident.

The investigator is Mr John du Preez, a former member of the Security Police, Republican Intelligence and the Bureau for State Security.

As a result of the investigation by Mr du Preez, who now operates in private security in Pretoria, the police conducted ballistic tests on the weapons of certain members of BOSS who were named in a report he submitted to the Commissioner of Police, General Mike Geldenhuys. These tests proved negative.

One of BOSS's most senior men Mr Alex van Wyk, also cleared the suspects named in the du Preez report.

Coup saga of bungling and greed

By Tony Stirling and Brendan Nicholson
The Star's Africa News Service

Victoria

Professed South African intelligence agent, Martin Dolinchev, is alleged to have told the United Nations commission of inquiry into the abortive Seychelles coup last November that the failure was due to Colonel Mike Hoare's greed.

"He was counting dollars. He scaled the whole thing down to about 50 people.

"That is cutting it to the bone," Dolinchev is quoted as saying.

According to an annexure to the commission's report, Dolinchev said that Colonel Hoare also changed plans to infiltrate his men from several different countries and, instead, had done it "on the cheap" by bringing his entire strike force into the Seychelles aboard an Air Swazi jet.

Hijack hearing delayed again

VICTORIA — The start of hearing evidence in connection with the Maritzburg hijack trial was adjourned again this morning when the first witness, Air India pilot Captain U C Saxena, was admitted to hospital with an eye infection.

The court adjourned to this afternoon to hear the evidence of the Seychelles Director of Civil Aviation, Mr M J L Lostau-Lalanne.

Captain Saxena was said to be suffering from virulent conjunc-

Dolinchev's testimony emerged with several other extraordinary and previously unpublished aspects of the bungled coup attempt.

These include the decision of former British paratrooper Roger England (26) to try to make his own way out of the islands instead of flying back with his companions because he had left his belongings at his hotel.

England had flown in with the advance party several days ahead of the main body.

He swam about four kilometres up the coast to the hotel and sat in his hotel room until the police came for him.

Foolhardy

There was a foolhardy attempt by four mercenaries, armed only with Russian AK-47 assault rifles, to attack the gate of the

base. This began with England driving up to the wire and warning the sentries that, if they dropped their weapons, they would not be harmed.

It ended when an alert sentry opened fire, wounding former Selous Scout Aubrey Brooks and American Vietnam veteran Charles Dukes.

Dukes was later flown back to South Africa aboard the allegedly hijacked Air India jet.

Brooks was ordered to crawl back to the main party but he collapsed from loss of blood and was left behind.

Then followed the apparent heroism of mystery Englishman Bernard Carey, who told the commission he had no previous military experience but had been placed in command of a major part of the mercenary force under Colonel Hoare.

He said he remained behind to search for

To Page 3, Col 9

tivities which had reached epidemic proportions on the Indian Ocean island.

The Deputy Attorney-General of Natal, Mr Hendrik Klem, his assistant Mr Gideon Scheltema and his secretary also have eye infections and appeared in court in dark glasses.

After weeks of negotiation, Monday, April 12 was named as the day for the first sitting of the commission. But the commissioner, Mr Justice Frank Wood, announced on Monday he was not available because he was hearing local criminal cases.

Yesterday he said he had not received a proper commission from the trial judge, Mr Justice James, or from the Registrar of the Supreme Court, Mr C T Vermey.

Today he said he had received a proper appointment and he was ready to start.

Seychelles (327) coup bungle

from page 1

brooks and was tramping through the bush near the army camp when he heard the Air India jet take off.

"Apparently Brooks was in a coma and could not hear me calling."

He said he had known Brooks for only about a fortnight, and went back for him "because I hope someone would have done the same for me."

Carey said he had a grandstand view the next morning when troops made an excellent commando raid on the empty terminal to rescue the hostages.

"They must have put 30 to 40 shells into the place and really tore it to pieces."

Carey, England and Brooks were captured.

Dolincheck told the commission that Colonel Hoare had changed the agreed plan to send the weapons and the men into the Seychelles separately.

As a member of the advance party, the first he knew of the change in plan was when he picked up his suitcase after his arrival and felt its weight.

"Oh, my God," I said. "There must be an AK inside."

Dolincheck also told the commission that

the South African Government had given tacit approval to the coup plan but had supplied nothing but weapons.

Later he qualified this testimony, stating the South African Government had "possibly" provided the arms.

He also expressed great dissatisfaction about the quality of the men Colonel Hoare recruited.

He claimed that part of the advance party spent two days and nights drinking solidly.

When he remonstrated with the drinkers, he was told to mind his own business, and that if he did not they would shoot him at the first opportunity.

Later, when Colonel Hoare arrived, Dolincheck claimed, the mercenary leader complained that his men had been drinking all the way from Swaziland and that he would be forced to advance the operation by a day because they would not last until the intended coup date.

In the report the commission quotes former Natal Provincial Council candidate Gerry Puren as confirming for the first time that he was not merely an innocent bystander, but was to play a role by taking over the control tower at the airport when the coup took place.

Hoare's 'greed' blamed

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Argus Africa News Service

VICTORIA (Seychelles). — Professed South African intelligence agent Martin Dolinchev alleged that Colonel Mike Hoare's greed caused last November's Seychelles coup attempt to fail.

He was counting dollars. He scaled the whole thing down to about 50 people. That is cutting the meat to the bone. Dolinchev is quoted as telling the United Nations Commission of Inquiry into the abortive takeover bid.

According to an annex to the commission's report the South African National Intelligence Service agent said Hoare had also changed plans to infiltrate his men from a number of different countries and had instead done it 'on the cheap side' by bringing his entire strike force into



Martin Dolinchev

the Seychelles aboard an Air Swazi jet. Dolinchev's testimony emerged with a number of other extraordinary and previously unpublished aspects of the bungled coup attempt.

Details are given of the decision of former British paratrooper Roger England, 26, to try to make his own way out of the Islands instead of flying back with his companions because he had left 'all my possessions' at his hotel. England had flown in with the advance party several days ahead of the main body. He then swam about four kilometres up the coast to the plush Reef Hotel and sat in his room until the police Islands came for him.

A foolhardy attempt by wounding former Selous four mercenaries armed Scout Aubrey Brooks and only with Russian AK-47 assault rifles to attack the gate of the islands' main army base began with England driving up to the wire and warning the sentries that if they dropped their weapons they would not be harmed. It ended unfortunately when an alert sentry instantly opened fire (Contd on Page 3, col 1)

Hoare changed plans, UN commission told

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(Continued from Page 1)

He however, collapsed from lack of blood and was left behind.

Then followed the apparent heroism of mystery Englishman, Bernard Carey, who told the commission he had no previous military experience but was placed in command of a major part of the mercenary force under Colonel Hoare.

He said he remained behind to search for Brooks and was training through the bush near the Seychelles Air camp calling his name when he heard the Air India jet take off.

Apparently he was in a coma and could not hear me calling.

He said he had only known Brooks about a fortnight and went back for him 'because I hope

someone would have done the same for me.' Carey said he had a grandstand view next morning when troops made 'an excellent commando raid on the empty terminal to rescue the hostages.

'They must have put 30 to 40 shells into the place and really tore the place to pieces.' Until then, Carey said, the terminal had suffered little damage. Carey, England and Brooks were all captured and are now facing charges that carry a possible death penalty. Dolinchev told the commission that Colonel Hoare changed the agreed plan to send the weapons but had supplied nothing and the men into the Seychelles separately.

As a member of the advance party the first he knew of the change in plan was when he picked up the suitcase after his arrival and felt its weight. 'Oh my God,' I said, 'there must be an AK inside. Again I was faced with Hobson's choice. Lucky for me I got through.'

Dolinchev also told the commission that the South African Government had given 'tacit approval' to the coup plan

He later qualified this testimony stating that there were so many sources from which the weapons could have been obtained in South Africa that he could only say the South African Government had 'possibly' provided the arms.

He also expressed great dissatisfaction about the quality of the men Colonel Hoare recruited. 'I object to people who drink, who mix alcohol with work.'

He alleged that part of the advance party had spent two days and nights drinking solidly.

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Hijack trial: Airport 'unsafe' for landing

ARGUS 14/4/82

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Argus Correspondent

VICTORIA (Seychelles).

The first witness in the Maritzburg hijack trial commission here said armed men on Mahe Island airport had turned down his pleas to divert the Air India Boeing which was allegedly hijacked here on November 25.

The witness Mr M J L Loustau-Lalanne, Director of Civil Aviation in Seychelles, said he had considered it necessary to divert the aircraft because landing would be unsafe.

The situation was also abnormal because armed men had forced entry to the air traffic control tower and various staff had been rounded up by the armed men.

He said a sharp-featured dark man had told the aircraft pilot to land as normal.

With the aircraft below 1000 feet and with about a mile to go, he had

pleaded with the armed man to tell the pilot to land 'deep' as the approach to the runway could have been obstructed.

He said the man gave the pilot meteorological and other figures which were not the same as what would have been available had the meteorological staff been left at their posts.

Mr Loustau-Lalanne said he had been told that the 'colonel' wanted to see him. He assumed the 'colonel' was in charge of the armed men. He was an older man with a goatee beard and light hair.

The colonel had told him the flight should not have landed and that he was prepared to negotiate with the government. An official was told to telephone the Commissioner of Police.

Mr Loustau-Lalanne was then asked to speak

to the authorities in Victoria and they agreed to the Boeing being allowed to take off safely.

'Our army withheld its fire until the safe departure of this aircraft, but the armed men were not to board the aircraft,' he said.

Mr Loustau-Lalanne said since the incident his health had suffered. He had passed blood in his urine and could not stand the sight of certain telephones.

Earlier today, the trial was adjourned until this afternoon when the first witness, Air India pilot Captain U C Saxena, was admitted to hospital with virulent conjunctivitis.

The Deputy Attorney-General of Natal, Mr Hendrik Klem, his assistant, Mr Gideon Scheltema, and his secretary also have eye infections and appear in court in dark glasses.

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Claim by spy: General Lloyd silent

From PETER KENNY

WINDHOEK. — The Officer Commanding the South West Africa Territory Force, Major-General Charles Lloyd — alleged by South African "spy" Mr Martin Dolinchek to have had intimate prior knowledge of the Seychelles coup bid — is remaining tight-lipped.

In spite of repeated attempts to contact General Lloyd about allegations made about him by Mr Dolinchek, he could not be contacted.

A spokesman for the SWA Territory Force repeated an earlier comment of the South African Defence Force saying General Lloyd could not comment because Parliament had ruled the matter to be sub judice.

The spokesman repeated that the Defence Force would not respond to Mr Dolinchek's allegations until the trial of the alleged mercenaries had ended.

The allegation about General Lloyd emerged from

CAPE TOWN 14/4/82 327
taped conversations between Mr Dolinchek and the Seychelles authorities, and discussions between Mr Dolinchek and the special United Nations commission investigating the alleged coup bid.

Mr Dolinchek had told investigating officials he had written a full report on the Seychelles invasion plan as presented in 1980.

The report had been given to two top South African government departments — the South African Defence Force and his own department, the National Intelligence Service.

Mr Dolinchek had said that aAn SADF recipient of his report was General Lloyd, before he was appointed OC in SWA.

Before General Lloyd took up his appointment in Windhoek he was Officer Commanding Natal Command, where Mr Dolinchek claims he himself represented the Bureau for State Security and the National Intelligence Service.

'Raiders thought they were knights in shining armour'

By
Brendan Nicholson
and Tony Stirling,
The Star's Africa
News Service

VICTORIA —
Amazing tales of
overconfidence, in-
eptitude and wasted
courage have
emerged from pre-
viously unpublished
testimony of seven
mercenaries held in
the Seychelles since
last November's
abortive coup
attempt.

The information is
contained in transcripts
of statements made by
the mercenaries to the
United Nations com-
mission of inquiry into
the bid to topple Pre-
sident Albert Rene.
The six men and a
woman, who face trial
for treason and pos-
sible execution, have
described the confusion
that erupted when the
main body of raiders
was discovered passing
through customs.
Professed South Afri-
can National Intelli-
gence Service agent
Martin Dolinchek told
the commission that
Colonel Mike Hoare

Seychelles: a tale of ineptitude

had considered a Sey-
chelles coup since Pre-
sident Rene took power
in 1977. He had gone
as far as preparing
plans which he asked
Mr Dolinchek to pass
on to anyone who
might be able to help
implement them.
Mr Dolinchek said he
did so. But the South
African Government
did not want to be-
come involved.
Colonel Hoare told
Mr Dolinchek in Oc-
tober last year that he
had received a million
dollars from Seychelles
exiles to put former
Prime Minister James
Mancham back in
power.
Mr Dolinchek said he
presumed "the powers

to be" knew of the
plan because Colonel
Hoare suddenly had a
free hand to obtain
armaments and
whatever else he
needed. "He did not
need help any more."

He said once the
mercenary force had
secured the islands, a
Government in exile
would be flown in,
along with a force of
Kenyan troops and po-
licemen who would
take over from Colonel
Hoare's men.

The Nairobi Govern-
ment has denied this
allegation.
Mr Dolinchek told
the commission he had
taken leave to go on
the Seychelles opera-
tion as Colonel Hoare's
intelligence officer. He
emphatically denied he
had been a paid merce-
nary.

he had been told to be
at the airport in case
of trouble when the
main group arrived.
When the shooting
started he and three
companions were sent
to prevent Seychelles
troops leaving their
base camp just up the
road.

"We drove up to the
entrance of the camp. I
think there were two
or three men standing
there."

"We got out of the
car and told them to
stand still.
"A man behind a
wall let rip and woun-
ded two of us."

"We took cover but
five minutes later we
came under fire from a
Russian 12.7 mm heavy
machinegun."

The group pulled
back into some rocks.



Alleged agent Martin Dolinchek. The picture was taken soon after his capture in the Seychelles. The head of the NIS has refused to "betray the ethics of intelligence work" by naming members of his service.

Mr Brooks was weak
from lack of blood and
surrendered to police
after a night in the
bush.

Mystery Englishman
Bernard Carey (38)

6-7-77

VICTORIA — A permanent member of the South African Defence Force is to be charged with issuing call-up papers to mercenaries involved in the Seychelles coup attempt.

This emerged from the report of the United Nations commission of inquiry into the coup. The report quotes General P van der Westhuizen, head of military intelligence, as saying that a member of the SADF "fraudulently issued a call-up in the reserve force."

The matter is to be referred to the civilian judiciary authorities because the people concerned were not in service at the time, the report says.

This confirms allegations made in The Star that several of the mercenaries signed call-up papers which had been issued irregularly.

As a result of The Star's claim, the Minister of Defence, General Magnus Malan, confirmed that an army board of inquiry had investigated the allegations. But he refused to give Parliament the result of the investigation on the grounds that it contravened the "sub judice" ruling.

But it now appears that General van der Westhuizen freely gave this information to the UN commission at a time when his Minister declined to give it to Parliament.

Referring to the supply of arms, General van der Westhuizen said he could say nothing about the matter as it was the responsibility of the Security Police.

The Star has established through three sources, two of them operating in South African intelligence, that the 80 Rumanian AK47 assault rifles used by the mercenaries in the abortive coup came from sources inside South Africa.

told the commission he had never had military training but had been chosen to take a weapon through Seychelles customs on October 31 in a "dummy run."

He said he missed the Air-India flight to Durban because he went into the bush to search for the missing search for the missing Aubrey Brooks.

Mr Carey combed the bush all night, but walked into a Seychelles army patrol the next morning.

Two other members of the advance party, Robert Sims, and his girlfriend, Mrs Susan Ingles, were picked up at the mountain base they had set up.

The last of the runaway mercenaries captured was former Natal Provincial Council candidate Gerry Puren who survived for a fortnight in the bush on a diet of coconuts.

Dalglish who eventually made it back to South Africa with the main party, was lost in the confusion.

Former Selous Scout Aubrey Brooks, who had been shot in the leg, and another wounded man, American Vietnam veteran Charles Dukes, were sent back down the road to safety.

Charles Dukes made it but Aubrey Brooks passed out from lack of blood.

Mr England said he joined the main group outside the airport.

Eventually the Air-India jet arrived. He failed to escape on the Air-India plane because it had left all my belongings in my hotel and did not want to leave them.

He swam and waded several kilometres back to the plush Reef Hotel where he was picked up by the authorities next day.

Mr Dolinchev went to the airport on November 25 to welcome the main party.

"I was watching them throw their suitcases on to the bus. I am not usually tense but I had a gut feeling that something would go wrong.

"Then I heard a single shot and someone said 'oh-oh', they've caught us." Then there was shooting all over the place. Everyone was trying to get his gun out of his suitcase and the whole shambles broke out.

Mr Dolinchev told the commission he then he drove back to his hotel.

Former British paratrooper and Rhodesian SAS corporal Roger England (26), a member of the advance party, told the commission

is loving me

VICTORIA (Seychelles) — A pathetic story of love and loyalty to protect his common law wife, Susan Ingle, was told to the UN Commission by captured South African mercenary Robert Sims.

At the start of his evidence to the commission, Sims, who is the brother-in-law of mercenary leader Colonel Mike Hoare, said: "One thing I am a bit perturbed about is another member of our party, a lady by the name of Susan Ingle."

"Well, her crime is loving me. She has done 61 days in solitary confinement. That is her crime. When I saw her crime, she came over here to look after a little cottage for me, to do my cooking, to wash my clothes, look after me like a normal housewife."

"We have been together for the last ten years and she has been locked up for 61 days because she loves me. It seems a bit odd."

When it came to her testimony, Mrs Ingle confirmed her basic knowledge of what was to be a "bloodless coup" and said she had been given charge of a bank account to operate for the convenience of herself and Mr Sims.

Herself was by far the shortest testimony of all those captured, and she claimed to have no knowledge of the details of the planned coup.

The last statement uttered by Sims to the commission was: "As regards Susan, sir, I would be obliged if you could please do something about her."

From a Staff
Reporter

VICTORIA (Seychelles). — Air India pilot Captain Umesh Saxena said in the Seychelles Supreme Court today that after a hazardous landing on November 25 he was told: 'You have landed in the middle of a revolution.'

This was said by a man introduced as Tom, whom he described as being about 55 and who had a goatee beard.

When he asked Tom what was happening, Tom replied: 'Those Tanzanian bastards are shooting at us.'

Captain Saxena said Tom had told him that if he and his first officer tried to doublecross them one would be shot and their aircraft blown up. If they co-operated they would be unharmed.

Vehicle

While committed to land at Mahe Airport he saw a vehicle on the runway and was unable to avoid hitting it.

Had he tried to lift off again the lack of thrust would have forced the plane down to crash into the vehicle, killing all occupants.

He was angry and asked the control tower why he had been allowed to land on a blocked runway. He received no explanation. Instead, the control tower told him to taxi around.

He refused the instruction and was told that some men would meet the plane on the apron, which was in darkness.

He could, however, see the marshaller who guided him in.

He was told to wait and while preparing the safety precautions, he was told by the purser that he was wanted outside.

The stepladder was in position and when he and Captain Misra descended they found a group of 10 to 15 armed men.

He was then taken to Tom, who asked him where the aircraft was capable of flying.

He said that if the aircraft was refuelled it could go to Bombay, but Tom replied that they should forget about Bombay and asked if they could go to Oman.

Tom then asked him if they could go to South Africa and he asked his navigator to plan a course.

Police chief

Captain Saxena said he agreed to go to South Africa because of the threats of shooting and blowing up the plane and he thought some revolution was taking place and he was in the company of one of the 'rebels.'

Tom was then speaking on the telephone to the Commissioner of Police in Victoria and Tom told Captain Saxena to speak to the commissioner and tell him that the plane would be allowed to go. But he was not to tell the commissioner that he and his men were going in the plane as well.

He lied to the commissioner because he felt he had no option as he wanted the shooting outside stopped and the runway cleared.

He later asked the commissioner for permission to clear the runway. This was agreed to and he and Captain Misra cleared the runway in a vehicle provided by the air traffic controller.

About 40 of Tom's men boarded the plane. One man came into the cockpit and he and the pilot studied maps by the light of a pencil torch.

They planned a route from the Seychelles to Johannesburg over the Mozambique coast, but a man objected, saying they

(Contd on Page 3, col 1)

11/11/85 15/4/87 327

TOM NOT REVENUTION,

Pilot tells of hijack drama

AF645 15/4/82 327

(Continued from Page 1) should not fly over Mozambique.

They planned another route over Madagascar, but the man also turned this down. They then planned a new route to Durban, with Johannesburg as the alternative.

Captain Saxema said he would not normally have flown with a damaged plane, but he decided it was best to take a calculated risk.

Tom's men carried guns and he asked if they had other arms. They replied they had no other explosives.

He started the engines and took off without permission and without filing flight plans.

The man who helped to plot their course knew about navigation. He did not want a route over

Madagascar because he feared the plane might be forced down.

While the aircraft was at Mahe no passengers were allowed to alight and no passengers for Bombay were picked up.

At the airport there was sporadic firing and shelling and he saw a 'shell' flying past the nose of the aircraft.

Twice he fell flat for fear of being shot

High speed

While in the airport building he asked to go to the plane to see how the passengers were reacting.

Tom's gunmenref used to let him go. He was surprised that Tom's men had arranged some fuel to be taken aboard.

Captain Saxema said his aircraft was on the ground at Mahe for about three

hours. When he took off again a 'gunman with aviation experience' sat on the jump seat behind his crew with a submachine gun.

He went down the runway at a higher-than-normal speed and abruptly pulled the aircraft into the air to avoid the damaged flap affecting take-off.

The gunman wore a headset to monitor transmissions between the crew and ground stations.

'I was cautious about what I said to the ground stations as I did not want to provoke him. I was being cautious in line with company policy.

Whenever the gunman did leave the cockpit, he was replaced by one of his companions.

The pilot commented later that he also felt threatened by the other gunmen.

'I could not take decisions as the commander I had to ask permission for every small decision.' He was under extreme tension.

His company had instructed him to follow the instructions of a hijacker to the letter — 'that is what I did.'

Under siege

His first radio contact was with Mauritius and then Johannesburg came through.

Captain Saxema said he was told by the gunman in the cockpit to tell the Johannesburg tower that one of his main flaps was damaged and he was heading for Durban for repairs in an 'extreme emergency.'

He passed the message on and added that he was

unable to explain further. His aircraft was fitted with the standard anti-hijacking transponder which put out a signal in a discreet code to warn ground stations of the emergency.

Unsure of whether the gunman was aware of the transponder, the pilot said, he gradually switched it through frequencies until it was in the right position.

Johannesburg finally reacted and asked what transponder code he was using.

'I said "Stand by", which conveys that the aircraft is under siege.'

At this point counsel said the code details would not be given to avoid future danger to aircraft.

The court adjourned until tomorrow.

(Proceeding)

NIS chief silent on mercenaries

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15/11/82
Star

The Star's Africa
News Service

VICTORIA — In his first public meeting Dr Lucas Barnard, head of the National Intelligence Service, refused to disclose whether captured South African mercenary Martin Dolinchev was a member of the NIS.

According to the United Nations commission's report to the UN Security Council, Dr Barnard had refused to answer or deny anything Dolinchev had said at his news conference after his capture in the Seychelles.

He was also not prepared to discuss with anyone "the

membership of Mr Dolinchev or anyone else in the National Intelligence Service of South Africa."

The commission had raised the question with Dr Barnard, as well as the possibility that other mercenaries had been members of the NIS. Dr Barnard had replied that he was not prepared to "betray the ethics of intelligence work" by disclosing the names of members of his service.

In his evidence to the commission, Dolinchev stuck by his allegation that he had taken leave to come on the mission.

Woman mercenary 'victim of love'

AKGUS 15/4/82

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Argus Africa News Service
VICTORIA. — A pathetic story of love and trying to protect the woman with whom he was living, Susan Ingle, was told to the UN commission into the Seychelles coup attempt, by captured South African mercenary, Robert Sims.

At the start of his evidence to the commission, Sims, who is the brother-in-law of mercenary

leader Colonel Mike Hoare, said: 'One thing I am a bit perturbed about is another member of our party, a lady by the name of Susan Ingle.

'Well, her crime is loving me. She has done 61 days in solitary confinement. That is her crime. When I say 'her crime', she came over here to look after a little cottage for me, to do my cooking, to wash

my clothes, look after me like a normal housewife.

'We have been together for the past 10—12 years, and she has been locked up for 61 days because she loves me. It seems a bit odd.'

When it came to her testimony, Mrs Ingle confirmed her basic knowledge of what was to be a 'bloodless' coup, and that she had been given charge of a

bank account to operate for the 'convenience' of herself and Mr Sims.

Hers was by far the shortest testimony of all those captured, and she claimed to have no knowledge of the details of the planned coup.

The last statement uttered by Sims to the commission was: 'As regards Susan, sir, I would be obliged if you could please do something about her.'



Susan Ingle

Soldier to face fraud charge over call-up papers

ARGUS 15/4/82 (11) (760) (327)

Argus Africa News Service

VICTORIA (Seychelles). — A permanent member of the South African Defence Force is to be charged with issuing call-up papers to mercenaries involved in the Seychelles coup attempt.

This emerges in the report of the United Nations commission into the coup.

The report quotes an interview with General P van der Westhuizen, head

of military intelligence, in which he said that a non-commissioned officer of the SADF 'fraudulently issued a call-up in the reserve force.'

According to the report, the matter would be handed over to the civilian 'judiciary authorities, because the people concerned were not in service at the time.'

The UN commission's report of the meeting confirms allegations in The Argus that a number

of the mercenaries had signed call-up papers issued by the adjutant officer of an SADF unit without authorisation.

As a result of The Argus report the Minister of Defence, General Magnus Malan, confirmed that an army board of inquiry had investigated such allegations, but refused to tell Parliament what the result of the investigation was on the grounds that it contravened the sub-judice ruling.

However, it now appears that General van der Westhuizen freely gave this information to the UN commission at a time when his Minister declined to give it to Parliament.

On the supply of arms, General van der Westhuizen said he could say nothing because 'it is the responsibility of the internal security police.'

However, there could have been a flow of arms in Southern Africa because of military activity

in the area in the past 10 to 15 years.

The Argus has established through three sources, two of them operating in South African intelligence, that the 80 Rumanian AK-47 rifles used by the mercenaries in last November's abortive coup came from sources in South Africa — a Government source as indicated by professional intelligence agent Martin Dolinchev in his original testimony to the commission.

Warning to police on violence

ARGUS 15/4/82
B27

Argus Correspondent

DURBAN. — The head of the security police in South Africa, Lieutenant-General Johan Coetzee, today warned policemen never to resort to unwarranted violence or use 'questionable' methods to secure convictions. Speaking at the passing-out parade of 69 Indian policemen at Wentworth training college in Durban today, General Coetzee said the public expected a high standard from its policemen.

'It is our duty to render that service. Also bear in mind that you are

not above the law, but subject to it, as is any other citizen of the Republic', he said.

'I must therefore appeal to you to ensure that all your actions will be fair and that you will not succumb to the temptations to which you may be subjected during the performance of your duties'.

'You must endeavour to perform your duties judiciously and impartially, with the necessary courtesy and without fear or favour.

'Never resort to unwarranted violence or use questionable methods to secure convictions. Avoid these pitfalls, and you can be sure of a successful career.'

STRUGGLE

General Coetzee said that the police were today involved in a continuous struggle against terrorism, internally and on the borders of South Africa.

'This onslaught by communist-inspired terrorists on Southern Africa has but one single purpose to restructure South Africa and to create a so-called people's republic, a fully fledged communist state.

'Therefore, we all have to join forces and we need the co-operation of every peace-loving citizen in this country to combat this onslaught effectively.'

I hid under bin, says coup witness

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Hearing 15/4/82

VICTORIA—The Director of Civil Aviation admitted yesterday he had 15 minutes to prevent an Air India jet from landing in the Seychelles in the middle of a coup attempt — but didn't because he was hiding under a desk with a dustbin over his head.

'There was fighting outside,' explained civil aviation chief, Mr Maurice Lousteau Lalanne. 'I was afraid.'

He was the first witness to testify before a special commission empowered by the South African Supreme Court to hear testimony by airport officials and the pilots of an Air India plane allegedly hijacked during last November's abortive coup in the Seychelles.

The Indian Government refused to let the Air India pilots testify at the trial in Pietermaritzburg of 43 mercenaries accused of hijacking the flight after the coup bid failed.

Press barred

The Seychelles agreed unofficially to allow the commission to hear evidence here.

But Mr Justice Frank Wood decided that the local Press be barred to avoid prejudicing the trial of seven mercenaries arrested here and charged with treason.

That hearing has been adjourned to a date not later than June 16.

In his testimony yesterday, Mr Lalanne said he had tried to convince the armed men with him in the control tower to divert the Air India Boeing 707.

But he said one mercenary, identified in court as Charles Goatley of Zimbabwe, said: 'The flight must land.'

'I was instructed to switch on runway, approach and taxi lights,' he said. 'The armed men noticed the lights of two vehicles approaching from the runway.'

'They became quite agitated. Eventually, there was an exchange of fire and the armed men fled from the tower. For my own safety, I had to crawl under the desk and place a metal dustbin over my head.'

Under cross-examination, Mr Lalanne said he was alone in the control tower for about 15 minutes before the armed men returned — a period when the Air India plane started calling the control tower for clearance to land.

He agreed with defence attorney Mike Hannon that it would have taken less than two minutes for him to crawl out from under the desk, sit at the tower's control desk and call the plane.

'If you could have pulled some courage from somewhere, would the plane have been diverted?' asked Mr Hannon.

'Probably,' replied Mr Lalanne.

The aviation director, in his late 20s, said he was still 'a bit distressed' about the events of November 25.

He said he couldn't be left alone in his office after hours and was afraid to answer the telephone.

Under cross-examination, Mr Hannon asked if Mr Lalanne had undergone psychiatric treatment and suggested that his memory of events might have been quite faulty because of his 'justifiable fear'.

Mr Lalanne agreed his recollection might not be 'totally accurate'.

Mr Hannon told the Court in Pietermaritzburg the defence would con-

'Hid in bin'

FROM PAGE 1

tend that the Air India pilot had offered to take the mercenaries out of the Seychelles and was not forced to do so.

After the plane had landed, Mr Lalanne testified, he asked Seychelles authorities to hold their fire because the mercenaries wanted the Air India flight to leave.

He said he was only present for the telephone calls to the authorities — and agreed with Mr Hannon that the pilot, Capt U C Saxena, and co-pilot, Mr S N C Misra 'might very well have arrived at some agreement to fly the plane out' when he was not present.

Mr Lalanne said under cross-examination Capt Saxena had not informed him that a hijacking was taking place and Mr Hoare told him the plane should not have landed.

The civil aviation director insisted, however, that when the armed men returned to the control tower Mr Goatley had taken over the radio, 'established contact with the plane and immediately cleared it land'.

Mr Lalanne said when he realised the plane had descended below 305 m, he had 'pleaded to inform them the runway may be blocked at the far end'.

He said: 'Very late in the landing stage Mr Goatley did in fact tell the pilot to land a little deep. There might be a little interference up front.'

Mr Hannon said Mr Goatley would have maintained that the plane was ordered to land deep not because of fear of anything on the runway, but because of fear that soldiers in barracks at the end of the runway might fire on it.

Mr Lalanne denied Mr Goatley ever made such a statement. — (Sapa-AP)

Air India pilot testifies

Gunman was ³²⁷ in 'virtual control'

16/4/82 Mercury

VICTORIA—An Air India pilot yesterday told of the night armed men forced him, under threat of death, to fly his Boeing 727 from the Seychelles while a gun battle raged around the terminal.

Capt Umesh Saxena, 40, told a special Court session here that gunmen seized him after his plane had made a scheduled landing at Mahé Airport and forced him to fly to South Africa with them on board.

He was giving evidence for the trial in Pietermaritzburg of 43 mercenaries alleged to have hijacked his aircraft after an unsuccessful attempt to topple the Seychelles Government.

Capt Saxena is expected to undergo a tough cross-examination by the defence attorney, Mr Mike Hannon, tomorrow.

Mr Hannon told the Court in Pietermaritzburg the defence would contend that Capt Saxena offered to take the mercenaries out of the Seychelles, but was not forced to do so.

Code

The pilot told the Court yesterday that he sent a special code while flying to Durban to alert Johannesburg and Bombay that the flight had been hijacked.

During the five-and-a-half hour flight to Durban, Capt Saxena said the gunman sitting behind him 'was in virtual control of the aircraft and its occupants'.

'I could not take my own decisions as a commander should,' Capt Saxena said. 'For every small thing, we had to ask him. We were under threat of life and we were not ready to give them any excuse to get provoked.'

Questioned by the chief prosecutor, Mr Hendrik Klem, Deputy Attorney-General of Natal, Capt

At that moment, Capt Saxena said, he spotted a second vehicle further down the runway. He said he was too low to abort the landing.

'The vehicle hit some part of the aircraft,' he said. 'After slowing down on the runway, my first question to the tower was: "Why did you let me land when the runway was blocked?" I was very angry and annoyed.'

He said he got no answer. Instead, he was told to taxi out to the apron and keep the passengers on board. He said the purser then came to tell him he was wanted outside.

'I came down the ladder and looked for the Air India staff. Instead I found some strange faces who were casually dressed and had guns in their hands,' he said.

Warned

The pilot said he and his co-pilot, Mr Misra, were taken into the terminal and introduced to a man named 'Tom'. He said Mr E N Mishra, his co-pilot, asked what was happening and Tom replied: 'These Tanzanian bastards are firing at us.'

The Tanzanian army helped train the Seychelles defence force

after the coup in June 1977.

He said 'Tom' was about 55 years old and had a goatee beard.

Capt Saxena said 'Tom' then warned them of the consequences of not co-operating. When asked how much fuel was on the plane, Capt Saxena said: 'Not enough to go anywhere.'

'Then he told me: "We'll give you fuel." I said if we got fuel we could go to Bombay. He said, "Forget about Bombay." Later he asked if we could go to Oman,' Capt Saxena said.

'I said I wouldn't answer until I had consulted the navigator and looked at maps.

'Then he asked about Swaziland and then he asked if we could go to South Africa. I told him our passports were not endorsed for South Africa,' the pilot said.

He said he was threatened by 'Tom' that if he and his crew did not co-operate one of them would be shot and their aircraft blown up.

Later, Capt Saxena said, 'Tom' asked him to talk to the Seychelles Commissioner of Police.

'Tell him we are letting you go and don't mention that we are going with you,' he quoted 'Tom' as saying.

Capt Saxena said that

while he talked to the commissioner, 'Tom' had his finger on the disconnect button. 'So I had to lie,' he said.

He said firing broke out while he was being escorted back to the aircraft and everyone hit the tarmac.

Vetoed

When the firing stopped, they returned to the plane and the armed man said they wanted to go to Johannesburg.

Capt Saxena said he plotted a route over the coast of Mozambique but this was vetoed by one of the armed men.

Another route overflying Madagascar was also vetoed.

Finally, he said, the slim man who was later to sit in the cockpit decided on Durban.

Our correspondent in Victoria reports that Capt Saxena said his decision to take off had been made after he had considered the firm threat by 'Tom', a number of gunmen around and the possibility that his aircraft may be caught in crossfire.

'I thought that we might get shot or the aircraft blown up so I took a calculated risk to fly the aircraft away,' Capt Saxena said.

Capt Saxena told how he was forced to land in Durban in unsafe conditions.

He tried unsuccessfully for about 25 minutes to call the Seychelles control tower and was about to divert to Mauritius when a voice came over the radio clearing the aircraft to land.

Abort

The pilot said that when the aircraft had descended to about 130 m he was advised by the control tower to 'land deep'.

He said he asked the reason, got no reply, but spotted a vehicle at the beginning of the runway and pulled the nose up to land about 60 m beyond the normal point.

16/1/82
2 The Cape Times, F

Lloyd maintains silence

From PETER KENNY

WINDHOEK. — Major-General Charles Lloyd, military chief in SWA/Namibia, yesterday refused to comment on a report quoting him as strongly denying having prior knowledge of an attempted coup in the Seychelles.

But he confirmed that he had been interviewed by the Natal Witness.

In the report he was quoted as saying he was approached by Mr Martin Dolinchek, who wanted him to listen to a story Colonel "Mad Mike" Hoare wanted to tell him.

Full report

According to reports from the Seychelles Mr Dolinchek is reported to have told officials investigating the attempted coup that he had written a full report on the Seychelles invasion plan and that General Lloyd had received a copy.

Admitting he granted an interview to the Natal Witness, General Lloyd said it had taken place before Monday's report from the Seychelles.

Wednesday

But the Natal Witness said it had interviewed General Lloyd telephonically on Wednesday — two days after the report from the Seychelles appeared.

According to the Witness report General Lloyd said on Wednesday that Mr Dolinchek — who now faces a high treason trial in the Seychelles — had approached him when he was still OC Natal Command.

"He wanted me to meet Colonel Mike Hoare to listen to a story he had to tell — I told him I didn't want to have anything to do with Mr Hoare's affairs."

According to the report he denied allegations that he had been given a full report on the Seychelles invasion plan.

Cape Times 16/4/82
327

Police visit Durban editors over report

Own Correspondent

DURBAN. — Security police in Durban are investigating alleged contraventions of the Police Act by two Durban newspapers, the Mercury and the Daily News, and by Capital Radio which broadcasts from Transkei.

The editors of both newspapers were visited by Security Police officers yesterday in connection with reports published in their newspapers last month on an Indian man detained under the Terrorism Act.

The newspapers and the radio station are alleged to have committed an offence under Section 27C of the Police Act No 7 of 1958 read in conjunction with Section 2 of the Terrorism Act No 83 of 1967.

Prohibition

Section 27C of the Police Act deals with the prohibition of publication of certain information.

Sub-section 1 states that no person shall publish in any newspaper, magazine, book, pamphlet or by radio any information in relation to:

(a) The constitution, movements, deployment or methods of any member or part of the police force concerned in any action for the prevention or combating of terrorist activities referred to in Section 2 of the Terrorism Act.

(b) Any person against whom any action referred to in paragraph (a) is directed or in relation to any action by such person or group of persons.

Sub-section 3 of the Act states that any person who contravenes the provisions of sub-section 1 shall be guilty of an offence and liable on conviction to a fine not exceeding R15 000 or to jail for a period not exceeding eight years or to both the fine and jail.

'No room for Reds, neo-Nazis'

ARbus 16/4/82

THERE was no room in South Africa for communists or neo-Nazis, the Prime Minister yesterday warned the leader of the Airkaner Weerstandbeweging, Mr Eugene Terre-Blanche.

His remarks concerning the Jewish people were offensive and objectionable, Mr Botha said.

Mr Botha was speaking on his budget vote in response to a request to him by Mr Louis Nel (NP Pretoria Central) to make a statement about the AWP leader's remark that he would remove the vote from Jewish citizens.

'Perhaps we should not give these hotheads too much attention,' Mr Botha said.

'They are very brave at their meetings, marching about in leggings, but seem to be absent from the front ranks when it comes to the defence of their country,' he said.

'These people seem to have a lot of superfluous energy and if they do not want to apply it in defending their country, we can think of a few other tasks they could do — such as certain areas that need clearing of left-over beer cans.'

Mr Botha's remarks drew general laughter from the House. — Sapa.

Die koördinate van bogenoemde punte, gebaseer op die Conformstelsel Lo 23°, is soos volg:

Y	X
F + 47 125,48	+ 3 771 689,52
G + 47 169,05	+ 3 771 758,16
H + 47 256,67	+ 3 771 897,37
J + 47 442,44	+ 3 771 969,79
K + 47 795,08	+ 3 772 158,70
L + 48 027,59	+ 3 772 192,60
M + 48 549,63	+ 3 772 266,59
N + 49 457,08	+ 3 772 265,64

(g) Begin by die punt waar die suidwestelike verlenging van die suidoostelike grens van Erf 82031, Kaapstad te Retreat, die middel van Lombardstraat kruis; daarvandaan noordooswaarts met genoemde verlenging en die suidoostelike grens van genoemde Erf 82031 langs tot by punt B; daarvandaan suidooswaarts en suidweswaarts in 'n reeks reguit lûne deur punte C, D en E tot by die punt waar die reguit lyn EF genoemde middel van Lombardstraat kruis; daarvandaan met die middel van genoemde Lombardstraat langs tot by genoemde punt waar die suidwestelike verlenging van die suidoostelike grens van Erf 82031 die middel van Lombardstraat kruis, die beginpunt.

Die koördinate van bogenoemde punte, gebaser op die Conformstelsel Lo 23°, is soos volg:

Y	X
B + 47 069,52	+ 3 771 120,61
C + 47 042,40	+ 3 771 397,60
D + 47 049,60	+ 3 771 513,10
E + 47 083,90	+ 3 771 610,10
F + 47 125,48	+ 3 771 689,52

The co-ordinates of the above-mentioned points, based on the Conform System Lo 23°, are as follows:

Y	X
F + 47 125,48	+ 3 771 689,52
G + 47 169,05	+ 3 771 758,16
H + 47 256,67	+ 3 771 897,37
J + 47 442,44	+ 3 771 969,79
K + 47 795,08	+ 3 772 158,70
L + 48 027,59	+ 3 772 192,60
M + 48 549,63	+ 3 772 266,59
N + 49 457,08	+ 3 772 265,64

(g) Beginning at the point where the prolongation south-westwards of the south-eastern boundary of Erf 82031, Cape Town at Retreat, intersects the middle of Lombard Street; thence north-eastwards along the said prolongation and south-eastern boundary of Erf 82031 to Point B; thence south-eastwards and south-westwards in a series of straight lines through Points C, D and E to the point where the straight line EF intersects the said middle of Lombard Street; thence along the said middle of Lombard Street to the said point where the prolongation south-westwards of the south-eastern boundary of Erf 82031 intersects the middle of Lombard Street, the point of beginning.

The co-ordinates of the above-mentioned points, based on the Conform System Lo 23°, are as follows:

Y	X
B + 47 069,52	+ 3 771 120,61
C + 47 042,40	+ 3 771 397,60
D + 47 049,60	+ 3 771 513,10
E + 47 083,90	+ 3 771 610,10
F + 47 125,48	+ 3 771 689,52

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 723

16 April 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, soos gewysig, 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 P82/32

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/3/10.....	<i>Mini-Murders, The</i>	Carter Brown	(a)
P82/2/146.....	<i>Carol's Joy is Boys/Monica's Love Toys</i> (Beeline Double Novel)	Jack Ette/Stormi Weather	(a)
P82/2/144.....	<i>Traveling Lovers/Nymphs Abroad</i> (Beeline Double Novel)	Mona Mouth/Mike Refone	(a)
P82/2/147.....	<i>Penny's Ready For Action/Gloria's First Time Passion</i> (Beeline Double Novel)	Hugh Mongus/Vi O'Late	(a) + (b)
P82/3/134.....	<i>Score's Private Collection</i>	Score, Durban	(a)
P82/3/134.....	<i>Score-82/3</i>	Score, Durban	(a)

No. 724

16 April 1982

PUBLIKASIES OF VOORWERPE.—VERTOË TEN OPSIGTE VAN APPEL

Die Direkoraat van Publikasies het op 30 Maart 1982 kragtens artikel 14 van die Wet op Publikasies, 1974, appèl aangeteken teen die beslissing op 23 Maart 1982 van 'n komitee bedoel in artikel 4 van genoemde Wet dat die

No. 724

16 April 1982

PUBLICATIONS OR OBJECTS.—REPRESENTATIONS IN RESPECT OF APPEAL

On 30 March 1982 the Directorate of Publications appealed under section 14 of the Publications Act, 1974, against the decision on 23 March 1982 of a committee referred to in section 4 of the said Act, that the undermen-

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 hierdie kennisgewing.

tioned 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.

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer
P82/2/148	<i>Kaya—ILPS 29517—Side 1: ILPS 9517 A; Side 2: ILPS 9517 B</i> (Grammofoonplaat/Gramophone Record)	Bob Marley and The Wailers.

No. 725

16 April 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. 725

16 April 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	Skywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P81/12/93	<i>APDUSA—Vol VII, No 2, October 1981.....</i>	APDUSA, Lusaka, Zambia	(d) + (e)
P82/1/19	<i>ANC kleefseël met wiel, spies en syfer 70/ANC sticker with wheel, spear and figure 70</i> (Kleefseël/Sticker)	Nie vermeld nie/Not stated	(e)
P82/1/36	<i>International Mobilisation—Vol II, No 4, December 1981</i>	World Peace Council in Cooperation with the United Nations Centre against Apartheid, Helsinki	(e)
P82/1/57	<i>Solidarity—No 7, Third Quarter, 1981</i>	Black Consciousness Movement of Azania, London	(e)
P82/1/64	<i>Vice-Spice Pills</i> (Verpakkingspamflet/Packaging Pamphlet)	Nie vermeld nie/Not stated	(a)
P82/1/64	<i>Love Stimulant</i> (Verpakkingspamflet/Packaging Pamphlet)	Nie vermeld nie/Not stated	(a)
P82/1/64	<i>Jungle Love</i> (Verpakkingspamflet/Packaging Pamphlet)	Nie vermeld nie/Not stated	(a)
P82/1/64	<i>Spanish Fly Liquid</i> (Verpakkingshouer/Packaging Container)	Nie vermeld nie/Not stated	(a)
P82/1/81	<i>Resister—Bulletin No 17, Dec 1981—Jan 1982</i>	COSAWR (UK), London.....	(e)
P82/1/88	<i>Selbstverteidigung!</i>	Huey P. Newton.....	(e)
P82/1/91	<i>African Red Family—Vol two, No 4</i>	Hamibantu Publications, London, Nigeria	(e)
P82/1/101	<i>Heroes' Week—16-23 December</i> (Plakkaat/Poster)	Mpumalanga Arts Ensemble	(e)
P82/2/7	<i>VOW—Voice of Women—Special Conference Issue 1981</i>	ANC (SA) Women's Section.....	(d) + (e)
P82/2/9	<i>Amandla—July–December 1981</i>	New Zealand Anti-Apartheid Movement, Wellington	(e)
P82/2/11	<i>World Federation of Democratic Youth—Circular Letter—4th January 1982</i>	World Federation of Democratic Youth, Budapest	(e)
P82/2/39	<i>Another Victim of Apartheid—Khotso Seatlholo</i> (Pamflet/Pamphlet)	SAYRICO, London	(e)
P82/2/45	<i>8th January 1982—70th Anniversary of ANC</i> (Pamflet/Pamphlet)	African National Congress, South Africa.....	(e)
P82/2/47	<i>Herman Toivo ja Toivo: Speech from the Dock...</i>	Projects Comm, SRC Press, University of Cape Town	(e)
P82/2/50	<i>Neil Aggett Died in Detention</i> (Pamflet/Pamphlet)	Projects Comm, SRC Press, University of Cape Town	(e)
P82/2/55	<i>Mozambique: Sowing the Seeds of Revolution</i>	Samora Machel.....	(e)
P82/2/56	<i>Namibia in Struggle: Development Aid from People to People—1982</i> (Kalender/Calendar)	Development aid from People to People, Ulfborg, Denmark	(e)

No. 750

16 April 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, soos gewysig 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 P82/34

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/3/28.....	<i>Sexual Joy in Marriage</i>	Michael & Dorothy Clarke	(a)
P82/3/79.....	<i>Stern</i> —Nr 49, 26 November 1981	Gruner and Jahr A.G. & Co., Hamburg	(a)
P82/3/103.....	<i>T'Hy'La</i> —No 1	Kathleen Resch (Pentagram Publications).....	(a)
P82/2/131.....	<i>A-Z of Love and Sex</i> (Fotostasiese afskrifte/Photostat copies).....	Transworld Feature Syndicate (UK) Ltd, Kenf	(a)

No. 751

16 April 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 publikasie nie binne die bedoeling van artikel 47 (2) van die Wet ongewens is nie onderhewig aan die voorwaarde dat dit slegs deur uitleenbiblioteke uitgeleen mag word. Die Publikasie mag gevolglik ingevoer word vir die verspreiding daarvan aan die vermelde biblioteke.

No. 751

16 April 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 condition that it may only be lent out by lending libraries. The publication may therefore be imported for distribution to the said libraries.

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer
P82/2/76.....	<i>Ten Days that Shook the World</i>	John Reed.

No. 752

16 April 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 bekrachtig.

No. 752

16 April 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)
P81/12/85	<i>Grassroots '82</i> (Kalender/Calendar).....	Grassroots Publications, Athlone	(e)

No. 753

16 April 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:

No. 753

16 April 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
P81/12/85	<i>Grassroots</i> —Vol 2, No 9, December 1981	Grassroots Publications, Athlone	In SK./G.G. 7986, GK./G.N. 79 van/of 8/1/82.

No. 754 16 April 1982
ONGEWENSTE PUBLIKASIES OF VOORWERPE.—
REGSTELLING

In *Staatskoerant* 8118, Goewermmentskennisgewing 587 van 19 Maart 1982, vervang die inskrywing P82/3/62 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)
P82/3/62.....	170 Detained, Why?.....	Detainees Support Committee.....	(e)

No. 754 16 April 1982
UNDESIRABLE PUBLICATIONS OR OBJECTS.—
CORRECTION

In *Government Gazette* 8118, Government Notice 587 of 19 March 1982, substitute the following entry for entry P82/3/62:

No. 755 16 April 1982
VERTOË KRAGTENS ARTIKEL 24 (1) (a)

Die Direkoraat van Publikasies het op 5 April 1982 kragtens artikel 24 (1) (a) van die Wet op Publikasies, 1974, soos gewysig appèl aangeteken teen die voorwaardelike goedkeuring deur 'n komitee bedoel in artikel 4 van genoemde Wet van die rolprent *Summerfield*. 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.

No. 755 16 April 1982
REPRESENTATIONS UNDER SECTION 24 (1) (a)

On 5 April 1982 the Directorate of Publications under section 24 (1) (a) of the Publications Act, 1974, as amended appealed against the conditional approval by a committee referred to in section 4 of the said Act of the film *Summerfield*. The period within which persons referred to in section 24 (2) (b) of the said Act may make representation 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.	Rolprent Film	Voorlegger Submitter
R82/2/122.....	<i>Summerfield</i>	Frank Lee Video Konsultant/Consultant.

No. 756 16 April 1982
Staat van Ontvangste in en Oordragte uit die Skatkisrekening vir die tydperk 1 April 1981 tot 31 Maart 1982.
Tesourie, Pretoria.

No. 756 16 April 1982
Statement of Receipts into and Transfers from the Exchequer Account for the period 1 April 1981 to 31 March 1982.
Treasury, Pretoria.

ONTVANGSTE—RECEIPTS

Inkomstehoof	Head of Revenue	Maand Maart Month of March		Totaal 1 April tot 31 Maart Total 1 April to 31 March	
		1982	1981	1982	1981
Skatkissaldo, 31 Maart 1981.....	Exchequer Balance, 31 March 1981.....	R	R	R	R
Skatkissaldo, 28 Februarie 1982.....	Exchequer Balance, 28 February 1982.....	664 329	—	214 788 279	—
Staatsinkomsterekening	State Revenue Account				
Doen en Aksyns.....	Customs and Excise.....	303 346 680	177 174 270	2 004 103 144	1 468 842 642
Binnelandse Inkomste.....	Inland Revenue.....	1 343 453 379	811 380 788	12 428 502 676	11 833 285 749
		1 646 800 059	988 555 058	14 432 605 820	13 302 128 391
Staatsoliefonds.....	State Oil Fund.....	23 196 821	21 660 001	294 631 478	276 602 751
Nasionale Padfonds.....	National Road Fund.....	12 606 919	11 150 291	153 672 174	140 863 186
Suid-Afrikaanse Ontwikkelingsfondse.....	South African Development Trust Fund.....	1 045 000	3 742 000	13 468 673	13 888 552
Rekening vir Swart Vervoerdienste.....	Account for Black Transport Services.....	1 772 828	2 192 050	15 582 952	15 570 716
Fonds vir Sorghumbiervorsing.....	Sorghum Beer Research Fund.....	—	550	1 087 647	1 019 556
S.W.A. Gebiedsinkomstefonds—Verkoopreg.....	S.W.A. Territorial Revenue Fund—Sales Duty.....	85	75	5 694	17 658
		1 685 421 712	1 027 300 025	14 911 054 438	13 750 090 810
Ander Ontvangste	Other Receipts				
Skatkisbiljette: Binnelands.....	Treasury Bills: Internal.....	590 934 000	—	9 222 549 000	—
Leningsheffing.....	Loan Levy.....	3 000 000	—	46 000 000	—
Internasionale Monetêre fonds ("Reserve Tranche").....	International Monetary Fund (Reserve Tranche).....	—	—	130 000 000	—
Binnelandse Effekte, Obligasies en Lenings Opgeleem—	Internal Stock, Bonds and Loans Raised—				
8% Tesourie-obligasies Tweede Reeks.....	8% Treasury Bonds Second Series.....	Dr 1 500 000	—	41 431 400	—
9% Nasionale Verdedigingsobligasies.....	9% National Defence Bonds.....	Dr 35 000	—	5 739 600	—
Verdedigingsbonusobligasies.....	Defence Bonus Bonds.....	18 131 745	—	193 513 130	—
8% Nasionale Verdedigingsobligasies.....	8% National Defence Bonds.....	80 000	—	80 000	—
7% Tesourie-obligasies.....	7% Treasury Bonds.....	Dr 80 000	—	Dr 205 500	—
Nasionale Verdedigingsobligasies.....	National Defence Bonds.....	35 000	—	57 750	—
Onbepaalde Termyn Tesourie-obligasies.....	Indefinite Period Treasury Bonds.....	29 283 700	—	156 392 500	—
Onbepaalde Termyn Nasionale Verdedigingsobligasies.....	Indefinite Period National Defence Bonds.....	1 279 050	—	16 545 950	—
Binnelandse Geregistreerde Effekte—	Internal Registered Stock—				
12.5%, 2003.....	12.5%, 2003.....	Dr 4	—	1 760 866 750	—
9.5%, 1984.....	9.5%, 1984.....	—	—	335 277 700	—
12.9%, 1992.....	12.9%, 1992.....	—	—	300 000 000	—
12.5%, 1983.....	12.5%, 1983.....	—	—	300 000 000	—
12.75%, 1984.....	12.75%, 1984.....	—	—	417 273 200	—
13%, 2002 (1/5).....	13%, 2002 (1/5).....	—	—	247 253 860	—
13%, 1984.....	13%, 1984.....	—	—	258 933 300	—
13%, 2002 (15/9).....	13%, 2002 (15/9).....	—	—	659 712 360	—



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REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

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VOL. 202]

PRETORIA, 16 APRIL 1982

[No. 8167

GOEWERMENSKENNISGEWINGS

**DEPARTEMENT VAN BINNELANDSE
AANGELEENTHEDE**

No. 791 16 April 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, soos gewysig, 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. 791 16 April 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, as amended, 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 P82/35

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/2/12.....	Selected Works of Mao Tsetung—Volume V.....	People's Publishing House, Peking.....	(e)
P82/3/43.....	Work in Progress—No 20, October 1981.....	Editorial Collective, Braamfontein.....	(e)
P82/3/110.....	Kritik der Theoretischen Auffassungen Mao Tsetungs	Dietz Verlag, Berlin.....	(e)
P82/3/137.....	When will They come for You?.....	UDW, SRC, University of Cape Town.....	(e)
P82/3/138.....	Away with Slave Education (Pamflet/Pamphlet)...	ANC.....	(e)
P82/3/140.....	ANC says, The: "Victory or Death We Shall Win" (Pamflet/Pamphlet)	ANC.....	(e)
P82/3/141.....	1959 Pan Africanist Manifesto, The.....	PAC.....	(e)
P82/3/141.....	Who are the Africanists?.....	PAC.....	(e)
P82/3/141.....	Pokela: Leader of the PAC.....	PAC.....	(e)
P82/3/141.....	Mangaliso Robert Sobukwe: The late President of PAC Azania (Plakkaat/Poster)	PAC.....	(e)
P82/3/141.....	Black Rule Now! South Africa is Azania! (Kleefseël/Sticker)	Nie vermeld nie/Not stated.....	(e)
P82/3/141.....	Pan Africanist Congress of Azania (S.A.)—Motto: Service Suffering Sacrifice—1982 (Kalender/Calendar)	PAC.....	(e)
P82/3/142.....	Gramsci's Political Thought—Hegemony, Consciousness, and the Revolutionary Process	Joseph V. Fernia.....	(b)+(e)
P82/3/147.....	Christianity and Crisis—Vol 41, No 20, Dec 14, 1981	Christianity and Crisis, New York.....	(e)
P82/3/151.....	Briefing Paper—No 4, March 1982.....	International Defence and Aid Fund for Southern Africa, London	(e)
P82/3/153.....	Southern Africa—January 1982.....	Southern Africa Committee, New York.....	(e)
P82/4/4.....	Seminar: The Politics of Power (Pamflet/Pamphlet)	Wages Comm., Projects Comm., SSD, Women's Movement, University of Cape Town	(e)
P82/4/8.....	AZAPO—One People One Azania: (T-hemp/T-shirt—(Voorwerp/Object)	Nie vermeld nie/Not stated.....	(e)
P82/4/11.....	Namibia: The Last Colony.....	Edited by Reginald H. Green, Kimmo Kiljunen, Marja-Liisa Kiljunen	(e)

(327) star 16/4/82

'Co-pilot said he wanted a blonde, beer'

The Star's Africa
News Service

VICTORIA — An Air India co-pilot allegedly told one of Colonel Mike Hoare's mercenaries that when he arrived in Durban he wanted to "get hold of a tall blonde and a bottle of beer and lie on the beach," it was said in the Seychelles Supreme Court today.

South African advocate, Mr Mike Hannon, defending Colonel Hoare and some of his men, said evidence to this effect would be given by mercenary Charles Goatley (27), identified as the "man with aviation experience"

who kept watch on the cabin crew during the flight to Durban.

He told the court hearing evidence on commission for the Maritzburg trial of the mercenaries on hijacking charges that as an indication of the friendly atmosphere prevailing aboard the plane during the flight, Goatley would also state that the co-pilot said he was "happy to be going to see South Africa for nothing".

Captain Umesh Saxena, who was being cross-examined at the time, said he had not heard his co-pilot make either remark.

Saxena: Why I didn't tell all

16/4/82 (327) star

▶▶ from page 1

hijack and that he was not to mention it.

Asked why he had followed Mr Duffy's instructions long after Mr Duffy's arrest Captain Saxena said he had wanted to do nothing to delay his departure from South Africa.

He admitted he could have told Colonel Mike Hoare at Mahé Airport that the aircraft had been too badly damaged to take off again.

Captain Saxena said he had considered taking off from the Seychelles with a damaged flap a "calculated risk" but agreed with Mr Hannon that if he had thought his aircraft would crash he would have told the mercenaries so.

Captain Saxena said he was unaware that members of his crew might have given their addresses in Bombay to some of the mercenaries.

Shown pieces of paper with such addresses, he said: "There was a threat prevailing and if they asked for something we would respond."

Captain Saxena denied a claim that he had offered to produce a bottle of champagne to be drunk with the mercenaries.

"I do not drink," he said.

He agreed with Mr Hannon that the mercenaries had asked him during the flight if there was any way their weapons could be jettisoned into the sea.

The hearing then closed. Mr Hendrik Klem SC, Natal's Deputy Attorney-General, said he would not call the co-pilot, Captain Misra, to give evidence.

Mr Klem and his assistant Mr Gideon Scheltema, Mr Hannon and other advocates will stay on in Victoria to verify the transcript of evidence with Mr Justice Wood.

SA 'knew about coup men'

ARGAS
16/4/82 (327)

Staff Reporter

VICTORIA. — Mr Eddie Stafford, SC, who is defending 10 alleged hijackers, said they would say it was mentioned at Mahe Airport that landing in South Africa would be no problem because the authorities knew about them and would not turn them away.

He was cross-examining an Air India pilot, Captain Umesh Saxena, in the Seychelles Supreme Court here today.

Mr Justice Frank Wood is acting as commissioner for the Maritzburg hijack trial.

Captain Saxena denied he had agreed with Colonel Mike Hoare that he would fly the group to Durban.

He said one did not make agreements at the point of a gun.

NOT MENTIONED

Mr Stafford said that the 10 he represented believed there had been an arrangement between Captain Saxena and Colonel Hoare that he would fly them to South Africa.

Captain Saxena said he had not mentioned the word 'hijack' to the police at Durban because of the possibility of having to fly off with the mercenaries again.

Mr Hannon: 'That is incredible. You thought it possible that after they had been arrested and held incommunicado under terrorism legislation that they could be given back their guns and that you could all fly off into the wild blue yonder?'

Captain Saxena: 'Yes. I did not want to give the police all the facts and anger the mercenaries. Mr Peter Duffy negotiated with the police in a friendly manner and shook hands with them when we arrived at Louis Botha airport.'

'IN PLACE'

Mr Hannon: 'Many things now fall into place for me. The Minister of Police, Mr Louis le Grange, said that the men shot out a few windows on Mahe, and the Attorney-General of the Transvaal did not prosecute them.'

Captain Saxena said Mr Duffy had told him it had not been a hijack, and he was not to mention it.

Asked why he had followed these instructions long after Mr Duffy's arrest, Captain Saxena said he had wanted to do nothing that would delay his departure from South Africa.

He admitted he could have told Colonel Mike Hoare on Mahe airport that the aircraft had been too badly damaged in its collision with a vehicle on the runway to take off again.

(Proceeding)

327

4 The Cape Times, 17/4/82

Bill contains new press curbs

Political Staff

HOUSE OF ASSEMBLY —

Another bill has been introduced in Parliament which will restrict press coverage of government activities.

The "Laws on Co-operation and Development Amendment Bill" will, according to its long title, authorize the State President "to make regulations providing for the preservation of secrecy in connection with matters dealt by the Commission for Co-operation and Development".

Earlier this month, the Minister of Justice, Mr Kobie Coetsee, moved the "Protection of Information Bill" which will restrict the reporting of detentions.

The latest bill follows a row over proposals by the Van der Walt commission of inquiry to incorporate King William's Town last year.

The Herstigte Nasionale Party candidate in King William's Town, Mr Brian Nel, obtained a number of documents which were submitted to the commission and he disclosed their contents at a public meeting in last year's General Election.

The chairman of the commission, Mr Hennie van der Walt, MP, threatened action against Mr Nel at the time but no steps have yet been taken against him or any of the newspapers which published the contents of the documents.

The details of the bill will be disclosed today but the long title makes it clear that the Commission of Co-operation and Development will be given increased powers of secrecy.

ANC leader moved because State fears his influence - reports

Robben Island a 'Mandela university'

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w/c ARGUS 17/4/82

SOUTH AFRICAN authorities may have moved Nelson Mandela from Robben Island because they feared his growing influence on other prisoners, according to reports in London and Washington newspapers this week.

News dispatches from Johannesburg added: 'It may be that the authorities feel Robben Island was on its way to becoming a kind of Mandela university.'

The 63-year-old African National Congress leader, serving life imprisonment, was transferred from the island jail to Pollsmoor Prison in Tokai about two weeks ago.

Three other political prisoners, Walter Sisulu, Raymond Mhlaba and Andrew Mlangeni — all serving sentences on the island since the early sixties — were also transferred to the mainland.

Prisons Department officials have not given reasons for the move, except to say prisoners were occasionally transferred for 'administrative reasons.'

According to reports in the Washington Post and the Observer, by South African correspondent Allister Sparks, friends of the Mandela family believe the authorities felt he had become too influential among the 40-odd political prisoners on the island.

The reports said that Mandela had been organising 'a large-scale education programme for his

Weekend Argus Reporters

fellow prisoners' and had recently 'sent messages to friends to raise funds for nearly all the prisoners on the island.'

It added: 'Some of the prisoners on Robben Island are young Soweto students who were jailed after the 1976 uprisings in that Johannesburg township. They will be released in a few years and authorities may have feared the influence the outspoken Mandela had on them.'

The report says of Mandela: 'He is a forceful personality and the few visitors he is allowed, such as Mrs Helen Suzman report that he appears to command the respect even of his jailers.'

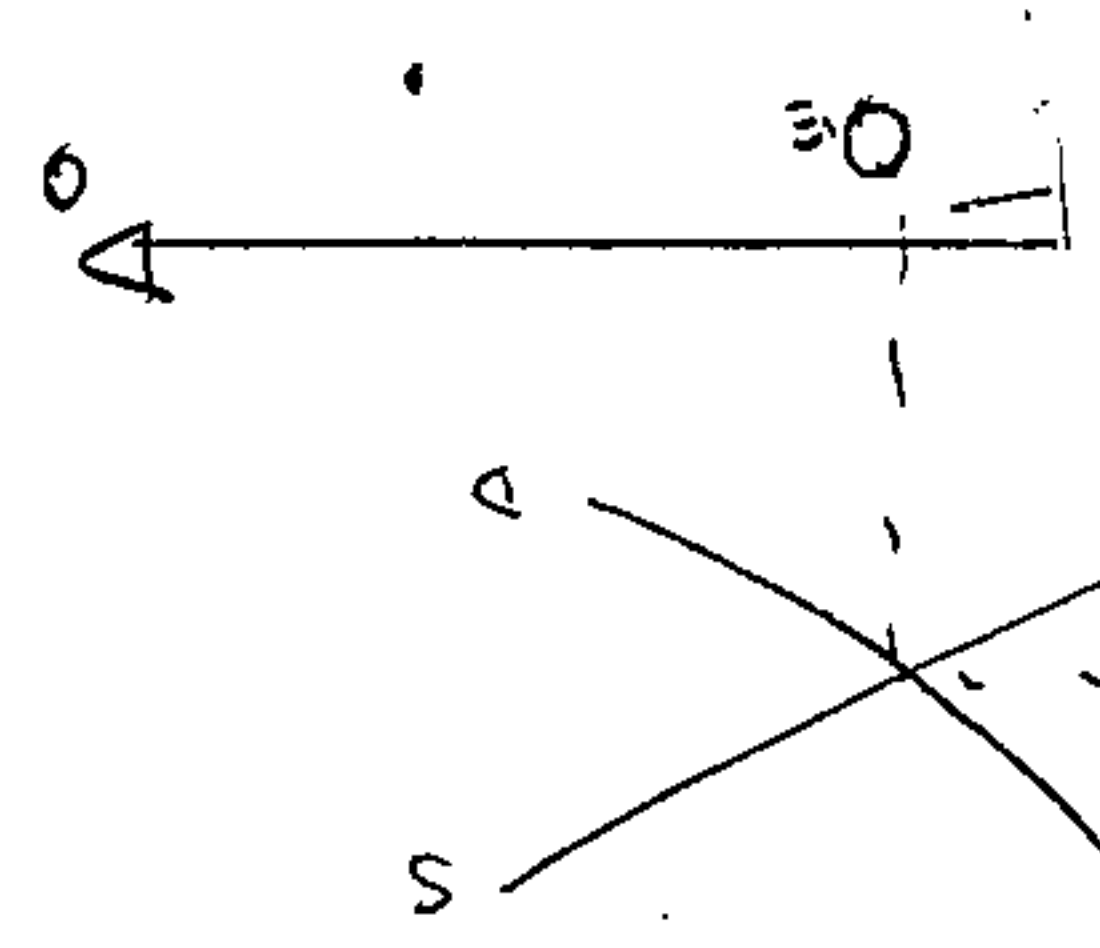
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Air India pilot denies 'pact' with Mike Hoare

(327) Mercury 17/4/82

VICTORIA—Mr Mike Hoare told mercenaries at Seychelles Airport they would have no problems landing in South Africa because the authorities knew about them and would not turn them away.

This startling claim was made by defence counsel, Mr Eddie Stafford, while cross-examining Capt Umesh Saxena, in the Supreme Court here.

Capt Saxena steadfastly denied as 'untrue and baseless' allegations that he had made an agreement to fly Mr Hoare and his men to Durban.

When pressed about his apparent reluctance to make a full statement about the drama to the South African Police, he said he had not been sure of their attitude.

This was because of the way in which they had negotiated with the mercenaries and his apprehension that the crew and passengers might be handed back to the alleged hijackers.

Capt Saxena said his apprehension had been increased by the fact that he was in a foreign country which had no diplomatic relations with India and with a passport that was not valid for South Africa.

The Air India pilot also reminded Mr Stafford that Mr Hoare had said he

Mercury Correspondent

accept that there had been a convivial atmosphere between the crew, passengers and the mercenaries.

He claimed that he and crew members had smiled in company with the mercenaries when pictures had been taken because they had been told to do so.

Mr Hoare had been in a position to smile after the flight to Durban because 'I did not have any energy left in my body'.

Asked if he had felt endangered or in danger, Capt Saxena replied: 'Both.'

the cockpit?

Capt Saxena said the mercenaries had not shot or tied up crew or passengers because they had not been given any opportunity or excuse to do so.

Mr Stafford put to Capt Saxena that he had been overheard to say in the dark room at Seychelles airport where he and Mr Hoare had been discussing their destination: 'Tom, you save me and I will save you.'

Capt Saxena retorted: 'But you said that your accused (Mr Stafford represents 10 of the mercenaries) were not party to conversations

would 'take care of every thing' when Capt Saxena had protested that his and his crew's passports were not valid for South Africa.

He insisted that it had been mercenary Charles Goatley who sat in the jumpseat in the cockpit monitoring all radio communications with a gun on his lap and not Pieter Doorewaard as claimed by the advocate.

Capt Saxena refused to

Mr Stafford: 'Would you agree that the mercenaries did not make you uncomfortable?'

Capt Saxena: 'Uncomfortable? Who will not be uncomfortable when there are threats and armed men in your aircraft?'

'Do you think people were going to be comfortable in the tense atmosphere in the plane and in

the defence counsel then put the proposition that it tallied with what Mr Hoare had said, that there had been an agreement to fly the mercenaries out of the Seychelles.

It was indicative of the fact that Capt Saxena had agreed to take the mercenaries out to save the lives of the crew and the passengers.

Capt Saxena: 'Not at gunpoint.'

The pilot denied there had been any agreement to fly the mercenaries out of the Seychelles after the abortive coup in November last year.

It was put to Capt Saxena that had he made such an agreement he would not have been in a position to tell Air India about it.

Morality

The Air India captain denied this as 'untrue and baseless'.

Mr Hannon then congratulated Capt Saxena on his 'morality'.

The Air Indian counsel, Mr Madun Gujadhur, was immediately on his feet: 'His morality might not have been understood by everyone, Mr Hannon.' (Mr Mike Hannon is second defence counsel)

Capt Saxena also disclosed under cross-examination that mercenary Peter Duffy had told the crew: 'Gentlemen, this is not a hijack. Don't mention it.'

Capt Saxena gave a different version from earlier claims that the mercenaries had been served with and paid for drinks on board the aircraft.

He said that, according to an official report submitted by economy class cabin crew, one mercenary had ordered drinks and had offered to pay with a traveller's cheque handed to the purser.

The traveller's cheque was, however, snatched back by one of his colleagues, who said: 'We don't pay for drinks.'

The commission hearing will be completed on Monday.

The Pietermaritzburg Supreme Court trial of Mr Hoare and 42 of his mercenaries resumes on April 27.

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which launched an abortive attack on the Seychelles.

In Pretoria, the NIS admitted that Dolinchev had been a long-time agent in the service, but claimed that he had been dismissed before the raid which caused an international uproar.

Dolinchev told Seychelles authorities this week that he had a series of "high-voltage" shocks for the South African Government in his testimony — due to be heard when the treason trial of the six mercenaries starts on Mahe in June.

Secret

Mrs Dolinchev — who travelled to the Seychelles for a brief reunion with her husband this week and who returned to Johannesburg yesterday — will, I was told, sell their possessions in South Africa and join her husband after the trial.

When Dolinchev saw his wife at the Victoria police headquarters this week he told her to concentrate on her family life because he was "sorting out" his defence and everything would be all right.

Dolinchev's planned defection has been kept a closely guarded secret in the Seychelles because officials fear his life may be in danger.

However, a top source revealed his intentions to the Sunday Times because, he said, he hoped the publicity would discourage attempts on Dolinchev's life.

One senior official said: "If anything happens to Martin after this has been publicised, the world will know exactly who was responsible."

The Sunday Times was told it had been impressed upon Mrs Dolinchev that she should say nothing about her plans to avoid the possibility of any moves being made to stop her.

Embarrassment

Dolinchev's confessions are likely to cause considerable embarrassment.

He has already told the special United Nations commission investigating the background to the bungled coup that Major-General Charles Lloyd, Officer Commanding South West African Security Forces, was one of the senior SADF officers with intimate prior knowledge of the coup plans.

In his statement to the UN commission, Dolinchev also claimed that:

- He obtained a false passport for Col Hoare to travel to Swaziland with permission "at the highest level"

- The weapons for the corp — 80 Hungarian and Rumanian AK-47 assault rifles and Chinese handgrenades —

□ To Page 2

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Dolinchek sells out in return for island asylum



SA spy Martin Dolinchek, left, and his wife Ina. He is seeking asylum in Seychelles

SPY RATS ON DOGS OF VVAAR

327 S. Times 18/4/82
SOUTH African spy Martin Dolinchek has decided to re-
nege on his mercenary companions and to seek political
asylum in the Seychelles.

He will give evidence for the State at the trial of six mercenaries who
were captured with him.

They have been charged with treason and face possible death sentences.

As part of a reciprocal
deal, Dolinchek and his wife,
Ina, will be allowed to be-
come Seychelles residents
"on condition that he tells
all".

This information was giv-
en to the Sunday Times this
week by top Seychelles
sources who are in daily
touch with Dolinchek.

Dolinchek claims that he
was an agent for South Afri-
ca's National Intelligence
Service when he travelled to
the Indian Ocean Islands last
November in the advance
party of Colonel Mike
Hoare's 43-MAR air-borne



By
EUGENE
HUGO

in Victoria, Seychelles

THE HIJACK TRIAL

Airport was told mercenaries would stay to fight it out

MEMBERS of the Ancient Order of the Frothblowers escaped certain death or capture on the Seychelles by tricking police into allowing them off the islands aboard an Air India Boeing last November.

This has been claimed by the pilot of the allegedly hijacked jet, Captain Umesh Saxena, in his testimony before a special commission set up on the islands.

Capt Saxena also told a crowded courtroom in the tiny Seychelles capital of Port Louis that he feared he would be jailed in South Africa forever because the mercenaries and South African Police seemed to be co-operating during the airport drama in Durban.

During four tough hours of cross examination on Friday by the mercenaries' South African defence lawyer, Mr Mike Hannon, Capt Saxena remained adamant that, during the alleged hijack, fear was his overriding emotion — first in his dealings with the Frothblowers and then with the South African Police.

He said that at Durban the police negotiators and the mercenaries, especially Peter Duffy, appeared to be close friends.

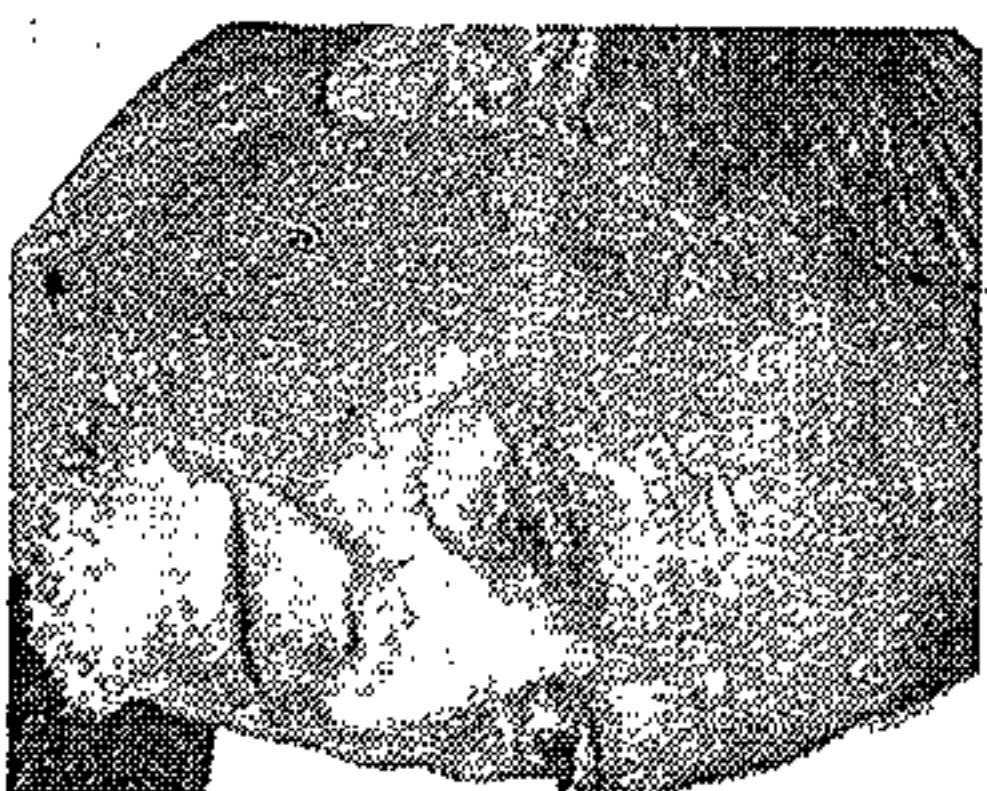
"The mercenaries did not appear afraid at all."

He said he was warned not to mention the word hijack in any of his statements. Police did not ask him if he had been hijacked.

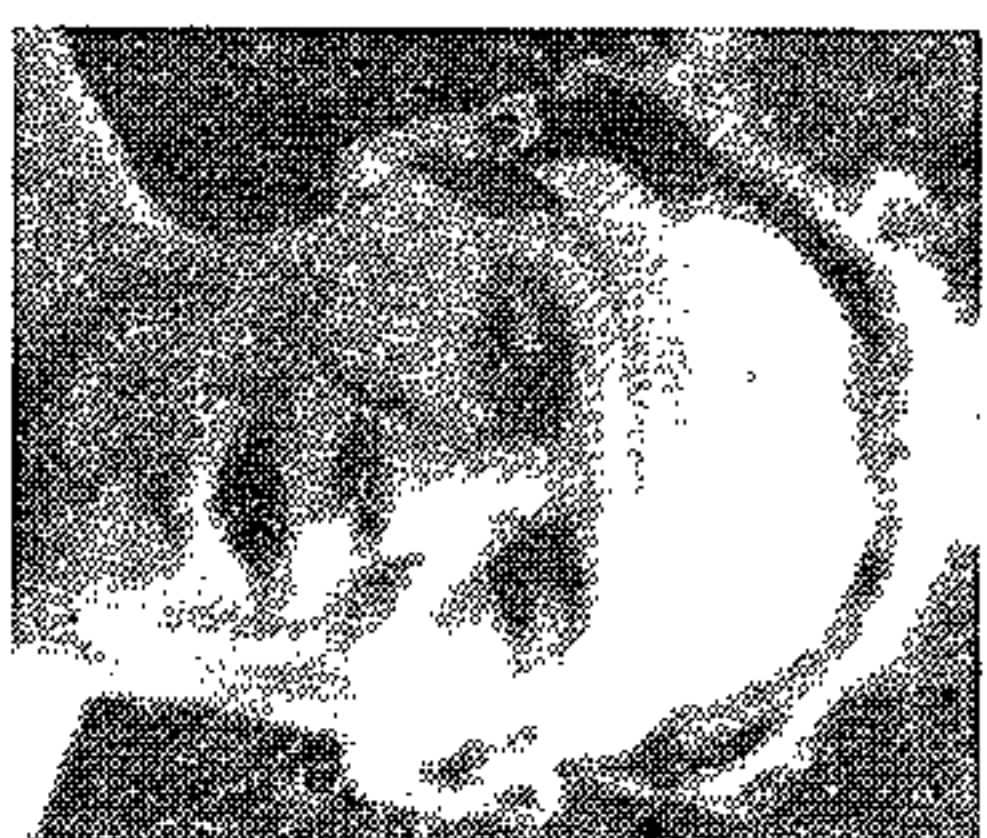
When asked by Mr Hannon whether police had actually tried to arrest the Frothblowers he replied: "I had my doubts about that from what I saw."

But even if the mercenaries did not have the South

PILOT SAYS THAT WAS WHY THE AIR INDIA BOEING WAS FREED TO TAKE OFF IN FRONT OF THE SOLDIERS



● Col 'Mad Mike' Hoare
... threat from 'Tom'



● Mercenary Martin Dolinchek
... wife came for a visit



● Mr Mike Hannon
... stiff cross-examination

Special report from Port Louis

African Police on their side, Lady Luck rode with them throughout the escapade.

According to testimony the Air India plane could have, and should have, been easily diverted from Mahe Island, leaving the mercenaries facing the superior firepower of the combined Seychelles and Tanzanian forces surrounding Point La Rue airport.

Capt Saxena said the mer-

cenaries, led by a man called 'Tom' who fitting the description of Mike Hoare, were ruthless and cunning in their escape.

He said 'Tom' had threatened to blow up the plane and its 79 passengers and crew if he did not fly them from the Seychelles.

'Tom', he said, told him: 'If you co-operate with us, you will not be harmed. If you try to double-cross us

we'll shoot one of you and blow up the plane.'

"I was very afraid," Capt Saxena said.

But the pilot later managed to alert Jan Smuts Airport's ground control that his plane had been hijacked. He sent a secret code to the tower even though a mercenary had a gun at his back and was monitoring all radio communications on the flight from Mahe to Durban.

He was also ordered to tell them the mercenaries would not be on the plane as they were staying to fight. It was a clever ploy and it worked.

By JACQUES LEMONDE

The Seychelles and Tanzanian troops, who only hours earlier had rocketed the Air Swazi jet that brought the Frothblowers to Mahe, stood idly by and let the Air India plane fly off with the mercenaries aboard.

But if Capt Saxena instilled a sense of drama and heroism into the proceedings, Seychelles civil aviation director Maurice Lalanne turned them into a Marx Brothers' comedy.

It was Mr Lalanne who could have been a hero by diverting the aircraft from the islands, thus denying the mercenaries an escape

had 15 minutes alone in the tower. He admitted it would have taken less than two minutes to divert the plane.

Mr Hannon said Mr Lalanne's evidence was dubious and he suggested his memory of events might be faulty. He asked if Mr Lalanne had undergone psychiatric care after the incident as he seemed to have a paranoia.

Mr Lalanne can no longer work alone in the tower. He said he had not seen a doctor yet and agreed his memory of events "might not be totally accurate". The commission

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Instead the nervous 25-year-old hid under his desk in the tower with a dustbin over his head listening to the frantic calls from Capt. Saxena.

He said he tried to talk the mercenaries out of allowing the aircraft to land but one man, whom he identified as Charles Goatly, said: "The flight must land."

"I was instructed to switch on runway approach and taxi lights. When the armed men noticed the lights of two vehicles (driven by Tanzanian soldiers to block the runway) they became agitated.

"Eventually there was an exchange of fire and the armed men fled the tower. For my safety I had to crawl under the desk and place a dustbin over my head," he said.

At this stage Mr Lalanne

day, got off to a shaky start when Seychelles High Court Judge Frank Wood refused to convene it because the South African Government had failed to notify him formally of his mandate and powers.

The matter was finally resolved when Natal deputy Attorney General Hendrik Klem produced a telex the next day which Mr Wood accepted as official — over Mr Hannon's objections.

Mr Hannon had tried to stall the hearing but his tactics failed and the evidence was heard.

Earlier in the week, the seven captured mercenaries made another court appearance. The 10-minute appearance was uneventful except for the quick hug and kiss given to accused Mr Martin Dolinchek by his wife. She had flown to the Seychelles for the commission hearings.

New island drama over eighth 'spy'

By Tony Stirling and
Brendan Nicholson,

The Star's Africa
News Service

VICTORIA — The Seychelles is expected to make an announcement soon that an eighth person is to be charged with treason in connection with renewed activities in the island by South African intelligence agents.

Informed sources indicated the Seychelles would allege two South African intelligence agents had penetrated the Seychelles after last November's abortive coup attempt.

For the past few weeks there have been persistent rumours in the Seychelles that an unidentified man landed at Mahe Airport near the capital, Victoria, scaled a security fence and disappeared.

It is believed investigations by the Seychelles authorities centred on the activities of two alleged South African agents in the Seychelles and that a man is to appear soon on charges of treason in connection with these activities.

It could not be ascertained whether the man was one of the alleged South African agents or a Seychellois who assisted the agents.

Repeated attempts by The Star's Africa News Service to see the Seychelles Police Chief, Mr James Pillay, about the matter failed to elicit any response.

But it is believed the Seychelles Government may have been pre-

paring to release the bombshell today.

Sources speculated that the latest spy drama in the islands may be connected with the presence of captured South African, Martin Dolinchev, a professed member of the National Intelligence Service.

Dolinchev alleged in the Seychelles Supreme Court on March 29 that South African agents planned to kill him for supposedly disclosing South African intelligence secrets during his interrogation.

It was evident from the lack of security precautions in force on the islands that if recent activity of alleged South African spies had been uncovered, the spies had either been captured or had left the country.

Mr Pillay has continued to interrogate Dolinchev regularly, sometimes several times a week, in an effort to pin him down to a more definite statement on alleged South African involvement last November.

It is understood the Seychelles authorities have gained further information from Dolinchev since the United Nations commission investigating the coup attempt took evidence from him earlier this year.

Dolinchev's statements up to then had contained no definite allegations on all the major issues relating to possible South African Government involvement.

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Bid to gag Dolinchek: 2 identified

By EUGENE HUGO

THE two top National Intelligence Service agents dispatched to the Seychelles two months ago to assess what action could be taken to silence South African spy, Martin Dolinchek have been identified.

They are Pretoria-based Mr Gerhardus H Rothman and Mr Evert Johannes de Wet.

Both are senior members of NIS and old friends of Dolinchek.

Mr De Wet last night admitted he worked for NIS.

But asked to comment on reports that he had gone to the Seychelles, he said: "I don't know what you are talking about."

Asked if he therefore denied he had been there, he repeated this statement.

Mr Rothman, and Prof Niël Barnard, head of NIS, could not be reached for comment.

Dolinchek and six other mercenaries were captured after last November's invasion of Mahe.

The two spies' brief was to slip undetected into the Indian Ocean islands as SA tourists and to investigate exactly how much Dolinchek has talked in captivity about official involvement in the bungled Seychelles coup.

They were also to assess the potential damage he could do to SA's spy network and whether belated legal assistance from his department could save the situation.

The attack on Mahe was led by Col "Mad Mike" Hoare and a 44-member strike force who had sent an advance party — which included Dolinchek — to the Seychelles 10 days previously.

A Rand Daily Mail investigation on the islands revealed that Seychelles authorities have the following statistics on the agents: Evert Johannes de Wet, born 29/10/41, Passport No P555528; Gerhardus H Rothman, born 15/1/32, Passport No P501960.

Inquiries showed that the two agents operated in a totally amateurish manner which immediately created suspicion and led to their covers being blown — but not before they managed to get out of the Seychelles hours ahead of the local police.

Their major mistake was to openly contact a Seychelles army major and attempt to "milk" him about the results of police and military interrogation of Dolinchek since his arrest.

When the major suggested that he should tell the imprisoned mercenary that his colleagues were on the islands they begged him not to do so.

Mr Rothman and Mr De Wet spent a week putting their assessment together before flying back to SA.

But NIS attempts to salvage the Dolinchek situation backfired in two ways:

- Suspensions about them were reported by the major to his superiors and subsequent checks revealed they were NIS agents.

- When Dolinchek was asked whether he knew them, he identified them and decided finally to defect to the Seychelles and give evidence for the State in the treason trial of the mercenaries in June.

Dolinchek's reaction to his colleagues' snooping in the Seychelles was apparently violent.

Already scared that he might be eliminated, the former spy had been consider-

To Page 2

TV crew

Experts suspect that the strategy the SA...

Agents involved in bid to silence SA spy are identified

From Page 1

ing the pros and cons of defection to the Seychelles and of eventually becoming a Seychelles citizen.

News that NIS agents had been operating on the island persuaded Dolinchek to finally turn his back on SA.

Dolinchek, in a written statement now in the Mail's possession, indicated he was bitter with rage over the secret trip of the two agents whom he described as "ja-baas" men and Mr Rothman as number two in the agency.

Describing Mr De Wet as "supposedly my good friend" Dolinchek launched into a vitriolic attack against the SA authorities in the document smuggled to me from his Seychelles jail.

In the document he promised "high voltage" shocks for the SA authorities in his supreme court testimony.

It is clear from the statement that he has decided to defect and to "tell all".

At the same time it has been established by the Mail that Mrs Dolinchek will return to the Seychelles after the June trial of the mercenaries and will sell the couple's possessions in SA — including a house in Durban.

Seychelles authorities have for some months been

on the alert for a third NIS agent who they were told could be "dangerous".

One source told me the man, Mr Louis Steyn, who is charming, rotund and boasts that he can shoot a dog at 500m, was also to come to the Seychelles in January.

The man they are referring to is believed to be the son of Brigadier Louis Steyn (who died recently) who has served a term in the SA Embassy in Paris.

But Mr Steyn has recently been seen in SA — negating reports that he may still be in the Seychelles, if he has ever travelled there.

Other newspaper reports that an NIS agent may have been arrested there were denied yesterday by Seychelles sources.

Dolinchek's confessions are likely to cause considerable embarrassment for the NIS.

While the NIS has claimed that he left their employ two months before the coup bid, Mr Dolinchek has told Seychelles authorities that his wife has still been receiving salary cheques from them.

— wife

Argus Correspondent

DURBAN. — Ina Dolin-
chek, wife of self-con-
fessed South African in-
telligence agent, Martin
Dolinchek, said at her
home today that she did
not think her husband
would turn State witness
in the forthcoming trial
in the Seychelles in June.

Speaking for the first time since she returned from the Seychelles on Saturday, Ina said that she was not allowed to talk privately to her husband and was always accompanied by the Commissioner of Police.

She said it seemed 'highly unlikely' that her husband would turn State witness although in the same breath she admitted she wasn't allowed the time to talk to him 'about those matters.'

Commenting on her alleged aim to move to the Seychelles. She said it was 'nonsense.'

'I am living from day to day and it is absolutely untrue that either of us have decided on anything.'

She denied that she was selling her Durban home, 'unless someone offers me a million,' she quipped.

Asked about her husband's health, Ina said that he was 'alright' but that they were both very concerned about the coming trial.

'I really liked the Seychelles and I'm very glad that I went, but, really everything depends on the trial.'

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NIS men's secret trip to Seychelles

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ZFM
Mercury
19/4/82

Mercury Correspondent
VICTORIA—Two top National Intelligence Service (NIS) agents were dispatched to the Seychelles two months ago to make an on-the-spot assessment following the arrest of former NIS man Martin Dolinchek.

The two agents' brief was to slip undetected into the Indian Ocean islands as South African tourists to investigate exactly how much Dolinchek had talked in captivity about official involvement in the bungled Seychelles coup.

They were also to assess the potential damage he could do to South Africa's spy network and whether belated legal assistance from his department could save the situation.

The two agents are Pretoria-based Gerhardus H Rothman and Evert Johannes de Wet — both senior members of NIS and old friends of Dolinchek who was captured after last November's invasion of Mahe.

Investigation

De Wet and Rothman flew into the Seychelles using their own passports and booking into the Beau Vallon Bay hotel situated in one of the island's major tourist playgrounds.

A Mercury investigation on the islands revealed that Seychelles authorities have the following statistics on the agents: Evert Johannes de Wet, born 29/10/41, Passport No P555528 and Gerhardus H Rothman, born 15/1/32, Passport No P501960.

Inquiries showed that the two agents operated in a manner which immediately created suspicion and led to their covers being blown — but not before they managed to get out of the Seychelles hours ahead of the local police.

fore flying out of the Seychelles.

But NIS attempts to salvage the Dolinchek situation backfired in two ways:

Suspicious about the men were reported by the major to his superiors and subsequent checks revealed they were NIS agents; and Dolinchek, asked whether he knew them, identified them and decided finally to defect to the Seychelles and give evidence for the State in the treason trial of the mercenaries on June 16.

Dolinchek's reaction to his colleagues' presence in the Seychelles was apparently violent.

The former spy had been considering the pros and cons of defection to the Seychelles and of eventually becoming a Seychelles citizen.

News that NIS agents had been operating on the island persuaded Dolinchek to finally turn his back on South Africa.

The spies travelled to the Seychelles on their own passports.

Dolinchek, in a written statement, indicated he was bitter over the secret trip of the two agents.

Describing De Wet as 'supposedly my good friend,' Dolinchek launched into a vitriolic attack against the South African authorities in a document smuggled out of his Seychelles jail.

In the document he promised 'high voltage' shocks for the South African authorities in his supreme court testimony.

At the same time it has been established that Mrs Dolinchek will return to the Seychelles after the June trial and selling their possessions and a house in Durban.

De Wet last night admitted he worked for NIS, but when asked for comment about reports of him entering the Seychelles, said: 'I don't know what you are talking about.'

The other man named, Mr Rothman, and Prof Niel Barnard, head of NIS, could not be reached for comment.

Their major mistake was to openly contact a Seychellois army major and try to question him about the results of police and military interrogation of Dolinchek since his arrest.

When the major suggested that he should tell Dolinchek that his colleagues were on the islands they begged him not to.

Rothman and De Wet spent a week putting their assessment together be-

SADF warned against AWB

Argus Correspondent

PRETORIA. — The Chief of the SADF, General Constand Viljoen, has warned members not to get involved with the ultra-right-wing Weerstandbeweging.

He said in an interview: 'The membership of any defence-force member in any extremist organisation such as the AWB cannot and will not be tolerated'.

This follows disclosures that a confidential circular has warned policeman not to join the organisation.

A spokesman for the Commission for Administration has said no similar circular has been sent to other public servants.

HEATED

Exchanges between the AWB and Nationalist MPs have been raging in the Press and from podiums over the past month, with threats and charges from both sides.

The leader of the AWB, Mr Eugene Terreblanche, said at a meeting he would 'resist with violence' attempts to draw coloured people into government.

The Prime Minister, Mr P W Botha, has compared the AWB with neo-nazism.

The Minister of Law and Order, Mr Louis le Grange, issued a warning to Mr Terreblanche about his threat of violence.

Farm profits

PRETORIA. — South African farmers netted an estimated R6 858-million last year — about 21 percent more than in 1980, according to the Department of Agriculture's latest newsletter. — Sapa.

R4-m Trust Bank case settled

THE R4-million Trust hearing on whether the Bank damages claim against Hout Bay businessman Mr Bill Mitchell and nine other defendants was settled out of court yesterday.

No details of the settlement have been disclosed. It was concluded last night after negotiations between the parties on what would have been the third court day of a hearing which had been set down for several weeks.

The court did not reconvene after adjourning on Friday and it is not expected to sit again.

ALLEGATION

Trust Bank alleged that R4-million out of a loan of R12-million made to Jeffrey's Bay Property Holdings (Pty) Ltd in June 1972, for the development of Wavecrest township, had been fraudulently obtained or stolen from the bank and used for private purposes.

It claimed R4-million plus interest at the rate of 11 percent a year from the defendants, as well as costs.

In papers before the court, defendants denied the bank's allegations and said the R12-million had been a genuine loan advanced to Jeffrey's Bay Property Holdings by Trust Finansië Korporasie (Ontwikkelings) Beperk (TFKO), a wholly owned subsidiary of Trust Bank.

Most of the hearing after the civil action opened last Thursday was taken up by argument on an application for a separation of issues.

Counsel for the defendants argued for a separate

It was alleged that a mistake had been made in initiating the action in the name of the Trust Bank.

Mr Sydney Kentridge, SC, for the Trust Bank, submitted that the application had been made to 'put off the evil day' when evidence would be led about the conduct of the defendants.

'We shall say that this fraud was a fraud on the Trust Bank, not simply on Jeffrey's Bay Property Holdings (Pty) Ltd in from Trust Bank,' he said.

DEFENDANTS

The defendants were Mr Mitchell, the private companies Valley Earth Moving and Contractors, Octopus Investments, Areal, Enzol, Lambot, All-cape Investments, Azrock Investments, a Cape Town accountant and auditor Mr H P Broodryk, and Mr A P J Burger of Cape Town, a former managing director of Trust Bank.

Mr Justice Vivier was on the Bench.

Mr S Kentridge, SC, assisted by Mr R Marais, SC, and Mr T D Cloete, and instructed by Sonnenberg, Hoffmann and Galambik, appeared for the Trust Bank of Africa Ltd.

Mr H Smit, QC, assisted by Mr P B Hodes and instructed by Buirski, Herstein and Ipp, appeared for Mr Mitchell and six other defendants.

Mr I Farlam, SC, assisted by Mr A H Veldhuizen and instructed by Reillys, appeared for Enzol Investments (Pty) Ltd; Mr S Aaron, SC, assisted by Mr S Selikowitz and instructed by Abrahams and Gross, appeared for Lambot (Pty) Ltd; Mr M Burger, SC, assisted by Mr D van Reenen and instructed by Silberbaums, appeared for Mr A P J Burger.

R465 to train a doctor in Nat

Parliament

IT costs R465 a doctor at the of Natal — double the other South university.

However, Di joen, Minister Education, said note to his question from Boraine (PF), in Parliament, university of changing financing to financing.

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NOT INC

These figures include the parents or burs.

At the Univ Cape Town R21 468 and at university of the rand R19 962.

The cost for dent is based minimum duration years and on expenditure.

At the Univ Stellenbosch it R16 854 to train and at the Univ Pretoria R16 350.

A recent report one of every five African doctors trained overseas, them in Britain.

Noisy planet

MOSCOW. — V noisily planet howling winds constantly around face, according latest findings sent back by two spacecraft to the Sapa-Reuter.

Sinai squatters get 24-hour respite

TEL AVIV. — Israel area by April 26, as announced a temporary provided in the peace one-day halt today in its agreements between the painful task of forcibly two countries. removing northern Sinai The initial targets were settlers, some of whom small rural settlements have threatened suicide where soldiers carried out rather than leave the area the settlers pockets of extremists who have holed up in buildings reinforced with barbed wire and sandbags. Some are said to have weapons, while others fully, but with no results. The Israeli Ministry announced hour halt in the operation because of Remember Day observed

(327) Star 20/4/82

Alington

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In his published statements he has made allegations based on presumptions and hypotheses which do not tie any South African Government entity directly to the coup attempt.

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That started the dream

5. Principles

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5. Principles

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Abductors let off

GABORONE. — President Quett Masire has pardoned nine South African refugees who were jailed for 18 months each for abducting one of the kidnappers of Peter Lengene.

This bizarre case of kidnapping a kidnapper began on February 6 when Daniel Kazevu (32), a refugee in Gaborone, and two South Africans kidnapped the Soweto refugee Peter Lengene and spirited

him back to South Africa.

Six days later Kazevu and the South Africans George Khoza (30) of Eldorado Park, Johannesburg, and David Letswalo (36) of White City, Soweto, pleaded guilty in the Gaborone Magistrate's Court to kidnapping Lengene and were jailed for four years each.

Botswana made an international outcry over

the incident as Letswalo told the court he was a South African Police officer stationed at Protea Police Station and Khoza said he was a South African Police informer.

Botswana accused South Africa of "terrorist practices" and demanded Lengene's immediate return.

South African Foreign Minister Pik Botha did not deny that Len-

gene had been kidnapped but said he no longer wished to return to Botswana.

Apparently when Lengene's friends realised he had been abducted, nine of them grabbed Kazevu and interrogated him in a house in Bontleng, Gaborone, for several hours on February 8.

When they eventually handed Kazevu to the police, the police arrested them. — AANS.

way from Vereeniging, ketst, who came all the morning. Miss Moeketsi Moeke waiting there since only to find a group of women who had been about the appointment her lunch-time to her Dube, said she had used Kelebogile Kgantsi of Another victim, Ms post. he did not use it as a criteria in appointing the was not that important, nice", he said this saying turn for "something used women jobs in re- Asked why he promised the pieces of paper. fill in their particulars on that they were made to undergo a test, except views say they had to But none of the inter- dergo a test.

Bongani Mnguni. WETAN photographer was "captured" by SO- give his name — but turn for a job refused to "something nice" in re-



interviewees had to un- for the post. He said all never interviewed me man claimed that he had the second time, the When confronted for be called manager. and said he preferred to ness telephone numbers day. He gave his busi- to his office later in the and promised to report I asked to be excused I am also single." "So, you are single heh? as he repeatedly sighed: was the marital status, What mattered mostly employment. number and previous tus, home telephone name, age, marital sta- one had to write one's piece of paper on which mation from the little He got this false infor- wrong." single, there is nothing are single and I am also the police because "you should not be afraid of ately assured me that I statement and immedi-

He boldly told me that "I can give you a job if you can give me some- thing nice."



DISGUSTED: Miss Niombi Twaia — "Is this what he does to all the women?"

job in a week's time if I was good, especially be- cause I could type. He said he would pay his prospective employee a basic wage of R50 a week, but he would pay e. more for someone very he good. When asked about the manner of vacancies ily which had to be filled, the manager sounded a- vague and confused. A d, further probing seem- a ingly pinned him down.

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ARGUS 21/4/81 (327) (328)

Now harder to confirm detention

Argus Correspondent
JOHANNESBURG.

Police have now made it more difficult to confirm the detention of any person. Requirements, including date and place of birth, full names and the address must now be submitted.

This was contained in a telex to the Star (sister newspaper of The Argus) from the Police Director-

ate of Public Relations in Pretoria. A telex was sent to the directorate for confirmation of two alleged detentions.

The reply stated that they could not confirm the detentions and it stated that new requirements would in future have to be met.

A spokesman for the directorate said the new measures had been enforced to provide for any

chance of mistaken identity.

"There are thousands of people in South Africa with the same names and the police could face a civil action as a result of the publication of an incorrect detention," the spokesman said.

In the past, only the name of the person was required for the confirmation of a detention.

21/4/82

(327)

Mercury

Spy's wife says wait and see

Mercury Reporter

THE world will have to wait until self-proclaimed South African National Intelligence Service agent Martin Dolinchek actually goes on trial in the Seychelles to see if he turns State's evidence against the six mercenaries who were captured with him, Mrs Ina Dolinchek said yesterday.

Speaking from her refuge and temporary home in Nylstroom, Northern Transvaal, Mrs Dolinchek said that her husband gave 'no indications whatsoever on that subject' when she saw him recently.

'I wish the newspapers that are doing all this speculating would realise that speculation is, in fact, all they've achieved. They and everyone else, me included, will have to wait until Martin goes on trial,' she said yesterday.

Moving

That trial, in which Martin Dolinchek and six others will face charges of high treason — charges that carry a maximum penalty of death — is set down for June 16.

Mrs Dolinchek said there was 'no question, at this point anyway' of selling their Durban home and moving to the Seychelles.

'All this business about Martin being offered his freedom and Seychelles residency for us, in return for him testifying against the others, is also pure speculation. I read that not even the Chief of Police of the Seychelles knows about that one.'

When asked if she knew why two Pretoria-based NIS agents, allegedly former colleagues of her husband's, had recently been sent undercover to the Seychelles, she said: 'I wish you could tell me'.

Reports from the islands said that the two senior operatives went there to ascertain exactly how much Dolinchek had said in captivity about alleged official involvement in the bungled coup and to assess the potential damage he could do to South Africa's spy network.



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Vol. 202]

PRETORIA, 21 APRIL 1982

[No. 8175

GOEWERMENSKENNISGEWING

**DEPARTEMENT VAN BINNELANDSE
AANGELEENTHEDE**

No. 847 21 April 1982
ONGEWENSTE PUBLIKASIES OF VOORWERPE.—
LYS P82/39

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, soos gewysig, 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:

Inskrywing No.—P82/4/67.

Publikasie of voorwerp.—Scope—Vol. 17, No. 17, April 23, 1982.

Skrywer of voortbringer.—Republican Press (Pty) Ltd, Durban.

Artikel.—47 (2) (a) en (b).

GOVERNMENT NOTICE

DEPARTMENT OF INTERNAL AFFAIRS

No. 847 21 April 1982
UNDESIRABLE PUBLICATIONS OR OBJECTS.—
LIST P82/39

A committee referred to in section 4 of the Publications Act, 1974, as amended, 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:

Entry No.—P82/4/67.

Publication or object.—Scope—Vol. 17, No. 17, April 23, 1982.

Author of producer.—Republican Press (Pty) Ltd, Durban.

Section.—47 (2) (a) and (b).

INHOUD

No.	Bladsy No.	Staats-koerant No.
Binnelandse Aangeleenthere, Departement van Goewermentskennisgewing		
847	Wet op Publikasies (42/1974): Ongewenste publikasies of voorwerpe: Lys P82/39.....	1 8175

CONTENTS

No.	Page No.	Gazette No.
Internal Affairs, Department of Government Notice		
847	Publications Act (42/1974): Undesirable publications or objects: List P82/39.....	1 8175

ARGUS 22/4/82 327

Press control 'has gone too far'

PRETORIA. — The full step at censorship was taken during the 1960s when the Press Council was introduced. This body guarded journalistic standards very responsibly, he said.

This was said by Professor Marinus Wiechers of the University of South Africa's law faculty at a seminar on the Freedom of the Press held yesterday at the University of Pretoria.

Professor Wiechers said Press control was based in the common law and related to such things as defamation. The second

step at censorship was taken during the 1960s when the Press Council was introduced.

This body guarded journalistic standards very responsibly, he said.

However, more and more subjects came under scrutiny, were defined and the Press stopped from writing about them.

'Extremist action' was taken in 1976 and 1981 when first World and Sunday World and then Post were banned.

Now the fourth and final step has been taken with the Steyn Commis-

sion, said Professor Wiechers. All the journalists' rights had been taken away with the 'absurd' introduction of a proposed register of journalists.

Professor Wiechers said that this had gone too far.

Two other speakers at the seminar, Miss Fleur de Villiers and Dr Piet Muller, said more than 100 laws affected the Press.

A mutual trust should exist between the authorities and the Press in a democracy. A healthy society had constantly to

purify itself and change the evils within it. Without a free Press, this could not be achieved, said Miss de Villiers.

She said that there was no absolute Press freedom.

Dr Muller said the desire for secrecy came from the bureaucrats. However, when a newspaper such as Post was banned the thoughts and the beliefs of its readers carried on living.

He said a free Press was essential to a democracy.

New Internal Security Bill

ARGUS
22/4/82

327

Political Staff

A NEW Internal Security Bill in line with the Rabie Commission proposals will be read for the first time in Parliament today.

The Bill is the fourth and main legislative measure recommended by the Rabie Commission into security legislation to come before Parliament in the past month.

The 'carpet bag' Bill which will revamp the country's security legislation replaces and consolidates most of the existing security legislation, including the Suppression of Communism Act, parts of the General Law Amendment Act, particularly the parts dealing

with sabotage, the Internal Security Act and the Terrorism Act.

OTHER BILLS

Three other Bills dealing with security legislation — the Protection of Information Bill, the Intimidation Bill and a Bill to prevent demonstrations outside court buildings — have already been put before Parliament.

The Internal Security Bill will probably be published tomorrow but indications are that it will follow the draft bill recommended by the Rabie Commission.

The draft bill proposed scrapping the existing security offences and replacing them with tightened up legislation under

the headings of 'terrorism,' 'subversion' and 'sabotage.'

The detention and banning systems were completely reviewed, modifications to the existing systems were recommended to give greater protection to detainees with a provision for an inspector of detainees, private fortnightly visits by magistrates and doctors and a 30-day limit on detention orders after which the Minister of Law and Order had reviewed the orders.

A system of review boards and committees to look at bannings of people, organisations and publications was recommended.

Severe gag on reporting of terrorism, detentions

Political Staff

CAPE TOWN — Publication of terrorist incidents and detentions under security legislation is to be drastically restricted — with severe penalties for contravention — in terms of legislation to come before Parliament next week.

Ill-defined steps are also being taken in other legislation to curb reporting on the Commission for Co-operation and Development which is charged with the consolidation of the homelands.

The legislation dealing with terrorist incidents and detentions is hidden in the Protection of Information Bill, which is designed to replace the Official Secrets Act.

The legislation was recommended by the Rabie Commission of Inquiry into Security Legislation.

WITHDRAWN

The issues of police operations and terrorist movements in incidents of terrorism, and the reporting of detentions, were contained in draft legislation in 1980.

But the proposals were withdrawn and referred to the Rabie Commission.

The Bill does not specifically mention the issues, but in the Rabie report it is made clear that section 4 (1) of the Bill is designed to cover them.

FINE

The relevant part of the section reads: "Any person who has in his possession or under his control or at his disposal any information which he knows or

should reasonably know... relates to a... security matter or the prevention or combating of terrorism... and who... publishes or uses such... information in any manner which is or may be prejudicial to the security of the interests of the Republic... shall be guilty of an offence and liable to a fine not exceeding R10 000 or to imprisonment not exceeding 10 years, or both..."

ONUS

The legislation carries well-defined presumptive clauses in terms of which the onus is put on the accused to prove that there was no intention to prejudice the security or interests of the Republic.

The Bill also says that unless the information was published by a person "Acting under lawful authority," it "shall be presumed, unless the contrary is proved, that the purpose was prejudicial to the security or interests of the Republic."

ASSURANCES

At the time the initial legislation was published Government members gave assurances that there was no intention to unnecessarily curb Press reporting on these issues.

The Bill dealing with the Commission for Co-operation and Development — Laws on Co-operation and Development Amendment Bill — provides for the State President to make regulations to preserve secrecy in connection with matters dealt with by the commission.

No. 793

23 April 1982

No. 793

23 April 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, soos gewysig, 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 P82/36

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/2/93.....	<i>Test Your Sexuality</i>	Dr Tony Lake.....	(a)
P82/2/142.....	<i>Vanna</i>	Emmanuelle Arsan.....	(a)
P82/3/120.....	<i>Good the Bad and the Beautiful, The</i>	Fiona Richmond.....	(a)
P82/3/164.....	<i>Siteeco (Pty) Ltd—(Edms.) Bpk.—1982</i> (Kalender/ Calendar)	Calen Gift	(a)
P82/3/165.....	<i>Pretoria Battery Distributors (Pty) Ltd—1982</i> (Kalender/Calendar)	The Swan Publishing Company (Pty) Ltd, Overport.....	(a)
P82/3/166.....	<i>Johnny's Liquor Hypermarket—1982</i> (Kalender/ Calendar)	The Swan Publishing Company (Pty) Ltd, Overport.....	(a)
P81/11/111.....	<i>Night Watch</i>	Stephen Koch.....	(a)
P82/2/30.....	<i>Love Play</i>	Rosemary Rogers	(a)
P82/2/82.....	<i>Tempt Not This Flesh</i>	Barbara Riefe	(a)
P82/2/83.....	<i>Schrödinger's Cat II: The Trick Top Hat</i>	Robert Anton Wilson.....	(a)
P82/2/89.....	<i>Bride of the Sun</i> (A Minstrel Book—No 26).....	Nicola Page	(a)
P82/3/2.....	<i>Amazon</i>	Roy Sparkia.....	(a)
P82/3/39.....	<i>Virgil Directive, The</i>	Tad Richards.....	(a)

No. 794

23 April 1982

No. 794

23 April 1982

ONGEWENSTE PERIODIEKE PUBLIKASIES
OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, wat kragtens artikel 11 (2) van genoemde Wet beslis het dat ondergenoemde publikasies of voorwerpe ongewens is binne die bedoeling van artikel 47 (2) van genoemde Wet, het kragtens artikel 9 (1) van genoemde Wet elke latere uitgawe van genoemde publikasies of voorwerpe aldus ongewens verklaar:

UNDESIRABLE PERIODIC PUBLICATIONS
OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, which decided in terms of 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, has in terms of section 9 (1) of the said Act declared every subsequent edition of the said publications or objects to be so undesirable:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/3/43.....	<i>Work in Progress</i> —No 20, October 1981.....	Editorial Collective, Braamfontein.....	(c)
P82/3/151.....	<i>Briefing Paper</i> —No 4, March 1982.....	International Defence and Aid Fund for Southern Africa, London	(c)

No. 795

23 April 1982

No. 795

23 April 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.

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
P81/12/107.....	<i>True Confessions</i>	John Gregory Dunne.....	In SK./G.G. 6168, GK./G.N. 1978 van/ of 29/9/1978.
P82/3/33.....	<i>Mildred Pierce</i>	James M. Cain.....	In GK./G.N. 2216 van/of 27/10/1955.

No. 796

23 April 1982

WET OP PUBLIKASIES, 1974

VERTOË KRAGTENS ARTIKEL 24 (2) (b)

Die Direkoraat van Publikasies het op 8 April 1982 kragtens artikel 25 (2) (b) van die Wet op Publikasies, 1974, soos gewysig, appèl aangeteken teen die goedkeuring op hersiening deur 'n komitee bedoel in artikel 4 van genoemde Wet van die ondergenoemde rolprent. Die tydperk waarin persone bedoel in artikel 24 (2) (b) soos toegepas deur artikel 25 (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
R82/3/19	<i>Bring me the Head of Alfredo Garcia</i>	United Artists Corporation (SA) (Edms.) Bpk./ (Pty) Ltd.

No. 796

23 April 1982

PUBLICATIONS ACT, 1974

REPRESENTATIONS UNDER SECTION 24 (2) (b)

On 8 April 1982 the Directorate of Publications in terms of section 25 (2) (b) of the Publications Act, 1974, as amended, appealed against the approval on review 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) as applied by section 25 (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. 797

23 April 1982

WET OP PUBLIKASIES, 1974

ROLPRENT

Die Appèlraad oor Publikasies het kragtens artikel 24 van die Wet op Publikasies, 1974, soos gewysig, 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 2-18 jaar vertoon mag word nie; en
(b) dat sekere weglatings aangebring moet word.

Inskrywing No. Entry No.	Rolprent Film	Vertoëmaker Representer
R82/2/81	<i>Making Love</i>	Ster-Kinekor (Edms.) Bpk./ (Pty) Ltd.

No. 797

23 April 1982

PUBLICATIONS ACT, 1974

FILM

The Publications Appeal Board under section 24 of the Publications Act, 1974, as amended, 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.

DEPARTEMENT VAN FINANSIES

No. 787

23 April 1982

Ingevolge die bevoegdheid hom verleen by Finansiële Regulasie 10 afgekondig by Goewermentskennisgewing R. 496 van 26 Maart 1976 (*Staatskoerant* 5030), maak die Tesourie bekend dat die Minister van Finansies, ingevolge artikel 19 van Skatkis- en Ouditwet, 1975 (Wet 66 van 1975), goedgekeur het dat paragrawe 1.7.1 en 1.8.1 van die uitreikingsbepalings en -voorwaardes wat van toepassing is op Verdedigingsbonusobligasies soos afgekondig by Goewermentskennisgewing 372 van 29 Februarie 1980 (*Staatskoerant* 6871) soos volg gewysig word:

Paragraaf 1.7.1

Vanaf 1 April 1982 is rente teen 5 persent per jaar maandeliks saamgestel betaalbaar slegs by terugbetaling van die obligasies en word bereken vir voltooië maande vanaf datum van belegging met dien verstande dat saamgestelde rente ook ten opsigte van obligasies wat voor 1 April 1982 bekom is, betaalbaar sal wees vanaf die datum van belegging mits sodanige obligasies nie voor 1 April 1983 vir terugbetaling aangebied word nie.

Paragraaf 1.8.1

Die Tesourie maak 'n bydrae tot 'n prysfonds teen 'n koers soos deur die Minister van Finansies van tyd tot tyd bepaal, maar teen nie minder nie as 3 persent per jaar, van die totale bedrag van obligasies wat in die maandelikse prystrekking deel het. Pryse sal per skatkisorder betaal word.

DEPARTMENT OF FINANCE

No. 787

23 April 1982

Under the powers conferred upon it by Financial Regulation 10, published under Government Notice R. 496 of 26 March 1976 (*Government Gazette* 5030), the Treasury announces that the Minister of Finance, in terms of section 19 of the Exchequer and Audit Act, 1975 (Act 66 of 1975) has approved that paragraphs 1.7.1 and 1.8.1 of the terms and conditions of issue governing Defence Bonus Bonds as published under Government Notice 372 of 29 February 1980 (*Government Gazette* 6871) be amended as follows:

Paragraph 1.7.1

With effect from 1 April 1982 interest is payable at 5 per cent per annum compounded monthly only on redemption of the bonds and is calculated for completed months as from date of investment. Compound interest is also payable in respect of bonds purchased prior to 1 April 1982 from the date of investment providing such bonds are not presented for repayment before 1 April 1983.

Paragraph 1.8.1

The Treasury will make a contribution to a prize-fund at a rate determined by the Minister of Finance from time to time, but not less than 3 per cent per annum, of the total amount of Bonds participating in the monthly prize-draw. Prizes will be paid by warrant vouchers.

CAPE TIMES 23/4/82

Full text of Hulley speech

THE full text of the speech by Mr Roger Hulley, MP, during the debate on the budget vote of the Defence Department on Wednesday.

The Leader of the Opposition during the Prime Minister's Vote made the important observation that each prime minister we have had in recent years has brought with him a characteristic of his era.

We had the characteristic of Bantu Administration which developed under Dr Verwoerd, a heavy emphasis on police matters during the era of Mr Vorster, and now the public is beginning to say that the era of Mr P W Botha is the era of a militarized South Africa.

There is a feeling at large among certain sections of the community, in fact, I would say large sections of the community and responsible sections, that the power and influence of the military establishment have grown dramatically in the general policy-making of the country.

It has reached unusual proportions, is the feeling, and the public is uneasy, very uneasy about the role that the military is playing behind the scenes.

Mr Z P le Roux (NP Pretoria West): Are you uneasy or is the public uneasy?

Mr Hulley: I share this uneasiness. There is uneasiness about the role that the military is playing behind the scenes in policy-making in this country.

I want to make some references on this subject. I should like to refer the committee to a documentary article which appeared in the magazine "Now".

I would be happy to furnish the minister with a copy if he should be interested.

This article is entitled "The day of the generals". The article begins as follows: "The tapping of Pieter Botha's phone in 1977 lit a fuse that led to Muldergate and the defeat of BOSS... John Fullerton traces the conflict which ended in a quiet coup d'etat by the military."

The article goes on to say: "The hitherto unrealized effect of the incident has been to put South African policy-making under the direct control of the military with immense consequences in the future for the whole of South Africa. It led to the demise of BOSS, the rooms of which have also been taken over by the military. As a result the South African generals are now in a position of power unrivalled in the so-called free world."

I refer to another section of this article. It says: "The South African generals want, it appears, to know everything about government. A senior commerce official complained to a Western diplomat recently that he had to waste too much time teaching intricacies of exchange control regulations 'to the generals'. Another example of the political role of the generals occurred over a government survey into the impact of apartheid in an area of Cape Town's District Six, a suburb for the city coloureds."

Mr H J Tempel: (NP Ermelo) Where do you come by that nonsense.

Mr Hulley: "According to one source the investigation was being carried out by military intelligence."

An interesting thing about this article — I recommend it

to the member for Pretoria West is that it was written in October 1979.

The other day we had an article which was published in the "Financial Mail" which is not particularly a publication which is given to wild statements, not at all. In fact, it is a very responsible publication in South Africa.

This article was published on 2 April 1982. It reads as follows: "As early as 1979 John Sailor writing in the International Affairs Bulletin claimed that SADF representatives now take part in all inter-departmental meetings regardless of their subjects or whether direct SADF interests are involved".

They go on to say in the same article that according to the London International Institute for Strategic Studies "the role and influence of South Africa's military establishment seems likely to continue to grow".

These published snippets reflect a mood, reflect a disquiet on the part of a number of people and I raise it in this debate to give the minister the opportunity to react to this.

It is an important matter which is of great concern to the public and it has given rise to certain wild deductions, some of which we have heard tonight.

Arising out of this I should like to ask the minister to answer two specific questions.

Do military personnel routinely attend policy-making meetings of other departments more so than they did five years ago?

If so, who attends what meetings and why? The public will be very interested.

Secondly, does military intelligence undertake surveys on such matters as District Six and others? If so, why?

Mr A J Vlok: (NP Verwoerd-burg) That is scandalous.

Mr Hulley: Another subject I should like to touch on is 32 Battalion, Buffalo Squadron.

Some people have referred to it as South Africa's Foreign Legion.

As I understand it there are various views of this unit.

It has been held to be a crack, highly effective, well-disciplined part of the total defence effort in Namibia/South West Africa.

On the other hand publication has been made of some very, very disturbing allegations about this particular battalion. These allegations have been given publicity in our press.

I am just referring to two articles but the matter has been well publicized.

I do not think the opportunity has existed for the minister to refute these specific allegations which appeared in these publications in parliament although we did have a session last year.

I should just like to pick out the highlights of what this unit is being accused of so that they can be refuted and it will be on the record.

The suggestion here is that there was a certain lance corporal Trevor Edwards who was given world publicity on this matter.

To cut a long story short, he makes the following allegations.

That they enter Angola in unmarked camouflage uniforms. Secondly, they carry no documents. Thirdly, they use East European weapons. Fourthly, they kill livestock, cattle, goats and whatever is in their way. Fifthly, they black their faces. Sixthly, they actually kill women and children on occasion. Seventhly, they contaminate waterholes. Eighthly, they destroy crops. At this point Mr Hulley's speaking time expired.

327 Hansard C. 61. 686 -
 Murder of Dr. Rick Turner
 23/4/82 687
 *1. Mrs. H. SUZMAN asked the Prime Minister:

- (1) Whether the National Intelligence Service carried out an investigation into the murder of Dr. Rick Turner; if so, for what reason was such investigation carried out by the National Intelligence Service;
- (2) whether the investigation has been completed; if so, what was the outcome thereof; if not, when is it expected to be completed?

The MINISTER OF MANPOWER (for the Prime Minister):

- (1) No.
- (2) Falls away.

Ministers:

Murder of Dr. Rick Turner

*1. Mrs. H. SUZMAN asked the Minister of Law and Order:

Whether the Police investigation into the murder of Dr. Rick Turner has been completed; if so, with what result; if not,

1980 - Given permission membership to blacks and

Registration: Yes

Founded:

Area of Operation: Nation

Officials: Secretary: R.J.

FRIDAY, 23

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when is such investigation expected to be completed?

The MINISTER OF LAW AND ORDER:

As no progress could be made with the investigation owing to a lack of clues, the case was closed, but any new information which from time to time comes to hand is meticulously followed up with the object of successfully solving the case.

Address: P.O. Box 5965
 Johannesburg
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1727 938 9271 (011) 836 9271

Year	Membership			
	African	Asian	Coloured	White
1980				14 462
1979				13 591
1978				12 673
1977				12 424
1976				11 987
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1974				11 298
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Detentions, terror: Bill to curb Press

Political Staff

PUBLICATION of terrorist incidents and detentions under security legislation is to be severely restricted with heavy penalties for contravention in terms of legislation, to be dealt with in Parliament next week.

And ill-defined steps are being taken in other legislation to curb reporting on the Commission for Co-operation and Development, which is charged with consolidation of the homelands.

The legislation dealing with terrorist incidents and detentions is hidden in the Protection of Information Bill which is intended to replace the Official Secrets Act.

RABIE REPORT

The legislation was recommended by the Rabie Commission of inquiry into security legislation.

The issues of police operations and terrorist movements in incidents of terrorism as well as the reporting of detentions were contained in draft legislation in 1980 but were withdrawn and referred to the Rabie Commission.

INFORMATION

The Bill does not specifically mention the issues but in the Rabie Report it is made clear that Section 4(1) of the Bill is designed to cover them.

The relevant part of the section reads:

Any person who has in his possession or under his control or at his

disposal ... any information which he knows or should reasonably know ... relates to a ... security matter or the prevention or combating of terrorism ... and who ... publishes or uses such ... information in any manner ... which is or may be prejudicial to the security of the interests of the Republic ... shall be guilty of an offence and liable to a fine not exceeding R10 000 or to imprisonment not exceeding ten years or both ...

And the legislation carries well-defined presumptive clauses in terms of which the onus is put on the accused to prove that there was no intention to prejudice the 'security or interests of the Republic.'

The Bill also states that unless the information was published by a person 'acting under lawful authority' it 'shall' be presumed, unless the contrary is proved, that the purpose was prejudicial to 'the security or interests of the Republic.'

DETENTION

The original legislation made it an offence to report on the detention of people under security legislation or to report on police and terrorist activity without official permission.

The Rabie Commission found that the draft legislation was too wide but concluded that in some cases it was necessary.

This was particularly the case when the secu-

rity forces were involved in investigating or taking action against terrorist activity.

It suggested that the changes to the Official Secrets Act would cover these cases.

At the time the initial legislation was published Government members gave assurances that there was no intention to curb Press reporting

unnecessarily on these issues.

The Bill dealing with the Commission for Co-operation and Development — Laws on Co-operation and Development Amendment Bill — Provides for the State President to make regulations to preserve secrecy 'in connection with matters dealt with by the commission.'

● See Page 2

78. 73.4
71 - 19
2.7 - 2.1
8.4 - 5.2

CAPE TIMES 23/4/82

New ruling on detainees

327

Political Staff

A senior spokesman for the Department of Law and Order has confirmed that a new procedure to be followed when making inquiries about the identity of people detained is now official policy.

In terms of the new procedure, the press must now supply the police with the full name, date of birth and place of birth of a person before a detention will be confirmed by the police.

The press liaison chief of the Department of Law and Order, Colonel Leon Mellet, said yesterday that the new procedure had been introduced to prevent pos-

sible claims against the police in the event of mistaken identity.

The Cape Times was informed of the new procedure by the police division for public relations in Pretoria following a request for information on three people arrested on Tuesday and believed to be still in detention.

Reacting to the new ruling, Mrs Helen Suzman, MP for Houghton, said this was yet another example of the growing trend in Government for secrecy and press harassment.

"I will definitely take this matter up with the minister in the debate on the Law and Order vote," she said.

Hulley's speech sparks big row

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CAPL TIME'S
23/4/82

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THE Leader of the Opposition, Dr F van Zyl Slabbert, while disowning what he described as a mistake in a speech by the MP for Constantia, Mr Roger Hulley, yesterday attacked the Minister of Defence, General Malan, for questioning Mr Hulley's patriotism.

Dr Slabbert's statement followed an accusation by General Malan, that Mr Hulley's remarks in an Assembly speech were "the closest thing to high treason I have seen".

General Malan was ordered by the chairman of committees to withdraw the accusation after an objection by the PFP whip, Mr Alf Widman.

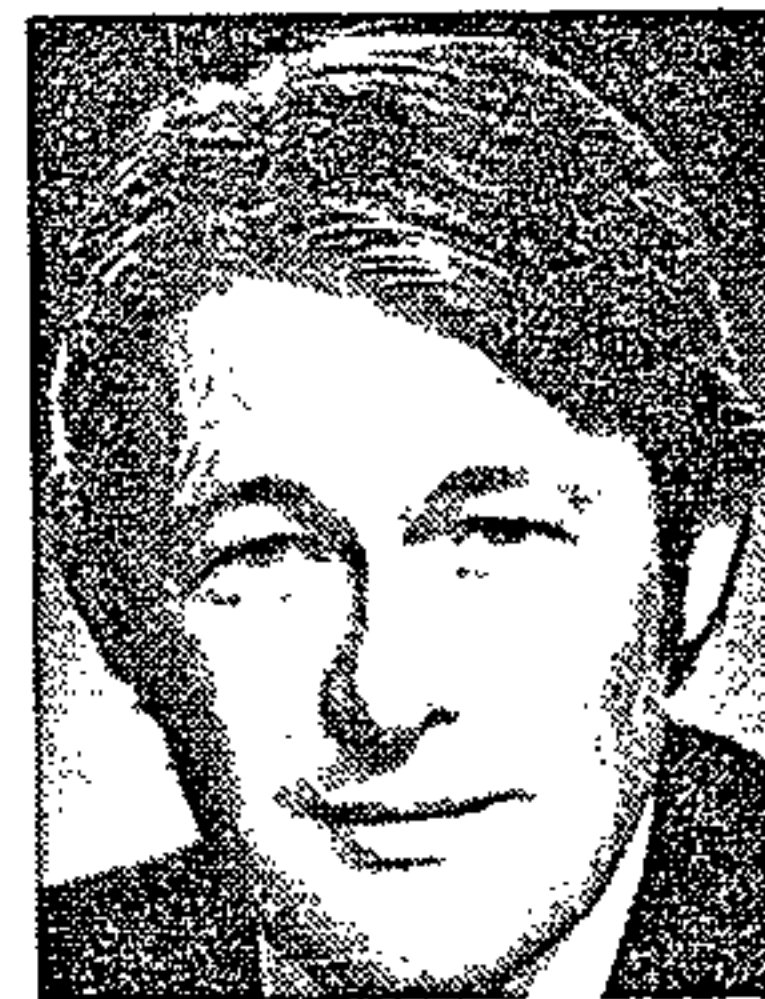
The row followed a clash between Mr Hulley and General Malan during the budget debate on the Defence vote on Wednesday night when Mr Hulley repeated allegations by a Lance-Corporal Edwards alleging atrocities by 32 Battalion.

At the start of his speech yesterday Mr Harry Schwarz, the PFP spokesman of defence, said he wanted to dissociate from Mr Hulley's remarks the whole of the PFP "in the presence of the leader".

He did not refer to



General Malan



Mr Roger Hulley

been drawn to Mr Hulley's attention and he had stated publicly that he accepted the *bona fides* of all concerned.

"The Defence spokesman of the PFP dissociated the party from this mistake and read out Mr Hulley's statement to the standing committee," Dr Slabbert said.

Dr Slabbert added, however, that he rejected "without qualification" General Malan's allega-

"I regarded the Edwards issue as much less important than the other issues I raised in my speech, particularly regarding the growing influence of the military in South African society.

"I raised the Edwards issue out of a *bona fide* concern about his allegations but now that I discover it had been dealt with previously, I accept that the matter is closed," Mr Hulley said.

Ultimate sacrifice

In his speech yesterday, General Malan said Mr Hulley had referred to 32 Battalion as the Foreign Legion of South Africa.

"The SADF has never had reason to hire people," said General Malan.

The Defence Force was motivated by patriotism and love for the fatherland that made them willing to make the ultimate sacrifice. These were reasons that Mr Hulley would not be able to appreciate or understand. They were attributes that could not be bought with money on the world market.

Lance-Corporal Edwards was a traitor who did not have the courage to defend his country and had smeared its name abroad.

"He is a liar and a deserter who betrayed his country. Today he is a renegade collaborating with the ANC."

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23/04/82

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tions that Mr Hulley was disloyal to South Africa.

Hulley absent

Mr Hulley was not present for yesterday's debate because he had prior commitments in Johannesburg.

In a statement released after the debate, the Leader of the Opposition, Dr Van Zyl Slabbert, who was present for yesterday's Defence debate, said the incidents and allegations which Mr Hulley had referred to had been disposed of more than a year ago by the Official Opposition as well as the Defence Force.

This had subsequently

tions concerning Mr Hulley's loyalty and patriotism to South Africa.

He accepted that Mr Hulley had erred in a *bona fide* matter.

"But I also accept that it is the right of any MP to question any department of State on any matter which that member believes to be in the interests, not only of his constituents, but of the whole country.

"I am not prepared to tolerate slurs being cast on the integrity of any member of my caucus."

Yesterday Mr Schwarz read a statement by Mr Hulley to Parliament in which Mr Hulley said he had been unaware that the matters he had referred to had been clarified before he had come to Parliament and that he accepted everyone's *bona fides* in the matter.

Mr Hulley said in an interview last night that he found it significant that General Malan had chosen to react vehemently to only one issue raised in his speech and not to react at all to the rest of his speech.

General Malan said Mr Hulley had not quoted Edwards negatively, but had presented him in a positive light and tried to give credence to his allegations by raising them in Parliament.

"Mr Hulley has removed all doubt about where he stands. He has chosen the way of Edwards. He has become the Edwards of this House."

Swapo atrocities

It was the duty of the Official Opposition to say where they stood.

Mr Schwarz said he did not believe the SADF committed the kind of atrocities contained in Edwards's allegations and had said so at the time the allegations were first published in the Guardian.

It would be more appropriate "if we debated the atrocities committed by Swapo", Mr Schwarz said to sounds of approval from the government benches.

● Leading article, page 12

● Full text of Hulley's speech, page 4

New Internal Security Bill

CAPL TIMES 24/4/82 327

HOUSE OF ASSEMBLY — The Internal Security Bill, implementing recommendations of the Rabie Commission of Inquiry into Security Legislation, was published here yesterday.

Its main provisions are new definitions of the terms "terrorism", "subversion" and "sabotage" and certain control and review mechanisms in the banning of people, organizations and publications and in detentions.

The bill defines the acts of terrorism, subversion and sabotage closer than present legislation does and makes the banning of organizations and publications subject to investigation and recommendation by an advisory committee.

It provides for such a committee, under chairmanship of a judge, senior magistrate or advocate, to investigate and report on publications or organizations before the Minister of Law and Order would be entitled to exercise his banning powers.

In terms of the Bill, an advisory committee would be able to hold hearings, subpoena witnesses and consider written or oral evidence given under oath under the same conditions as those applying to witnesses giving evidence in the Supreme

Court.

The hearings would not, however, be public and might be attended only by the Director of Law and Order or those authorized by him, the witness and "a person in the service of the State whose presence is considered necessary by the chairman".

A committee's deliberations and recommendations would also remain secret and no court of law would be entitled to make pronouncements affecting its functions or recommendations.

The bill also provides for the petitioning of the minister to review any banning, within 14 days of the banning being published in the Government Gazette.

The establishment of a Board of Review and the appointment of inspectors of detainees are also provided for.

The Board of Review, which would also have powers to summon witnesses and hear evidence, would be informed of any restrictive action taken against an individual and the reasons for it.

The board would inves-

tigate and might hear evidence from the affected person before reporting its findings to the Minister.

The bill makes provision for further review of restrictions by the Chief Justice or a judge of the Appellate Division, should the minister refuse to give effect to the Board of Review's recommendations.

Any person affected by restrictions provided for in the bill would have the right to petition the minister for his case to be considered by the Board of Review, although permission might be refused by the Minister.

Should such refusal by the minister have the effect that stricter measures than those recommended by the board remain in force, the matter would have to be referred to the Chief Justice for review of the minister's actions. — Sapa

EVERY CANDIDATE MUST enter in column (1) the number of each question answered (in the order in which it has been answered); leave columns (2) and (3) blank.

	Internal	External
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6	9 1/2	10%
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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

SRC's 'Dome' is banned

CAPE TIMES

24/4/82

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FIONA Richmond's novel "The Good, the Bad and the Beautiful" and a publication by the Students' Representative Council at the University of Natal "Dome — No 1, March 1982" had been found to be undesirable, the Directorate of Publications announced in Cape Town yesterday.

"Work in Progress — No 20, October 1981" by "Editorial Collective Braamfontein" and "Briefing Paper — No 4, March 1982" by the International Defence and Aid Fund for Southern Africa, London, had also been found to be undesirable and all subsequent editions were to be declared undesirable in the Government Gazette published later yesterday.

A committee, referred to in Section 4 of the Publications Act, 1974, had on review found that "True Confessions" by John Gregory Dunne and "Mildred Pierce" by James M Cain were not undesirable and set aside a previous declaration that the publications were undesirable.

It is now an offence to import and/or distribute the following undesirable publications (names of author or producer in brackets):

Test Your Sexuality (Dr Tony Lake). Vanna (Emmanuelle Arsan). The Good the Bad and the Beautiful (Fiona Richmond). Siteeco (Pty) Ltd — 1982 (calendar) (Calen Gift).

Pretoria Battery Distributors (Pty) Ltd — 1982 (calendar) (the Swan Publishing Company, Overport). Johnny's Liquor Hypermarket — 1982 (calendar) (the Swan Publishing Company, Overport).

Night Watch (Stephen Koch). Love Play (Rosemary Rogers). Tempt not this Flesh (Barbara Riefe). Schrodinger's Cat 11: The Trick Top Hat (Robert Anton Wilson). Bride of the Sun (a Minstrel Book — No. 26) (Nicola Page). Amazon (Roy Sparkia). The Virgil Directive (Tad Richards).

Dome — No 1, March 1982 (SRC, University of Natal, Durban). The Vanguard — June-December 1981 (Cassas, National University Of Lesotho, Lesotho). Challenge — Vol 2, No 2 (Black Students Society). Isolate Apartheid South Africa — Sanctions Now — National Campaign Petition (pamphlet) (Anti-Apartheid Movement).

Isolate Apartheid South Africa. Sanctions Now — National demonstration March 14 1982, London (leaflet) (Anti-Apartheid Movement). Britain and Southern Africa: The Case for Sanctions — Programme of 8 lectures/discussions held at Africa Centre, London, January 13 to March 3 1982 (programme) (Anti-Apartheid Movement and the Africa Centre). — Sapa

Bill an assault on civil liberty

Political Staff

THE Internal Security Bill, implementing recommendations of the Rabie Commission of Inquiry into Security Legislation, was published here yesterday.

Its main provisions are new definitions of the terms "terrorism", "subversion" and "sabotage", and certain control and review mechanisms with regard to detentions and the banning of people, organizations and publications.

Mrs Helen Suzman (PFP Houghton), chief opposition spokesman on human rights, said yesterday the new bill was a major assault on the country's civil liberties.

"At first glance this bill, which emanates from the commission which among other things was supposed to consider the

fairness of security legislation, does virtually nothing to lessen the impact of our laws on civil liberties," said Mrs Suzman.

"The same old oppressive provisions that applied in acts which are now being repealed, such as the Terrorism Act, the Internal Securities Act, parts of the General Laws Amendment Act, reappear now with equal force."

Mrs Suzman said the "so-called safeguards", such as the review system for detention without trial, bannings and the declaration of unlawful organizations were limited in their operation.

They did not apply to the provisions of section six of the old Terrorism Act.

● Full report on bill, page 4.

State lawyer's stove explodes

Cape Times 24/4/82 327

Own Correspondent

JOHANNESBURG. — A stove exploded yesterday afternoon in the home of a Johannesburg advocate involved in the Aggett inquiry, sparking off a major investigation by police.

Although the cause seemed to be a simple blockage in the coal stove, forensic experts were still examining wreckage late last night and will continue today.

The stove exploded soon after being lit by the wife of Mr Altus Joubert at 12.30pm at their home in Chiselhurst Road, Rossmore.

Mrs Sherry Joubert said she had left the house to go to a doctor at the time.

Mr Joubert, who recently appeared with two other advocates representing the Minister of Law and Order at the in-

quest on Dr Neil Aggett, said the stove had not been used for several years.

Experts

Top policemen, including Brigadier J H du Plessis, Divisional Commissioner for the Witwatersrand, and his deputy, Brigadier Theuns "Rooi Rus" Swanepoel, went to the house after the explosion.

The stove and the damage it caused was closely inspected by security police and forensic and explosives experts to see whether a bomb might have been placed inside the stove.

Brigadier Du Plessis said later that all possibilities had to be investigated.

The explosion extensively damaged the walls, a window and cupboards in the kitchen.

PM denies that NIS investigated murder

By BRIAN POTTINGER
Political Correspondent

CAPE TOWN — The Prime Minister, Mr P W Botha, has denied that the National Intelligence Service carried out any investigation into the murder of the banned academic Dr Rick Turner.

At the same time, Mr Louis la Grange, Minister of Law and Order, has confirmed no further progress has been made on the case but all new leads would be followed up.

The Cabinet member's response follows questions tabled in Parliament by Mrs Helen Suzman, the PFP's chief spokesman on civil rights.

Recently it was reported that Mrs Catherine Turner, mother of the murdered Natal university academic, was flying to the Seychelles to interview captured NIS spy Mr Martin Dolincheck.

Mr Dolincheck was an NIS operative in Durban in 1972 when Dr Turner was slain by a gunmen. Subsequent reports indicated Mr Dolincheck had been involved in some investigation of the case.

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Police look into stove explosion

127 24/4/82

By EMIELIA JAROSCHEK
Crime Reporter

POLICE have launched a major investigation into a stove explosion yesterday, at the home of a Johannesburg advocate involved in the Aggett inquest.

Although the cause seemed to be a simple blockage in the coal stove, forensic experts were still examining wreckage last night and will continue to do so today.

The explosion occurred at the Rossmore home of Mr Al-tus Joubert, one of the three advocates who appeared for the Minister of Law and Order at the inquest into the death of Dr Neil Aggett.

The stove exploded shortly after being lit by Mrs Sherry Joubert at 12.30pm.

Mrs Joubert left the house to go to a doctor before the stove exploded.

Mr Joubert said the stove had not been used for several years.

Top policemen, including Brigadier J H du Plessis, Divisional Commissioner for the Witwatersrand, and his deputy, Brigadier Theuns "Rooi Rus" Swanepoel were called to the house.

The stove was closely inspected by Security Police and forensic and explosives experts.

Brig Du Plessis said afterwards that all possibilities had to be investigated.

The explosion extensively damaged the walls, cupboards and a window in the kitchen and flung shrapnel throughout the room.

Gas may have caused explosion

24/4/82 Stan 327
A methane gas explosion could have caused a Johannesburg advocate's coal stove to blow up, a spokesman for a coal agency said today.

A police investigation into the explosion is continuing. The explosion occurred at about 12.30 pm yesterday in the home of Mr Aldus Joubert, who is appearing for the State in the Aggett inquest.

A spokesman for a Johannesburg coal agency said it was possible that a small pocket of methane gas had been trapped in a piece of coal and that the gas exploded when the piece of coal cracked up in the heat.

He said that methane gas explosions in coal stoves had occurred in the past.

Mrs Sherry Joubert said this morning she left the house yesterday shortly after lighting a fire in the stove, which had not been used for several years.

Police forensic experts took away bits of the stove metal which damaged walls, cupboards and a window in the kitchen of the Joubert's Rossmore home.

Senior policemen were at the house shortly after the explosion was reported.

These 'gag' Bills could cover up official bungle and mistakes

SEVERAL new laws now before Parliament seek to severely restrict Press reporting on Government policymakers' secret workings — and could prevent the public finding out about official malpractice.

Journalists who obtain information about secret activities could face fines of up to R10 000 and 10 years jail.

One of the proposed laws effectively prohibits disclosure of the identity of people detained under the Terrorism or Internal Security Acts — or even the fact that someone has been detained. Legal experts have pointed out that in

BY MARTIN WEIL
Political Correspondent

terms of the Protection of Information Bill, the Press could not have disclosed the Defence Force plan to sabotage the official Opposition in the Defence debate last year.

It would also have been impossible to disclose the findings of various Human Sciences Research Council reports.

They included a survey commissioned by the Department of Co-operation and Development to determine urban black attitudes to homelands.

The survey found most urban blacks no longer had direct family ties in homelands, rarely visited them and had no desire to maintain links.

Last year the Press was able to disclose that top officials in the department had discussed the report at a meeting chaired by the Deputy Minister, Dr G de V Morrison, and had decided that in view of its 'disturbing' findings the survey should be suppressed.

The department commissioned further research on how urban blacks might be persuaded to change their minds. The results have never been disclosed.

In terms of the proposed Act any

person who receives any document or information, knowing or having reasonable grounds to believe that it is being disclosed to him in contravention of the Act, is liable to a fine of up to R10 000 or to be jailed for up to 10 years, or both.

An official who discloses to any unauthorised person any document or information entrusted to him in confidence by anyone holding Government office, will face the same punishment.

And an official who allows anyone possession of any official document — or its contents — issued for the use of the official only, will be liable to a fine of up to R5 000 or five years' jail.

The Government has also introduced

a Laws on Co-Operation and Development Amendment Bill.

This was prompted by a leak last year of a Government report recommending the incorporation of King William's Town into the Ciskei.

The Bill authorises the State President to make regulations for the "preservation of secrecy in connection with matters dealt with by the Commission for Co-operation and Development".

Anyone who contravenes secrecy regulations will face a fine of up to R1 000.

In the past the commission dealt largely with matters affecting consolidation of black areas and homelands.

These include the "general conduct of the administration of black affairs", and new laws affecting rural and now also urban blacks.

"It is quite unnecessary to clothe this commission in secrecy," said Professor N J J Olivier, PFP MP and the official Opposition's director of research.

"In view of the broad scope of the commission's work, one must inevitably ask why the public must be kept in the dark about what it is doing?"

Prof Olivier said secrecy was only justified when premature disclosure could give rise to unfair property speculation and cause financial loss to the public.

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FILM



US spy linked to coup bid by merc 'organiser'



● Mr Rocky Ryan — he claims there was a coup meeting in Johannesburg last May.

By **DESMOND BLOW**

Chief
Reporter



THE United States Central Intelligence Agency was involved in the abortive Seychelles Islands coup, according to former British mercenary Mr Rocky Ryan.

Speaking from London where he runs a bodyguard company for wealthy clients, Mr Ryan said he was one of the original people approached to organise the attempted coup last November.

He claimed he had been approached because the men who put up the money for the coup were among his clients.

"I cannot disclose their names, but I spoke to one or two of them in Durban on my visits."

Mr Ryan, 44, is also known as Rocco Salvatore. He was a member of the British Special Air Service (SAS) and served with Colonel Mike Hoare in the Congo in the early Sixties.

Mr Ryan claimed he met the CIA man at a house in Argyle Street, Waverley, Johannesburg, in May last year.

"It was one of three visits I made to South Africa in connection with the coup.

Some of the people who later took part were at the meeting.

"The CIA man — Mr X — is based in Tripoli and is responsible for getting arms for the PLO (Palestine Liberation Organisation).

"Although he is supposed to have gone over to Gaddafi, he still works for the CIA, and he will sell arms to anyone anywhere.

"It was his task to arrange for arms for the coup. He was supposed to have them in Mahe before the infiltration of the mercenaries began.

"But something obviously went wrong, because three weeks before the coup was to have taken place I was informed that the plans had been changed and that only 50 men would take part in-

stead of the original 400 and that they would take their arms with them.

"I pulled out when I was told this, because I realised it could not succeed," he claimed.

"There were a number of things which disturbed me about the attempted coup. One was that there were 200 Tanzanian troops on the perimeter of the airport.

"They seemed to be continually on stand-by. President Rene was obviously on the alert. I said it would take a minimum of 300 mercenaries for the coup to succeed, and that they should be infiltrated gradually over a few weeks as tourists.

"The arms were supposed to be there when they arrived. Most of the arms were to be supplied by Turphill,

but I also spoke to some of the people in the resistance movement on the Seychelles and they had hidden weapons there as well, so I cannot understand why it was finally decided for only 50 to go and to take their arms with them.

"It wasn't a shortage of money. I was given R5 000 up front plus expenses when I was asked to go to South Africa. I believe that close to R100 000 was spent on the preliminary plans," he said.

"I did not approve the selection of certain people who went on the raid eventually, and can't understand why they were eventually chosen."

Mr Ryan said it appeared there had been some sort of double cross.

"I think someone gave away their plans. Whether it was one of the many people approached or some other source I don't know. The French mercenary Dinard, who put Rene in power, may have been approached because he will fight for anyone for money.

"He was in the Seychelles a week before the attempted coup. Maybe he informed Rene of the plans," Mr Ryan said.

Hoare really needs this number

By **DARYL BALFOUR**

COLONEL 'Mad' Mike Hoare, legendary mercenary leader in the Congo and leader of the unsuccessful Seychelles raiders in November last year, will fly to Pretoria tomorrow for a meeting with Department of Social Welfare officials in an effort to have his men registered as a charity.

Col Hoare and 42 other mercenaries will appear in the Maritzburg Supreme Court again on Wednesday when the Air India hijack trial resumes.

Another seven men are being held in the Seychelles on treason charges.

"Once we are granted a charity num-

many quarters and he was sure the mercenaries would be able to raise the money required.

He would not say how much he hoped to raise, but estimates so far indicate that the trial defence costs in Maritzburg alone could top R150 000.

Another mercenary said the fund was being established primarily to help

Seychelles veils Dolinchek deal

SEYCHELLES officials are engaged in an elaborate exercise to withhold details of a deal which is being thrashed out with South African spy, Martin Dolinchek.

This follows the disclosure last week that Dolinchek — a former agent of South Africa's National Intelligence Service who has been charged with six others for involvement in last November's abortive coup on the islands — had decided to reveal the full story behind the bungled invasion.

As part of the deal, the Seychelles

By EUGENE HUGO

authorities would allow Dolinchek and his wife Ina to become residents of the islands.

This week the Seychelles Government denied offering political asylum to Dolinchek and said he would be charged with high treason with the six other mercenaries.

These denials, it is understood, are a result of alarm in official quarters in Victoria that knowledge of the agent's true intentions could lead to an attempt

being made to silence him.

This anxiety stems from the exposure of two NIS agents who slipped quietly into Mahe on January 23 this year in an attempt to assess what potential damage Dolinchek could do.

The agents — Pretoria-based Mr Gerhardus H Rothman and Mr Evert Johannes de Wet — questioned an army major and also had contacts with other Seychellois.

The two agents escaped only hours ahead of detection by Seychelles security officials.

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Detainees: Police explain

Cape Times 26/4/82 (327)
Crime Reporter

SECURITY Police delays in confirming detentions are caused by the necessity to confirm the identity of the person in question beyond reasonable doubt, a spokesman for the SA Police Division of Public Relations said in a statement at the weekend.

The spokesman said there seemed to be confusion over measures being taken by the police to ensure that the identities of persons being held in terms of security legislation were not mistaken.

He said the measures were not being taken to make it more difficult for a detention to be confirmed, but merely to ensure the correctness of identities in the interests of both the SAP and newspapers, as well those involved.

"It is necessary for the SA Police to

ensure that before a detention is confirmed, the identity of the person in question be established beyond reasonable doubt."

This was also to ensure that persons arrested and/or detained under the Criminal Procedures Act were not confused with detentions under security legislation, the spokesman said.

Information such as the date of birth could assist in identification. Other information such as address or identity number for instance, could also be helpful to police.

"When a well-known person is being held and there is no doubt as to the identity, such measures may not be necessary."

The spokesman said the SA Police would endeavour to supply names of detainees to the media in reasonable time.

Figures for 19

The total

Worcester
Tanning
Verulam
Stanger
National
Kimber
Mine Co
Kimber
General
Farmwoi

Federal Mining Explosives and Chemical Workers Union
Domestic Workers Association
Cape Town Gas Workers Union
Boland Inmaakwerkersvereniging (Paarl)
Bloemfonteinse Munisipale Werknemersvereniging
Black Mineworkers Union
S.A. Operative Masons' Society
S.A. Dental Mechanicians

This figures excludes membership of the following unions:
National Union of Brick and Allied Workers Union
National Union of Laundry, Cleaning and Dyeing Workers
National Union of Seamen (S.A.)
National Union of Security Officers.
Personeelvereniging van die Transvaalse Raad vir Ontwikkelinge van
die Bultstedelike Gebiede.

Year	Membership	No of Unions
1980	365 428 (1)	93
1969	212 668	98

Although these unions are grouped together, this does not indicate anything other than the fact that they have not affiliated to any of the federations listed earlier. Thus this section covers unions with a wide spectrum of trade union thought and practice. Some of these unions have tended to co-operate and agree around certain vital issues of principle and practice, for example, the General Workers Union, the Food and Canning Workers Union and the African Food and Canning Workers Union, etc.

Several of the unions included are in fact parallel unions whose parent unions are affiliated to TUCSA. Some of these parallel unions have been incorporated into the parent union.

The National Federation of Workers has been included here although it appears that it is in fact a Federation with several affiliates. No information could be obtained in time for this publication.

UNAFFILIATED UNIONS

Kitson torture claim - protest

Argus Bureau

WASHINGTON. — Senator Jeremiah Denton, chairman of the Senate sub-committee on security and terrorism, has protested to a major American television network over a programme dealing with the detention and alleged torture of David Kitson.

The feature on Kitson was broadcast by CBS Television during its Sixty Minutes programme and it has been severely criticised by conservatives and by spokesmen for the South African Embassy.

Kitson, a former mem-

ber of the South African Communist Party and the African National Congress, was sentenced to 20 years' jail in 1964 on a charge of sabotage.

Senator Denton said in a letter to Mr Ed Bradley, producer of the feature on Kitson, that he had watched the feature "with dismay" and that he had waited in vain for some mention of the close relationship between the ANC on one hand and the communist states and groups which supported and promoted international terrorism on the other.

While a great deal of time had been made available to Mrs Norma Kitson, no time was made available to those who "might speak in less-glowing terms about the ANC, its terrorist activities and its connection with the Soviet Union."

Senator Denton referred to the hearings his sub-committee held recently on the involvement of the Soviet Union and its surrogates in terrorism in South Africa.

The evidence placed before the committee included an examination of

the ANC and its interlocking relationship with the Communist Party of South Africa.

He referred to the evidence given to his committee and said it would have been "useful" had CBS presented to its viewers some of this information on the relationship between the SACP and the ANC.

"In my opinion it would have put the story in a far more accurate context by showing that Kitson was a member of a communist-sponsored terrorist organisation and was brought to justice by a

government seeking to protect itself and its citizenry from acts aimed at their destruction."

The senator emphasised that nothing he had said should be construed as implying support for or approval of Inhumane treatment of prisoners — "nor should it be interpreted as trivialising such acts of barbarism."

Having been subjected to such treatment himself for many years at the hands of the communists, he believed he could speak with some authority about its effects on individuals.

1977		814	21	835	×
1978		664	23	687	\$
1979		579	24	603	\$
1980		625	17	642	\$

Address: P.O. Box 4141
Cape Town
8000

Telephone: (021) 472 674

Officials: Secretary: N. Daniels

Area of Operation: National

Founded:

Registration: Yes

Industrial Council: Biscuit Manufacturing Industry of R.S.A.

1980 - Receives permission from the Minister of Manpower Utilisation to open membership to all races.

Ban on periodical criticised

ARGUS 27/4/82

327

THE ban on all future editions of the periodical Work in Progress was "wholly unjustified," a spokesman for the editorial collective which publishes WIP said today.

Mr Glen Moss said WIP was trying to have the ban suspended pending an appeal. Failing this it would argue for the lifting of the ban at a hearing of the Publications Appeal Board on May 10.

He said it was odd that WIP was banned outright while appeals were pending on four recent editions found undesirable.

ON APPEAL

The ban on Work in Progress, a periodical of socio-political information and analysis, follows the banning of a student newspaper, SASPU National, earlier this month.

The SA Students' Press Union, which publishes SASPU National, is appealing against the decision.

The National Union of South African Students (NUSAS) condemned the "silencing of opposing ideas" through the banning of WIP, SASPU National and numerous student publications.

"VITAL ROLE"

The action against WIP was "another attempt by the South African Government to crush critical journalism and academic debate," NUSAS said in a statement.

"WIP played a vital role in raising and debating a range of issues around labour and community struggles, education, women, health, political trials and detentions.

"The banning of WIP will severely restrict access to information not available in the commercial media."

DISSERVICE

The UCT Students' Representative Council said the silencing of WIP came as a blow to thousands of students, academics, community and labour leaders.

"By banning WIP, SASPU National and countless student and other publications, the Government is driving

legitimate debate underground and doing a disservice to the entire South African community."

The SRC said all those involved in the movement towards a democratic South Africa had a duty to oppose this "latest event in a state crackdown which began last year".

ALTERNATIVE

A statement by SASPU's head office said it was "disappointed" by the response of most commercial newspapers to the banning of SASPU National after their vigorous condemnation of the Steyn Commission proposals.

Publications such as WIP and SASPU National had been banned "because they provided an alternative to the strict control of ideas which is maintained by the State and which is necessary for its survival.

"Student journalists will continue to provide campuses with the real news in South Africa: the struggles being waged around us by the majority of South Africans which get so little coverage in the commercial press," SASPU head office said.

The Federation w
branches of Black

Sasko - Eshowe Bakery

Recognition:

Registration: No

Founded: 1980

Area of Operation: Natal

Officials: Mr. M. Oliphant

Address:

NATIONAL FEDERATION

Poet's call to be merciful to Breyten

AWARD-WINNING Afrikaans poet Sheila Cussons last night added her voice to "all the other appeals to the Government" to be merciful to jailed fellow poet Breyten Breytenbach.

"And I think that everyone here tonight looks forward like myself to the day when he will be free in our midst, where he belongs," she said at the presentation of the 21st CNA Literary Award in Cape Town last night.

Sheila Cussons and Nadine Gordimer were presented with the award, in Afrikaans and English respectively, by the chairman of CNA Investments, Mr L E A Slater.

A WASTE

Miss Cussons described censorship as a waste of time, money and self-defeating.

"I think I can see a day in the future when all likely readers will at last be free to graze (wei) where and how they choose without losing their souls in the process. I cannot think that God meant the human psyche to be kept safe in an incubator isolated from the rest of the world.

"To retain South Africa's vital and rich literature there must be an end to the coy nervous oppression of the natural creative libido," she said.

Miss Gordimer said the imposition of an age restriction in South Africa's censorship laws could not be anything but a sop to those self-appointed guardians of our morals whose hold on the cultural life of the country was a dead hand.

She said there were strange signs emanating from the directorate and the board no longer seemed quite sure of what it was doing.

Lately some books had been unbanned, but only for people over 18 able to afford a hard cover.

WHOSE IDEA?

"Whose idea is it to save face by releasing books under an age restriction . . . a restriction, as even the least astute member of the directorate's reading committees must realise, is impossible to enforce?"

Another sign of what went on behind closed doors among our anonymous moral guardians was the practice of repeatedly banning and unbanning the same book.

"Perhaps we can take heart from this uncertainty and confusion. Perhaps it is a sign of loss of nerve, or better still, lack of conviction. Perhaps censorship is beginning to go the way of the old job reservation legislation . . . finally abandoned only a matter of months ago."

APARTHEID

Miss Gordimer said censorship was as much an integral part of the functioning of apartheid as the systematic uprooting of people from their homes under the Group Areas Act and community development.

However, more than 20 years of bannings during which a high percentage of South African writers had seen some of their works banned, and a few, who had suffered the extreme oppression of being banned from publishing at all, had not killed South African writing.

Discriminated against as a professional group as no other professional group had been, South African writers had shown how to fight back "the very best way to fight back: by refusing to be intimidated by or dictated to by the State; by continuing to do the work they were made for", she said.

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Discriminated against as a professional group as no other professional group had been, South African writers had shown how to fight back "the very best way to fight back: by refusing to be intimidated by or dictated to by the State; by continuing to do the work they were made for", she said.

ONAL FEDERATION OF WOM

Cape Times 28/4/82

1980/81 - Receives permits

Total ban on Rand journal

Own Correspondent

JOHANNESBURG. — The Directorate of Publications has placed a permanent ban on a local academic journal which concentrates on detentions, labour matters and political trials.

The banning of "Work in Progress", which was published every two months, is the second blow to alternative media in South Africa in less than a month.

Late last month the country's largest campus newspaper, Saspu National, was also banned for all future issues.

Both publications concentrated on similar issues.

Yesterday a spokesman for the editorial collective which publishes "Work in Progress" said it appeared that the authorities were involved in "a systematic attempt to close down publications which give an alternative analysis of South Africa".

The collective is to appeal against the permanent banning.

Four further appeals against the banning of previous issues were also pending, the spokesman said.

He said the collective would inform subscribers about the journal's fate as soon as the result of the main appeal was known.

Industrial Council:

Registration: Yes

Founded:

Area of Operation: Na

Officials: Secretary:

4000

Durban

Address: P.O. Box 29

Telephone: (031) 69759

Year	African	Asian and Coloured	White	Total
1980				3 357
1979			18	3 357
1978		37		3 700
1977				4 227
1976				4 227
1975				3 500
1974		..		3 000
1973				4 793
1972		..		3 000
1971		..		3 000
1970		..		3 000
			Membership	

NATAL LIQUOR AND CATERING TRADES EMPLOYEES UNION

Raising money for defence 'desirable'

Mercury Reporter

ANY system which allowed people to raise money lawfully to defend themselves in court, was desirable from a legal point of view, the president of the Natal Law Society, Mr Graham Cox, said yesterday.

He was referring to the application by Mr Mike Hoare, leader of the alleged Seychelles

hijackers, to establish a charity organisation to raise funds for the defence costs in the hijack trial, as well as for families of men who may be jailed, and for dependents of men still being held in the Seychelles.

Under the Fund Raising Act, the application has to be accepted by the Department of Social Welfare before money can be

collected.

'In a society where everybody is innocent until proven guilty, it is important that defence should not be made on the strength of the finances available,' said Mr Cox.

He said that this principle had to apply to everybody, no matter how unpopular society might judge a crime to be, as happened in the case of

child murder, 'because taking the charge into account is assuming a degree of guilt'.

At present the legal system offered two methods for impecunious people to gain a defence, either by appealing to the Legal Aid, or by requesting a pro deo defence.

A lecturer in the department of law at the University of Natal said that he

did not think there was much chance of Mr Hoare's application being accepted.

He said the Act had been introduced to cut down on the number of organisations which collected charity from the public, and he saw the application by the alleged mercenaries as setting an uncomfortable precedent if it was accepted.

Mr Hoare confirmed he had met the department, but said he had no further comment to make.

Hijack trial: Judge eases CATH TIMES 29/4/82 secrecy ruling

Own Correspondent

327

MARITZBURG. — An in-camera ruling to stop publication of evidence detrimental to South Africa's interests was lifted at the Seychelles hijack trial here yesterday as the hearing moved into its final stages in the College Road Supreme Court.

After the Judge President, Mr Justice Neville James, had announced that the in-camera ruling would no longer apply to two sections of the evidence already heard behind closed doors, Mr Cecil Rees, SC, leading the prosecution, made a surprise move.

He said the State would close its case against the 43 men accused of hijacking an Air India jet from Mahe airport to Durban on November 25 last year unless there were other developments.

Mr Justice James said shortly after the resumption of the hearing yesterday that he felt the in-camera ruling that had led to reporters and the public being excluded from court for many hours had been too widely applied.

In public

Any future references to two of the three aspects heard behind closed doors would now be heard in public unless specific applications were brought by counsel, he ruled.

Mr Rees then introduced the State's last witness, Captain Cyril Rogers, chief training officer

for South African Airways, who was asked to give evidence on the effects a hijacking could have on an aircrew.

After an objection by Mr Hannon, the judge ruled that much of Captain Rogers's evidence was pure speculation and could not be admitted.

Captain Rogers then gave his views on the importance of flight plans to international airways and said it would be dangerous for a plane to enter an area without knowing the whereabouts of other aircraft.

Special

The evidence taken in the Seychelles was handed in yesterday and will be read to the accused by their counsel during a special session in court today.

The men are due to assemble to hear the 393 pages of evidence at 9am today. The hearing proper will resume at 2.15pm if the task has been completed and counsel have received further instructions.

An unnamed State witness is also to be recalled for re-examination this afternoon at the request of Mr Hannon.

Registration: Yes

Founded: 1979

Area of Operation:

Officials: General

Telephone: (011) 296

2139

Southdale

Address: P.O. Box 82238

NATIONAL UNION OF BRICK AND ALLIED WORKERS UNION

Jailed man wins appeal

PRETORIA. -- An appeal against a Johannesburg man's conviction in terms of the Terrorism Act and his seven-year jail sentence was upheld by the Pretoria Supreme Court yesterday.

Mr Archibald Monty Mzimyathi, 31, of Soweto, who has been in detention since his arrest in April 1979, was convicted in October 1980 of undergoing military training in Russia between March and July of 1977.

Mr Justice B L S Franklin found there had been a "miscarriage of justice" when the trial magistrate had refused to allow evidence to be heard on commission in Lesotho.

Mr I Mohamed, SC, appearing for Mr Mzimyathi said the defence had witnesses in Lesotho.

Refugee status

They could testify that Mr Mzimyathi was involved in a car accident in June, 1977 after having received refugee status from the Lesotho Government in April and had signed for his monthly allowance until July 1977. Mr Mohamed also argued that a statement by Mr Mzimyathi was made under duress.

Mr Mzimyathi had alleged he was assaulted and told by police to say he was a member of the banned African National Congress and went to Russia for training.

"An extraordinary feature of the State's case was that it failed to call the police witnesses Mr Mzimyathi alleged had been involved in his ill-treatment," said Mr Mohamed. — Sapa

of the Leather Industry
Goods Section)

National
of South

Industrial Council:

Registration: Yes

Founded: 1937

Area of Operation: Transvaal

Officials: Secretary L.C.M. Sch

Address: P.O. Box 3400
Johannesburg
2000

Phone: (011) 834 802

Year	African	Asian	Coloured	White	Total
1970					100
1971					100
1972					100
1973					20
1974					100
1975					100
1976					100
1977					100
1978					100
1979					100
1980					100

TRUNK AND BOX WORKERS INDUSTRIAL UNION

Sisulu^{29/4/82} CAPL TIMES treated in City hospital³²⁷

By ENRICO KEMP

FORMER African National Congress (ANC) leader Walter Sisulu was again treated in Groote Schuur Hospital yesterday after undergoing minor surgery last week, his wife, Mrs Albertina Sisulu, said yesterday.

Mrs Sisulu has travelled from Johannesburg to visit her husband in Pollsmoor prison near Tokai.

Sisulu, the ANC's former secretary-general, was transferred to the mainland from Robben Island maximum security prison recently with former ANC president, Nelson Mandela, and two other ANC prisoners, Andrew Mlangeni and Raymond Mhlaba. All four men were sentenced to life imprisonment at the end of the marathon Rivonia Trial in 1964.

Mrs Sisulu said she had visited her husband at 7am yesterday. She learnt that he had undergone surgery for a minor renal problem on April 22 and would again be taken to hospital yesterday.

Confirmation

A spokesman for the Prisons Department in Pretoria confirmed that Sisulu had been "admitted to a provincial hospital for medical tests" yesterday.

In an interview yesterday, Mrs Sisulu said Mandela and the other two men were in good health, but were being kept isolated from other prisoners at Pollsmoor prison.

Mrs Sisulu will remain in Cape Town for a week and will again visit her husband at the weekend.

Urban and Empangeni
ray.

The Federation was formed by branches of Black Allied Workers

Sasko - Eshowe Bakery

Recognition:

Registration: No

Founded: 1980

Area of Operation: Natal

Officials: Mr. M. Oliphant

Address:

Telephone

NATIONAL FEDERATION OF WORKERS

Surprises as Air India hijack trial nears end

Mail Correspondent

MARITZBURG. — The in-camera ruling at the Air India hijack trial was lifted yesterday as the hearing moved into its final stages in the Maritzburg Supreme Court.

The ruling was designed to safeguard evidence detrimental to State interests.

The Judge President, Mr Justice Neville James, announced that if certain sections of the evidence previously heard behind closed doors was brought up again, the in-camera ruling would no longer apply, unless there were specific requests from counsel.

Mr Cecil Rees, SC, leading the prosecution, provided the second surprise of the day when he said that unless there were other developments the State would close its case against the 43 men accused of hijacking a Boeing from the Seychelles to Durban last year.

The State's last witness, Captain Cyril Rogers, chief training officer for SA Airways, gave evidence on the effects a hijacking could have on an aircrew.

After an objection by the defence lawyer, the judge ruled that much of Captain Rogers' evidence was pure speculation and could not be admitted.

The evidence gleaned in the Sey-

chelles by defence and State advocates was handed in yesterday.

It will be read to the accused by their counsel during a special session in the historic court today.

The men are due to assemble to hear the 393 pages of evidence at 9am today.

The hearing proper will resume at 2.15pm if the task has been completed and the counsel have received further instructions.

An unnamed State witness is also to be recalled for re-examination this afternoon.

This follows a request by defence lawyer Mr Mike Hannon.

Registration: No

Founded: 1978

Area of Operation:

Officials:

Telephone:

Address: P.O. Box 234
Salt River
7925

NATIONAL UNION OF SECURITY OFFICERS

20 years of bannings have not killed S African writing

ARGUS
29/4/82

327

CENSORSHIP is as much an integral part of the functioning of apartheid as the systematic uprooting of people from their homes under the Group Areas Act and community development. It will last, in one form or another, as long as statutory discrimination does, because it is part of the thought control that makes such discrimination enforceable.

When the grand design goes, so will its pillars and beams fall. If smoke comes from under the door, maybe the house is on fire.

Discussions of censorship are always negative, because indeed, censorship is a negative principle against the creative principle. Literature belongs to creation, not negation; I'd like to turn to the positive side, to writing in South Africa as opposed to banning in South Africa.

More than 20 years of bannings, during which a high percentage of South African writers have seen some of their works banned and a few, like the poet Don Mattera, have suffered the extreme oppression of being banned from publishing at all, have not killed South African writing.

Among black writers in particular, many of whom have survived the incomparable discouragement of having their very first publication banned, writers whose first books have been struck off the shelves have simply gone



By
NADINE GORDIMER

this year's winner
of the CNA
literary award
(English section)
for her book,
July's People.

on to write the next one. Local publishers, too, have taken the financial loss entailed and been ready to risk launching the same author once again.

Discriminated against as a professional group as no other professional group has been, South African writers have shown how to fight back, the very best way to fight back: by refusal to be intimidated by or dictated to by the State; by continuing to do the work they were made for.

This is what writers have done for themselves. What have they done for South Africa?

I don't accept any utilitarian attitude towards writers and artists; I don't think that their effect or their service to their society can be measured in the ordinary way by which people in other walks of life are assessed by contribution to public service.

This is not an elitist

view; it is a recognition that while writers are responsible to their society, that responsibility implies the even heavier one of asserting the very condition on which their creative gifts are held, kept alive — which is that the writer alone knows best how to use those mysterious gifts.

There are times and places — our own an extreme example — in which a particular society needs a particular inspiration and insight from a writer.

To that demand upon a writer, a society or a people has the right. To that need the writer is committed — but what form he hammers out in response to it, what subjects he chooses through which to meet it, cannot be dictated to him without destroying his capacity to respond, and thus to be of any use at all.

There is much troubled debate among writers in

this country, today, over this question. It is compounded with the use of language itself, compounded in turn with the idea of the political and historical implications of different languages.

It is complicated by the imposition, for so long, of literature as part of a conquering culture that vitiated itself by disdaining an indigenous culture.

In order to claim South African literature for those to whom it belongs, all the people, there is the conviction that it can free itself only by submitting to an orthodoxy by which the new cultural loyalty will be measured.

The reasoning is: if you really believe and are committed to a new culture, you will write what people who don't write think they want from you.

But the fact is that what the people need and truly want from their artists is what the people haven't discovered, or at least haven't formulated, about themselves, their struggle and their goals.

That is the only way in which a writer may really contribute to a great cause — which is always, in all its manifestations over the centuries, THE cause: of human freedom.

There have been and continue to be many disagreements about how well or inadequately South African writers, white and black, have served this transcendent cause while writing out of the divisions, inhibitions, passions, suppressions, frustra-

tions, ignorance, unconscious bigotry, twisted relationships and locked contradictions of this country.

One thing I believe we have done. In novels, stories, poems and plays. South African writers have brought to life and kept alive a record of the complex human responses to these circumstances. They have attempted to show not only what we have become, but how, through the personal, the particular, we got there.

They have at least kept alive the questions, while others were claiming they had all the answers.

They have obstinately — through their characters, and for everyone — re-created what was systematically being expunged of the daily truth as well as the extraordinary events of our time and this place.

They have reminded of the real meaning of the euphemistic terms invented to cover shameful deeds. They have recalled the real emotions of joy and sorrow, hate and love, that continue to motivate human beings in opposition to any grid of prescribed reactions laid upon them.

They have remembered in their works much South Africa has tried to forget.

And in the words of the great Czech writer in exile, Milan Kundera, in the end, "the struggle of man against power is the struggle of memory against forgetting."

LETTERS TO THE EDITOR

Write to Box 56, Cape Town

Now we will breed selves off Earth

GOODENOUGH (April 19) has good anti-abortion, hard to one accepts the interpretation of man reproduction that his

nor differs much from other mammals.

The evolutionary process casts it up as a conception independent of intention to produce young, but well explained through the evolutionary mechanism of the sex drive, over the

Through our cultural myths we justify denuding the earth to permit our kind to multiply and multiply—and with Mr Goodenough's philosophy ruling, we will surely breed ourselves off the earth and on to the moon if we don't all

Another non-event festival looming?

YOUR leading article,

Cruel to make wild animals perform

I WISH to reply to the statements made by Mr John Robert of Captour (The Argus, April 20) and to set the record straight on the petition against the use of wild animals in a circus that

Secondly, Mr Robert said: "Unfortunately Captour cannot do anything about circuses. They tour the country all the time."

I, on behalf of the signatories to the peti-

1980 - Receives permission from the Minister of Manpower Utilisation to open membership to blacks.

MARTZBURG. — The captain of an Air India jet who described how he had been flogged to fly from the Seychelles to Louis Boffa airport at gunpoint had lied when he described his ordeal in a Seychelles court, a witness claimed here yesterday. In a surprise turn in the hijack trial in the College Road Supreme Court where Colonel Mike Hoare and 42 of his men are facing charges of hijacking the plane, Dr Walter Rathgeber, medical adviser to British Airways, said Captain U Saxenaa had never mentioned being hijacked while talking to him in the airport terminal after the plane touched down on November 26.

Dr Rathgeber said he had been organizing an aerospace medical conference and had canvassed Captain Saxena in an attempt to get him to attend to describe what it felt like to be a hijack victim.

He had read in the Daily News that Captain Saxena had said in the Seychelles, where he was giving evidence on commission, that he had been hijacked at gunpoint. He had felt strongly about the fact that "somebody was lying somewhere along the line". He had contacted Mr Mike Hannon, the defence advocate in the Seychelles through Mr Garry Brennan, news editor of the paper.

When told by Mr Hannon that Captain Saxena had denied meeting him, Dr Rathgeber told the court: "Then he is lying."

Under cross-examination by Mr Cecil Rees, SC, leading the prosecution, Dr Rathgeber admitted knowing some of the men in the dock. He was then shown his police statements and was asked why he had made no mention of Captain Saxena

Dr Rathgeber said that when giving his evidence as a State witness he was answering specific questions and the importance of the matter had not been apparent at that stage.

The article, saying Dr Rathgeber had spent nine hours treating passengers from the plane and had in fact boarded the allegedly hijacked aircraft — an experience he described as "hairy" — was denied by Dr Rathgeber.

When asked why he had not tried to get the paper to correct the report, Dr Rathgeber said he had been taken to task by

He had not wanted more unpleasantness. He added that trying to rectify a mistake in a newspaper was useless.

Mr Rees then closed the State case against the 43 alleged mercenaries and Mr Hannon asked for the hearing to be adjourned to Monday so he could prepare the defence case.

The charge relates to the men allegedly possessing weapons on board the plane without authorization.

Index

STRIAL UNION

Telephone: (021) 472674/5

Membership	
White	Total
	2 000
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	2 000
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RAND DAILY MAIL, Friday, April 30, 1982

Court told pilot denied island hijack

MARITZBURG. — The captain of the Air India Boeing, which is alleged to have been commandeered during the Seychelles coup attempt last November, told a Durban doctor the plane had not been hijacked, the Maritzburg Supreme Court heard yesterday.

Dr Rob Rathgeber, medical adviser to British Airways, told the hijack trial Captain U Saxena had denied during a chat at Louis Botha Airport that there had been a hijack and described the alleged hijackers as "nice chaps".

Dr Rathgeber, a member of the Durban medical emergency team that attended to passengers after the Boeing landed at Louis Botha on November 26, has already given evidence for the State.

He was recalled yesterday after an application by Mr Mike Hannon, who is defending 33 of the 43 accused, including their leader Colonel Mike Hoare.

Dr Rathgeber told the court he spoke to Capt Saxena and his co-pilot in the airport lounge that day.

At the time he was organising an aerospace medical conference to be held in Durban later this month.

He had canvassed Capt Saxena to try to get him to attend the conference and describe to the delegates what it felt like to be a hijack victim.

He said Capt Saxena told him: "We weren't hijacked: they were nice guys."

Later he read in a Durban newspaper that Capt Saxena gave evidence on commission in the Seychelles that he had been hijacked at gunpoint.

"I felt strongly that there had been lies — that an airline captain had said to me there was no need to invite him (to the conference) as he hadn't been hijacked," Dr Rathgeber said.

He contacted Mr Mike Hannon, defence

advocate in the Seychelles hearings, through Mr Garry Brennan, news editor of the paper.

Told by Mr Hannon that Capt Saxena had denied meeting him, Dr Rathgeber told the court: "Then he is lying."

Under cross-examination by Mr Cecil Rees, SC, leading the prosecution, Dr Rathgeber admitted knowing some of the men in the dock.

He was asked why he had not mentioned in statements to police that Capt Saxena had denied being hijacked when this factor was central to the case.

Dr Rathgeber said that when giving evidence as a State witness he was answering specific questions, and the importance of the matter had not been apparent at that stage.

Mr Rees produced a cutting from Durban's Daily News mentioning Dr Rathgeber's role in the airport drama, and asked him his views.

The article said the British Airways medical adviser had spent nine hours treating passengers and had actually boarded the allegedly hijacked aircraft, an experience he described as being "hairy".

Dr Rathgeber denied this report. He said he had read it and ignored it, although it was incorrect.

Asked why he had not tried to get the paper to correct the report, Dr Rathgeber said he had been taken to task by the head of the airport's medical disaster team about "giving interviews" and had denied it.

Mr Rees closed the State case against the 43 and Mr Hannon asked for an adjournment to Monday to allow preparation of the defence case.

Mr P Oosthuizen, SC, appearing for 10 of the men, said he would apply on Monday for the fourth charge against the accused to be withdrawn.

The charge relates to their alleged possession of weapons, including 38 AK47 assault rifles, on the plane without authorisation.

Mr Justice James adjourned the trial until Monday. — Own Correspondent and Sapa.

Mrs
Iskr
the

Dentist to be charged

Crime Reporter

A RANDBURG dentist who allegedly cashed forged cheques in a patient's name is undergoing treatment for a nervous disorder in a Johannesburg clinic after being arrested this week.

Major Isak Pretorius, branch commander of the Randburg CID, confirmed yesterday that they had arrested the 45-year-old man.

The dentist had allegedly cashed cheques worth several thousand rand using a

Falklands caus

By STANLEY UYS
London Bureau

LONDON. — The Falkland Islands crisis is plunging British politics into turmoil as deep differences emerge between the political parties over whether Britain should go to war with Argentina or not.

The bitterness of feeling is evident in the British Press, which has started to lash out at the politicians. On its front cover yesterday, the Left-wing New Statesman published a photograph of Mrs Thatcher, with clenched teeth, above the words "The

Robin Oakley in the Daily Mail went even further. His report was headlined, "Save us from gutless leaders like this".

He wrote: "The Labour Party is headed, one cannot say led, by a political coward. Finally and conclusively, the crisis has proved that Mr Foot is unfit ever to lead this country as Prime Minister".

Even former Labour Foreign Secretary Dr David Owen, now parliamentary leader of the Social Democratic Party, has criticised Mr Foot for his speech. Dr Owen said Mr Foot had lost

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LYS/LIST P82/40

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/4/10.....	African Socialism or Socialist Africa?.....	A. M. Babu.....	(e)
P82/4/47.....	Episcopal Churchmen for South Africa (ECSA)— March 81/May 1981	Episcopal Churchmen for South Africa, New York	(e)
P82/4/47.....	Episcopal Churchmen for South Africa (ECSA)— Lent 1969	Episcopal Churchmen for South Africa, New York	(e)
P82/4/47.....	Episcopal Churchmen for South Africa (ECSA)— Christmas 1977	Episcopal Churchmen for South Africa, New York	(e)
P82/4/49.....	De Bazuin—Jaargang 65, No 6, 5 Februarie 1982	Stichting de Bazuin, Nijmegen.....	(e)
P82/4/68.....	Rosa Luxemburg.....	Tony Cliff.....	(e)
P82/4/71.....	Ayivive!—No 5.....	African National Congress.....	(e)
P82/4/72.....	Seminar: The Politics of Power.....	Wages Comm., Projects Comm., SSD, Women's Movement, University of Cape Town	(e)
P82/4/74.....	B S S News—Boycott these International Merce- naries! (Pamflet/Pamphlet)	Black Students Society, University of the Wit- watersrand, Johannesburg	(e)
P82/4/85.....	South Africa Izwe lokhoko ... ('n Lied/a Song)	Nie vermeld nie/Not stated.....	(e)
P82/4/86.....	Schools Boycott 1980, The (Pamflet/Pamphlet)..	Nie vermeld nie/Not stated.....	(e)
P82/4/87.....	1,000 Women Marched After The Council Had Said "No" (Plakkaat/Poster)	Women's Movement, University of Cape Town	(e)
P82/4/92.....	Review of African Political Economy—No 20, January–April 1981	Review of African Political Economy, England	(e)
P82/4/93.....	Whirlwind Before the Storm: Soweto 1976..... (Pamflet/Pamphlet)	Nie vermeld nie/Not stated.....	(e)
P82/4/94.....	Forward—Special Bulletin of the SAYRCO....	South African Youth Revolutionary Council...	(e)
P82/4/96.....	Diabolic American Senate Sub Committee, The (Pamflet/Pamphlet)	A N C.....	(e)
P82/4/97.....	Significance of Sharpeville Uprising, The.....	David Dube.....	(e)

No. 905

30 April 1982

PUBLIKASIES OF VOORWERPE.—APPÈL DEUR
DIREKTORAAT

Die Direktooraat van Publikasies het op 19 April 1982 kragtens artikel 13 van die Wet op Publikasies, 1974, appèl aangeteken teen die beslissing op 7 April 1982 van 'n komitee bedoel in artikel 4 van genoemde Wet dat die besit van die ondergenoemde publikasie binne die bedoeling van artikel 9 (3) van genoemde Wet verbied moet word.

No. 905

30 April 1982

PUBLICATIONS OR OBJECTS.—APPEAL BY
DIRECTORATE

On 19 April 1982 the Directorate of Publications appealed under section 13 of the Publications Act, 1974, against the decision on 7 April 1982 of a committee referred to in section 4 of the said Act, that the possession of the undermentioned publication shall be prohibited within the meaning of section 9 (3) of the said Act.

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer
P82/3/142.....	Gramsci's Political Thought—Hegemony, Consciousness, and the Revolutionary Process	Joseph V. Femia.

INHOUD

No.

Bladsy Staats-
No. koerant
No.

PROKLAMASIE

- 79 Grondwet van die Republiek van Suid-Afrika, 1961: Opdra van bevoegdheid verleen, plig opgelê en funksie toevertrou ingevolge artikel 4 (b) van die Tweede Finansiële wet, 1980..... 1 8185

GOEWERMENSKENNISGEWINGS

Binnelandse Aangeleenthede, Departement van
Goewermenskennisgewings

- 904 Wet op Publikasies (42/1974): Ongewenste publikasies of voorwerpe: Lys P82/40..... 1 8185
905 do.: Appèl..... 1 8185

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GOVERNMENT NOTICES

Internal Affairs, Department of
Government Notices

- 904 Publications Act (42/1974): Undersirable publications or objects: List P82/40..... 1 8185
905 do.: Appeal..... 1 8185

No. 861

30 April 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, soos gewysig 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. 861

30 April 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, as amended, 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 P82/38

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object.	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/3/63.....	MCC—No 32	MCC, Joubert Park	(a)
P82/4/16.....	Cochrane & Company (Pty) Ltd—1982 (Kalender/ Calendar)	Nie vermeld nie/Not stated	(a)
P82/4/17.....	Marine Electrical Supplies (Pty) Ltd—1982 (Kalender/Calendar)	Nie vermeld nie/Not stated	(a)
P82/4/28.....	Hot Sex—Nr 2	Bruno Gessner, Mainz	(a)
P82/4/34.....	Mame Enterprises Nude Figure Studies for Artists— No 6	Mame Enterprises	(a)
P82/4/26.....	Rosie—No 96, 8e Jaargang—11—1977	I.P.O., Rotterdam	(a)
P82/4/27.....	Cash—No 65	Cash Productions, Hulst	(a)
P82/4/29.....	Anal Love—Vol 1, No 2, August 1980	Verlag Hans Moser	(a)
P82/4/30.....	Teenage Sex—No 12, December 1979	Color-Climax Corporation	(a)
P82/4/31.....	Teenage Sex—No 14, April 1980	Color-Climax Corporation	(a)
P82/4/32.....	Stel speelkaarte wat op die voorkant verskillende pornografiese tonele van naakte gemeenskap en/of manlike of vroulike geslagsorgane uitbeeld, en met 'n man en twee naakte vrouens op die agterkant, met die simbool ♠ /Pack of playing cards dis- playing on their face, different pornographic scenes of nude copulation and/or male or female genitalia, and with a male and two nude females on the back, with the symbol ♠ (Speelkaarte/ Playing Cards: Illustrasie/Illustration)	Nie vermeld nie/Not stated	(a)

No. 862

30 April 1982

PUBLIKASIES OF VOORWERPE.—VERTOË TEN OPSIGTE VAN APPEL

Die Direkoraat van Publikasies het op 20 April 1982 kragtens artikel 14 van die Wet op Publikasies, 1974, appèl aangeteken teen die beslissing op 15 April 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 10 dae vanaf die datum van hierdie kennisgewing.

No. 862

30 April 1982

PUBLICATIONS OR OBJECTS.—REPRESENTATIONS IN RESPECT OF APPEAL

On 20 April 1982 the Directorate of Publications appealed under section 14 of the Publications Act, 1974, against the decision on 15 April 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
P82/4/15.....	Happy Days—1983 (Kalender/Calendar)	Made in Taiwan.

No. 863

30 April 1982

WET OP PUBLIKASIES, 1974
VERTOË KRAGTENS ARTIKEL 24 (2) (b)

Die Direkoraat van Publikasies het op 20 April 1982 kragtens artikel 25 (2) (b) van die Wet op Publikasies, 1974, soos gewysig, appèl aangeteken teen die goedkeuring op hersiening deur 'n komitee bedoel in artikel 4 van genoemde Wet van die ondergenoemde rolprent. Die tydperk waarin persone bedoel in artikel 24 (2) (b) soos toegepas deur artikel 25 (2) (b), van genoemde Wet vertoë toe 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. 863

30 April 1982

PUBLICATIONS ACT, 1974
REPRESENTATIONS UNDER SECTION 24 (2) (b)

On 20 April 1982 the Directorate of Publications in terms of section 25 (2) (b) of the Publications Act, 1974, as amended, appealed against the approval on review 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) as applied by section 25 (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.	Rolprent Film	Voorlegger Submitter
R82/3/148.....	Massacre Time.....	Intervision.

No. 864

30 April 1982

PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, soos gewysig, het kragtens artikel 15 (2) van genoemde Wet op hersiening beslis dat die ondergenoemde publikasie ongewens is binne die bedoeling van artikel 47 (2) (a) van genoemde Wet en het die vorige 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, tersyde 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
P82/2/129	<i>Treat Yourself to Sex</i>	Paul Brown & Carolyn Faulder	In SK./G.G. 5887, GK./G.N. 343 van/of 24/2/78.

No. 864

30 April 1982

PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, as amended, decided under section 15 (2) of the said Act on review that the undermentioned publication is undesirable within the meaning of section 47 (2) (a) of the said Act and set aside the previous 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:

No. 865

30 April 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
P81/10/108	<i>Stranger in a Strange Land</i>	Robert A. Heinlein	In SK./GG. 1268, GK./G.N. 1664 van/of 29/10/65.

No. 865

30 April 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:

No. 866

30 April 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE.—REGSTELLING

In *Staatskoerant* 8110, Goewermentskennisgewing 537 van 19 Maart 1982, vervang die inskrywing P82/2/85 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)
P82/2/85	<i>Golden Promises</i> (A Minstrel Book—No 14)	Judith Arden	(a)

No. 866

30 April 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS.—CORRECTION

In *Government Gazette* 8110, Government Notice 537 of 19 March 1982, substitute the following entry for entry P82/2/85:

No. 872

30 April 1982

WET OP VREEMDELINGE, 1937
VANSVERANDERING.—WILLIAMS IN
MOFAKENG

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), Khoatle Joel Williams, gebore op 10 Februarie 1942, sy vrou Ketsietswe Mabel, gebore Nwamuse, en sy kinders, woonagtig te Mapetla-uitbreiding 2499, Pk. kwaXuma, 1868, te magtig om die van Mofakeng aan te neem.

No. 872

30 April 1982

ALIENS ACT, 1937

CHANGE OF SURNAME.—WILLIAMS TO
MOFAKENG

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 Khoatle Joel Williams, born on 10 February 1942, his wife Ketsietswe Mabel, born Nwamuse, and his children, residing at 2499 Mapetla Extension, P.O. kwaXuma, 1868, to assume the surname of Mofakeng.

NR605
30/4/82

him in hospital. but said
they would let her know
what the position was
some time today.

"I'm terribly worried. I wanted to leave on Sunday, but if I haven't seen him by then I will just have to extend my visit," said Mrs Sisulu.

Mr Sisulu, the ANC's former general secretary, was jailed for life at the 1964 Rivonia trial.

He spent 17 years on Robben Island.

He was transferred to Pollsmoor prison from Robben Island last month with former ANC president, Nelson Mandela, and two other ANC prisoners, Andrew Mlangeni and Raymond Mhlaba.

Prison authorities were not available for comment.

Cold

WEATHER forecast for the Peninsula, Boland and Overberg for the period ending 6 pm tomorrow:

Partly cloudy and cold.
Wind: Moderate southerly.

The minimum temperature at D F. Malan Airport will be between 3 and 5 deg C.

THE MOON	
Full moon	MAY 8
Last quarter	MAY 16
New moon	MAY 23
First quarter	MAY 29

First quarter	May 29
THE SUN	
Sets today	1807
Rises tomorrow	0720

THE TIDES
High water:
Today 0854 2143

Today	0834	2143
Tomorrow	1031	2312
Low water.		
Today	0246	1516

Tomorrow	0427	1649
Sea Point:		
Sea	11	deg C
Pool		

Pool	16 deg C
Muizenberg.	
Sea	15 deg C
Pool	16 deg C

Newlands	18 deg C
TEMPERATURES (0800)	
Johannesburg	7 deg C

Kimberley	3	deg	C
Durban	18	deg	C
East London	10	deg	C

Port Elizabeth	..	..	10	deg	C
Uptington	..	..	4	deg	C
Blomfontein	..	..	2	deg	C

For the latest, up to the minute detailed weather information for today, phone 46-1261.

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The system was from Durban. Correspondent reports the van of a goods train were derailed, East Rand, West Rand — brought to a standstill at Brampton-possible, said a railways spokesman.

A Railways spokesman by the derailment.

Labour parties can claim justification for their charge that it really is merely a media creation.

The party's media popularity has undoubtedly been its greatest asset to date, although quality candidates like Mrs Shirley Williams and Mr Roy Jenkins have also contributed greatly to its phenomenal early success.

But in this fight, with its fledgling national machine stretched to breaking point, the SDP is effectively on its own. Its alliance partner, the Liberal Party, appears to be pitching in for SDP candidates. But the Liberal organisation is no match for the Labour and Tory machines.

The 2000 SDP candidates are mostly untested and unknown. They tend to be 40-ish, home-owning, middle-class, well-educated, former Labour voters from the private sector.

They offer moderation just when Britons have developed a taste for the smack of the really firm government Mrs Thatcher has shown them in the past few weeks.

The big test for the SDP is whether they can capture the "don't-knows" in the way they did to secure their victories to date.

The uncommitted voters are there. Canvassing returns in key South London boroughs, for example, show that a third of the voters have not yet made up their minds.

The SDP confidently lays claim to about 35 percent of the vote. But it must start approaching 40 percent before it can start winning power in the local bodies.

The Tories, who expected a hiding in the local elections — quite usual for a Government in mid-term — now say Mrs Thatcher's handling of the Falklands crisis has given them an unexpected bonus.

Even death in detention could be hushed up...

THE net of secrecy that the Security Police have drawn around their activities could be sealed finally from the public view by the new Protection of Information Bill which replaces the Official Secrets Act.

The Bill — if it becomes law in time — could even prevent facts about the death in detention of trade unionist, Dr Neil Aggett, becoming public knowledge.

And at the other extreme, if the Bill had been law at the time Mr Jaap Marais, leader of the Herstigte Nasionale Party, would have seen his chances of his successful appeal against a conviction under the Official Secrets Act over his disclosures about Government telephone tapping as virtually impossible.

The Bill, which is to be opposed in Parliament by the Progressive Federal Party and the New Republic Party, was drawn up by the Rabie Commission.

The commission, in a number of instances highly critical about the lack of definition and presumptive clauses in other security legislation, has in this Bill included what could be some of the harshest presumptions in South African law as well as extremely vague definitions.

Mr Harry Pitman, a Progressive Federal Party justice spokesman and an advocate, said in an interview that the Bill could finally lead to Security Police methods of interrogating detainees becoming totally secret.

Because of the lack of definition or the loose definitions in the Bill, the web of secrecy can be spread virtually to any issue which the Security Police or the Government wishes to keep secret, Mr Pitman said.

Most concern is over detention without trial.

The methods of interrogation of detainees, against a background of 46 deaths and numerous claims of torture being made, and the issue of

the lack of a clause for claims against the police for alleged assaults. "By a strange coincidence several detainees have been held . . . for more than five months after the date of the assault."

The report points out that "judges have generally avoided a thorough inquiry into methods of police interrogation in trials under the security laws."

In spite of this the report says that "there is

Mr Pitman says that if the Bill has become law by the time the Aggett inquest gets under way again, evidence relating to torture could be kept from the public eye — though he feels in this case it would be doubtful whether the Act would be invoked.

The Bill also makes it possible for the Security Police to prevent anyone knowing about the detention of any particular person, the penalty on publication being R10 000 or 10 years' imprisonment or both.

Apart from the detention aspects the net of what is "secret" has been cast extremely wide with the State not being required to prove "intent."

Section 10 of the Bill places the onus on the accused to prove that the intention of committing any act "prejudicial to the security or interests of the Republic" was not committed for this purpose.

Even the act of obtaining information on a "security matter" is an offence — again the Bill leaves it to the accused to prove he did not know the information was not prejudicial to enemies of the State or a foreign State.

Mr Pitman said the Bill, if it becomes law in its present form, could create not only one of the harshest forms of self-censorship in the history of the South African Press but also an unhealthy atmosphere of fear and suspicion among South Africans.

BRUCE CAMERON of The Argus Political Staff examines the implications of the new Protection of Information Bill.

detentions is constantly in incontrovertible evidence the public spotlight that some detainees have locally and overseas. been physically assaulted and others mentally tortured."

A recently published report of a symposium organised by the Centre for Applied Legal Studies at the University of the Witwatersrand dealing with the Rabie Commission, which was attended by 36 top South African legal men found that "the authorities have done their best to prevent any full-scale judicial investigations into assaults in detention."

"Calls for a judicial inquiry repeatedly have been refused. Civil claims have been settled out of court."

The report also points out that other cases have fallen away because there is a five-month proscrip-

Apart from the few occasions when evidence has been given in court on the interrogation methods, the only real avenue left for inquiries into these methods has been in the inquest court. But this course, according to Mr Pitman, will also be closed by the Protection of Information Bill.

All the Security Police need do is invoke its power declaring that the replies to the questions are a "security matter" as defined in the Bill and refuse to give answers.

As a result either the evidence is not given or it is taken "in camera."

LETTERS TO THE EDITOR

Write to Box 56, Cape Town

add to the
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Different treatment for
right-wing protesters

Loving
friend

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from a medical point of
view, that this is right

I WAS pleased to see society as the extreme does these attitudes
the Prime Minister's left-wing hotheads, who and therefore merely

to

Walter Sisulu discharged from hospital

By ENRICO KEMP

THE African National Congress's former secretary-general, Walter Sisulu, was discharged from Groote Schuur Hospital yesterday afternoon and transferred back to Pollsmoor Prison, according to a spokesman for the Department of Prisons in Pretoria.

Sisulu, who will be 70 next month, was re-admitted to hospital on Wednesday after undergoing minor surgery for a renal problem on April 22.

He and three other ANC leaders, Nelson Mandela, Raymond Mhlaba and Andrew Mlangeni, were recently transferred from Robben Island maximum security prison to Pollsmoor. All four men were sentenced to life imprisonment in 1964.

Mrs Sisulu

Mrs Albertina Sisulu, who travelled from Johannesburg to visit her husband on Monday, said yesterday she had not been allowed to see her husband in hospital. Mrs Sisulu last saw him on Wednesday morning before his admission to hospital.

A concerned Mrs Sisulu said she was told by a Brigadier De Fortier of Pollsmoor prison that she

should not visit her husband in hospital. "I am very worried. I came down for the purpose of seeing him and now they won't let me see him in hospital," she said.

The Prisons Department spokesman said prisoners treated in outside hospitals did not forfeit visits from family members.

Instruction

He said Sisulu had told his wife on Wednesday not to visit him in hospital. After being transferred back to Pollsmoor prison yesterday, he again indicated that a visit was not convenient and asked that Mrs Sisulu instead visit him today.

Mrs Sisulu said last night she was informed of her husband's discharge from hospital shortly after midday. She will visit him in prison this afternoon and is scheduled to return home on Sunday.

Another top ANC leader, Govan Mbeki, who is also serving a life sentence on Robben Island, was treated for arthritis in Woodstock Hospital earlier this week, according to informed sources. This was confirmed by a Prisons Department spokesman, who said Mbeki had since been discharged and re-imprisoned on Robben Island.

ERVICES

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Cape Town Gas Workers Union
Escam (Cape Western Undertaking) Salaried Staff Association
Escam Salaried Staff Association
Escam Workers Association
General Workers Union
Johannesburg Mu

ELECTRICITY, GAS AND WATER

Diamond Cutters Union of South Africa
Jewellers and Goldsmiths Union
Optical Workers Union
S.A. Association of Dental Mechanicians
S.A. Diamond Workers Union

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Port Elizabeth
S.A. Operative
S.A. Woodworkers
Steel, Engineer
S.A. Electrical

CONSTRUCTION

Secrecy down...

tract which automatically makes that factory a prohibited place?

□□□

A VERY serious offence will be committed by a reporter (or anyone else, for that matter) who publishes, by printing in a newspaper or even by communicating by word of mouth to one or more people, the contents of any document or any information which is or *may be* prejudicial to the security or interests of the country and which falls into one of five categories.

The vagueness of the italicised words is unsatisfactory and worrying and the penalties are stiff — a fine of up to R10 000 or up to 10 years' jail — or both.

The five categories of document or information are:

- Those which the reporter knows or *reasonably should know* are kept, used, made or obtained in a prohibited place, relate to a prohibited place, relate to armaments, military defence, security matters (which include by definition any matter dealt with by the National Intelligence Service or the relationship between any person and the NIS or which relate to the prevention or combatting of terrorism.
- Those made, obtained or received in contravention of the proposed Act.
- Those entrusted in confidence to the reporter by any person holding office under the Government.

ONE of the most controversial Bills to be brought before Parliament by the P W Botha administration is the Protection of Information Bill.

It is ironic that Mr Botha became Prime Minister following the Information Scandal which unseated Mr B J Vorster. Had this Bill been law then it would have been illegal to have published most of the information.

Just how far-reaching this new attempt to make South Africa an even more secret society is illustrated in this article by KELSEY STUART, the country's foremost expert on newspaper law and author of several volumes of 'The Newspaperman's Guide to the Law'.



shall be guilty of an offence and liable on conviction to a fine not exceeding R10 000 or to imprisonment for a period not exceeding 10 years or to both such fine and such imprisonment, or, if it is proved that the publication or disclosure of such secret official code or password or of such document, model, article or information took place for the purpose of its being disclosed to a foreign State or to a hostile organization, to the penalty prescribed in section 2.

- Those which he knows or reasonably should know have been obtained in any of the above circumstances.

In essence this means that, before telling anyone anything about the contents of any document, or conveying any information obtained by him, *any person* (but particularly a reporter) must satisfy himself that the document or information does not fall into any of the five categories.

Now, supposing a reporter is told that a Government contract has been irregularly entered into and his informant hands him a copy of, say, a contract for the supply of turret lathes:

How will the reporter know that he is dealing with a document and information which falls into one of the five categories?

If he discloses the document or information to any-

one (even his editor for advice), if he retains the document in his possession or if he neglects or fails to take proper care of it, he will make himself guilty of a serious crime.

Section 10 of the Bill provides, in a nutshell, that that which appears from the circumstances of the case or the conduct of the accused to be the position shall be deemed to be the position unless the contrary is proved — transferring the onus of proof from the prosecution to the accused.

These are but some of the frightening provisions of this Bill which, in my opinion, has been drafted in terms which cast the net far too widely.

There are a number of other disquieting sections.

For instance, Section 7 makes it an offence for any person knowingly to permit another (whom he knows or has reason to believe to be a person who has committed an offence under the proposed Act) to meet or assemble in any premises in his occupation or under his control.

It is a further offence to omit or refuse to disclose to any policeman any information he has in relation to that person.

There is no exemption for attorneys or advocates: if they are consulted by such people they must immediately order them out of their rooms and report them to the police.

2. Any person who approaches, inspects, passes over, is in the neighbourhood of or enters any prohibited place for any purpose prejudicial to the security or interests of the Republic, shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding 20 years.

Prohibition of certain acts in relation to prohibited places

Curtain of is coming

THE Protection of Information Bill, according to its long title, is meant to protect certain information from disclosure.

If the Bill becomes law it will overtake the Official Secrets Act but repeat, in amended form, most of the provisions of that Act.

It will also detract from the general right of the people of South Africa to know

what is happening in their country.

Investigative reporting will be curtailed: any reporter who approaches, inspects, passes over, is in the neighbourhood of or enters any prohibited place for any purpose prejudicial to the security or interests of the country will be guilty of an offence and could be jailed for 20 years.

How close may one get to

a prohibited place before 'approaching' it?

What distinction is to be drawn between looking at and 'inspecting' a prohibited place?

What radius constitutes 'the neighbourhood'?

What are the 'interests' of the country which must not be prejudiced?

At what height above a 'prohibited place' does an aircraft pilot or passenger

cease to be a law-abiding person and become a criminal?

The Bill provides no answers to these questions.

The definition of the term 'prohibited place' is wide, particularly in its use of the word 'including' with reference to any work of defence belonging to or occupied or used by or on behalf of the Government.

What other 'works of defence' (undefined) are to be included other than arsenals, military establishments, factories, dockyards, camps, ships, vessels, aircraft, telegraph, phone, radio and signal stations and offices, armament factories and storehouses, repair shops and planning offices?

How is one to know which factory is executing a Government armaments con-

Nats face fierce opposition in secret information debate

ALL the major white opposition parties are preparing to oppose Government measures which could prevent publication of information about the secret activities of Government officials.

In terms of the Protection of Information Bill, due to be introduced in Parliament by the Minister of Justice, Mr Kobie Coetsee, next week, it would not have been possible for the Sunday Express to have exposed the illegal activities of the Department of Information and various other Government scandals.

Newspapers and journalists who publish any confidential official information or documents without authority will face fines of up to R10 000 and 10 years' jail if the new Bill is passed.

The Bill also introduces an automatic presumption that, if any information or document is published or disclosed by any person "acting without lawful authority", it has been published with the purpose of prejudicing the security and interests of South Africa.

The Bill, only one of a number of security laws proposed by the Rabie commission, is intended to replace the existing Official Secrets Act.



By MARTIN WELZ
Political Correspondent

However, legal experts have pointed out that the provisions of the Bill are far wider than the Act — so wide, in fact, that someone who publishes information without knowing that it concerns the security of the state could be guilty of a crime and face heavy penalties.

In terms of the proposed new law, the information need not even concern the security of the state, but need only concern documents or information given to any Government employee "in confidence" or "for his use only".

The matter is considered so serious in all opposition circles that the Government could find itself opposed on a major Bill for the first time by all three opposition parties in Parliament.

The Progressive Federal Party parliamentary caucus decided last week that the party will oppose the

Bill unless substantial changes are made to limit the effect of the proposed law to cases that genuinely affect the security of the state.

Mr Dave Dalling, Opposition spokesman on justice, said: "In its present form the provisions of the Bill are alarmingly wide and clearly go beyond the scope of laws necessary to protect the interests and security of the state."

New Republic Party justice spokesman Mr Pat Rogers said: "We will definitely be opposing various aspects of the Bill."

"The provisions of the Bill are so broad that even a letter between government departments could be covered. The Government appears to be seeking a blanket law that can be applied as and when it likes."

"Even the title is stupid. Why not stick to the title Official Secrets Act if that is what it is about. That everybody understands and respects."

He said the Rabie commission had failed to consider the effects of this Bill on the public and, instead of narrowing down the areas covered by existing legislation, has widened them.

"Experience should have taught them that secrecy only makes things more difficult later and raises suspicion."

While the Conservative Party has not yet committed itself to opposing the Bill — its caucus must still discuss the matter — there was growing disquiet in CP ranks last week about the possible impact of the Bill.

Various CP MPs privately expressed concern about the Bill's wide ambit and there were indications that the CP may seek ways of persuading the Government to agree to certain amendments before the Bill is introduced in Parliament.

The leader of the Herstigte Nasionale Party, Mr Jaap Marais, also condemned the Bill.

"The Government already has all the laws necessary to protect the security of the state. It is clear to us that what the Government now wants is hide its own political activities because it is embarrassed when they are exposed," he said.

Hijack hearing takes on new colour

Sunday Times Reporter

DRAMATIC evidence previously withheld from the public attending the Seychelles hijack trial in Maritzburg may emerge in open court tomorrow.

The defence team for the 43 alleged hijackers opens its case then.

Adding a further touch to the case, which began on March 10, will be a call by defence counsel Mr P Oosthuizen, SC, for the withdrawal of a charge on which the men are accused of possessing 38 AK-47 assault rifles, 2 435 rounds of ammunition and three hand-grenades while on the flight from Mahe airport to Durban on November 25, last year.

In an incident-packed three days at the College Road Supreme Court, the acting Judge-President of Natal, Mr Justice Neville James, withdrew his in-camera ruling which had excluded the public and Press while evidence against the "interests of State security" was heard.

Lied

Mr Mike Hannon, representing Colonel Mike Hoare and 32 of the other accused, then asked for the recall of State witness Dr Walter Rathgeber, medical adviser for British Airways, who had made contact with the defence team.

Dr Rathgeber, who had offered to examine Captain Saxena, pilot of the allegedly hijacked plane, after the jet had landed in Durban, claimed that Captain Saxena had lied when giving evidence on commission in the islands.

Newspaper headlines proclaiming that Captain Saxena had said he had been forced at gunpoint to fly to Durban had prompted his action, Dr Rathgeber said.

When asked to address a medical conference on his experience, Captain Saxena had said: "We weren't hijacked, they were nice guys," Dr Rathgeber said.

Mr Cecil Rees, SC, Attorney-General of Natal, leading the prosecution, closed the case for the State.

Telephone: (011) 838 5861

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Founded:

Area of Operation:

Officials: Secret

Address: P.O. Box 2000 Johannesburg

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Mercury Correspondent

breached Seychelles security without detection when an alert customs official spotted an AK-47 in mercenary Kevin Beck's bag.

In the ensuing scramble to recover the situation, the mercenaries hastily assembled their weapons while Fritz tried to move through a glass door leading from the customs enclosure.

A shot was fired and he staggered back inside to collapse in the concourse.

The 24-year-old paratrooper was apparently wounded in the shoulder and died in spite of the attentions of mercenary doctor, De Wet Steyn — now a State witness in the hijack trial of 43 mercenaries in Pietermaritzburg.

Fritz was one of only two fatalities in the entire skirmish between mercenaries and Seychelles security forces.

The other was Seychellois 2/Lt David Antat who was found shot dead in his armoured car near the airport the morning after the mercenaries had fled to Durban aboard an Air Indian Boeing.

Col Hoare and his strike force subsequently brought the body of Johan Fritz back to South Africa with them aboard the Air Indian Boeing.

Evidence in the Supreme Court in Pietermaritzburg earlier this year was that on arrival in Durban the mercenaries insisted on unloading their only dead colleague themselves.

And in court the few pathetic belongings of the South African soldier-turned-soldier-of-fortune were on show: A razor, a passport, a bottle of beer, Tukkies rugby socks, a magazine, rounds of ammunition and a return airticket.

He was, according to friends, very fit and participated in both the Durban-Pietermaritzburg Comrades marathon and the Berg River canoe marathon in the Cape.

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NOTE

1. E moved through customs
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q Each mercenary had an
AK-47 assault rifle hidden
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bag.
a Most of the mercenaries
a had already successfully

3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
4. Do not write in the left hand margin.

Any dishonesty will render the candidate liable to



Colonel Mike Hoare outside court yesterday.

Hoare: SA condoned coup bid

CAPE TIMES 4/5/82

Own Correspondent

MARITBURG. — The cabinet and top-ranking officers of the National Intelligence Service (NIS) and Defence Force knew about and condoned the abortive Seychelles coup last year, Colonel Mike Hoare said yesterday.

Taking the stand in the Supreme Court here, Colonel Hoare said he had met senior Defence Force men who required a "minute from the prime minister's office" about the planned coup before they would help with the scheme,

even though Colonel Hoare had been introduced by "Mr Claassen, deputy director of the NIS".

Colonel Hoare said the men had agreed to supply the arms and ammunition and delivered it to his Hill-ton home after agreeing that South African involvement should be limited to between 12 and 15 men.

The arms, 60 AK-47 rifles of communist origin with folding butts usually for use by paratroopers, 15 Hungarian rifles, 23 800 rounds of ammunition in

17 boxes, 40 hand-grenades, 102 rockets and 10 launchers were delivered in a five-ton civilian truck on October 6, 1981, and were stored in the cellar of his home The Vicarage, in Hilton.

"I give this evidence only because I have no alternative and with great reluctance," Colonel Hoare said when asked to describe the involvement of South African Government agencies.

Initial contact with NIS had been through Mr Martin Dolinchek, who had been informed of the plans

as "I found it prudent to confide closely in the NIS with everything I was contemplating," Colonel Hoare said.

Through Dolinchek, Colonel Hoare said, he had arranged a meeting with the head of the Bureau of State Security, forerunner of the NIS, a Mr Van Wyk, who had said he would submit a minute to the cabinet of the proposals to take the Seychelles by force.

The initial approach failed, as the "cabinet said they could do nothing", Colonel Hoare said, but he

had still kept contact with Dolinchek.

Plans for the coup, to be known as "Operation Anvil", were resuscitated after a meeting with Mr Gerard Horeau, former chief immigration officer for the Seychelles and one-time confidante of President Rene, who had imprisoned Mr Horeau and then deported him from the islands.

"Horeau suggested that he would try and get assistance through the NIS and a meeting was held in a Durban hotel on September 25, 1981, with senior

men of the agency.

"I got sympathetic attention and they said my plan would be submitted to the cabinet, where they felt it would receive favourable attention," Colonel Hoare said.

A telephone call had followed and he had hurried to Pretoria.

"Here I was taken to lunch by the second-in-command of the NIS, identified as a Mr Claassen.

"He informed me the

→→→
To Page 4

A

YOUN map-f fore t engin' chantk it... fresh er's i lande The all. Tt the o The o porte Photc a wei Force The have now, ered featu Cape

'Pink-eye' epidemic hits City

By CHARMAIN NAIDOO

THE "pink-eye" disease had reached epidemic proportions in Cape Town and thousands of people had been treated for the highly infectious virus, the Medical Officer of Health for Cape Town, Dr R. J. Coogan, said yesterday.

He said, however, that since doctors did not have to report all cases of the virus as it was not notifiable, accurate figures were not available.

The origins of the virus were traced to a Woodstock family who had returned from a holiday in Durban.

However, we are issuing drops which have to be used six times a day," Dr Coogan said.

The signs of pink-eye can be recognized by irritation in the eyes — "a feeling of sand or grit" — with the eyes becoming red and swollen.

Haemorrhages or bleeding under the conjunctiva, the membrane covering the eye, are also a means of identifying the virus.

"The patient usually gets a respiratory infection at the same time, and therefore the virus spreads quickly. The only means of prevention



Tunnels

LONDON. — Argentina yesterday rejected new United States peace proposals after Britain's war fleet had torpedoed the Argentine cruiser, General Belgrano, which was "presumed sunk". They

Criticism of Kaunda talks

— DAVID FORRET

LARE. — The South African Government has no illusions about last week's talks between the Prime Minister, P. W. Botha, and President Kenneth Kaunda of Zambia were sanctioned by the frontline States. This was the blunt message given yesterday by Zimbabwe's leading daily newspaper, the Herald, which implicitly attacked Kaunda for his bush-land meeting with Mr Botha.

In an editorial headed "Anything gained?", the Herald pointed out that Dr Kaunda's fellow leaders in Southern Africa had either remained silent or cast doubts on the usefulness of the meeting. The newspaper, which is controlled by the government-appointed Mass Media Trust, said the talks would give Mr Botha some credibility.

Division

"The South African Government of course will welcome any sign that will indicate division among frontline States, and that should be avoided."

"The announcement that Dr Kaunda wanted to meet the South African regime was made soon

after the Maputo frontline summit.

"The subsequent comments by President (Julius) Nyerere should leave the (South African) regime in no doubt that the talks were between it and the Zambian Government, and not on behalf of the frontline States."

The newspaper said the "content, timing and authorship" of Dr Kaunda's plan to meet Mr Botha were all tempting targets for ridicule.

"There is probably no conspiracy about the attitude of the South African apartheid-supporting press towards Dr Kaunda."

"But it remains true that an African leader can expect sympathetic treatment only when he embraces and accepts South Africa's occupation of Namibia and its oppressive system."

The newspaper said it was "unfortunate" that Dr Kaunda had claimed that his 1975 meeting with former prime minister Mr John Vorster had helped to hasten independence for Zimbabwe.

"During our struggle, one constant criticism levelled at the Zambian leadership was that it tended to negotiate, if not to assume the leadership of liberation movements," the editorial added.

Hoare tells of coup motive

Own Correspondent

MARITZBURG. — The use of armed force to overthrow a communist regime was a legitimate way to reinstate a democracy, Colonel Mike Hoare told the hijack trial court here yesterday.

Describing his beliefs, Colonel Hoare said the Seychelles coup would have taken place in the truest of African ways — when the head of State was out of the country.

When the attack was planned for November 25, President Rene was to be in France holding talks with the government there.

Colonel Hoare said his payment as a mercenary came second to his opposition to communism.

As a result of two years in the Congo, where he led a band of South African mercenaries during the sixties, he had seen "carnage and loss of life" as an attempt was made to impose communism on Africans.

He had seen the killing of the intelligentsia — in African terms anyone who could read and write — and had seen the destruction of hospitals and clinics until the whole of the north-east Congo had been reduced to famine and then starvation.

"As a result of this I not only became virulently anti-communist but began to appreciate the Western way of life and the rule of law."

He had begun studying Western civilization and had based his attitudes on Thomas Jefferson's declaration of American independence — "the motivation of my life" — Colonel Hoare told the court.

He had been approached to help overthrow the Seychelles regime simply because he was anti-communist, he said.

Handwritten: CAPK Times 4/5/82 327
The cabinet had given their approval in principle. We discussed the details and I gave him a list of the arms and ammunition I required," Colonel Hoare said.

He had then been visited at the Burgerspark Hotel by a disappointed Claasen, who said he had received a communication from the prime minister that the whole operation was to be handled by the army.

At Zanza building in the capital he was introduced to Brigadiers Hamman and Martin Knoetze by Claasen.

Authority

"The brigadiers wanted to know on what authority Claasen was acting. He told them and they said they wanted a written minute from the prime minister's office. He said he would get it and asked them to examine my plan in the meantime."

He had given details of the plan and they had been studied at length. The men acceded to the request for arms, ammunition and radios. Military Intelligence was prepared to back it Colonel Hoare said.

He had planned on recruiting about 73 South African soldiers for the coup "because their motivation would have been right", but Military Intelligence had said only 12 to 15 South Africans should be recruited.

"They should preferably be foreign passport holders. It was a question of keeping South African involvement to a minimum," he said.

Weapons

It was agreed that weapons should be paratroop versions of the AK-47 rifle. "The last thing we would want was for equipment to be traced to a South African source," Colonel Hoare said.

"No date was set for the delivery of the weapons, at that stage to be crated and sent to the islands by sea, but Brigadier Humman undertook to get weapons to them by October 9," Colonel Hoare said.

He had been given a warning by phone that a "consignment was to be delivered" and a Sergeant-

Major Van der Merwe had delivered the weapons.

He had signed an "issue and receipt voucher" — SADF form DD12 — for the armaments, which had been packed in green boxes with yellow lettering.

Rockets

Of their own volition, the Defence Force had sent mortars and rockets, which had been returned through the NIS at a later stage.

It was impossible to disguise the rockets and their launchers, Colonel Hoare said.

"I didn't take them with me, regrettably. They would have made all the difference," he said.

Recruitment of mercenaries was started by Tullio Monete, one of the accused, before the initial meeting with Military Intelligence.

Colonel Hoare said he had also met the officer commanding an unnamed citizen force unit who had said that given time he could recruit about 40 men.

'Unexpectedly'

After the initial meeting with military authorities in Pretoria, another avenue of recruitment had unexpectedly cropped up. Colonel Hoare said.

He had met Ken Dalglish of the Riviera Hotel in Durban which was "a watering-hole for ex-Rhodesians".

"I was seeing a lot of Dolinchek because I required the co-operation of the NIS. At one stage he suggested he should go as part of the advance party as a security man to keep an eye on everybody."

Colonel Hoare said he had been uncertain about allowing Dolinchek along, already having refused him as he was not a trained soldier, and told him to get official approval from his employers.

"He was unable to do this so took two months leave," Colonel Hoare said. Dolinchek had then signed recruitment forms and had received a down-payment of R1 000.

Each of the men was to receive another 10 000 on their return to South Africa, he said.

The hearing continues today.

Handwritten: B
From page 1

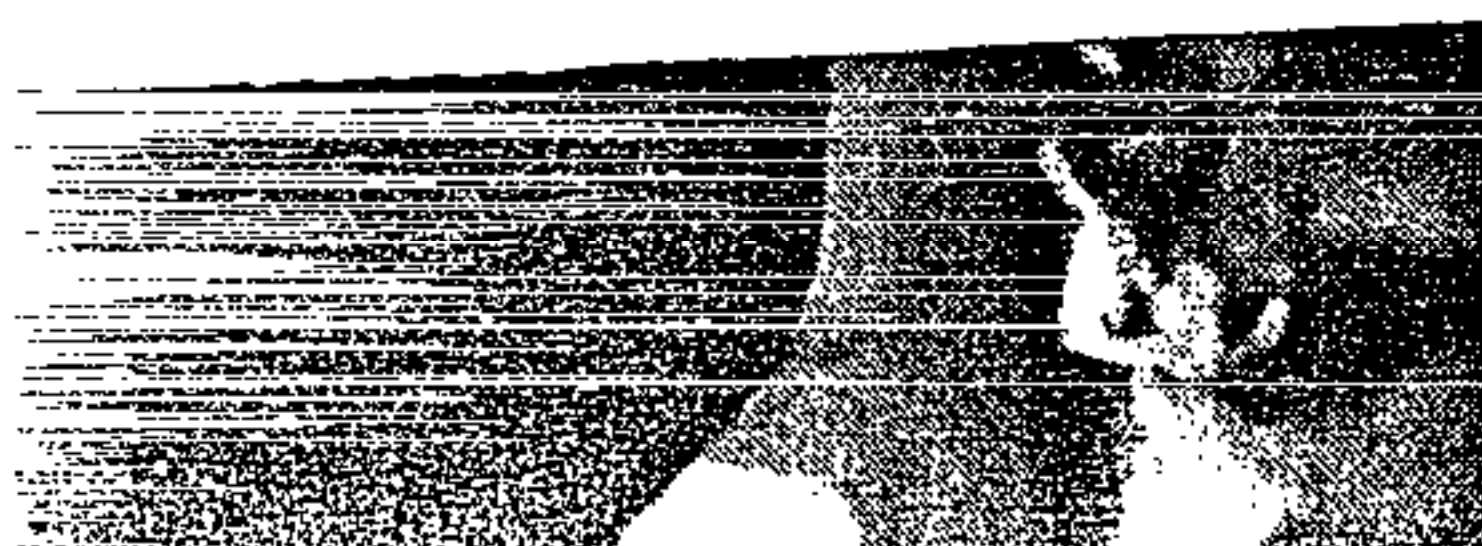
Cabora Bassa is due to the inability of the Mocambique Government to control the activities of a resistance movement or to render the necessary protective services."

The statement said older and uneconomic power stations have had to be kept in commission to meet the shortfall of power. This in turn had led to a higher level of coal consumption, which had also contributed to Escom's extra costs.

Escom was accelerating its construction programme in order to eliminate the shortfall in installed capacity as soon as possible.

Heaviest hit by the new tariffs will be Natal, where the increase will be 7,5 percent. Next comes the Eastern Transvaal region, with 7,3 percent, while the Western Cape and the Orange River region will only pay 5,8 percent more.

Increases will be applied as follows: Rand and OFS 6,4 percent; Natal 7,5; Eastern Transvaal 7,3; Cape Western 5,8; Cape Northern 6,0; Orange River 5,8; Border 6,0 percent. — Sapa



gang rampage
into main unit

Removals to go on — in secret

ARGUS 4/5/82

327

WITH hundreds of thousands of blacks to remove and resettle elsewhere to meet the requirements of the policy of separate development the Government is clearly in trouble.

With the "Limehills" and "Dimbasas" of the past, the Government, although improving the resettlement schemes, has more and more moved into the twilight zones of secrecy to achieve its ideological aims.

Before Parliament at the moment is a Bill that provides for the State President to declare matters dealt with by the Commission for Co-operation and Development, which is charged with the consolidation programme, secret by regulation.

For the past two years on an increasing scale the Government has been avoiding, or as Mr Graham McIntosh, MP, (PFP, Pietermaritzburg North) puts it, evading answering questions on removals.

Dr Piet Koornhof has told Parliament that in future the removal of black spots will be dealt with on a confidential basis, but it is not clear what he means by this.

Over the past few months Mr McIntosh has asked many questions in Parliament about planned removals and the Government has "evaded" answering the questions fully.

About the only definite fact that has been given is that there are 75 "black spots" earmarked for clearance.

But questions on when removals will take place, how many people are affected, where they

BRUCE CAMERON of The Argus political staff looks at the Bill before Parliament which will enable the Department of Co-operation and Development to carry out the Government's homelands consolidation programme, involving the uprooting and resettling of thousands of black families, free from public scrutiny.

will be removed to and what cost is involved the Government in the main is either unable or unwilling to answer.

In Natal the situation is far worse than in the other provinces with Kwazulu spattered over the province like a patch-work quilt.

How many black spots there are in Natal not even the Department of Co-operation and Development can say for sure.

In spite of opposition from nearly every sector in Kwazulu and Natal the Government is still adamant that it is going to implement the policy.

In Natal the removal of "black spots" is only part of the story. On top of this there is a plan for greater "consolidation" in terms of which massive areas will have to be cleared and hundreds of thousands of people moved in land exchanges so that Kwazulu can be consolidated into a more contiguous area.

Although the Government has agreed to "stays" on removal orders in the face of widespread opposition and bad publicity, Dr Koornhof has made it clear in reply to Mr McIntosh's questions

that the Government will push ahead.

For example in the Reserve 4 area where large numbers of people have moved to find work in the Richards Bay industrial complex the Government agreed to hold back on its removal orders last year.

But this was probably caused more by the lack of finance than for reasons of compassion.

The area as well as three others — at Paulpietersburg, Sodwana Bay and the Driefontein area near Ladysmith — were declared white areas in January last year.

Compensatory land has been acquired, Dr Koornhof told Parliament, at Babanango, Umbombo, Lower Umfolozi and Klipriver.

These areas are many kilometres away from the existing areas and in most cases far away from places which can offer adequate employment opportunities.

Without answering when the removals will take place Dr Koornhof says the people will be moved to areas after infrastructure and "housing facilities" have been provided and after

further "consultation."

With whom the consultation will take place he does not say.

The people of the areas have stated that they do not want to consult but only to remain where they are, while Kwazulu will not have anything to do with removals.

To make matters worse the people being moved cannot be sure they will not be moved again.

The "black spots" are isolated pieces of land which range in size from a few hectares to many hundreds of hectares and are owned by blacks.

In almost every removal there are people who do not know where they are being moved, who will be their new neighbours, where they will find jobs and who do not want to be moved in any case.

Black Allied Workers
Farmworkers Union
Food and Canning
National Certificate
Orange-Vaal General
Trawler and Line
MINING AND QUARRY
Amalgamated English
Amalgamated Union
Amalgamated Societ
Black Allied Worker
Black Mineworkers
Federated Mining E
Iron Moulders Soci
Mine Coloured Stat
Mine Surface Offic
Mine Workers Union

AGRICULTURE, FORESTRY AND FISHING

National Federation of Workers
Orange-Vaal General Workers Union
General and Allied Workers Union

Unions have been classified according to the Standard Industrial Classification of All Economic Activities. The full extent of the operation of the following general workers unions has not been established:

UNIONS OPERATING IN 1981 GROUPED ACCORDING TO INDUSTRIAL CLASSIFICATION

Safeguards against injustice 'inadequate'

4/5/82 327

A DEPUTATION from the Association of Law Societies of South Africa and the General Council of the Bar of South Africa yesterday told the Minister of Law and Order, Mr Louis le Grange, that proposals in the Internal Security Bill did not provide effective safeguards against injustice and abuse.

The deputation consisted of Mr J. E. Knoll, president of the Association of Law Societies, Mr R. M. Marais, chairman of the General Council of the Bar of South Africa, Mr L. S. van Zyl, president of the Law Society of the Cape of Good Hope and Mr H. P. Viljoen, vice-chairman of the General Council of the Bar of South Africa.

When the report on the Rabie Commission on Security Legislation was published the legal profession had been invited by the Minister of Jus-

tice, Mr H. Coetsee, to give its reaction to the report and the draft Internal Security Bill proposed by the commission.

COMMENTS

A statement by yesterday's deputation says both the Association of Law Societies and the General Council of the Bar had submitted carefully and objectively considered comments and suggestions.

"The profession had noted, with disappointment, that the Internal Security Bill which is before Parliament is in substantially the same terms as the Bill proposed by the commission and that, with minor exceptions, none of the proposals made by the profession was incorporated in the Bill.

"The profession considered that the suggestions which it had made would have gone a long

way towards minimising the risk of possible injustice and abuse, which is inherent in security legislation and softening the antagonism which exists both here and abroad towards our security legislation, without putting the safety of society at risk, or materially impairing the ability of the police to achieve their objective legitimately."

URGENT NEED

The statement says the deputation emphasised the vulnerability of persons detained under the security laws "and the urgent and pressing need to provide effective safeguards against possible injustice and abuse and thus engender greater confidence among the community in the security legislation."

The deputation repeated its view that the existing proposals in the Bill, while in certain re-

spects an improvement, would not provide fuller effective safeguards.

"Various proposals were reiterated and the Minister indicated that he would look again at the profession's proposals," the statement says.

Textiles, Clothing, Leather and Footwear

Rustenburg Tabakwerkersvereniging

National Union of Cigarette & Tobacco Workers

African Tobacco Workers Union

Tobacco

Sweet Workers Union

Sweet Workers Industrial Union (Natal)

S.A. Boilermakers, Iron & Steelworkers, Shipbuilders and Welders

S.A. Electrical Workers Association

Western Province Sweet Workers Union

Witwatersrand Baking & Confectionery Industrial Union

Witwatersrand Brewing Employees Union

African Leather Workers Union (Transvaal)

African Trunk & Box Workers Union

Black Allied Workers Union

Garment Workers Industrial Union (Natal)

Garment Workers Union of South Africa

Garment Workers Union (Western Province)

General Workers Union

General Workers Union

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South African All

S.A. Canvas & Rop

S.A. Canvas & Rop

Tailoring Workers

Tanning, Footwear

Textile Workers

Textile Workers

Transvaal Leather

Trunk & Box Work

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CAPL TIMES 4/5/82 (327)

Newsman wins appeal in Secrets Act case

WINDHOEK. — The Windhoek Supreme Court yesterday set aside the conviction and sentence of a Johannesburg newspaper sub-editor, Mr Winston James Beaumont, 24, on charges in terms of the Official Secrets Act read with the Defence Act.

The Windhoek Regional Court sentenced Mr Beaumont to three years' jail on August 28 last year.

Counsel for the defence, Mr Bryan O'Linn, submitted in argument on appeal yesterday that the State had incriminated Mr Beaumont when it raised a previous conviction in court before the accused had been found guilty.

The Regional Court had also failed to call a witness who could have given evidence material to the trial.

The Attorney-General of SWA, Mr Don Brunette, conceded the points raised by defence counsel and the presiding judges, Mr Justice Chris Mouton and Mr Justice Ken Bethune, upheld the appeal.

The case arose from an incident on April 14, 1980, in which the prosecution alleged certain written material had been found in the luggage of Mr Beaumont after he had received military clearance to return home from a tour of duty at a camp in SWA/Namibia. — Sapa

Cabinet condoned coup plan, Hoare tells

Mercury

327

4/5/82



MR MIKE HOARE
yesterday

Islands
attack
'had to

be launched on shoestring budget'

Pietermaritzburg Bureau
THE budget for a scheme to overthrow the Seychelles Government had shrunk from \$5 000 000 to \$320 000, and a band of mercenaries had been forced to launch a 'shoestring' attack by posing as a beer-drinking club, the Supreme Court was told here yesterday.
Mr Mike Hoare, one of 43 mercenaries accused here of hijacking an Air India Boeing 707, said he had been approached originally shortly after the Mancham Government had fallen, and said he could retake the islands for the deposed leader for \$5 000 000.
The initial approach in September 1977 by a Mr d'Offay, a former minister with the Mancham Government, had been followed by planning, and by late 1978 budgets had been discussed.
A proposed meeting in London with Mr Mancham had fallen through and he had seen the deposed leader early in 1979, Mr Hoare said.
He visited the islands twice — once on their Independence Day to assess the fighting power of the army during a military parade.
It was then that he had been told it would be impossible to raise \$5 000 000, and plans which called for the arms to be taken to the islands by sea were abandoned.
Mr Hoare still thought it feasible to take the islands with about 50 men fighting the 150-strong Seychelles force.
He did not regard any of them as being true soldiers because their 'national characteristic' was gentleness, he said.
The party had gone in under cover of being the 'Ancient Order of Froth Blowers', and were to have been addressed by

the Minister of Tourism for the islands at the Reef Hotel on the night of their arrival, he said.
All had gone according to plan, with the men carrying their weapons in bags with false bottoms through customs at the Seychelles.
Half the force was safely through and boarding a bus for the hotel when a customs man found fruit in the baggage of a Frenchman, Mr Hoare said.
The customs man had grabbed the bag of one of the mercenaries, and feeling it was hard at the bottom, opened it.
'An AK-47 fell out', Mr Hoare said.
Contingency plans had allowed for the customs man to be seized by the men and locked up, but one of the men had pulled out his rifle and shot at the customs officer.
Hail of bullets
The man had stumbled and Johan Fritz, one of the party, had been killed in a hail of bullets.
Mr Hoare, who had arrived with a group of eight before the main force had arrived, then had set out to try to take the barracks at the bottom of the runway.
Another group had run to take control of the airport tower because Mr James Mancham was due to fly in with the new government at a later stage and the men had to control the tower, he said.
'At the barracks four of the mercenaries had blasted the guards and opened the gates. Mortar bombs were fired at the group but the Seychellois had failed to arm the bombs and they fell harmlessly', Mr Hoare said.
Armoured cars entered the fray for a short while but then withdrew.

As night was falling the mercenaries were forced to fall back to the airport.
'It was by no means a desperate situation, and I still felt we were quite capable of taking between 70 and 90 Seychellois and 50 Tanzanians.'
At the airport a number of Tanzanian troops had approached the tower and his men had opened fire.
'As soon as we fired they dropped their arms and ran,' he recalled.
Mr Charles Goately, who had aviation experience, was in charge of the tower, which came under fire from the armoured cars.
It was then that he heard a jet flying above the airport.
'I was told it was an Air India from Salisbury. I said on no account is that plane to land', Mr Hoare said.

Pietermaritzburg Bureau

WARNING

1. No books, notes, pieces of paper may be brought into the court.
 2. The first time I realised that the plane had landed was when I heard its engines as it touched down.
 3. At that stage he was operating from the only room in the airport that had a telephone and about 60 civilians, including the airport staff, were locked in another room, he said.
 4. An application by the defence earlier yesterday, for the dismissal of the fourth charge against the mercenaries, for carrying arms on the Air India aircraft, was unsuccessful.
- Mr Hoare's testimony continues today.

to disqualify
University

clusion from the

SOUTH Africa's Cabinet and top-ranking officers of the National Intelligence Service and Defence Force knew about and had condoned the abortive Seychelles coup last year, Mr Mike Hoare told the Supreme Court here yesterday.

Mr Hoare, giving evidence for the first time in the trial in which

he and 42 others face charges, which they have denied, arising out of the alleged hijacking of an Air India Boeing 707 from Mahé to Durban in November last year, described how he had met senior Defence Force men who required a 'Minute from the Prime Minister's Office' about the planned coup before they would help with the scheme.

The men had agreed to supply arms and ammunition and delivered it to his Hilton home after agreeing that South African involvement should be limited to between 12 and 15 men.

Sixty AK-47 rifles with folding butts, normally used by paratroopers, 15 Hungarian rifles, 23 800 rounds of ammunition in 17 boxes, 40 handgrenades, 102 rockets and 10 launchers were delivered in a five-ton civilian truck on October 6, 1981, and stored in the cellar of his home, The Vicarage, in Hilton, Mr Hoare said.

Confide

'I give this evidence only because I have no alternative, with the greatest of reluctance,' Mr Hoare said when asked to describe the involvement of South African Government agencies.

Initial contact with the NIS had been through Mr Martin Dolincheck who had been informed of the plans because 'I found it prudent to confide closely with the NIS with everything I was contemplating'.

Through Mr Dolincheck he arranged a meeting with the head of the Bureau for State Security, forerunner of the NIS, a Mr van Wyk, who had said he would submit a Minute to the Cabinet on the proposals to take the Seychelles by force.

The initial approach failed because the Cabinet said they could do nothing, Mr Hoare said.

Plans for the coup, to be known as 'Operation Anvil', were resuscitated after a meeting with Mr Gerard Horeau, a former chief immigration officer for the Seychelles and confidante of President Albert René, who had imprisoned Mr Horeau and then deported him from the islands.

Horeau suggested that

Cabinet condoned coup plan, Court told

FROM PAGE 1

he would try to get assistance through the NIS and a meeting was held in a Durban hotel on September 25, 1981, with senior men of the agency.

'I got sympathetic attention and they said my plan would be submitted to the Cabinet, where they felt it would receive favourable attention,' Mr Hoare said.

A telephone call had followed and he had gone to Pretoria.

'Here I was taken to lunch by the second-in-command of the NIS, identified as a Mr Claasen.

'He informed me the Cabinet had given their approval in principle and we discussed the details. I gave him a list of the arms and ammunition I required.'

Disappointed

He then had been visited at the Burgerspark Hotel by a disappointed Mr Claasen who said he had received a communication from the Prime Minister that the whole operation was to be handled by the army.

He was later introduced to Brig Hamman and Brig Martin Knoetze by Mr Claasen.

'The brigadiers wanted to know on what authority Claasen was acting. He told them and they said they wanted a written Minute from the Prime Minister's Office.'

'He said he would get it, and asked them to examine my plan in the meantime.'

He had given details of the plan and they had been studied at length. The men acceded to the request for arms and ammunition and radios.

Intelligence

Intelligence

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'They should preferably be foreign passport holders. It was a question of keeping South African involvement to a minimum,' he said.

It was agreed the weapons should be paratroop versions of the AK-47 rifle. 'The last thing we would want was for equipment to be traced to a South African source,' Mr Hoare said.

Weapons

'No date was set for the delivery of the weapons, at that stage to be crated and sent to the islands by sea, but Brig Hamman undertook to get them by October 9.'

He had been warned by telephone that a consignment was to be delivered and a Sgt-Maj van der Merwe had delivered the weapons.

Mr Hoare had signed an issue and receipt voucher, SADF Form DD12 — produced in court — for the armaments which had been packed in green boxes with yellow lettering.

Of their own volition, the Defence Force had sent the mortars and rockets, which were returned through the NIS at a later stage because it would have been impossible to disguise them.

'I didn't take them with me, regrettably. It would have made all the difference.'

Recruitment of merce-

curity men to keep an eye on everybody.'

He had been uncertain about allowing Mr Dolincheck along, already having refused to recruit him because he was not a trained soldier. He had told him to get official approval from his employers.

He had been unable to do this so he took two months' leave, signed recruitment forms and had received a down-payment of R1 000.

Each of the men would have received another \$10 000 on their return to South Africa.

Democracy

Mr Hoare told the Court he felt the use of armed force to overthrow a communist regime was a legitimate way to reinstate a democracy.

The coup would have taken place in the truest of African ways — when the Head of State was out of the country, in this case in France.

Mr Hoare said his payment as a mercenary came second to his opposition to communism and his determination to fight it.

Congo

As a result of two years in the Congo, where he led a band of South African mercenaries during the 1960s, he had seen carnage and loss of life as an attempt was made to impose communism on Africans.

He had seen the killing of the intelligentsia — in African terms anyone who could read and write — and had seen the destruction of hospitals and clinics until the whole of the north-east Congo had been reduced to starvation.

'As a result of this I not only became virulently anti-communist but began to appreciate the Western way of life and the rule of law.'

He had refused to become embroiled in the Biafran war in Nigeria because it had been mainly a tribal conflict.

★ TURN TO PAGE 2

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Mercenary shooting sets legal poser for SA

Johan Fritz was already dead when aircraft left Seychelles

Crime Reporter

THE fatal shooting of mercenary Johan Fritz, who was allegedly killed by one of his fellow mercenaries in the abortive Seychelles coup attempt last year, has set a legal poser for South African authorities in regard to the provisions of the Inquests Act (No 58 of 1959).

Mr Fritz was shot and fatally wounded in an exchange of fire with the Seychelles security forces after a customs officer found an AK-47 rifle in the luggage of one of the mercenaries at the airport at Mahé, according to captured mercenary Bernard Carey.

In his testimony to the special United Na-

tions commission investigating the attempted coup, Mr Carey said that Mr Fritz had been 'shot by one of our own men'.

Mr Mike Hoare and his strike force brought Mr Fritz's body back with them on the Air India Boeing. It was off-loaded at Durban's Louis Botha Airport.

The relevant section of the Inquests Act, which provides for the holding of inquests in cases of deaths occurring from other than natural causes, states: 'An inquest shall be held by the magistrate of the district ... where the body has been ... removed from the aircraft where it is alleged the death has occurred on board an aircraft in flight'.

Mr Fritz did not die on the aircraft bring-

ing the mercenaries to Durban. He was already dead when the flight took off from the Seychelles. The Act does not make provision for an inquest to be held in these circumstances.

A police spokesman in Pretoria said yesterday that the killing of Mr Fritz was tantamount to an alleged crime having been committed by a person known to the police, but it had taken place on foreign soil where the police had no jurisdiction.

Durban's senior public prosecutor, Miss Coleen Thomas, said yesterday that as far as she was aware no request for an inquest on Mr Fritz had been made. She was, however, going to look into the matter.

Degree/Diploma/Certificate for which
you are registered (e.g. B.A., B.Sc.) ... B. COMM

Subject ... ECONOMICS II

(to be copied from the heading on the Examination Paper)

Paper No. ... II

(to be copied from the heading on the Examination Paper)

Examiners' Initials		

NOTE CAREFULLY

1. 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.
2. 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.
3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
4. Do not write in the left hand margin.

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

PFP on 'hijack'

Political Staff

THE parliamentary caucus of the Progressive Federal Party will give urgent attention today to the allegations implicating the South African cabinet in the abortive Seychelles coup.

The move follows a refusal by the Speaker of Parliament, Mr J P du Toit, to allow a special debate on the alleged government involvement in the Seychelles debacle.

The allegations by mercenary leader Colonel Mike Hoare have sent a shockwave through political and diplomatic quarters and have hit headlines in the Western

The Speaker of Parliament refused a special debate on the matter on the grounds that it was sub judice.

In terms of an earlier ruling by the Speaker, no reference at all to the Seychelles incident may be made in Parliament.

The official Opposition has challenged the ruling on several occasions without success.

In terms of the ruling, the PFP's chief spokesman on foreign affairs Mr Conn Egan will not be able to raise the Seychelles affair in today's budget debate on the Foreign Affairs vote.

(Wits 1959/60)

000 000

7 545

100 000

12 300

240

42 500

10 000

38 500

10 000

2 400

4 000

5 215

R2 100

R5 200

S limited

H limited

Trial Balances at 31st December 1903

(6) H limited had received the dividend paid by S limited on 31st December 1903.

No adjustment had been made in the books of H limited at 31st December 1903 for the unearned profit nor had any adjustment been made in its books in respect thereof at 31st December 1902.

R18 360

11 880

R6 480

31st December 1903

R16 740

10 395

R6 345

31st December 1902

(5) Raw materials purchased by S limited from H limited on hand at 31st December 1902 and 1903 were as follows :

(4) H limited invoiced raw materials at R405 to S limited on 30th December 1903, S limited received these goods on the same day and included them in the figure for stock on hand at 31st December 1903 but made no other entry in its books in respect of them.

S limited has credited H limited's current account with interest for the full year.

(3) Interest at six per cent per annum on the fixed loan to S limited had been taken into account in H limited's books only for the six months ended 30th June 1903.

(2) In addition to the credit to the investment account mentioned in (1) above, H limited had credited that account with a pre-acquisition dividend of R2 000 received on 31st March 1902.

Retained income 1st January 1903
Bank
Current account - S limited
Current account - H limited
Dividend paid 31st December 1903
Furniture, at cost
General reserve
Investment in subsidiary company
Land and buildings, at cost
Loan account - S limited
Loan account - H limited
Plant, at cost
Provisions for depreciation :
Plant
Furniture
Net profit for the year
Share capital
Stocks
Sundry debtors
Sundry creditors

Coup bid: CIA approached

APR TIMES 5/5/82 (327)

for consent?



Colonel Hoare

Own Correspondent
MARITZBURG. — The Central Intelligence Agency, a prospective United States senator and the West German Government had been approached for their tacit consent for the proposed coup in the Seychelles last year, Colonel Mike Hoare alleged yesterday. He was giving evidence for the second day in the

Supreme Court here, where he and 42 others face charges, which they have denied, arising out of the alleged hijacking of an Air India Boeing 707 from Mahe to Durban in November last year. He also alleged that the South African Defence Force, through a Brigadier Knoetze, had offered him use of a military training ground in the

north-western Transvaal, and reiterated his claims that the cabinet and government agencies had known of the coup attempt. He said he had approached an unnamed CIA agent in Pretoria and informed him of the planned coup in an attempt to obtain the tacit approval of the United States.

He had also written to a friend, Mr Robin Moore, who was running for the US Senate, and asked him to use his influence to get Arab support. A Seychellois exile had travelled to West Germany to try to interest that government, he said. While the CIA were interested, there had recently been an internal upheaval in the agency,

and they had been "extremely timid", he said. "The interest of America stemmed from the strategic value of the Seychelles," said Colonel Hoare, adding that he had had to point this out to his US contact. "It sometimes takes a man like me to point out where a great power's interests lie," he said. Turning to the alleged

role of South Africa in the abortive coup on November 25 last year, Colonel Hoare said he had done everything to "avoid embarrassment" for the Republic. He had restricted the number of South Africans in the party to 20 and told a Mr D'Offay, a former Seychelles cabinet minister that it would not be in the country's interests for

it to be known that South Africa had helped return President Jim Manchem to power.

"Once it was generally known that South Africa helped, it would rub off on a new government."

He had been prepared at one stage to set up his headquarters in Europe to avoid embroiling the Republic and had remained silent on the

country's role. He admitted under cross-examination that he had told his men they could look forward to Kenyan, US and CIA backing.

In response to questions later, he had told them the South African authorities knew and the other two governments would grant instant recognition to the new regime

once it had been established.

"I got this information through Horeau, a former confidante of President René living in South Africa, who dealt with the CIA in Pretoria," Colonel Hoare said.

In a letter to D'Offay

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To page 2

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From page 1

while he was planning the coup, he had mentioned promised benefits, which included landing rights for South African Airways, tourist rights, a voice in the Organization of African Unity and a "pro-Mulder stance".

Questioned about the "pro-Mulder stance", Colonel Hoare said he presumed it referred to the ex-minister, although Mr Mulder had nothing to do with the coup.

Mr Rees suggested that Colonel Hoare had misused Mr Mulder's name and had done the same with the Prime Minister.

"I ask you and I suggest that the very day that you and D'Offay had a meeting, May 10, 1979, Mulder made a statement in Parliament about irregularities in trips to the Seychelles," Mr Cecil Rees, SC, for the State, said.

There had been tremendous debate in newspapers at the time, Mr Rees said.

Colonel Hoare rejected claims by Mr Rees that he had asked security police to meet the aircraft at Louis Botha Airport to escape prosecution and "hold the government to ransom".

He had disclosed the government involvement in open court simply because he had had no alternative. His attempt to explain to police at the airport had been made specifically to save the government embarrassment, he said.

Colonel Hoare said he had spent several years planning the coup and was due to receive only R15 000 for his role.

The hearing continues today.

CAPE TIMES
5/5/82

Lawyers see ⁽³²⁷⁾ minister on bill

Staff Reporter

LAWYERS this week told the Minister of Law and Order, Mr Louis le Grange, that the new Internal Security Bill would not provide safeguards to protect detainees against injustice and abuse.

A four-man delegation from the Association of Law Societies of South Africa, the Law Society of the Cape of Good Hope and the General Council of the Bar of South Africa saw Mr Le Grange.

The chairman of the General Council of the Bar, Mr R M Marais, SC, said in a statement that lawyers "noted with disappointment" that the bill, with minor exceptions, did not incorporate any of their proposals on the Rabie Commission report or the draft bill.

"The profession considered that the suggestions which it had made would have gone a long way toward minimizing the risk of possible injustice and abuse which is inherent in security legislation and softening the antagonism which exists both here and abroad towards out security legislation," the statement said.

The other members of the delegation were Mr J E Knoll, president of the Association of Law Societies, Mr H P Viljoen, SC, vice-chairman of the General Council of the Bar, and Mr L S van Zyl, president of the Law Society of the Cape of Good Hope.

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CIA, West Germany implicated in hijack trial

Pietermaritzburg Bureau
AMERICA'S Central Intelligence Agency and the West German Government were approached for their tacit approval to the proposed coup in the Seychelles last year, Mr Mike Hoare alleged in the Supreme Court here yesterday.

Spending his second day in the witness box Mr Hoare was giving evidence in the trial in which he and 42 others have denied charges arising from the alleged hijacking of an Air India Boeing 707 from Mahé to Durban in November last year.

We were ill-treated, says Hoare

Pietermaritzburg Bureau STATEMENTS made to the police about the alleged hijacking of an Air India plane and the abortive Seychelles coup had been made by various accused under pressure to escape 'abominable' treatment, Mr Mike Hoare said yesterday.

His men had been treated like 'common criminals' and had been handcuffed for a flight to Pretoria, he alleged.

On their arrival at Sonderwater Prison the men had been stripped and put into solitary confinement for a week, he said.

A Gen Zietsman had approached him and proposed a deal, Mr Hoare said.

The food had been ghastly — only brown bread and butter and rooibos tea for a week — and the accused had been subjected to mental torture, he said.

The mental torture was staying in a cell, alone, behind two iron doors, for 23-and-a-half hours a day.

The men had been allowed 30 minutes a day in the open air, he explained.

Gen Zietsman had asked him to co-operate and tell his men to do the same and conditions would then be improved.

Mr Hoare said that while making statements to Gen Zietsman he had proposed that the 20 South African passport holders should be released and only the 25 foreigners, himself included, be prosecuted.

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He claimed that the South African Defence Force, through a Brig Knoetze, had offered him the use of a military training ground in north-western Transvaal, and reiterated claims that the Cabinet and Government agencies knew of the coup plan.

He had approached an unnamed CIA agent in Pretoria and informed him of the plan in an attempt to get tacit approval of the U.S.

Exile

He had also written to a friend, Mr Robin Moore, who was running for the U.S. Senate, and asked him to use his influence to get Arab support.

A Seychellois exile had travelled to West Germany to try to interest that Government, he said.

While the CIA were interested, 'there had recently been an internal upheaval in the agency, and they were extremely timid,' he said.

The interest of America stemmed from the strategic value of the Seychelles, he said, adding that he had had to point this out to his American contact.

'It sometimes takes a man like me to point out where a great power's interests lie,' he said.

Mr Hoare said he had done everything to avoid embarrassment for South Africa.

He had restricted the number of South Africans in the party to 20 and told a Mr D'Offay, a former Seychelles Cabinet minister, that it would not be in the country's interests for it to be known that South Africa had helped return Mr James Mancham to power.

He had been prepared at one stage to set up his headquarters in Europe to avoid embroiling South Africa and had remained silent on the country's role.

He admitted under cross-examination that he had told his men they could look forward to Kenyan, American and CIA backing.

In response to questions later, he had told them the South African authorities knew and the two other governments would grant instant recognition to the new regime once it had been established.

'I got this information through Horeau, a former confidante of President René living in South Africa, who dealt with the CIA in Pretoria,' Mr Hoare said.

Ransom

In a letter to Mr D'Offay, while he was planning the coup, he had mentioned promised benefits which included landing rights for South African Airways, tourist rights, a voice in the Organisation of African Unity and a 'pro-Mulder stance'.

Questioned about the 'pro-Mulder stance', Mr Hoare said he presumed it referred to the former minister although he had nothing to do with the coup.

Mr Hoare rejected claims by Mr Cecil Rees, SC, for the State, that he had asked security police to meet the allegedly hijacked plane at Louis Botha Airport to escape prosecution and to 'hold the Government to ransom'.

He had revealed the Government involvement in open court simply because he had had no alternative.

Mr Hoare admitted he had spent several years planning the coup and was due to receive R15 000 for his role.

However, he had expected a new government, when installed, to show their appreciation with a R100 000 payment.

His second-in-command would have received R50 000, other officers between R20 000 and R30 000 and other ranks R11 000 each, he said.

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PFP to discuss Seychelles coup allegations

Parliamentary Correspondent

THE parliamentary caucus of the Progressive Federal Party will give urgent attention today to the sensational allegations implicating the South African Cabinet in the abortive Seychelles coup.

The move follows a refusal by the Speaker of Parliament, Mr J P du Toit, to allow a special debate on the alleged Government involvement in the Seychelles debacle.

The dramatic allegations by mercenary leader Mike Hoare have sent a shockwave through political and diplomatic quarters.

The Speaker refused a special debate on the matter on the grounds that it was sub judice.

In terms of an earlier ruling by the Speaker no reference at all to the Seychelles incident may be made in Parliament.

The official Opposition has challenged the ruling on several occasions without success.

Implications

In terms of the ruling the PFP's chief spokesman on Foreign Affairs, Mr Colin Eglin, will not be able to raise the Seychelles affair in today's budget debate on the Foreign Affairs vote.

The Prime Minister, Mr P W Botha, and Minister of Defence, Gen Magnus Malan, have declined to comment on the allegations.

The chairman of the PFP caucus, Mr Colin Eglin, said yesterday that if Mr Hoare's evidence was upheld by the Court it would have 'far-reaching implications'.

And the Leader of the Opposition, Dr F van Zyl Slabbert, said from Pietermaritzburg last night that the Government had a duty to state its position to prevent 'disquiet and apprehension among the public'.

Cameraman held by Ciskei police

Own Correspondent
PORT ELIZABETH. — An international television news agency cameraman was arrested and had his film confiscated by Ciskei police after filming on the Fort Hare University campus on Tuesday.

The incident has aroused strong comment from a British television company and from the Foreign Correspondents' Association in South Africa.

The cameraman, who preferred not to be named, said that in spite of having the university's permission to film, he was arrested when he left the campus and was taken to the police station in Alice.

He was subjected to a body search, his belongings were examined and all his used and unused film confiscated.

After being held for two hours he was allowed to leave Ciskei for East London under armed escort.

The incident followed student arrests by Ciskei police on Saturday and

Monday after the motorcade of President Lenox Sebe was stoned before the start of the university graduation ceremony.

● A series of meetings between a student delegation from the Fort Hare University and the rector, Professor A J Lamprecht, were held yesterday in an attempt to resolve the student boycott.

The student body had refused to obey the rector's ultimatum to return to lectures by 9am yesterday or quit.

Efforts to resolve the boycott on the troubled Alice campus started in the Great Hall at 10am when Professor Lamprecht addressed the student body.

Late last night the university public relations officer, Mr N Holliday, said a statement would be issued today.

Meanwhile, at Rhodes University yesterday, a hard core of students maintained a peaceful all-day sit-in to express solidarity with boycotting Fort Hare students.

Membership

Recognition

Registration

Founded:

Area of Op

Officials:

Address:

McKennon Chairs
Alusaf
Vosa
Craft Engineering
Selchain
Stone Street & Hansen
Barlows

(31) 69215

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Year	African	Asian and Coloured	White	Total
1980				8 400
1979				..
1978				..
1977	7 000			7 000
1976	6 700			6 700
1975	3 900			3 900
1974	3 900			3 900
1973				
1972				
1971				
1970				
Membership				

METAL AND ALLIED WORKS

Year	Members	
	African	Asian and Coloured
1970		
1971		
1972		
1973		
1974	3 900	
1975	3 900	
1976	6 700	
1977	7 000	
1978		
1979		
1980		

Address: 1 Central Court
125 Gale Street
Durban
4001

Officials: Secretary: D. Sibabi

Area of Operation: Transvaal, Natal, Eastern

Founded: 1973

Registration: See note on FOSATU registers

Recognition:

- 1) Tensile Rubber
- 2) Precision Tools
- 3) Automatic Plating
- 4) Hendrick Trailors
- 5) Hendler
- 6) Kraft Engineering
- 7) William Bros.
- 8) Scottish Cables

Membership: 1981 = 24 300

Unexpected halt called in hijack trial

Own Correspondent

MARITZBURG. — The Seychelles hijack trial ground to an unexpected halt here yesterday after it was disclosed that defence advocate Mr Mike Hannon, SC, might not be able to defend all his clients because "of a conflict of interest".

The news came only minutes after Mr Cecil Rees, SC, had finished his cross-examination of Colonel Hoare who has been in the witness box since Monday morning. Mr Hannon stood and asked the Acting Judge President of Natal, Mr Justice James, if he could consult him in chambers.

The court adjourned and reconvened 10 minutes later when the judge alluded to Mr Hannon's conversation. "An ethical question has arisen on the defence of the accused defended by Mr Hannon and he wishes to discuss it and take the advice of his Bar Council," Mr Justice James said.

The judge then adjourned the hearing until tomorrow. He urged Mr Hannon to do all in his power "in the interests of justice and the accused" to resolve the dilemma before tomorrow.

No further indication of the nature of the "ethical problem" was given by the judge. The problem affects only the 38 men defended by Mr Hannon. Questioned about the flight of the Air India Boeing from Mahé to Louis Botha airport on November 25 last year, Colonel Hoare, who has pleaded not guilty to a hijacking charge, said he had built up a rapport with the pilot Captain Umesh Saxena and had not had to force him to fly to Durban.

He had made a bargain with Captain Saxena at the besieged Mahé airport by telling him he wanted the aircraft off the ground immediately. He had also managed to get the government forces to stop the shelling of the airport that was threatening the safety of the aircraft and passengers, he said.

In return Captain Saxena had offered to fly the men to Durban. Questioned on the death of mercenary Johan Fritz at the airport, Colonel Hoare said he wished to record that he answered questions with "deep sorrow and reluctance". There had been a lack of discipline involved in the incident in which Fritz had been accidentally shot dead by a fellow mercenary, he said. He did not know who had shot Fritz. Shortly before landing he had told the men that they were to stick to a story that there had been a popular uprising in the Seychelles and that for

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UNIONS OPERATING IN 1981 GROUPED ACCORDING TO INDUSTRIAL CLASSIFICATION

Unions have been classified according to the Standard Industrial Classification of All Economic Activities. The full extent of the operation of the following general workers unions has not been established:

National Federation of Workers
Orange-Vaal General Workers Union
General and Allied Workers Union

AGRICULTURE, FORESTRY AND FISHING

Black Allied Workers Union

Farmworkers Union

Food and Canning Workers Union

National Certified

Orange-Vaal Gene

Trawler and Line

MINING AND QUARRIES

Amalgamated Engi

Amalgamated Unio

Amalgamated Soci

Black Allied Wor

Black Mineworker

Federated Mining

Iron Moulders Sc

Mine Coloured St

Mine Surface Offi

Mine Workers Un

S.A. Boilermaker

S.A. Electrical

S.A. Engine Driv

S.A. Technical C

Underground Offi

MANUFACTURING

Food & Beverage

African Food an

Amalgamated Eng

Bakery Employee

Black Allied Wo

Boland Inmaakwe

Brewery Employee

Cadbury In-Comp

East London Meat

Food and Cannin

Food, Beverage &

General Workers

Natal Baking Ind

Natal Sugar Indu

National Milling

National Union o

National Union o

National Union o

National Union o

Operative Bakers

Pretoriase Bakery

The hearing continues tomorrow.

He might have told the men he knew somebody who was a friend of Haig's, he said.

Colonel Hoare denied telling his recruits that he had the backing of President Reagan and Secretary of State General Haig.

There were money problems, however, and he had decided to try to get help in monetary and "in kind" from BSS — the then Bureau for State Security.

In another note, regarding a meeting with Mr G D'Offay, a former cabinet minister in the Manham regime, Colonel Hoare recorded that D'Offay had seen Manham who approved plans for a coup on the islands.

A reward was then promised. This had not been a personal reward to Hamman from himself, the Colonel said, but would have been in the context that Hamman was a civil servant.

A letter to a Brigadier Hamman, mentioned earlier as a senior officer who had helped supply arms to Colonel Hoare, read in part: "Please permit me to thank you for your help and co-operation. I will make sure it is not forgotten by our new friends."

they searched his house in Hilton, Colonel Hoare said.

The letters had been seized by police on November 27 last year when

Letters written by Colonel Hoare to Seychellois contacts and to a Brigadier Hamman were then read to the court.

Co-pilot Captain Misra had embraced him and said: "Mr Tom, you are a lovely man", Colonel Hoare claimed.

Captain Saxena had "wrung" his hand and said: "Mr Tom (Colonel Hoare's alias), I do hope we meet again".

The crew of the Air India jet had bade him farewell at Louis Botha Airport, Colonel Hoare said.

This son, Chris, had helped test some of the arms used in the coup before the men embarked on their campaign, he said.

Colonel Hoare said he had a friend working on the Citizen, another on the London Daily Telegraph, and a son working on the Natal Mercury as a sub-editor.

On landing it had been the task of Peter Duffy to liaise with the security police, whom he had known while working as a Durban photographer, as well as to avoid the press. As it turned out they were not among the "welcoming party", Colonel Hoare said.

He had taken the step to save the South African Government embarrassment and to shield his men, who were "naive when it came to the press", if they were met on landing by newspapermen, he said.

"humanitarian" reasons the men had flown out with the civilian aircraft and its passengers.

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Hoare's fund-raising appeal turned down

Political Staff

HOUSE OF ASSEMBLY.

— The director of fund-raising had refused an application by Colonel Mike Hoare for a welfare number to raise funds for the accused in the Seychelles case, Dr L A P A Munnik, Minister of Health, said yesterday.

Colonel Hoare had wanted to defray the legal costs of the accused and to give financial aid to needy members of the ac-

cused and their families.

The disclosure was made yesterday when Dr Munnik replied in Parliament to questions tabled by Dr Marius Barnard, chief Opposition spokesman on health.

Dr Munnik refused, however, to comment further on the matter.

He said the application fell within the jurisdiction of the director of fund-raising who rejected the application.

Coup claim is *CAPE TIMES 6/5/87* 'petty' *327* gossip — PM

Political Staff

HOUSE OF ASSEMBLY.

— The Prime Minister, Mr P W Botha, has described allegations of South African Government involvement in the unsuccessful Seychelles coup as "petty gossip stories".

Mr Botha broke his silence on the Seychelles issue in a dramatic interjection in Parliament yesterday at the start of proceedings in the Assembly.

His remarks came during a heated debate following an application by Mr Harry Schwarz, MP for Yeoville, calling for a parliamentary select committee to investigate alleged government authorization of SA Defence Force and intelligence involvement in the coup attempt.

Speaker's ruling

A clearly angry Mr Botha interjected during the ensuing debate: "You are lending your ears to petty gossip stories."

The Speaker of the Assembly, Mr J P du Toit, rejected Mr Schwarz's notice of motion in accordance with the sub judice rule.

The Speaker's ruling was immediately challenged by the Official Opposition's Chief Whip, Mr Brian Bamford, but the Speaker would not allow Mr Bamford to address him and referred him to previous ruling by the Speaker on the subject.

Both Mr Bamford and Mr Schwarz made several subsequent attempts to address the Speaker on the subject but the Speaker replied: "I have given my ruling and I based it on previous rulings given by me in connection with the same issue. Nothing has changed since that gives me any reason to deviate from my previous rulings."

Another attempt

Mr Schwarz then again attempted to address the Speaker: "Mr Speaker, surely on the basis of the audi alteram partem rule you should at least hear what we have to say. You should surely give us the opportunity of trying to persuade you."

It was at this point that the Prime Minister, who was obviously angry with the Opposition's persistence, interjected: "You are lending your ears to petty gossip stories."

Seychelles hijack trial grinds to an unexpected halt.

able to defend all his clients

hijack trial unexpected halt

327
KEVIN MacGREGOR
Pietermaritzburg Bureau

6/5/82

Affairs should, in the course of the debate, leave no doubt that if he were to become aware that any Cabinet minister, or any Government department acting on Cabinet authority, had acted contrary to these four principles he would take the initiative in demanding the dismissal of that colleague or himself resign, Mr Eglin said.

Earlier in his speech Mr Eglin said that had it not been for the Speaker's ruling on the Seychelles affair the foreign affairs debate would have been an occasion when the Official Opposition would have raised such things as the Government's handling of the matter, international reaction, the appointment of a UN commission, and the consequences for South Africa.

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ther using its own personnel or surrogates — mark on any such cases.

at it will act against group or individual in South Africa who mpts to use South ca as a springboard such exercises in oth-tates.

Minister of Foreign

P W, Kaunda praised for bush summit

Ormande Pollok
Political Correspondent

OPPOSITION parties yesterday praised Dr Kenneth Kaunda for going ahead with the bushveld summit in the face of critical black African leaders.

Mr Colin Eglin, Opposition chief spokesman on foreign affairs, said: 'Dr Kaunda must be congratulated on taking the initiative in suggesting such a meeting between all

THE Seychelles hijack trial ground to an unexpected halt here yesterday after it was revealed that the defence advocate, Mr Mike Hannon, SC, might not be able to defend all his clients because 'of a conflict of interest'.

The news came only minutes after Mr Cecil Rees, SC, had finished his cross-examination of Mr Mike Hoare who had been in the witness box since Monday morning.

Mr Hannon stood and asked the Acting Judge President of Natal, Mr Justice James, if he could consult him in chambers.

Ten minutes later the Court reconvened and the Judge alluded to Mr Hannon's conversation: 'An ethical question has arisen on the defence of the accused defended by Mr Hannon and he wishes to discuss it and take the advice of his Bar Council.

'There may be a conflict of interest between some of the accused and the others. He may not be able to defend all of the accused,' the Judge said, adjourning the hearing until tomorrow.

The problem affects only the 33 men defended by Mr Hannon.

Questioned about the flight of the Air India Boeing from Mahé to Louis Botha Airport on November 25 last year, Mr Hoare, who has pleaded not guilty to a hijacking charge, said he had built up a rapport with the pilot, Capt Umesh Saxena.

Transponder

He had made a bargain with Capt Saxena at the besieged Mahé Airport by telling him he wanted the plane off the ground immediately. He also got the Government forces to stop shelling the airport.

In return Capt Saxena had offered to fly the men to Durban. Questioned as to why Capt Saxena started a transponder that indicated his plane had been hijacked, Mr Hoare said: 'I say it would have been prudent of him to do

Hoare and
Rees 'have
words ...'

Pietermaritzburg Bureau

MR MIKE Hoare and the Attorney-General of Natal, Mr Cecil Rees, SC, crossed verbal swords on several occasions during yesterday's hearing.

Mr Hoare momentarily lost control after some hectic cross-examination from Mr Rees and told the Attorney-General he had remembered something he could not recall earlier because 'I had not been subjected to your bullying at that stage'.

Mr Hoare then apologised to Mr Rees for his remark. Earlier in the hearing Mr Rees commented on the fact that Mr Hoare had several 'catch phrases' that he constantly referred to.

Mr Hoare snapped back: 'You, sir, have pitifully

that he answered questions with 'deep sorrow and reluctance'.

There had been a lack of discipline involved in the incident in which Fritz had been accidentally shot dead by a fellow mercenary. He did not know who had shot him.

Shortly before landing

few.'

He then withdrew his remark and amended it to: 'We both have pitifully few catch phrases at our disposal.'

At a later stage when he was being questioned on the role of some of his mercenaries in the Mahé control tower, Mr Hoare interrupted Mr Rees to tell him: 'I am going to answer this question in my own way.'

By late yesterday afternoon, when Mr Rees resumed his seat after completing his questioning of the 63-year-old bearded mercenary leader, Mr Hoare had been standing in the witness box for nearly three days.

He may still take the box when the hearing resumes tomorrow to answer questions from his counsel, Mr Mike Hannon.

save the South African Government embarrassment and to shield his men, who were 'naive when it came to the Press', if they were met on landing by the Press.

Mr Hoare said he had a friend working on the Citizen, another on the London Daily Telegraph, and

very coloured person the age of 18 to be eligible for registration to for the Coloured Representative Council, provided they are South African citizens.

Indian who is presently resident in Africa, who is over 18 and whose name has been included in the Population Register, eligible to vote for an Indian Council.

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and Indian people,
all extends racial sep-
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The Bill also provides
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Ormande Pollok Political Correspondent

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Mr Colin Eglin, Opposi-
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on foreign affairs, said:
'Dr Kaunda must be
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ing the initiative in
suggesting such a
meeting knowing full
well that his move
would not meet with
the approval of all his
colleagues among the
front-line States.'

Prestige

Welcoming the fact that
the meeting took place,
Mr Brian Page, chief
spokesman for the New
Republic Party, said: 'I
do not think Dr
Kaunda had much to
gain in terms of per-
sonal prestige from
such a meeting.
Both spokesmen hoped
that the meeting would
lead to further talks
and that it would pave
the way for greater
contact with Africa.'

'We commend the Prime
Minister for respond-
ing to President
Kaunda's initiative in
such a positive way,'
Mr Eglin said.
The PFP had always ar-
gued in favour of dia-
logue with Africa.

From our own personal
experience in Africa
we know that in spite
of hostile rhetoric and
an understandable ab-
horrence of apartheid,
many people in Africa
display a very real and
even understanding in-
terest in South Africa
and would like to see
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ing and that, for 'humani-
tarian' reasons they had
flown out in the plane.
He had taken the step to

tomorrow to answer ques-
tions from his counsel. Mr
Mike Hannan.

save the South African
Government embarrassment
ment and to shield his
men, who were 'naive
when it came to the
Press', if they were met on
landing by the Press.

Mr Hoare said he had a
friend working on the Lon-
don Daily Telegraph, and
a son working on The
Natal Mercury as a sub-
editor, who had helped
test some of the arms used
in the coup.

The crew of the Air In-
dia jet had bade him fare-
well at Louis Botha.

He said Capt Saxena
had 'wring' his hand and
said: 'Mr Tom (Mr Hoare's
alias) I do hope we meet
again.' Capt Misra had em-
braced him and said: 'Mr
Tom, you are a lovely
man.'

Letters written by Mr
Hoare to Seychellois con-
tacts and to a Brig Ham-
man were then read to the
Court.
The hearing continues.

Funds move rejected

Parliamentary Correspondent

CAPE TOWN.—The Director of Fund-raising had turned
down an application by Mr Mike Hoare for a welfare num-
ber to raise funds for the legal costs of the accused in the
hijack trial, Dr L A P A Munnik, Minister of Health, dis-
closed yesterday.

Mr Hoare had applied for the number to enable him to
raise funds to defray legal costs of the accused and to give
financial aid to needy members of the accused's families.
Dr Munnik was replying in Parliament to questions ta-
bled by Dr Marius Barnard, PFP spokesman on health.

Letters written by Mr
Hoare to Seychellois con-
tacts and to a Brig Ham-
man were then read to the
Court.
The hearing continues.

cigarette
the
Crop taste

round

DR IVAN

Censorship in South Africa is normally associated with the banning of salacious or pornographic films, naughty editions of Scope magazine, and the occasional novel or play of arguable literary merit. But censorship under the Pub-

7/05/82
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Politics on the banned-wagon...

By David Bleazard

IT is widely but erroneously assumed that the main impact of publications control in South Africa concerns the combating of pornography and the vast tide of popular "junk" publications. Stellenbosch academic Dr Andre du Toit writes in a paper to be published soon on the rationale of controlling political publications.

"Public concern has focused almost exclusively on the way in which literary works have been affected by publications control.

Anguished

"The attempts to ban major novels by the likes of Etienne le Roux, Nadine Gordimer and Andre Brink brought forth anguished protests from writers and publishers, both locally and abroad.

"In the meantime, the political component of publications control has received little or no attention."

The political component, however, is "very large and rapidly increasing."

Statistics from official reports show a threefold increase over the last decade in both the total number of publications submitted to the censors and the number found to be undesirable, Dr du Toit says.

Security

In 1979, 49.3 percent of the 2 138 publications considered were submitted in the category "possibly endangering State security or communist."

Only 2.9 percent were submitted in the category "pornographic publications," 16.5 percent in the



DR ANDRE du Toit
... political trend
being overlooked.

submitted in the categories "periodicals and overseas newspapers" and "publications on special subjects."

"At the very least the large number of student publications banned in recent years are probably included under the category of 'periodicals'."

As a whole

These figures and trends, he says, should be seen in the larger context of the functioning and results of the publications control system as a whole.

"To begin with, there is the question of which agencies are responsible for the submission of material to the publications committees."

The overwhelming majority of items are submitted by the police and customs officials, with relatively few items submitted by members of the public, publishers, or the directorate

from 404 publications, or just above 20 percent, in 1975 to 903, or more than 40 percent, in 1979. In 1978, the figure was 1 323, or 52 percent.

"This drastic increase can hardly be due only to routine action by the regular police force.

Campaigns

"It is difficult to see how it can be explained, except in terms of a more active role of the security police or specific police campaigns aimed at curbing politically subversive literature.

"It is also difficult to resist the conclusion that the close correlation between the sharp rise in the number of items categorised as 'possibly endangering State security or communist' and the similar rise in the amount of publications submitted by the police is not merely fortuitous.

"In short, not only is the political component of the publications submitted to publications control large and increasing, but official agencies such as the police and probably the security police are playing a large and increasing role in determining the selection of material submitted for such publications control."

According to the statistics, Dr du Toit says, the publications committees find nearly two out of every three publications submitted to them to be undesirable.

Endorsed

"On the quantitative evidence, therefore, we must conclude that the committees by and large tend to endorse the judgments of the official agencies who submit material to them as 'pos-

sible for possession of material, a far larger proportion is not only found to be undesirable, but banned for possession.

Dr du Toit says the banning of publications for possession, as opposed to distribution, has become a major aspect of publications control.

Growing

The number of publications banned for possession in 1978 (448) was "already more than the overall total of publications found to be undesirable a decade earlier in 1968."

By 1979 committees were banning for possession more than one in three of all publications they found to be undesirable.

On average, two out of every three publications found undesirable under the "political" clauses (c) and (d) are also banned for possession.

Criminal

"These bannings for possession are almost without exception confirmed by the Publications Appeal Board."

Where a work has been possession banned under Section 9 (3) of the Act, mere possession constitutes a crime "whether or not it had been acquired legally and in good faith and whether or not the owner is actually aware of the finding of the publications committee," Dr du Toit writes.

"For the ordinary reader as well as for the student and researcher, banning for possession is a much more consequential action than an 'ordinary' finding of undesirability in terms of the

TABLE 1: PUBLICATIONS SUBMITTED

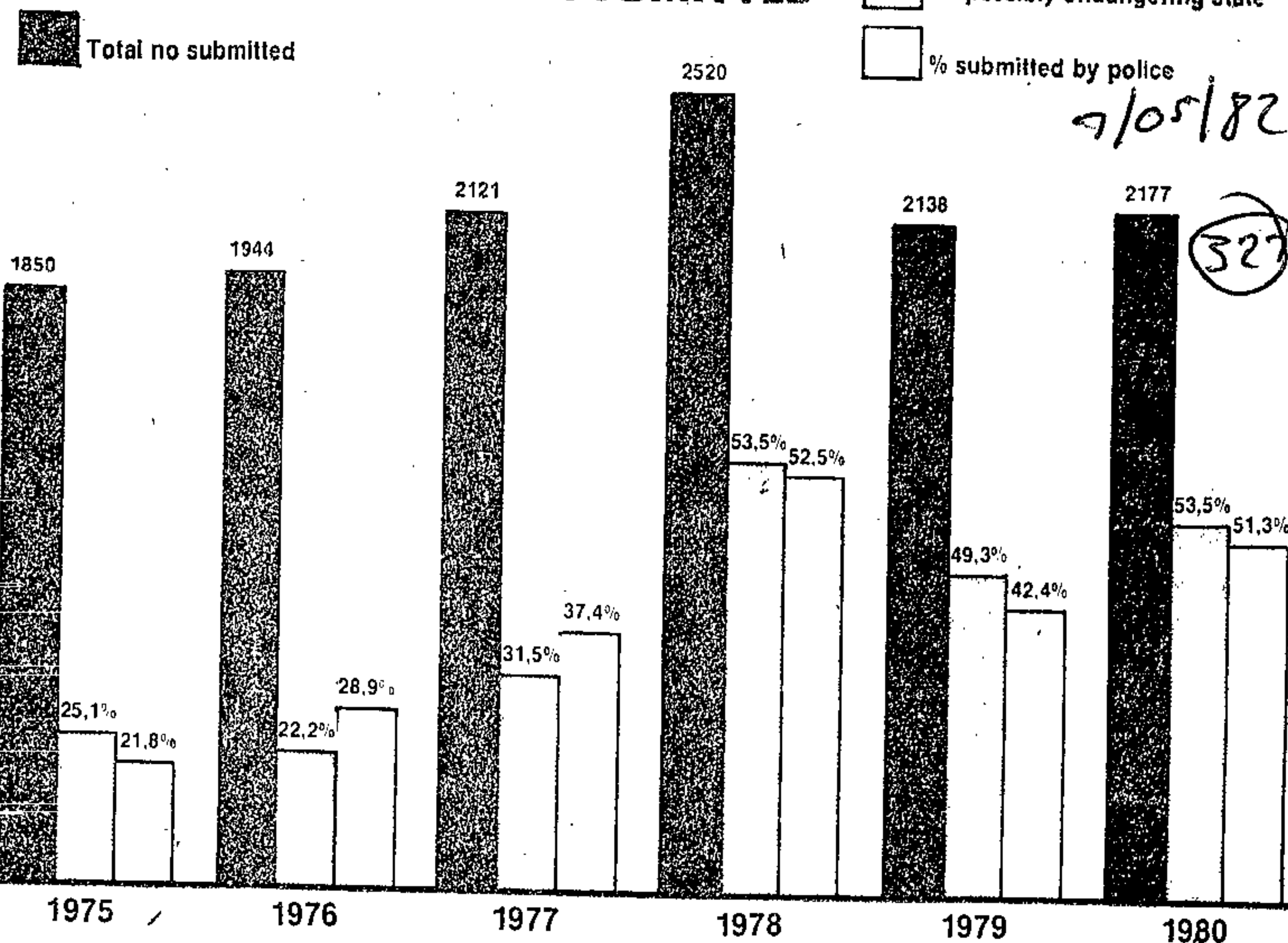
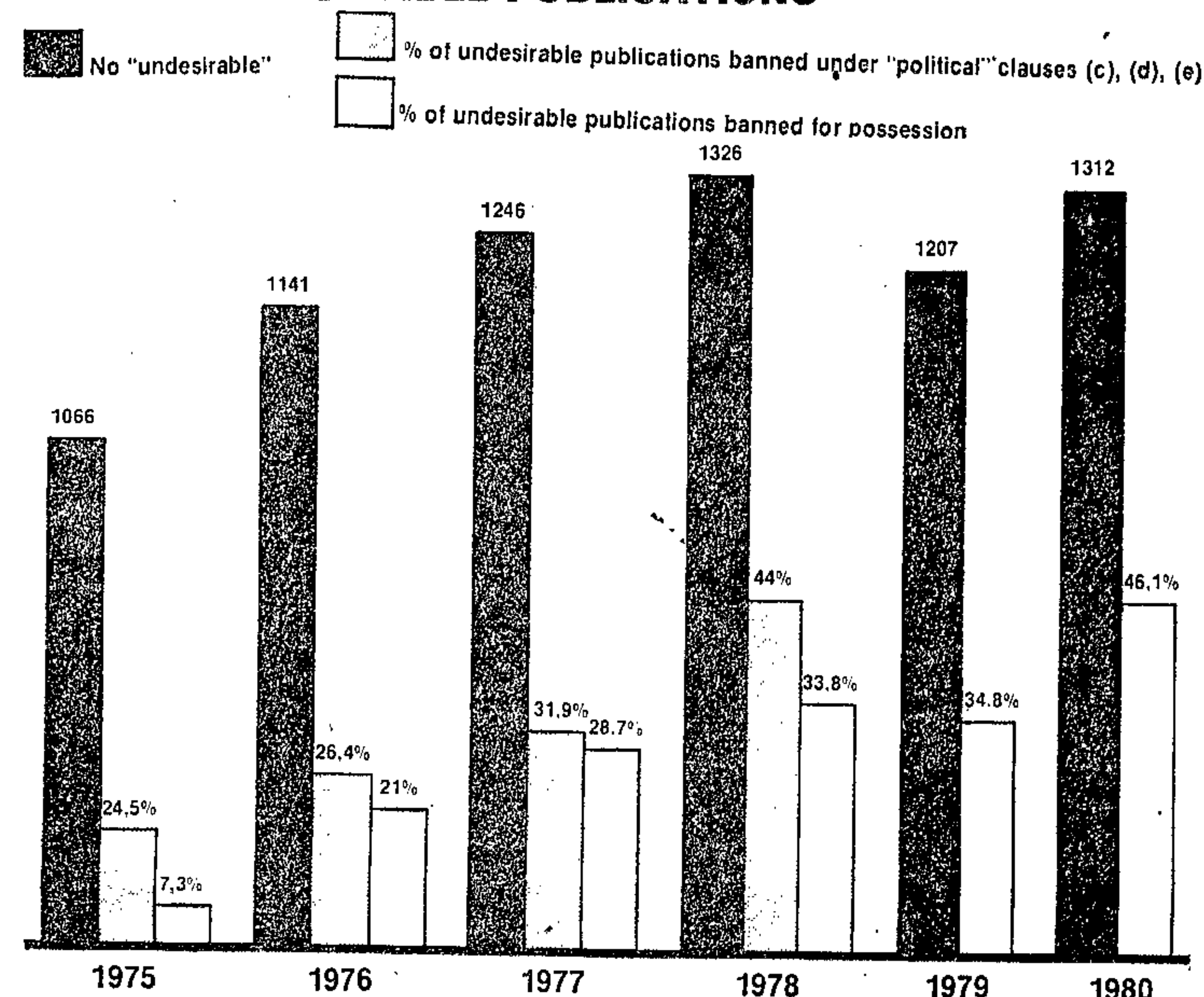


TABLE 2: UNDESIRABLE PUBLICATIONS



nings explained

"Even harsh or over-critical comment is never penalised. There must be a distinct indication of investigation towards revolution or unrest."

There was "no obvious reason" for the increasing number of publications being banned for posses-

to be "radically subversive."

EXPERTS

Professor Coetzee said the committee which considered publications possibly endangering state security met weekly in

of Internal Affairs last year.

But he refused to name the present committee members.

"It is not policy to divulge the names of committee members. There may be an allegation of

(FIGURES are based on official statistics, Dr du Toit's paper, and calculations by Mrs Louise Silver of the Centre for Applied Legal Studies, Wits. Up-to-date figures in one category are not available.)

Axe falls on student publications

WITH the growing use of the Publications Act against works of a political nature, the censors' hatchet falls frequently on student publications.

An analysis of bannings by publications committees during March and April reveals that more political than other publications were declared "undesirable," many of them produced by students.

In the two months, 88 publications were banned for distribution under "political" clauses 47(2)(d) and (e) of the Act and 61 under the "moral" clauses, 47(2)(a) and (b).

Sixty-nine publications were banned for possession after being found undesirable under clauses 47(2)(d) and (e), while only five found undesirable under (a) and (b) were possession banned.

Many of the works found to endanger State security are produced by outlawed organisations like the ANC, PAC and Communist Party. But a large number of others are produced by legitimate organisations within the country.

Seventeen student publications were distributed under the "political" clauses and one under a "moral" clause during March and April. Two student publications were possession banned.

All future editions of two periodicals aimed at students or academics, SASPU National and Work In Progress, were found politically undesirable and banned in terms of Section 9(1)(a).

UCT

Of the student publications banned, most were produced by students at the University of Cape Town. They include:

- Varsity, Vol 41, No 1, March 1982
- Students' Representative Council (UCT);
- Seminar: The Politics of Power (Wages Commission, Projects Committee, Students for Social Democracy, and Women's Movement);
- Poster, 1000 Women Marched after the Council

Herman Toivo ja Toivo: Speech from the Dock (Projects Committee, SRC);

Neil Aggett died in detention (Projects Committee SRC);

An Introduction to Labour Organisation in South Africa (Wages Committee);

1996-1961: The Roots of Armed Struggle — important dates and events in the history of resistance (SSD, Projects Committee, Women's Movement);

Manual on Detention (Media Projects, SRC);

South Africa: Politics, Power and the People (SSD).

Two of these publications, on jailed Swapo leader Herman Toivo ja Toivo and trade unionist Dr Neil Aggett, were possession banned.

CRITICISM

Commenting, a spokesman for the SRC at UCT said student publications were banned as soon as they contained strong criticism of Government policy.

"Every week a number of student publications are banned," she said.

"These are political publications brought out by groups of students who want to present an alternative view of what's going on in South Africa — an alternative to the news we see on SATV.

"Students investigate and research areas such as labour, community struggles, women's organisation, and events that affect the majority of South Africans. In addition campus news and student issues are covered.

"Through the banning of publications, the Government hopes to define the boundaries of criticism and opposition to its repressive policies. And it hopes to deter students from investigating these areas."

She said it was obvious from the number of publications banned that their content was seen to be a threat of some sort.

"Does this not imply that the State is afraid of telling the whole story?"

7/05/82

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Cape Town. It was made faceless committee mem-
up from a panel of bers, but if they were
experts whose names exposed to the public at
were included in the pub- large the situation would
lished list of censors become impossible. It just
approved by the Minister would not work," Profes-
sor Coetzee said.

ons Act

"(c) Brings any section of the inhabitants of the Republic into ridicule or contempt;

"(d) Is harmful to the relations between any sections of the inhabitants of the Republic;

"(e) Is prejudicial to the safety of the State, the general welfare or the peace and good order;

"(f) Discloses with reference to any judicial proceedings;

"(i) Any matter which is indecent or obscene or is offensive or harmful to public morals;

"(ii) Any indecent or obscene medical, surgical or physiological details the disclosure of which is likely to be offensive or harmful to public morals."

PRESS UNION

The Act's definition of "publication or object" excludes any newspaper or poster published by a member of the Newspaper Press Union of South Africa.

Otherwise it includes any newspaper, book, periodical, pamphlet or poster; any writing or typescript which has in any manner been duplicated or made available to the public or any section of the public; any drawing, picture, illustration, painting, woodcut, or similar representation; any print, photograph, engraving or lithograph; any figure, cast, carving, statue or model; and any record or other object in or on which sound has been recorded for reproduction.

l decay'

16 aid Mr Lionel Murray (Green Point): "We
13 the United Party be-
69 that the exclusive
67 of criminal sanctions
61 orised by Parliament,
ed n clearly defined
stances and enfor-
12E by the court, is
should be the cardi-
ad basic approach to
l of this sort.

5 e court is there to
t there is no unne-
ou interference with
edom of the ordin-
itizen of South

Referring to the clause which says a publication can be deemed undesirable if it is "prejudicial to the safety of the State, the general welfare or the peace and good order," Mr Murray warned:

"As it stands now it will enable action to be taken when there is criticism of Government policy and not only when the interests of the State, as distinct from the Government, are threatened."



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on

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CAPE TOWN

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SEMI PRECIOUS STONES
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QUARTZ GOLD WATCHES,
GOLD BRACELETS.

NOTE:

- (1) There will be no view. The bales have been cleared and inspected. Catalogues have been prepared. The previous consignment auctioned was of the highest standard.
- (2) All duties have been paid by the clearing agent concerned.

SPECIAL NOTE: APOLOGY

We regret any inconvenience caused by the cancellation of this same auction last month. Due to a mishap the newspaper did not place the correct notice of sale, hence the cancellation. As this matter is now extremely pressing — everything must be sold. All cheques (no exceptions) to be made payable to the Principals or their appointed agents.

INSTRUCTED AUCTIONEER:
C TOPOLANSKY

Professor Coetzee, formerly professor of Afrikaans-Nederlands and then rector of the University of Fort Hare, has been head of the Directorate of Publications since July 1980.

In an interview he stressed that the role of the directorate was essentially an administrative one. Guidelines and policy emanated mainly from the Publications Appeal Board.

STATE SECURITY

He said most of the publications banned for endangering state security were under permanent banning orders. This included all publications by organisations such as the Communist Party and the Anti-Apartheid Movement.

"In addition you have the odd trade union and student publications.

"We know students are in the vanguard of new ideas. They are the people very much aware of things. One expects that.

"The committees and the directorate are leaning over backwards to accommodate them. On the whole, I don't think too many of their publications are banned".

CRITICISM

However, it was accepted in the present political climate that there would be a lot of acrimonious and bitter criticism.

It was possible that some publications were becoming more radical. Possession bans were applied only where publications were considered

The Publications

THE POWERS of the country's censors, the publications committees appointed by the Directorate of Publications from a list of names approved by the Minister of Internal Affairs, are laid down in the Publications Act 42 of 1974.

In terms of section 9, committees have the power to prohibit or restrict the distribution or importation of publications which they find to be "undesirable."

Future editions of periodicals published in South Africa may be found undesirable under section 9 (1) (a) if, in the opinion of a committee, "every subsequent edition of that publication or object is likely to be undesirable."

Section 9 (3) says "a committee may prohibit the possession by any person of any publication or object which is in terms of a decision of a committee undesirable."

ENTERTAINMENT

Findings of undesirability by publications committees are made in terms of the Act's definitions in section 47 (2), which reads:

"For the purposes of this Act any publication or object, film, public entertainment or intended public entertainment shall be deemed to be undesirable if it or any part of it —

"(a) Is indecent or obscene or is offensive or harmful to public morals;

"(b) Is blasphemous or is offensive to the religious convictions or feelings of any section of the inhabitants of the Republic;

Bid to halt 'moral

THE intention behind the first-reading debate on the Publications Act of 1974 Bill.

was to preserve the "devout and conservative character of South African society and to protect it against the spirit of permissiveness and moral decay which has become prevalent throughout the world."

At least that is how the then Minister of the Interior, Dr Connie Mulder, described the Government's intention in the

first-reading debate on the Publications Act of 1974 Bill.

"It is not foreseen," he said, "that many publications will be judged so grossly undesirable that it will be necessary to prohibit possession thereof."

"SWAMPED"

Dr Mulder's colleague in the Cabinet, Mr M C Botha, said "a spirit of permissiveness" had become prevalent in the world and "waves of per-

missiveness" were swamping the country.

"Pornographic reading matter and sexual spectacle are rampant and are destroying the youth of the world," said Mr Botha.

The United Party, then the official Opposition, agreed that some control was necessary — but not through committees appointed by the Directorate of Publications from a list of people approved by the Minister.

category "light reading," itself and 4.9 percent in the category of "possible literary merit."

The relative proportion of the "State security" category jumped from about 25 percent in 1975 and 1976 to about 50 percent in 1978 and 1979.

Dr du Toit argues that the political component of publications control must be much more than half of the material submitted, because the figures do not reflect political works

Police role

Of the 2138 publications submitted in 1979, 38.4 percent were submitted by customs officials and 42.4 percent by the police. Publishers accounted for only 9.5 percent, members of the public 5.6 percent, and the directorate four percent.

The contributions of the police, Dr du Toit points out, have increased

very undesirable."

Act.

Rise in bar

THE DIRECTOR of Publications, Professor Coetzee, says an increasing number of political publications are being found undesirable under the Publications Act because more of them are being sent "into the world".

Professor Coetzee said the high proportion of submitted publications which were found undesirable was understandable as only suspect works were submitted to the publications committee for consideration.

ident When Lisa-Jane left On

"When Lisa-Jane left

On several occasions

when she worked for the PSTF she was sent to Lesotho and various other homelands to channel support funds for the ANC members inside these countries.

"At one stage she was taken on a tour through the operational area by members of the Swapo through to Botswana where she met and interviewed the leader of the area."

The ANC sent her overseas at the beginning of 1980 to report to their members in London and various other countries in Europe on the activities of the fund.

She was overseas when Mr Arthur McGiven defected from the Department of National Security and gave the story of the extent of which South African intelligence had infiltrated the IUEF — known as Operation Daisy.

"She was the last person you would expect to be a part of the Security Police. I think people will still be shocked to discover that she was a member."

Her funeral took place yesterday.

Fosatu Annual
Report Nov.
1980/81

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Membership: 1981 = 24 300

Security police warn visiting bishop

Argus Correspondent
KIMBERLEY. — The "exiled" Anglican Bishop of Kimberley and Kuruman, the Right Rev Graham C Chadwick, was told by security police in Kimberley yesterday he would be detained if he entered South Africa again without permission from the Department of Foreign Affairs.

Bishop Chadwick was refused a permanent residence permit this year,

and now lives in Bophuthatswana.

He came to Kimberley yesterday to attend a meeting of the board of trustees of the diocese.

After the meeting, his car was stopped by three police vehicles driven by plainclothes men, he said. He was told to accompany them to the police station.

He said he asked if he could notify his wife of his whereabouts, but was told a policeman would

speak to her. However, she was not told he had been taken to the police station.

At the station the head of the security police in Kimberley, Colonel H J Olivier, said he would have to be detained if he entered South Africa again without permission.

The bishop quoted Colonel Olivier as saying he had put him in an embarrassing international position; he would not

want to be embarrassed by having to detain a bishop.

Bishop Chadwick said he asked if he could travel from one part of Bophuthatswana to another, passing through South Africa.

Colonel Olivier said that in this case, too, he would have to have permission from the Department of Foreign Affairs.

Colonel Olivier has declined to comment.

MR Ben Palmer TOURISM, CATERING AND CATERING

Amalgamated Society of Woodworkers
Amalgamated Engineering Union of South Africa
Amalgamated Union of Building Trade Workers
Black Allied Workers Union
Blankenburgerwerkersvakbond
Building, Construction and Allied Workers Union
Building Workers Union
Electrical and Allied Trades Union of South Africa
Electrical and Allied Workers Union of South Africa
Engineering and Allied Workers Union
Engineering Industrial Workers Union of South Africa
General Workers Union
Metal and Allied Workers Union
National Union of Engineering, Industrial and Allied Workers
Port Elizabeth Operative, Plumbers Employees Association
S.A. Operative Masons' Society
S.A. Woodworkers
Steel, Engineering and Allied Workers Union
S.A. Electrical Workers Association

CONSTRUCTION

Cape Town Gas Workers Union
Escm (Cape Western Undertaking) Salaried Staff Association
Escm Salaried Staff Association
Escm Workers Association
General Workers Union
Johannesburg Municipal Water Work Mechanics Union

ELECTRICITY, GAS AND WATER

Diamond Cutters Union of South Africa
Jewellers and Goldsmiths Union
Optical Workers Union
S.A. Association of Dental Mechanicians
S.A. Diamond Workers Union

Other

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE
AANGELEENTHEDE

No. 879

7 Mei 1982

WET OP VREEMDELINGE, 1937

VANSVERANDERING.—BEKAPI IN MACKENZIE

Dit het die Minister van Binnelandse Aangeleentehede behaag om, kragtens die bepalinge van artikel 9 van die Wet op Vreemdelinge, 1937 (Wet 1 van 1937), Abraham Jonathan Bekapi, gebore op 12 Oktober 1958, woonagtig te Lilianhof 1, Manenberg, te magtig om die van Mackenzie aan te neem.

No. 880

7 Mei 1982

WET OP VREEMDELINGE, 1937

VANSVERANDERING.—BEKAPI IN MACKENZIE

Dit het die Minister van Binnelandse Aangeleentehede behaag om, kragtens die bepalinge van artikel 9 van die Wet op Vreemdelinge, 1937 (Wet 1 van 1937), Tessa Denise Bekapi, gebore op 19 Oktober 1957, woonagtig te Lilianhof 1, Manenberg, te magtig om die van Mackenzie aan te neem.

No. 897

7 Mei 1982

WET OP VREEMDELINGE, 1937

VANSVERANDERING.—DOYLE IN O'FRIEL

Dit het die Minister van Binnelandse Aangeleentehede behaag om, kragtens die bepalinge van artikel 9 van die Wet op Vreemdelinge, 1937 (Wet 1 van 1937), Robert Lewis Doyle, gebore op 27 November 1958, woonagtig te Boekenhoutstraat 4, Generaal Albertspark, Alberton, te magtig om die van O'Friel aan te neem.

No. 907

7 Mei 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, soos gewysig 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 P82/41

GOVERNMENT NOTICES

DEPARTMENT OF INTERNAL AFFAIRS

No. 879

7 May 1982

ALIENS ACT, 1937

CHANGE OF SURNAME.—BEKAPI TO MACKENZIE

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 Abraham Jonathan Bekapi, born on 12 October 1958, residing at 1 Lilian Court, Manenberg, to assume the surname of Mackenzie.

No. 880

7 May 1982

ALIENS ACT, 1937

CHANGE OF SURNAME.—BEKAPI TO MACKENZIE

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 Tessa Denise Bekapi, born on 19 October 1957, residing at 1 Lilian Court, Manenberg, to assume the surname of Mackenzie.

No. 897

7 May 1982

ALIENS ACT, 1937

CHANGE OF SURNAME.—DOYLE TO O'FRIEL

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 Robert Lewis Doyle, born on 27 November 1958, residing at 4 Boekenhout Street, General Alberts Park, Alberton, to assume the surname of O'Friel.

No. 907

7 May 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, as amended, 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:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/3/161	<i>Xaviera's Magic Mushrooms</i>	Xaviera Hollander	(a)
P82/4/18	<i>Springbok Electric—1982</i> (Kalender/Calendar)	Nie vermeld nie/Not stated	(a)
P82/4/20	<i>Hollywood Press—Vol IX, No 39, Issue No 421,</i> Dec. 11, 1981	P E R Enterprises, California	(a)
P82/4/21	<i>Hollywood Press—Vol IX, No 36, Issue No 420,</i> Dec. 4, 1981	P E R Enterprises, California	(a)
P82/4/23	<i>Birds of Paradise—1982</i> (Kalender/Calendar)	Nie vermeld nie/Not stated	(a)
P82/4/57	<i>H B Diesel, Auto Elektries—1982</i> (Kalender/ Calendar)	Nie vermeld nie/Not stated	(a)
P82/4/62	<i>Epic—Vol 1, No 10, February 1982</i>	Marvel Comics Group, New York	(a)+(b)
P82/2/138	<i>Baby Love</i>	Joyce Maynard	(a)
P82/4/61	<i>Special Collection—24 Photo Lithos</i>	Helmut Newton	(a)
P82/4/98	<i>Collection 1: No's 1, 2, 3 & 4</i> (Foto/Photograph)	Nie vermeld nie/Not stated	(a)
P82/4/98	<i>Collection 2: No 2</i> (Foto/Photograph)	Nie vermeld nie/Not stated	(a)
P82/4/98	<i>Collection 3: No's 1, 2 & 3</i> (Foto/Photograph)	Nie vermeld nie/Not stated	(a)

No. 908

7 Mei 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 inskrywing ten opsigte van die publikasies word hierby geskrap:

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
P82/3/107	<i>Praxis</i>	Fay Weldon	In SK./G.G. 6411, GK./G.N. 895 van/of 27/4/79.
P82/3/108	<i>Inheritors, The</i>	Harold Robbins	In SK./G.G. 2688, GK./G.N. 632 van/of 24/4/70.

No. 908

7 May 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 publication are hereby deleted:

No. 909

7 Mei 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 volgende voorwaarde dat die Publikasie nie in die openbaar uitgestal mag word vir doeleindes van verspreiding met enige van die binnekantste bladsye sigbaar nie:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
P82/2/77	<i>Guide to Figure Photography</i>	Peter Basch	In SK./G.G. 5761, GK./G.N. 2058 van/of 7/10/77.

No. 909

7 May 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 with any of its pages visible:

DEPARTEMENT VAN BUITELANDSE SAKE EN INLIGTING

No. 875

7 Mei 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 immunitet kragtens genoemde Wet:

- Ambassade van Argentinië.*
Mnr. H. L. Torres.
Mev. C. Gomez de Torres.
Jongeheer H. J. R. Torres.
Jongejuffrou M. M. M. Torres.
Jongejuffrou S. C. D. Torres.
Jongejuffrou A. M. M. Torres.
- Ambassade van Australië.*
Mej. B. M. Brown.
- Ambassade van Chili.*
Mev. C. H. Ramirez.
- Ambassade van Ciskei.*
Mev. M. N. Roqoza.
Mej. S. P. Roqoza.
Mnr. T. L. Roqoza.
Mej. S. N. Roqoza.
Eerw. T. D. Matebese.
Mev. T. M. Matebese.

DEPARTMENT OF FOREIGN AFFAIRS AND INFORMATION

No. 875

7 May 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:

- Embassy of Argentina.*
Mr H. L. Torres.
Mrs C. Gomez de Torres.
Master H. J. R. Torres.
Miss M. M. M. Torres.
Miss S. C. D. Torres.
Miss A. M. M. Torres.
- Embassy of Australia.*
Miss B. M. Brown.
- Embassy of Chile.*
Mrs C. H. Ramirez.
- Embassy of Ciskei.*
Mrs M. N. Roqoza.
Miss S. P. Roqoza.
Mr T. L. Roqoza.
Miss S. N. Roqoza.
Rev. T. D. Matebese.
Mrs T. M. Matebese.

How to survive

La and pilot more than 16 metres into the air. The seat separates from the pilot, and the parachute is released. However, given the low altitude and downward speed, pilots believe Captain Turner was extremely lucky to survive. He apparently landed in a soft clump of bushes, while the dead airman hit hard ground.

Ejection seats have the parachute attached, and the airman is strapped into the seat and parachute harness.

The pilot can activate the ejection mechanism by pulling one of two handles, one between the legs and the other

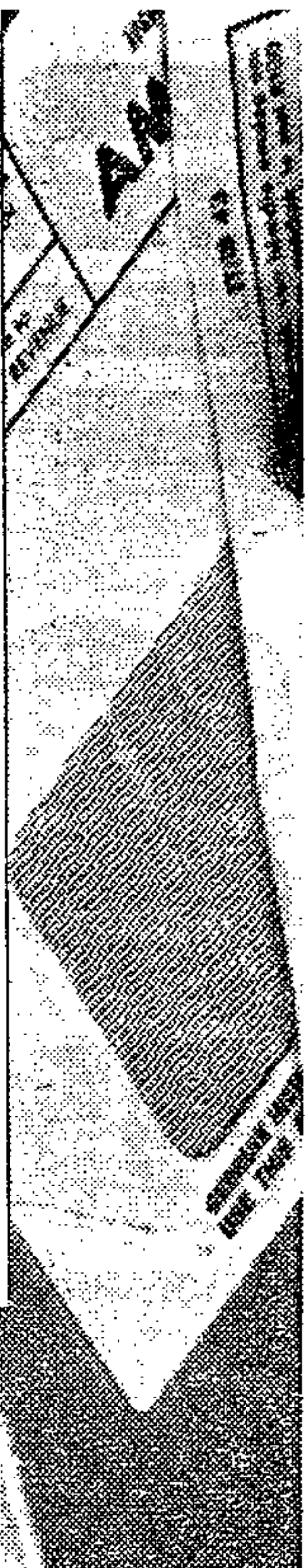
above the head. The one between the legs is favoured, as it is closer.

The pilot's helmet smashes the canopy on the way out, and the rockets in the seat push him to the required height before the parachute is deployed.

In the Port Elizabeth accident it was obvious that the process had been carried out at low level as the wreckage, seats and airman were within a 30-metre radius.

The procedure requires split-second reactions.

A pilot succinctly put it: "If I say bail and you ask, 'what?' you're talking to yourself."



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Shock police call for trials in secret

Mc ARGUS 8/5/82

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THE head of the Security Police, Lieutenant-General Johan Coetzee, has proposed the holding of secret political trials in South Africa.

His shock proposal, made in an interview on SABC-TV this week, was described today as "horrendous" by the Opposition's chief spokesman on human rights, Mrs Helen Suzman.

"This would be a giant step closer to a totalitarian regime in South Africa. It should be opposed strenuously, not only by law societies and bar councils, but by ordinary citizens too," she said in an interview.

General Coetzee told SABC-TV that some political trials should not take place in open court because they were exploited as political forums by the accused.

He said some people believed the court system for political trials should be replaced by an alternative closed system.

The suggestion follows the tabling in Parliament of the Protection of Information Bill, which would prohibit the Press or any other organisation or individual from disclosing the detention of any person under security laws.

In effect, the Bill would give the Government the right secretly to detain and interrogate any person and would even prohibit public disclosure of the death of a detainee.

IN SECRET

If General Coetzee's proposal were translated into law, it would mean that the Government could detain, interrogate, prosecute, convict and even execute a person under the country's security laws entirely in secret.



Mrs Helen Suzman

Legal experts said today there was no known instance of South African courts having been abused for political ends and said any presiding judge or magistrate already had the power to prevent such abuse.

Olympic

Van



Newspapers' notes on Dolinchek seized

Cape Times 8/5/82 (327)

Own Correspondent

JOHANNESBURG. — Two senior Commercial Branch officers yesterday presented the Rand Daily Mail with a search warrant authorizing them to seize documents relating to the activities of the National Intelligence Services (NIS).

Brigadier Theo Scherman, head of the Commercial Branch, said he was investigating charges under the Official Secrets Act against the Mail, the Sunday Times and Rapport, and against Mail Investigations Editor Mr Eugene Hugo and Rapport journalist Mr Eddie Botha.

Asked who was pressing charges, Brigadier Scherman said it was Dr Niels Barnard, Director-General of NIS.

He said the charges he was investigating related to reports in the Mail editions of April 13 and 19,

headlined "Dolinchek may be State witness" and "Bid to gag Dolinchek: Two named", as well as the written statement by self-confessed spy Mr Martin Dolinchek reported under the headline "Agents involved in bid to silence spy".

Brigadier Scherman read out the relevant clauses of the Official Secrets Act (Sections 3(2)(a) and (3) of the Act, No 16 of 1956, which refer mainly to the protection of the identities of NIS agents and their activities.

Attorney-General

He said he was investigating charges and the results of his investigations would be forwarded to the Transvaal Attorney-General, Mr J E Nothling, who would have to decide whether to prosecute.

According to the search warrant, the police were entitled to seize Mr Hu-

go's notes concerning the two articles, as well as a statement from Mr Dolinchek smuggled to the Mail from his Seychelles prison.

Mr Hugo covered the Seychelles affair for the South African Morning Group and the Sunday Times.

Brigadier Scherman, accompanied by Captain Peter Jordaan, arrived at the Mail offices in Main Street soon after midday.

After discussion, Mr Hugo agreed to supply them with the relevant material.

The police officers then went to the Rapport offices about 2pm. They entered Mr Botha's office and seized two notebooks and a diary after presenting a search warrant.

Mr Botha is in Maritzburg covering the trial in which alleged mercenaries are charged under the Aviation Act.

UNIONS OPERATING IN 1981 GROUPED ACCORDING TO INDUSTRY

Unions have been classified according to the Standard of All Economic Activities. The full extent of the of general workers unions has not been established:

National Federation of Workers
Orange-Vaal General Workers Union
General and Allied Workers Union

AGRICULTURE, FORESTRY AND FISHING

Black Allied Workers Union
Farmworkers Union
Food and Canning Workers Union
National Certified Fishing Officers Association
Orange-Vaal General Workers Union
Trawler and Line Fishermen's Union

MINING AND QUARRYING

Amalgamated Engineering Union of S.A.
Amalgamated Union of Building Trade Workers
Amalgamated Society of Woodworkers of S.A.
Black Allied Workers Union
Black Mineworkers Union
Federated Mining Explosives and Chemical Employees U
Iron Moulders Society of S.A.
Mine Coloured Staff Association of South Africa
Mine Surface Officials Association of South Africa
Mine Workers Union
S.A. Boilermakers, Iron and Steel Workers Shipbuilders
S.A. Electrical Workers Association
S.A. Engine Drivers, Firemen and Operators Association
S.A. Technical Officials Association
Underground Officials Association of S.A.

MANUFACTURINGFood & Beverages

African Food and Canning Workers Union
Amalgamated Engineering Union
Bakery Employees Industrial U
Black Allied Workers Union
Boland Inmaakwerkersvereniging
Brewery Employees Union (Cape)
Cadbury In-Company Union
East London Meat Trade Union
Food and Canning Workers Union
Food, Beverage & Allied Workers
General Workers Union
General Workers Union of South
Natal Baking Industry Employees
Natal Sugar Industry Employees
National Milling Workers Ind
National Union of Dairy Emplo
National Union of Operative I
National Union of Sugar Manu
National Union of Wine, Spirits and Allied
Operative Bakers, Confectioners & Conductors Union (Cape)
Pretoriase Baknywerheidsvereniging

men he was representing, he said.
Mr Justice James then ordered everyone from the courtroom so the accused could be left to consider their future with attorneys and Mr Piet Oosthuizen SC, who is appearing for 10 of the men.
When the court reconvened, Mr Oosthuizen told the judge the men wanted time to consider their problem and approach new counsel outside Natal.
Mr Stephen Jansen, a Durban advocate who has held a watching brief on the trial, then announced that he would defend eight of the 33 men.
Mr Justice James then granted an adjournment to Wednesday to give the men time to find new counsel.

MARITZBURG. — Several of the Seychelles mercenaries, left nearly destitute after the enormous expense of their trial, are expected to conduct their own defence when the hearing opens next week.
One of the men said after yesterday's brief proceedings that the trial costs had run into hundreds of thousands of rands and some of the men were so destitute that they would be forced to "sell their cars" if they wanted defence lawyers.
Although they had all contributed to the cost of counsel and the burden had not fallen entirely on one man, costs had amounted to about R7 000 a day, he said.

He and several others who could no longer take the financial strain, would be defending themselves, he said.
Mr Peter Rohwein, a West German citizen, yesterday told the Acting Judge President of Natal, Mr Justice N Neville James, that he would be looking after his own interests when the case resumed.
The other defendant said he would follow Mr Rohwein's example.
"I know it is not wise to defend yourself in the Supreme Court without having a good idea of the law and the proceedings, but there is nothing more I can do," he said.

They would all be entitled to cross-examine and call witnesses, drawing out proceedings.
Twenty-five of the accused — including the alleged mercenary leader Colonel Mike Hoare — have been left without legal counsel after the sudden withdrawal of their lawyer, Mr Mike Hannon.
The blow to the men, facing charges of hijacking an Air India Boeing from the Seychelles to Durban on November 25 last year, came yesterday when Mr Hannon said he had been instructed to withdraw by the Johannesburg Bar Council because of "ethical" problems.
It was with regret that he withdrew from the hearing because of a conflict between certain of the 33

Employees

Own Correspondent

CML 7/1/82 8/5/82

(327)

Hijack' trialists plan own defence

9/05/82

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Goatley

The latter two are alleged by Col Hoare to have negotiated with the Louis Botha airport authorities when the aircraft landed. Charles Goatley is alleged to have sat armed in the aircraft cabin with the pilot of the Air India Boeing. Captain Umesh Saxena, as he flew to Durban.

The Ancient Order of Froth Blowers has been fragmented. Various members were racing about after the adjournment on Friday to find other counsel.

Some of the accused named as "the top echelon" will be defended separately from Col Hoare.

It is probable that whoever defends Col Hoare will also defend only Tullio Monteta and Peter Duffy.

This means that the counsel for the other accused will be able to cross-examine Col Hoare on both his evidence-in-chief and evidence given under cross-examination by Mr Rees.

One or two have indicated that they will be undefended because of their lack of money.

Col Hoare has maintained that the money for the defence of 33 of the accused had been provided by him.

He told me this week that it had cost him R60 000, "and that money has all gone," he said.

Col Hoare said that he had tried to phone the backers of the coup for financial aid towards the cost of the trial, "but they always slam down the phone".

An attempt to obtain a licence to raise money as a charity for the defence was turned down by the Department of Social Welfare.

The split does not affect the 10 accused originally defended by Mr Eddie Stafford SC and Mr Piet Oosthuizen SC. The 10, all members of South Africa's 2 Reconnaissance Unit, have been separately defended from the start.

It is not known who provided money for their defence.

Hoare's evidence blows mercenaries unity to bits

THE close camaraderie of the Ancient Order of Froth Blowers — whose members set off on an abortive Seychelles coup last November — shattered this week as their leader, Colonel Mike Hoare, took the witness stand.

Many of the men who had stuck with him throughout the trial suddenly felt they could no longer remain loyal when he agreed with questions put to him by the Attorney-General of Natal, Mr Cecil Rees, SC, under cross-examination. There were hurried meetings in the corridors of the historic College Road Supreme Court in Maritzburg among some of the mercenaries and with attorney Mr Johan Havemann and an advocate Mr Steve Janson, who had been keeping a watching brief for about 10 of the men.

Others went to defence advocate Mike Hannon and complained that they could not agree with Col Hoare's evidence of what occurred on the Seychelles and the subsequent alleged hijacking.

Mr Hannon was stuck with an ethical problem. He was unable to cross-examine his witness on what his other clients alleged. He was in a predicament

Dead mercenary's dad accepts degree

WHILE Colonel 'Mad' Mike Hoare and his band of alleged hijackers stood trial in the Maritzburg Supreme Court this week, a university degree was posthumously awarded to one of the mercenaries killed in the Seychelles.

Mr Johan Fritz, of Westcliff, Johannesburg, received a B Comm degree on behalf of his dead son, Johan, at the University of South Africa's graduation ceremony on Monday.

In what was described as a very emotional moment, Mr Fritz went up on stage to shake hands with Professor J A Cilliers, head of the commerce faculty, and Professor Theo van Wijk, the vice-chancellor.

On the programme there was a cross next to the name of Mr Johan Fritz jur.

It was only after all the other students had been capped that Prof Cilliers said a degree was to be awarded posthumously to a student who had died.

Mr Fritz jur who was one of the 45 mercenaries who allegedly took part in the abortive coup in the Seychelles during November last year, was killed at the island's airport before an Air India Boeing left for South Africa.

It has since been reported that he was accidentally shot by a fellow mercenary.

CHAOS AS DEFENCE LAWYER QUILTS

BY Chief Reporter DESMOND BLOW

In order to resolve the matter he sought the advice of the South African Bar Council.

Because of this 'conflict of interest' Mr Hannon has been forced to withdraw from the case and has

thrown the defence into a turmoil.

I understand that Mr Havemann and Mr Janson are prepared to defend any of the accused other than the top echelon.



Advocate Steve Janson (left) and attorney Johan Havemann — they will defend the rank-and-file alleged mercenaries in the hijack case in Maritzburg now that Mike Hannon has withdrawn.

Second PW-Kaunda meeting is likely

Ball hits bull's-eye

Mr P

9/05/82

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Mr Hannon ... likely to leave for Seychelles

Sub-judice rule delays coup debate

A YEAR or more could elapse before the Government is called to account for itself and its agencies in the abortive Seychelles coup last year.

Despite repeated efforts by the Progressive Federal Party to have the matter debated in Parliament, the Government has remained shielded behind a blanket ruling by the Speaker that the issue is sub-judice.

This week, in the Maritzburg trial of the mercenaries involved in the coup and the subsequent alleged hijack of an Air India Boeing, sweeping allegations emerged of top-level Government knowledge and involvement in the coup attempt.

The mercenary leader, Colonel Mike Hoare, claimed the Cabinet, senior members of the National Intelligence Service (NIS) and the Defence Force knew about and condoned the effort.

Hearsay

He later conceded his statements about the Cabinet, and the Prime Minister, Mr P W Botha, were based on hearsay evidence.

His evidence was that he had liaised, through an NIS agent, with two army brigadiers and that arms and equipment used in the coup attempt had been delivered by an army sergeant-major to his home in Hilton, Natal.

In the initial shock that ran through political circles, speculation buzzed that the revelations could lead to top-level resignations.

The head of the NIS, Dr Niels Barnard, broke a customary silence by intelligence chiefs to deny published rumours that he was on the point of resigning. And the Prime Minister

By IVOR WILKINS
Political Correspondent

denied reports that his Minister of Defence, General Magnus Malan, had offered his resignation after the court revelations.

Since the no-confidence debate at the start of the parliamentary session, the Opposition has attempted to have the Government's handling of the Seychelles affair debated.

Prevented

But a ruling by the Speaker that the matter is sub-judice has prevented the matter being aired.

Observers point out that more than a year could go by before Parliament has the opportunity to call the Government to account.

Judgment in the Maritzburg trial could well take place after the current session of Parliament finishes around the first week of next month.

If an appeal is lodged against whatever judgment is made, the sub-judice provisions would continue until the Appeal had run its course.

Police search papers

TWO senior Commercial Branch officers presented the Sunday Times, Rapport and the Rand Daily Mail on Friday with search warrants authorising them to seize documents relating to reports about the activities of alleged members of the National Intelligence Service (NIS).

The police are investigating charges under the Official Secrets Act relating to reports about Martin Dolincheck, held in the Seychelles after the abortive coup.

Granting a postponement, he ordered the men to appear in court on Wednesday with legal representation.

The judge told the men that if they were unrepresented on Wednesday: "we may have to proceed without your being represented, but I would not like that to happen".

Mr Justice James, who earlier in the hearing — which has been plagued by a series of adjournments and delays — said he hoped for one full day of court without interruption before the trial ended, said:

"It cannot be allowed to drag on indefinitely. It is very unfair to everyone, including the accused, and must be brought to finality.

"All good things and all bad things must come to an end, and it is time that this came to an end."

Receipt

The judge has refused permission for documents handed in to court to be released to the Press until Col Hoare's cross-examination has ended.

They include a Defence Force receipt issued to Col Hoare after arms used in the failed coup were delivered to his home.

This weekend there are intensive behind-the-scenes attempts to raise cash for the

Ideas being mooted are the issuing for sale in South Africa of Col Hoare's book, "Congo Mercenary", which tells of the exploits of his mercenaries in the Congo, and the manufacturing and selling of a "wild geese" shoulder patch to the public.

"We desperately need money, not only for our defence but also to help support the families of the men in jail in the Seychelles," I was told.

Meanwhile, it is learnt that Mr Hannon, although he has withdrawn from the trial, is likely to leave for the Seychelles early next month to defend six of the mercenaries charged with treason who are being held in the islands.

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'Conflict of interest' ⁽³²⁷⁾ among the mercenaries

By RAY JOSEPH

THE on-off Seychelles hijack trial in the Maritzburg Supreme Court was adjourned this week amid signs that the defence of the accused "Frothblowers" is now in total confusion.

At the centre of the upset is the withdrawal from the case of Mr Mike Hannon, the advocate who has headed the defence team.

Mr Justice James, granting permission for Mr Hannon to withdraw, said this resulted from the fact that conflicts had arisen "in the stories of several of the accused".

But the departure of Mr Hannon is only part of the drama. In addition to the problem of their future legal representation, several of the accused now say they are so broke that they may have no alternative but to seek to lead their own defence rather than pay lawyers to do it for them.

There was confusion after Mr Justice James adjourned the trial. The mercenaries split up into small groups outside the court, anxiously discussing among themselves what to do after Mr Hannon's departure.

'Seems impossible'

Mr Hannon quit after consulting the judge in chambers. Mr Justice James said "he had been told of an ethical problem in regard to the proper defence of the accused".

"There is a conflict of interest between some of the accused, and this is a matter that will have to be thrashed out. It seems impossible for Mr Hannon to represent all the accused."

Mr Hannon's request for an adjournment came after the mercenaries' leader, Colonel Mike Hoare, had spent a gruelling three days in the witness box giving evidence and facing cross-examination from the Natal Attorney-General, Mr Cecil Rees.

The problem apparently arose because of disagreement among the mercenaries on the case and evidence being led before the court.

After Mr Hannon's announcement, the court was cleared for the accused and their legal advisers to discuss the future of their defence.

When the court reconvened, Mr Steve Janson, a Durban advocate who had been involved in the case in a watching capacity, announced that he would defend eight of the men.

Three groups

Mr Piet Oosthuizen, SC, is still representing 10 of the men — the Recce Commando men — effectively leaving 25 of them without legal representation.

I understand that the men will now probably arrange to be represented in three main groups — the officers, including Col Hoare, his second-in-command, Tuilo Monetta, Peter Duffy and six others, the Recce group, and the "troopies".

Several of the men who said they could no longer afford legal costs told me they would defend themselves.

One, German citizen Peter Rohwein, told the court he would conduct his own defence because he could not afford counsel.

Another, Kurt Priefert, asked the judge about the possibility of getting pro deo counsel. Mr Justice James informed him that this would be highly unlikely. "The chances at this stage are minimal," he said.

In reply to a question from another of the men, Kenneth John Kelly, an Australian citizen, Mr Justice James said it would not count against anyone who defended himself.

In reply to a question from another of the men, Kenneth John Kelly, an Australian citizen, Mr Justice James said it would not count against anyone who defended



Col Hoare, left, with Mr Monetta



The Frothblowers

Split

SUNDAY TIMES

Blowers fall out as defence retreats

By RON GOLDEN

THE SPLIT in the defence in the Air India hijack trial — where sensational claims by mercenary leader Mike Hoare this week linked the South African Cabinet and Defence Force to the botched Seychelles coup — has demoralised his until-now tightly knit band of men.

The withdrawal of defence advocate Mike Hannon, who was representing 33 of the men, could mean that Colonel Hoare will have to take the witness stand again.

Natal Attorney-General Cecil Rees ended three days of gruelling cross-questioning of Colonel Hoare on Wednesday, wringing allegations from him that the Cabinet knew of the coup plans and even the American Central Intelligence Agency had been approached.

On Friday Mr Hannon withdrew from the hearing, telling

had arisen because of conflict of interests of the various accused represented by Mr Hannon. These included Colonel Hoare, who first took the witness stand on Monday for his lengthy thrust and parry duel with Mr Rees.

It was after the



Pieter Rohwein ...
No more cash

prosecution finished with Colonel Hoare that Mr Hannon asked to see the judge in his chambers where he told him of the conflict.

On Thursday Mr Hannon consulted the

By then, the split in the ranks of the Ancient Order of Frothblowers was evident.

Apart from the conflict which followed Colonel Hoare's evidence, many of the mercenaries were faced with cash problems.

And their attempt to



Tulio Moneta ...
Hoare's second-in-command.

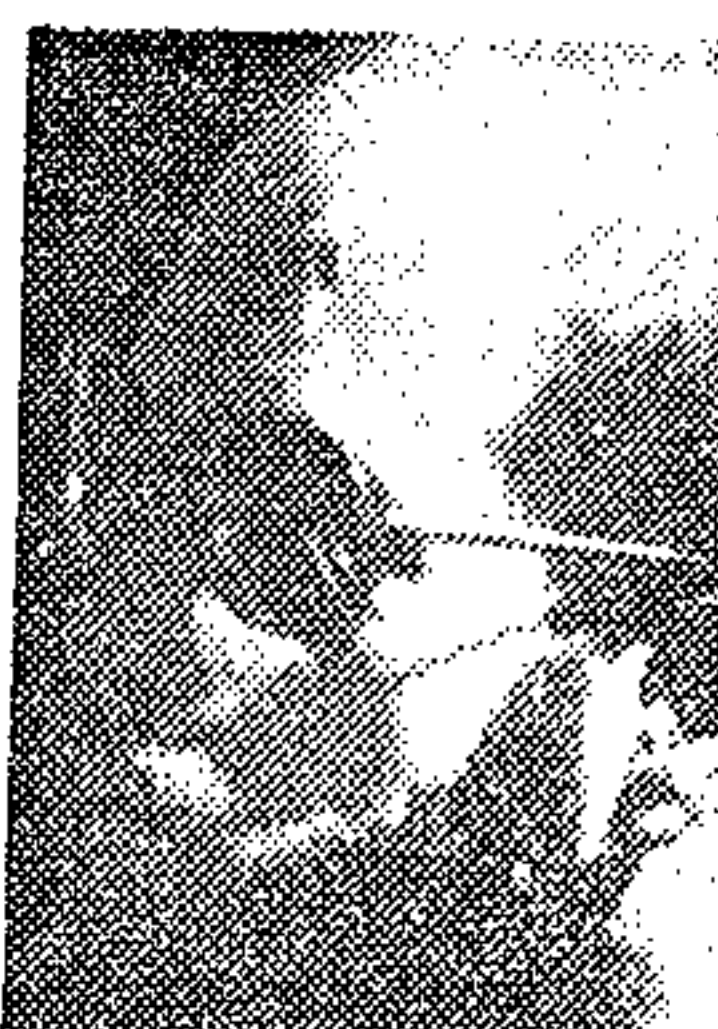
get permission from the Government to solicit public funds to meet the huge costs of the defence had been turned down.

One of the mercenaries told the

cash.

The secretary of the Bar Council in Johannesburg, Sorrel Danilowitz, confirmed that Mr Hannon had met the council. Nothing further could be disclosed, he said.

Durban advocate Steve Janson appeared in the Pietermaritzburg



Kurt Prieert ...
wants pro deo defence

court on Friday for the first time during the trial and told the Judge President he would represent eight of the accused formerly defended by Mr Hannon. They did not



Mike Hoare ... sensational evidence



Johannesburg and on Friday Judge James adjourned the hearing until Wednesday to allow those of the accused who were then without defence counsel to arrange representation.

James, he was doing so for ethical reasons on the advice of the Johannesburg Bar Council.

The Acting Judge President said problems and others had been asked to contribute another R700 each to the costs of their defence.

He claimed another R25 000 was needed and several of the men could just not raise the

When the court rose, 18 of the 43 accused had legal representation. Ten will be defended by Piet Oosthuizen, SC, of Pretoria.

German mercenary Pieter Rohwein told Judge James he would defend himself and another German, Kurt Priefert, also planned to conduct his own defence.

This meant 23 others were unrepresented and they left Pietermaritzburg to hastily arrange representation before the court meets again on Wednesday.

Mr Priefert asked Judge James about the chances of getting pro deo representation but the judge ruled this out.

After the court rose on Friday, the mercenaries gathered in groups outside. Earlier Judge James had cleared the court of the Press and public so the mercenaries could discuss the new situation with their representatives.

One of them said afterwards the men were demoralised over the week's events.

It was obvious many of the men were feeling the financial bite.

Judge James said he wanted to get on with the hearing as soon as possible. This was in the interest of all concerned and this was why by Wednesday the defence issue would have to be resolved so the trial could continue.

The end of the line for Colonel Hoare and his men of the Ancient Order of Frothblowers, the beer drinking disguise adopted by the group began in the customs area of the airport at Mahe on November 25 last year when an official found some fruit in the bag of a French passenger.

Next in line was a mercenary whose case, like those of his companions, contained a communist-made AK 47 automatic rifle.

Shooting broke out and one of the mercenaries, Johan Fritz, was killed.

Colonel Hoare obviously deeply upset by the death, said in evidence he did not know who was responsible and that he had not questioned his men about it afterwards.

Mike Hannon ... couldn't carry on

WHAT HOARE SAID

Tribune Reporter

ALLEGATIONS included in Mr Hoare's evidence were:

● The Cabinet was aware of the coup plans.

● The Defence Force actively took part, supplying the weapons, which were delivered to Mr Hoare's home at Hilton where they were stored in a cellar.

● He tried to conceal South African involvement so not to embarrass the Government.

● Durban was the hatch house for the coup. Plotting with former Seychelloise was done in the city.

● Durban businessman Paul Bestel was one of the initial contact men.

● Colonel Hoare a former Seychelloise official identified by the Tribune months ago as the man who recorded in Durban the "freedom message" that was never to be broadcast — also plotted with Colonel Hoare.

● Colonel Hoare spoke personally to President Rene of the Seychelles during the coup shootout and their negotiations may have saved the lives of the passengers and crew of the Air India jet which flew to Durban.

● The coup was aborted on "humanitarian" grounds because if the original plan to carry out a dawn attack on the barracks went ahead — the element of surprise having been lost — 20 percent of the mercenaries could have lost their lives.

9/5/82
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SACC FACES SPLIT OVER 'TERROR AID'

Churches to press on with ministry to SA 'refugees'

DESPITE strong criticism from the Government, the South African Council of Churches will press on with plans to minister to SA refugees in neighbouring countries.

In the words of SACC general secretary Bishop Desmond Tutu, this will mean ministering to those whom some call terrorists and others call freedom fighters.

The project, which aims to give relief to thousands of refugees who have fled the country, is one of the most divisive political issues facing the SACC's member churches.

It has been denounced by the Government as granting active support to terrorist movements. It is also likely to meet strong resistance from conservative church groups.

But the SACC equates the ministry, particularly to ex-ile political and military groups, with the pastoral work of chaplains in the Defence Force.

The SACC's director of development, the Rev Sol Jacob, has outlined proposals for the ministry in a report

IT'S LIKE BEING A CHAPLAIN IN

THE DEFENCE FORCE — TUTU

BY ANTHONY HARDING

to the SA churches' standing committee on refugees.

Mr Jacob, a Methodist minister, was detained under Section Six of the Terrorism Act on June 22 last year, before he could report on his research tour to refugee centres in neighbouring territories.

He was held in solitary confinement for 46 days. His South African passport was withdrawn before he could visit Mozambique.

His report says South African refugees, many of them women and children, "live in conditions of varying des-

to accept, because the white Christians tend to think of their kith and kin as 'our boys on the border' forgetting that their fellow Christians who happen to be black have those whom we call 'our boys' on the other side."

It would mean in practice ministering to "those who are called 'terrorists' by some and 'freedom fighters' by others", he says.

The standing committee on refugees is headed by Dr Khoza Mgojo, president-elect of the Methodist Church of Southern Africa, and the Rev Francois Bill, moderator of the Evangelical Presbyterian Church of Southern Africa.

The SACC report recommends financial aid to refugees and the appointment of a full-time organiser to coordinate the ministry in consultation with local church, national and international aid organisations.

It says that "in addition to providing for the basic necessities for survival", the

● Bishop Tutu ... whites tend to forget that blacks may have a different concept of 'our boys on the border.'



pastoral care of refugees is an indispensable aspect of refugee work.

"Evangelistic and pastoral engagement will need to deal with the mental trauma, the disorientation, demoralisation, frustration, helplessness and despair of refugees."

Many refugees, who are urbanised and politicised, have difficulty being absorbed into settlement camps or local society.

The young among them look for schools, apply to universities in Africa for placement and search for housing. Employment opportunities are limited and

they have to endure restrictions on movement. The report recommended that the churches observe Refugee Day on June 20 to focus on the plight of these people.

The petitioning for amnesty for those refugees wishing to return to South Africa should be a part of the church's ministry, it said.

"Refugees regard the attitude of South African churches towards them as one of indifference and disinterest," the report says.

"They express the conviction that these churches are caught in an ideological captivity which has caused a pa-

ralysis and restricted the sphere of ministry to the borders of 'white' South Africa."

"The church has evidenced a reluctance to work in association with those identified with liberation movements presumably out of fear of being associated with their military activities."

"Many refugees, on the other hand feel they cannot reconcile the legitimacy of the liberation struggle with the church's attitude to this struggle and consequently tend to be alienated from the church during the period of the struggle."

Sebe tells of plan to blow up Fort Hare

Argus Bureau

EAST LONDON. — Ciskei police had thwarted a plan to bomb the University of Fort Hare on May 2 and kill certain students, President Lennox Sebe said yesterday.

He told the National Assembly that the Ciskei police, with outside help, had thwarted the plan to blow up the university where stone-throwing students had attacked the motorcade of Ciskei Ministers before the graduation ceremony the previous day.

Leaflets, which referred to killing, had been confiscated by the police and would be used in the Supreme Court as exhibits. Some had been found in the possession of black lecturers, the President said.

He declined to give further information but told the House that full details would be given at a caucus meeting.



President
Lennox Sebe

President Sebe said no Ciskeian students had been involved in the unrest at the university last week. Most of those concerned had come from the Transvaal and Transkei.

The entire student body boycotted lectures for four days in protest against the arrest of 22 students when the motor-

(Contd on Page 3, col 2)

ARGUS 11/5/82
Sebe
(327) (327) (327)
(Continued from Page 1)

cade of the Ciskei Ministers was stoned.

President Sebe said three students from Mameldi, near Pretoria, who were not registered at Fort Hare, had also been arrested.

The Ciskeian Vice-President, the Rev Willie Xaba, said Fort Hare had become a 'tribal university' when Bantu Education was introduced in 1954.

SERIOUS

"If these students were serious indeed against Bantu Education, they should not have been there," he said.

Referring to criticism by the Transkei Government of the Ciskei police's handling of the Fort Hare incident, Mr Xaba said: "If the Prime Minister of Transkei says our police have no jurisdiction over Fort Hare, he should send his army to remove them. He will get it in the neck."

● See Page 5.

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Police confirm hijack trial contempt probe

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Pietermaritzburg Bureau

11/5/82

THE former defence advocate for Col Mike Hoare, and his instructing attorney, may face charges of contempt of court for allegedly interfering with a State witness during the Seychelles hijack trial.

Col Wessel Fourie, District Detective Officer for Durban South, confirmed yesterday that certain aspects of the conduct of Mr Mike Hannon and Mr Chummy Hurwitz were being investigated on the instructions of Mr Cecil Rees, SC, Attorney-General of Natal. Mr Rees yesterday refused to comment.

owls taken from their

Deported academic to return to UWC post

CAPL TIMES 12/5/82

Staff Reporter

PROFESSOR Wolfgang Heinz Thomas, the German academic deported from South Africa five years ago, will return to the University of the Western Cape next year to take up an appointment as Professor of Economics.

Professor Thomas, 38, was the director of UWC's

Institute for Social Development at the time of his deportation to Germany.

He was detained and deported by the Security Police acting on the orders of the then Minister of the Interior, Dr Connie Mulder, on March 8, 1977. The move was widely condemned by his colleagues, friends and the West German Government and even caused dismay in Nationalist circles.

Professor Thomas, who now heads the department of economics at the University of Transkei in Umtata, yesterday confirmed that he had been appointed Professor of Economics at UWC with effect from January 1 next year.

"I have not yet seen the minister's decision on paper and have not received written confirmation from anyone, but I believe the appointment

stands," he said.

The Director-General of Internal Affairs, Mr S S van der Merwe, yesterday confirmed that the Minister of Internal Affairs, Mr Chris Heunis, had approved Professor Thomas's return to South Africa.

Professor Thomas said he and his family had lived in West Germany from 1977 to March 1980, when he accepted the post at the University of Transkei.

Shortly before his deportation in 1977, Professor Thomas, an authority on the economy of SWA/Namibia, served as a financial adviser to several black delegations at the Turnhalle constitutional conference in Windhoek. He also previously lectured in economics at the Universities of Stellenbosch and Cape Town.

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Amalgamated Society of Woodworkers
Amalgamated Engineering Union of South Africa
Amalgamated Union of Building Trade Workers
Black Allied Workers Union
Blankebouwerkersvakbond
Building, Construction and Allied Workers Union
Electrical and Allied Trades Union of South Africa
Electrical and Allied Workers Union of South Africa
Engineering and Allied Workers Union

CONSTRUCTION

Cape Town Gas Workers Union
Escam (Cape Western Undertaking) Salaried Staff Association
Escam Salaried Staff Association
Escam Workers Association
General Workers Union
Johannesburg Municipal Water Work Mechanics Union

ELECTRICITY, GAS AND WATER

Diamond Cutters Union of South Africa
Jewelers and Goldsmiths Union
Optical Workers Union
S.A. Association of Dental Mechanicians
S.A. Diamond Workers Union

Other

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Hoare to defend himself

Argus Correspondent

MARITZBURG. — Colonel Mike Hoare told the hijack trial today he could no longer afford defence counsel and would defend himself for the rest of the trial.

Mr Justice James refused an application to adjourn the trial until June 1 and ordered it to restart on May 17.

New counsel Mr Steve Janson said he was in "an invidious position" and he had learnt only today that he would represent a further 21 accused in addition to the eight he took on last Friday.

Besides Colonel Hoare, three other hijack accused may represent themselves.

Mr Paul said, however, he might fall under the wing of Mr Piet Oosthuizen, SC, who is still defending 10 accused, including the members of the Reconnaissance Commando.

Mr Oosthuizen is awaiting a decision from the Bar Council.

Mr Justice James reacted when Mr Hanson said that instructing attorney Mr Chummy Hurwitz of Johannesburg had withdrawn from the case.

He said he wanted an explanation about Mr Hurwitz's withdrawal and said it was most unsatisfactory that Mr Hurwitz was not present to withdraw formally from the case and this was most discourteous to the court.

Mr Kelly told the judge he was prepared to defend himself, "but I expect you to be extremely fair."

The judge replied smiling: "Shall I put it another way: that you are not represented but you can rely on the court to give due consideration to anything on the record that may be in your favour. You can be assured that whatever happens you will be well looked after."

Welders

Products

Fricta

ARGUS
12/5/82

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Black Allied Workers Union
Cape Explosives Industrial Workers Union
Chemical and Allied Workers Union
Chemical Workers Industrial Union
Chemical Workers Union
Durban Rubber Industrial Union
Engineering and Allied Workers Union
Engineering Industrial Workers Union of S.A.
Federated Mining, Explosives and Chemical Industrial Salaried Staff Association
General Workers Union
Metal and Allied Workers Union
National Union of Engineering, Industrial and Rubber
National Union of Motor Assembly & Rubber
S.A. Chemical Workers Union
South African Allied Workers Union (SAAWU)
Steel, Engineering and Allied Workers Union
Umbogintwini Industrial Workers Union
Weskapse Plofstof & Chemiese Operateursval
Non-Metallic Mineral Products
Building, Construction and Allied Workers
Glass & Allied Workers Union
Glass Workers Union
National Cement Employees Union
National Union of Brick and Allied Workers
Transport & General Workers Union
Base Metal Industries and Manufacture of Machinery and Equipment
Amalgamated Engineering Union of South Africa
Amalgamated Society of Woodworkers
Black Allied Workers Union
Electrical and Allied Trade Union of S.A.
Electrical and Allied Workers Union of Engineering Industrial Workers Union
General Workers Union
General Workers Union
Iron Moulders Society
Metal and Allied Workers
Motor Assembly Components
Motor Industry Employe
Motor Industry Combine
Motor Industry Staff A
National Union of Engl
National Union of Moto
Radio Television, Elec
S.A. Boilermakers, Iron
S.A. Electrical Worker
S.A. Iron, Steel and A
S.A. Tin Workers Union
South African Allied
Steel, Engineering and
Transvaal, Radio, Tele
United African Motor a

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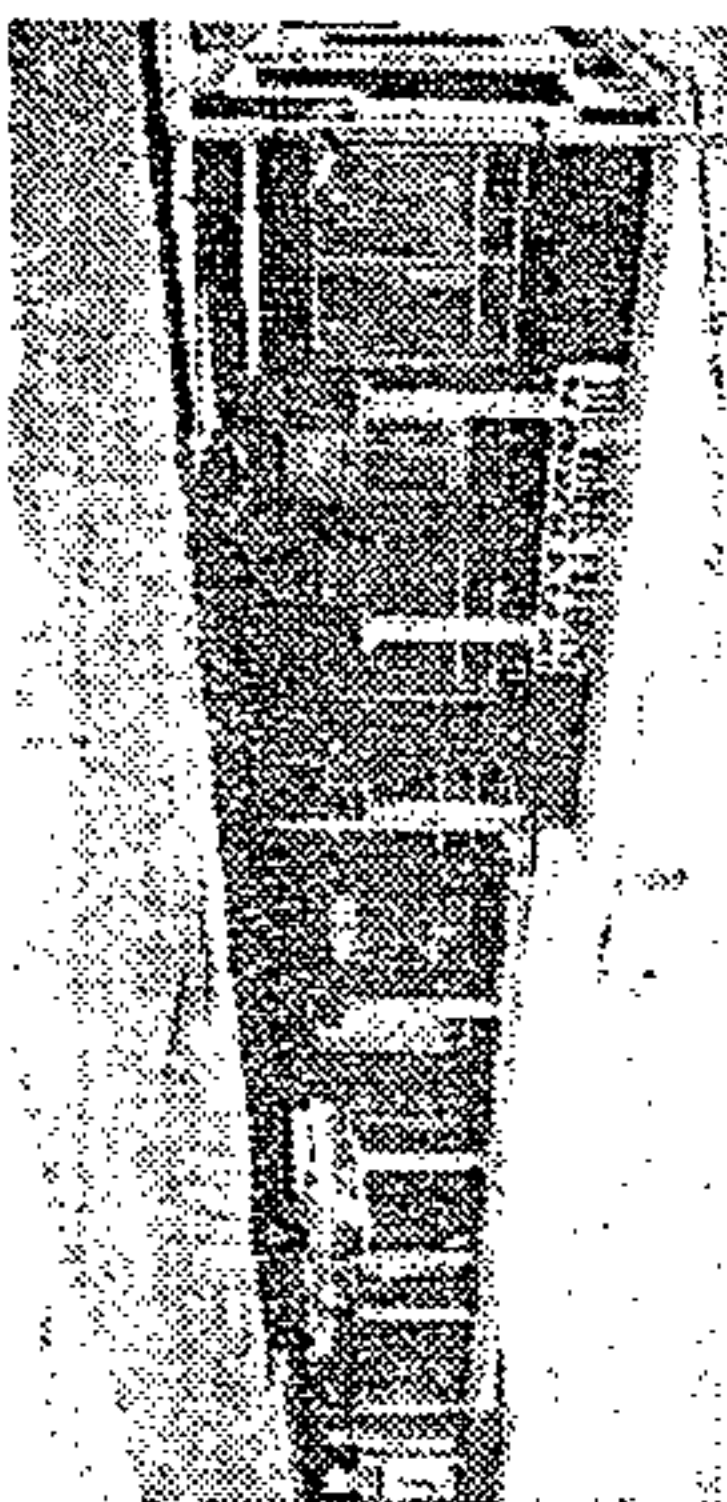
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 CLAREMONT

Professor Thomas for UWC post

THE Department of Internal Affairs has confirmed that deported academic Professor Wolfgang Thomas will be allowed to accept a post with the University of the Western Cape.

The rector of UWC, Professor Richard van der Ross, said he had received the approval of Professor Thomas's appointment from the department yesterday.

He said he was surprised to see newspaper reports of the appointment yesterday because the university council had not yet received a reply to its application of a year ago.

"However, I later received a letter from the department approving the appointment."

Professor van der Ross could not say definitely when Professor Thomas would take over the post.

Formerly director of the Institute of Social Development at UWC, Professor Thomas was deported from South Africa in 1977 without being given any reasons.

His deportation order was signed by the then Minister of the Interior, Dr Connie Mulder.

Professor Thomas, 38, came to South Africa when he was 10 after fleeing from East Germany with his parents. He studied and lectured at the University of Stellenbosch and also lectured at the University of Cape Town.

In April, 1980, Professor Thomas, then head of the economics department at the University of Transkei, was allowed into South Africa on a four-day visa.



Professor Wolfgang Thomas

Tortoise prank at Dr T's meeting

Boland Bureau
STELLENBOSCH. — Conservative Party leader Dr Andries Treurnicht last night faced a largely hostile audience of more than 1 000 people who packed the Stellenbosch Town Hall.

Although the chairman of the meeting claimed that a motion in support of the Conservative Party was approved by a majority, this did not seem to be the case to reporters present at the meeting.

The motion was put at a time when many members of the audience — apparently students — had already left.

The lively meeting was marked by a number of student pranks, including the placing of a tortoise on the stage by two rustic-looking characters.

He said his newly formed party did not stand for verkramptheid but, on the other hand, with his head inside his shell.

The start of the meeting was disrupted by a masked person made up as a caricature of Dr Treurnicht. He went on stage and shook hands with everybody there.

Dr Treurnicht said he would not be rattled.

He said his newly formed party did not stand for verkramptheid but, on the other hand, with his head inside his shell.

The 24m Sparkman and Stephens maxi-yacht, which featured on the same advertisement, was another orler received

Legal dispute delays sale of yacht

THE 18.9 m luxury aluminium yacht advertised for sale at R450 000 this week was the subject of a dispute and would not be sold until after a Supreme Court hearing in June, Mr Fritz Paltke managing director of Cennmarine, said today.

"The yacht, which was designed by Angelo Lavranos, is the second of a series — the first having been built, launched and exported last year. Both were built for export through a company called International Yachts, owned by an American, Mr Stephen 'Skip' Paltke."

The 24m Sparkman and Stephens maxi-yacht, which featured on the same advertisement, was another orler received

As far as he was concerned, English and Afrikaans should have equal status. The INP wanted to lower English to a second position.

A few dozen people signed up as members of the party at the end of the meeting. They also subscribed to the party's planned newspaper Die Patriot.

ducts for the purpose of export.

The third yacht advertised for sale in the same advertisement, the 47m, is a newly completed yacht belonging to Mr Paltke.

NOVIYARD

Spy swap with KGB

Political Staff

SAPPER Johan van der Mescht, the South African held in Angola since 1978, has been freed in a top-secret spy swap following direct negotiations between South African intelligence and the Soviet intelligence service, the KGB.

The 27-year-old serviceman, who has been held since February 1978, and eight top Western spies were exchanged somewhere in Europe yesterday for the KGB master spy Major Aleksei Kozlov.

The swap, which was set up through direct negotiations between South Africa's National Intelligence Service and the KGB, will significantly enhance South Africa's pro-Western image through the release of eight senior intelligence agents who have no direct links with South Africa.

It will also be seen as a major success for the NIS and its young chief, Dr Neil Barnard.

The swap would probably have been done somewhere along the East-West German border or the Berlin Wall where the Russian spy Yuri Loginov was exchanged after his arrest in 1967 for 10 West German "hostages".

The swap was announced in the Assembly yesterday by the Prime Minister, Mr P W Botha,

and leaders of all the other parties expressed their delight and congratulations to the NIS.

Sapper Van der Mescht is expected to arrive at Jan Smuts Airport today where he will see his 21-year-old wife Cheryl and young daughter Chantal for the first time in four years.

Third visit

But he is expected to undergo a period of "de-briefing" before he is finally reunited with his family.

The main figure in his exchange, Major Kozlov, was picked up by the NIS on his third visit to South Africa where his main task was to act as an eyewitness to the effects of Russian interference in Southern Africa.

Mr Botha said in January last year that Major Kozlov's job was to assess the damage caused by organizations training, financing and arming the ANC and Swapo. He had to ensure that "Moscow's proxy forces" were as effective and loyal as they



Sapper Van der Mescht's daughter Chantal — now nearly 5. Her father has not held her in his arms since she was six months old.

claimed to be.

At the time Mr Botha said there had been a "bonus" for South Africa in his capture which "already runs to three volumes of valuable information".

Yesterday Mr Botha said the exchange had been the "culmination of difficult and protracted negotiations carried out at intervals and in secret over many months".

He had publicly to congratulate the NIS on the "capable manner and the measure of success with which they conducted the difficult and direct negotiations with the Russian intelligence service, the KGB".

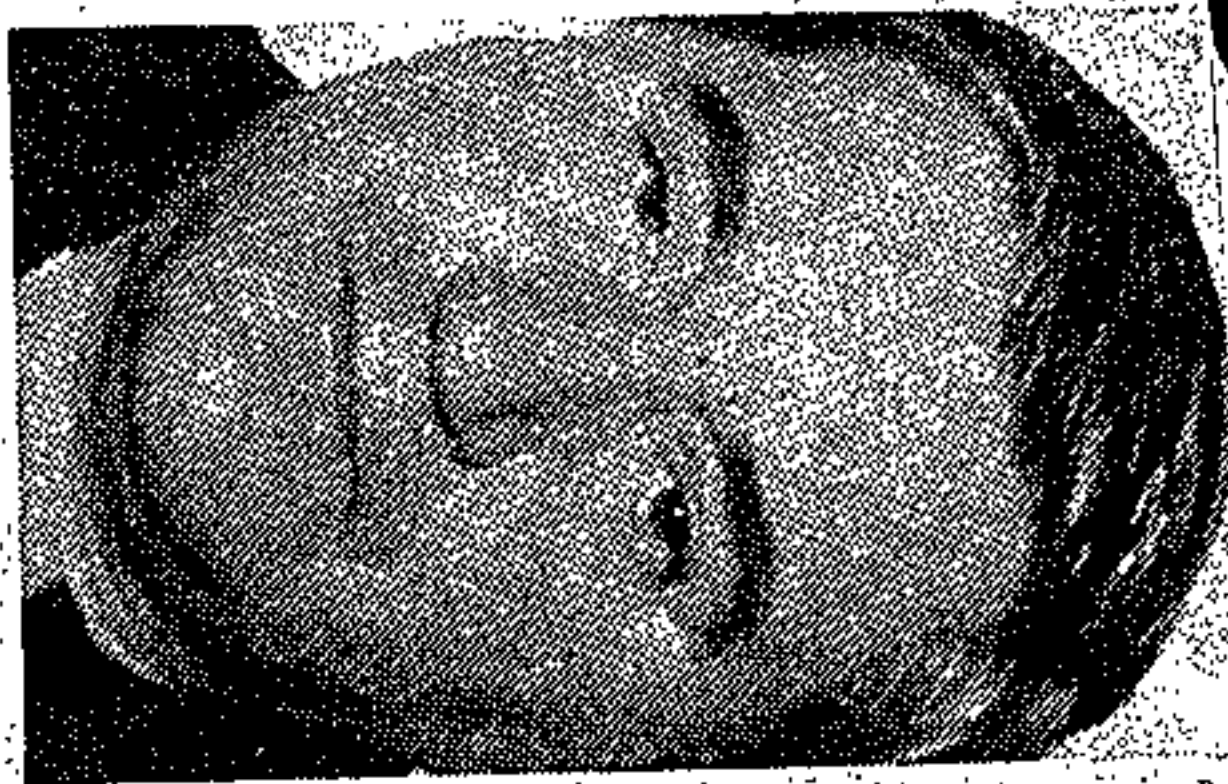
Apart from Sapper Van

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To page 2

A

Van der Mescht is coming home

12/15/82
Major Aleksei Kozlov



Sapper Johan van der Mescht



the newspaper quoted He passed his time with

public after his arrest by the Security Branch.



own police were yesterday given 100 000 bookmarks bearing the guidelines for distribution to scholars. Here the sales of the sponsoring company, Mrs Monika du Preez, shows samples. So far nearly 750 000 of the bookmarks have been ordered by various companies and given to scholars throughout South Africa.

Swapo mortar kills two men in Kavango

Reporter
JAL magistrate referred two to a reformatory they had been charged with stealing jewellery valued at more than R26 000. The accused, 18, of name, Mouille Gary Currie, 21, of name, pleaded guilty to the charges of housebreaking with intent to steal. He was convicted of the charges and sentenced to 12 months in prison.

alleged that a broke into a house and a premises belonging to a Mr and Mrs Marchant and that they stole cash, goods valued at R3 500, seven video cassettes and a video record-

officer. Mrs Currie's case is under consideration. He added that he would benefit from the specialized

From PETER KENNY
WINDHOEK. — Marauding Swapo raiders in Kavango shelled a school and a temporary security force camp yesterday, killing two members of the security forces in SWA/Namibia's escalating war.

One member of the security forces killed was a teacher at the Kanjimi Secondary School which received a hail of mortar and small-arms fire yesterday. The other man killed was a special constable at a temporary camp near Nkurenkuru, about 20 km from the shelled school.

SWA Territory Force headquarters also announced earlier that a Swapo insurgent had been killed 50km east of Kamanjab in the Outjo district on Monday.

Most southerly

And on Monday during follow-up operations, security forces clashed with a group of guerillas 8km north of Outjo, the farthest south Swapo has reached during this year's thrust.

The annual end-of-the-rainy season thrust has been into the white farm-

Hand-grenades were thrown at the headmaster's house and into teachers' quarters.

The grenades thrown into the headmaster's house failed to explode. The spokesman said the name of the dead soldier who had been teaching at the school would be announced by Defence Headquarters in Pretoria when his next-of-kin had been informed.

The special constable's name would also be released later.

Mortar and small-arms fire were also directed at security force tents in the vicinity of the school, about 12km west of Rundu.

The special constable died after the temporary camp at which he was based came under heavy mortar and small-arms fire.

Security forces continued with follow-up operations in Kavango yesterday and their hunt on the two fronts where Swapo have been attacking — in the west in the Outjo district and in the east of the Tsumeb district in the area known as the "Triangle of Death".

der Mesch... very important... Western intelligence agents who had been held behind the Iron Curtain for "some considerable time" had been released when "all previous efforts at their release had failed".

During the negotiations South Africa had made "determined efforts" to secure the release of the Soviet dissident Anatoly Victor Scharansky. These were unsuccessful because of factors outside of South Africa's control.

'Noble gesture'

However, Rabbi Rabinowitz of Israel had said in the Jewish Herald on November 3 last year that "incredible though it may sound, South Africa offered to exchange a high-ranking Soviet spy for Victor Scharansky, one of the prisoners of Zion held by Russia, to enable him to proceed to Israel. For that noble and unparalleled gesture on the part of South Africa I am prepared to forgive her all her failings".

Mr Botha said the release of the Western agents, who are suspected to be members of the CIA, illustrated not only the success of the negotiations but was "also proof of South Africa's goodwill towards Western countries and our active contribution to the free world's struggle for survival against communist domination".

Mr Botha said: "I trust that this approach will not go unnoticed with these governments. I refer especially to those who have recently displayed a sharply hostile attitude towards our country."

The success was due to the fact that the negotiations had been handled professionally and under the utmost secrecy.

CAPE TOWN
From page 1
12/5/82
the council's economic affairs and constitutional committees will be discussed by the full council in a debate starting today. After the debate, expected to end on Friday, the council will send its decision to the government for consideration.

Say in government

Release of the proposals for giving coloured and Indian people a say at central government level, and debate on the report of the constitutional committee, is expected to be on Monday. This debate is also expected to be on Monday.

- 9.10 George Zamphir. Feat. ... and his Pan flute.
- 9.36 Gode En Geester: Episode 5. Religion is predominantly based on the spirits and to live a better world in order to reap the rewards hereafter.
- 10.42 Nuus
- 10.52 Oordenking. The Rev A Driescher.

TV 2 & 3 PROGRAMMES

- 6.30: Ezikasikhova (Fables): No 38. When the Bear becomes ill, the animals give him some medicine. Unolwazi Emangalisayo: (The Snail): No. 19. Fair. The children visit No-lwazi a film about the fun-fair.
- 6.45: Sonke Singaba Bahle (Magazine): No. 6. A programme about care and etiquette for teenage girls. on Sunday.
- 7.00: Izindaba/Iindaba (News).
- 7.10: Zenzele. A programme of light music featuring the group Abafana Bomlingo.
- 7.20: Ukwenziwa Kwefenitshala (Furniture).
- 8.00: Barry White entertains viewers with Someone Somewhere, I Needed Love, A You Were, I Can't Get Over Your Love, I Love You, I Love Thee Once More, Let The Music and Under The Influence Of Love.
- 8.30: Tse Tswang Pitseng (Magazine Programme).
- 9.00: Ditaba/Dikgang (News).
- 9.25: Morena Re Hauhele: Ke Ho Tseba Nne (logue). Presented by H Khaile.

Last night's TV

TV 1

IT COULD have been a Dale Carnegie course advert. You know the kind of thing — build up your confidence, people from all walks of life... But it was only the introduction to Soul of Karate, an excellent insight into the dedication needed for this method of self-defence. The different gradings of the belts, the sweat, exhausting work, self-control and the maxims came together well with the carefully chosen backgrounds, camera work and informative script. And after the Black Belt awards the endurance test does not end. In the words of the narrator: "The hardest fight from beginning to end is the fight against yourself, my friend."

The first episode of Roep van die Visarend shows promise of a series which will be popular not only with the youngsters. Filmed near Nelspruit, it has all the ingredients of success. There's a bit of romantic interest, realism of life in the wild and an on-going battle between the feared game warden, Viervoet Loek, and poacher Modzumi with his cheeky daughter Toeks. The series is based on Viervoet's aggressive son, Klein Loek, who comes from...

TV 2 and 3

IT did not matter if we were not informed about the programme last night. Viewers could still a lot from the programme that took an extra look at the activities under the auspices of South African National Tuberculosis Association. It was more than would have got from insignificant programme on electricity.

Tuberculosis featured in a magazine programme inset on Monday. Nevertheless last night's repeat of the subject was worth it because TA's coverage was and more important patients real encouragement and hope that was not after all an insurmountable disease as many believed. The early vision of Tuesday night viewing has been beyond belief but last night's absorbing educational programme great improvement in beginning to take shape. The magazine programme visited people and people of interest over the country.

JOE GL

Insist on

WATERBURY

Attorney

ordered by
Judge to
explain behaviour

327
Hendrick
13/1/82

Pietermaritzburg Bureau
JOHANNESBURG attorney Mr Chummy Hurvitz, who was acting as an instructing attorney in the Seychelles hijack trial here, has been ordered to explain his 'discourteous' court behaviour to the Acting Judge President of Natal, Mr Justice Neville James.

Mr Justice, who is presiding over the trial in which Col Mike Hoare and 42 of his men are accused of hijacking an Air India Boeing from Mahe to Durban on November 25 last year, said that Mr Hurvitz had withdrawn from the case without getting official permission to do so.

Although the advocate he was instructing, Mr Mike Hannon, had withdrawn from the case on the instructions of the Johannesburg Bar Council last week, Mr Hurvitz had not notified the Court of his withdrawal and was still the 'attorney of record' as far as the Court was concerned, Mr Justice James said.

'If he is still the attorney

of record, his withdrawal is irregular,' Mr Justice James said.

'We don't know on what basis he accepted the defence, how he charged or on what basis he has withdrawn,' he said.

Col Hoare, questioned by the Judge, said he had withdrawn his instructions from Mr Hurvitz. His co-accused Mr Kenneth Kelly and Mr Kurt Prifert said Col Hoare had also acted for them when withdrawing his instructions.

The Attorney-General of Natal, Mr Cecil Rees, SC, said Mr Hurvitz should appear in court personally to explain his sudden withdrawal.

Mr Hurvitz should be contacted by the Court Registrar and told that he must be ready to give the Court an explanation for his withdrawal and an assurance that all his duties and obligations towards the accused had been met by May 17, the Judge ordered.

If Mr Hurvitz's explanation was not satisfactory, the matter would be taken further, he warned.

Col Hoare to conduct his own defence

Pietermaritzburg Bureau
COL MIKE Hoare will be defending himself for the remainder of the hijack trial.

In the College Road Supreme Court yesterday, new defence advocate Mr Steve Jansen of Durban said that 21 of the mercenaries who had been left without legal guidance after the withdrawal of Mr Mike Hannon last week had retained him as their legal adviser.

Only three, Col Hoare, Mr Kurt Prifert and Mr Kenneth Kelly would be conducting their own defence.

A fourth man Mr Dunlop Paul told the Judge he was still negotiating and might be represented by Mr Piet Oosthuizen, SC, already defending 10 of the men.

Mr Justice James then ordered that he should be represented by Mr Oosthuizen who accepted the brief.

Col Hoare, who is believed to have paid the

bulk of the expenses when retaining Mr Hannon to defend himself and 32 of his men, told Mr Justice James he had run out of funds and would have to represent himself for the duration of the hearing.

The colonel, Mr Prifert and Mr Kelly were then told by the Judge that the Court would lend them assistance wherever it was necessary.

Mr Jansen's application for a 12-day adjournment for briefing by his 21 new clients who had retained his services, was refused by Mr Justice James.

It was in the interests of the Court and the accused that the trial should continue and reach an end as speedily as possible, he said.

Mr Jansen, however, could always ask for an adjournment if he felt he needed more instructions during the hearing, the Judge said.

The hearing should continue on May 17, he then ordered.

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NOTE CAREFULLY

1. 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.
2. 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.
3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
4. Do not write in the left hand margin.

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

ANC 'trying to control dissidents'

diff 327
C.A.L.
Times
14/5/82

MUCH of the ANC's time at the moment was spent controlling dissidents within its ranks, Colonel Jack Buchner, an expert in the role and operations of the ANC, said this week.

Speaking at a journalists' conference, he said: "I don't want to minimize terrorism in South Africa but at the moment it is overrated."

Colonel Buchner reviewed the phases the ANC has gone through and assessed the present situation.

He said there had been two phases in the ANC's history. The first involved dyed-in-the-wool politicians in the 1960s. After training, they were used in mainly administrative roles.

In 1973, the ANC did not have more than 200 men in the field, he said.

The second phase started just before 1976, when a large number of youths left the country. These recruits were different. They did not grow up with the ANC and communist ideology.

Infiltrations

It was hard to say whether there had been more or less activity by the ANC but last year, while there had been an increase in incidents, there had been a decrease in infiltrations into South Africa.

Many of the incidents had been the result of a small successful group.

Colonel Buchner said every act of sabotage ex-

cept one or two had been solved and those involved arrested or identified.

The colonel also outlined ANC training. Originally members received training in East Germany, Russia and Egypt, he said. But in 1976, the ANC was not expecting as many recruits as it received, so a camp was started in Angola. Eventually there were 10 camps.

Morale

On morale in the ANC, he said the old brigade was not interested in fighting. Many wanted to come home and some had already done so.

Modern recruits were disorientated and out of their cultural environment. Disciplinary camps had been set up for those recruits who did not toe the ANC line and at the camps members were tortured and brainwashed. He also told of purges in Lusaka, Maputo and Dar es Salaam.

The present role of ANC was defensive. The hierarchy had to control dissidents, he said.

"The Communist Party (SACP) is the ANC and the ANC is the Communist Party," he said.

"The ANC is not nationalistic. What the members know about politics, they learn in camps."

227

Demonstration bill 'overkills'

HOUSE OF ASSEMBLY. — A bill providing for the prohibition of demonstrations or gatherings held without the permission of a magistrate in or within 500 metres of a court, passed its committee stage yesterday.

The Demonstrations in or near Court Buildings Prohibition Bill was opposed by the Progressive Federal Party on the grounds that it took away the right to assemble.

"We already have the Riotous Assemblies Act which prohibits outdoor meetings of any kind," Mrs Helen Suzman (PFP Houghton) said. Now any

innocent bystander who found himself in the middle of a demonstration in or near a court building could be arrested and charged.

"The ordinary right of assembly has disappeared in South Africa without people realising it," she said. "Finally we become the silenced society in South Africa

with no right of protest whatsoever."

Mr Louis le Grange, Minister of Law and Order, said people who wanted to assemble at or near a court could seek permission from a magistrate. The interests of the state in this instance had preference over the interests of the individual.

Speaking in committee on the bill, Mr Le Grange said there was nothing in the legislation which prohibited ordinary attendance of any court proceedings.

Members of the Progressive Federal Party had asked how it was possible for "one person" carrying out a peaceful placard demonstration outside a building to cause a disruption of court proceedings.

Mr Le Grange maintained that a "one-man" demonstration could easily lead to further demonstrations and meetings as well as riots. It was the aim therefore that the vicinity of a court building should be normal and quiet so as not to disturb the proceedings taking place within it.

The PFP Chief Whip, Mr Alf Widman, and Mr Ray Swart of Berea made it clear that the PFP was very much in favour of court proceedings taking place peacefully and without disruption.

Mr Swart said the government was again coming to Parliament with a measure aimed at "total overkill". — Sapa

Union of South Africa
Chemical Employees Union
of South Africa
el Workers Shipbuilders and Welders Society
nd Operators Association
ation
n of S.A.

Trade Workers
S.A.
rs of S.A.

ers Association
on

General Workers Union
National Federation of Workers

Unions have been classified according to the Standard Industrial Classification of All Economic Activities. The full extent of the operation of the following general workers unions has not been established:

UNIONS OPERATING IN 1981 GROUPED ACCORDING TO INDUSTRIAL CLASSIFICATION

AGRICULTURE
Black Allied
Farmworkers
Food and Can
National Ce
Orange-Vaal
Trawler and
MINING AND
Amalgamated
Amalgamated
Black Allied
Black Minew
Federated M
Iron Mould
Mine Colour
Mine Surfac
Mine Worker
S.A. Bolter
S.A. Electr
S.A. Engine
S.A. Techn
Undergroun
MANUFACT
Food & Be
African F
Amalgamat
Bakery Em
Black All
Boland In
Brewery E
Cadbury I
East Lond
Food and
Food, Bev
General V
General V
Natal Bal
Natal Su
National
National
National
Nations
Operat
Pretor

Sentence remission for security convicts

CAPE TIMES 14/5/82 (227)

Political Staff
HOUSE OF ASSEMBLY.
— Convicted security prisoners would in future be considered for remission of their sentences, the Minister of Justice, Mr Kobie Coetsee, said on Wednesday.

Mr Coetsee said everyone, regardless of the crime committed, would

be considered for remission.

His announcement was welcomed by the Progressive Federal Party spokesman on justice, Mrs Helen Suzman.

Mrs Suzman said: "I think this is a forward step and one which I have been asking for years."

Mr Coetsee also said the possible release of Mr Johnny Issel, the Cape Town community leader who has been in seven months preventive detention, was "under consideration".

Mr Issel was due for release on Saturday but his detention order has been renewed.

In Parliament on Wednesday the Minister of Law and Order, Mr Louis le Grange, said there were 24 people being held under section six of the Terrorism Act at present and four in terms of the 14-day detention provisions of the General Law Amendment Act.

Mrs Suzman, to whom he was replying, said "this is the lowest figure for years and I hope it stays that way."

Mr Coetsee told her in reply to a question that three people were being held in terms of the preventive detention provisions of the Internal Security Act at present and 42 in terms of the detention of witnesses provision of the same law.

African Garment Workers Union (Natal)
African Leather Workers Union (Transvaal)
African Trunk & Box Workers Union
Black Allied Workers Union
Garment Workers Industrial Union (Natal)
Garment Workers Union of South Africa
Garment Workers Union (Western Province)
General Workers Union
General Workers Union

Textiles, Clothing, Leather and Footwear

Tobacco
African Tobacco Workers Union
National Union of Cigarette & Tobacco Workers
Rustenburg Tabakwerkersvereniging

Sweet Workers Industrial Union (Natal)
Sweet Workers Union
Sugar Industry Employees Union
South African Allied Workers Union (SAAWU)
S.A. Boilermakers, Iron & Steelworkers, Shipbuilders and Welders
S.A. Electrical Workers Association
Western Province Sweet Workers Union
Witwatersrand Baking & Confectionery Industrial Union
Witwatersrand Brewing Employees Union

Amalgamated
Media Worker
Paper, Wood
S.A. Boilerm
S.A. Electr
S.A. Society
S.A. Typogr
South Africa

Paper & Pap

National Uni
Paper, Wood
South Africa

Wood & Wood

Trunk & Box

Transvaal Le
Textile Work
Textile Work
Tanning, Eco
Tailoring Wo

S.A. Canvas
S.A. Canvas
South Africa
National Uni
National Uni
National Uni
General Work



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REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

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VOL. 203]

PRETORIA, 14 MEI
MAY 1982

[No. 8205

GOEWERMENTSKENNISGEWINGS

**DEPARTEMENT VAN BINNELANDSE
AANGELEENTHEDE**

No. 1001 14 Mei 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, soos gewysig, 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 P82/44

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/4/137..... P82/5/1.....	Forge, The—Vol 7, No 14, April 9, 1982..... "Nie Vryheid op 'n Skinkbord Nie"—John Hen- nie Ferus 1940-81 'n geskiedenis	The Forge Reg'd, Montreal, Quebec..... Nie vermeld nie/Not stated.....	(e) (e)
P82/5/4..... P82/5/6.....	International Workers Day—1st May..... ICSA Bulletin—Issue No 15, November 1981...	Nie vermeld nie/Not stated..... International Committee against Apartheid, Racism and Colonialism in Southern Africa, London	(e) (e)
P82/5/7.....	ICSA Bulletin—Issue No 16, December 1981...	International Committee against Apartheid, Racism and Colonialism in Southern Africa, London	(e)

No. 1002 14 Mei 1982
**PUBLIKASIES OF VOORWERPE.—VERTOË TEN
OPSIGTE VAN APPËL**

Die Direktooraat van Publikasies het op 5 Mei 1982 kragtens artikel 14 van die Wet op Publikasies, 1974, appèl aangeteken teen die beslissing op 28 April 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

143—A

No. 1002 14 May 1982
**PUBLICATIONS OR OBJECTS.—REPRESENTA-
TIONS IN RESPECT OF APPEAL**

On 5 May 1982 the Directorate of Publications appealed under section 14 of the Publications Act, 1974, against the decision on 28 April 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

8205—1

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.

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.	Publikasie Publication	Skrywer of voortbringer Author or producer
P82/4/73.....	Boycott Alert! Boycott Alert! (Pamflet/Pamphlet).....	Nie vermeld nie/Not stated.

No. 1003

14 Mei 1982

WET OP PUBLIKASIES, 1974
VERTOË KRAGTENS ARTIKEL 15

Die Direkoraat van Publikasies het op 5 Mei 1982 kragtens artikel 15 van die Wet op Publikasies, 1974, appèl aangeteken teen die beslissing op 28 April 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 hierdie kennisgewing.

No. 1003

14 May 1982

PUBLICATIONS ACT, 1974
REPRESENTATIONS UNDER SECTION 15

On 5 May 1982 the Directorate of Publications appealed under section 15 of the Publications Act, 1974, against the decision on 28 April 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 notice.

Inskrywing No. Entry No.	Publikasie Publication	Skrywer of voortbringer Author or producer
P82/4/64.....	Road to Gandolfo, The.....	Robert Ludlum. Previously published under the Author's Pseudonym of Michael Shepherd.

No. 1004

14 Mei 1982

OPSKORTING KRAGTENS ARTIKEL 13 (3) (a)
VAN DIE WET OP PUBLIKASIES, 1974, SOOS
GEWYSIG, DEUR DIE VOORSITTER VAN DIE
APPÈLRAAD OOR PUBLIKASIES VAN 'N BE-
SLISSING VAN 'N KOMITEE VAN PUBLIKASIES

Die Voorsitter van die Appèlraad oor Publikasies het die beslissing van 'n Komitee van Publikasies dat alle uitgawes (na No. 20) van die publikasie "Work in Progress" verbied word opgeskort totdat die Appèlraad oor die appèl in die verband beslis het.

No. 1004

14 May 1982

SUSPENSION IN ACCORDANCE WITH SECTION
13 (3) (a) OF THE PUBLICATIONS ACT, 1974, AS
AMENDED BY THE CHAIRMAN OF THE PUBLI-
CATIONS APPEAL BOARD OF A DECISION OF
A COMMITTEE OF PUBLICATIONS

The Chairman of the Publications Appeal Board has decided to suspend the decision of a Committee of Publications prohibiting all editions after No. 20 of the publication "Work in Progress" until the Appeal Board has determined the appeal in this connection.

INHOUD

No.	Bladsy No.	Staats- koerant No.
Binnelandse Aangeleenthede, Departement van Goewermentskennisgewings		
1001	Wet op Publikasies (42/1974): Ongewenste publikasies of voorwerpe: Lys P82/44....	1 8205
1002	do.: Appèl.....	1 8205
1003	do.: do.....	2 8205
1004	do.: do.....	2 8205

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No.	Internal Affairs, Department of Government Notices
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1001	Publications Act (42/1974): Undesirable publications or objects: List P82/44....
1002	do.: Appeal.....
1003	do.: do.....
1004	do.: do.....

CONTROL
L.—INCLU.iver Govern-
Proclamations of section
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volgens sy oordeel in openbare belang beheer behoort te word, tot 'n Staatswaterbeheergebied kan verklaar en sodanige proklamasie van tyd tot tyd op dergelike wyse kan wysig of intrek;

En nademaal dit nodig geag word om die bewoording van die derde paragraaf van genoemde Proklamasie 113 van 1975 en die vierde paragraaf van genoemde Proklamasie 105 van 1976 te wysig;

So is dit dat ek, kragtens die bevoegdheid my verleen by genoemde artikel 59 (1), hierby verklaar dat, met ingang van die datum van publikasie hiervan, die beheer oor die sytakke van die Bergrivier binne die Bergrivier-staatswaterbeheergebied vir die doeleindes van artikel 59 (1) (b) van genoemde Wet opgehef word.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Twee-en-twintigste dag van April Eenduisend Negehonderd Twee-en-tagtig.

M. VILJOEN, Staatspresident.

Op las van die Staatspresident-in-rade:

C. V. VAN DER MERWE.

stream should in his opinion be controlled in the public interest, to be a Government water control area, and may from time to time in like manner amend or repeal such proclamation;

And whereas it is deemed necessary to amend the wording of the third paragraph of the said Proclamation 113 of 1975 and the fourth paragraph of the said Proclamation 105 of 1976;

Now, therefore, under and by virtue of the powers vested in me by the section 59 (1), I hereby declare that, with effect from the date of publication hereof, the control over the tributaries of the Berg River within the Berg River Government Water Control Area is withdrawn for the purposes of section 59 (1) (b) of the said Act.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Twenty-second day of April, One thousand Nine hundred and Eighty-two.

M. VILJOEN, State President.

By Order of the State President-in-Council:

C. V. VAN DER MERWE.

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE

No. 953

14 Mei 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, soos gewysig 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 P82/43

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/3/6	<i>Deadlines</i>	W. A. Harbinson.....	(a)
P82/4/130	<i>Photo, The</i> —Vol 1, No. 7.....	Marshall Cavendish Partworks Ltd, London.....	(a)
P82/4/131	<i>Strike Electrical Wholesalers (Pty) Ltd, (Edms)</i> <i>Bpk—1982 (Kalender/Calendar)</i>	Nie vermeld nie/Not stated.....	(a)
P82/4/132	<i>Seagoing Slut</i>	William Marin.....	(a)
P82/4/133	<i>Graydon George (Notaboek/Note book)</i>	Nie vermeld nie/Not stated.....	(a)
P82/4/134	<i>Elektriese staanlamp met naakte uitbeelding van vroulike figuur/Standing electric lamp displaying nude female figure (Voorwerp/Object)</i>	Made in Taiwan.....	(a)
P82/4/135	<i>Elektriese staanlamp met halfnaakte uitbeelding van vroulike figuur/Standing electric lamp displaying semi-nude female figure (Voorwerp/Object)</i>	Made in Taiwan.....	(a)
P82/4/142	<i>Zipper Girl—No. 30/6910 (Plakkaat/Poster)</i>	Athena International, London.....	(a)

No. 954

14 Mei 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:

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Inskrywing geskrap Entry deleted
P81/11/41	<i>Perfect Fools</i>	Charlotte Vale Allen.....	In SK./G.G. 7973, GK./G.N. 2850 van/of 31/12/81.

No. 954

14 May 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:

No. 955 14 Mei 1982

VERTOË KRAGTENS ARTIKEL 24 (1) (a)

Die Direkoraat van Publikasies het op 3 Mei 1982 kragtens artikel 24 (1) (a) van die Wet op Publikasies, 1974, soos gewysig, appèl aangeteken teen die voorwaardelike goedkeuring deur 'n komitee bedoel in artikel 4 van die genoemde Wet van die rolprent en lokprent *Below the Belt*. Die tydperk waarin persone bedoel in artikel 24 (2) (b) van genoemde Wet vertoë tot die Appèl oor Publikasies, Private X114, Pretoria, ten opsigte van genoemde appèl kan rig, word hierby bepaal as 21 dae vanaf die datum van hierdie kennisgewing.

No. 955

14 May 1982

REPRESENTATIONS UNDER SECTION 24 (1) (a)

On 3 May 1982 the Directorate of Publications under section 24 (1) (a) of the Publications Act, 1974, as amended, appealed against the conditional approval by a committee referred to in section 4 of the said Act of the film and trailer *Below the Belt*. 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 21 days from the date of this notice.

Inskrywing No. Entry No.	Rolprent en lokprent Film and trailer	Voorlegger Submitter
R82/4/72	<i>Below the Belt</i>	Video Futures (Edms.) Bpk./ (Pty) Ltd

DEPARTEMENT VAN BUITELANDSE
SAKE EN INLIGTING

No. 964

14 Mei 1982

GELOOFSBRIEFOORHANDIGING

Hierby word bekendgemaak dat mnr. V. R. W. Steward op Woensdag, 7 April 1982, deur die President van Italië ontvang is en dat hy by daardie geleentheid sy Geloofsbrief as Buitengewone en Gevolmagtigde Ambassadeur van die Republiek van Suid-Afrika in Italië oorhandig het.

[4/2/8 (32)]

DEPARTMENT OF FOREIGN AFFAIRS
AND INFORMATION

No. 964

14 May 1982

PRESENTATION OF CREDENTIALS

It is hereby notified that Mr V. R. W. Steward was received by the President of Italy on Wednesday, 7 April 1982, on which occasion he presented his Letter of Credence as Ambassador Extraordinary and Plenipotentiary of the Republic of South Africa in Italy.

[4/2/8 (32)]

No. 965

14 Mei 1982

GELOOFSBRIEFOORHANDIGING

Hierby word bekendgemaak dat mnr. C. C. Prins op Dinsdag, 16 Maart 1982, deur Koning Juan Carlos I van Spanje ontvang is en dat hy by daardie geleentheid sy Geloofsbrief as Buitengewone en Gevolmagtigde Amassadeur van die Republiek van Suid-Afrika in Spanje oorhandig het.

[4/2/89 (32)]

No. 965

14 May 1982

PRESENTATION OF CREDENTIALS

It is hereby notified that Mr C. C. Prins was received by King Juan Carlos I of Spain on Tuesday, 16 March 1982, on which occasion he presented his Letter of Credence as Ambassador Extraordinary and Plenipotentiary of the Republic of South Africa in Spain.

[4/2/89 (32)]

DEPARTEMENT VAN FINANSIES

No. 940

14 Mei 1982

Staat van Inkomste ingevorder gedurende die tydperk 1 April 1981 tot 31 Maart 1982 (Voorlopig).

Tesourie, Pretoria.

DEPARTMENT OF FINANCE

No. 940

14 May 1982

Statement of Revenue collected during the period 1 April 1981 to 31 March 1982 (Preliminary).

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 Maart Month of March		Totaal 1 April tot 31 Maart Total 1 April to 31 March	
				1982	1981	1982	1981
<i>Staatsinkomsterekening</i>	<i>State Revenue Account</i>	R	R	R	R	R	R
Doeane en Aksyns—	Customs and Excise—						
Invoerreg	Customs Duty	850 000 000	735 834 201	106 846 377	77 822 535	1 084 304 713	735 834 050
Aksynsreg	Excise Duty	1 384 940 000	1 243 200 329	132 020 368	111 577 776	1 506 179 606	1 247 859 560
Verkoopreg	Sales Duty	100 000	593 812	15 415	9 531	223 707	594 058
Bobelasting	Surcharge	—	Dr 2 796 134	75 930 832	59 696	100 360 791	Dr 2 796 935
Diverse	Miscellaneous	37 000 000	46 748 303	8 307 529	2 316 261	50 673 892	46 751 242
		R					
		2 272 040 000	2 023 580 511	323 120 521	191 666 407	2 741 742 709	2 028 241 975
Oordrag na Sentrale Inkomste Fonds	Transfer to Central Revenue Fund (a)	Dr 250 000 000	Dr 41 500 000	Dr 25 000 000	Dr 6 000 000	Dr 257 849 498	Dr 41 500 000
Betalings Ingevolge Doeane- Unie-ooreenkomste	Payments in terms of Customs Union Agreements (b)	Dr 475 000 000	Dr 504 919 434	Dr —	Dr —	Dr 475 426 938	Dr 504 919 434
		R					
		Dr 725 000 000	Dr 546 419 434	Dr 25 000 000	Dr 6 000 000	Dr 733 276 436	Dr 546 419 434
		R					
		1 547 040 000	1 477 161 077	298 120 521	185 666 407	2 008 466 273	1 481 822 541

Van den Bergh seeks to sue

CHL 71m15 15/5/82

(327)

Staff Reporter

A FULL bench of the Supreme Court yesterday reserved judgment on an application by General Hendrik van den Bergh, former head of the Bureau for State Security (BSS), for permission to sue Mr Justice A J Lategan of the Cape Bench for R50 000 damages.

The application arises from allegations by General Van den Bergh that he was defamed by Mr Justice Lategan and by the Erasmus commission of inquiry into the former Department of Information, of which the judge was a member.

General Van den Bergh, of Waterkloof Ridge, Pretoria, said in a founding affidavit that the commission had published "serious slanderous findings and allegations" about him.

He said certain findings in the commission's first report depicted him as a "double dealer, manipulator and liar". The commission's findings and allegations were published throughout the country and in the international press and seriously defamed him. General Van den Bergh said the findings and allegations were unfounded and untruthful.

The general also claimed that Mr Justice Lategan, while addressing a meeting of the Junior Reporters in Paarl during June 1979, allegedly said of him: "We (the members of the commission) could not decide whether this man was mad or a liar." In terms of the Supreme Court Act, permission has to be obtained to issue a summons against a judge.

Mr C D de Jager, for General Van den Bergh, said the alleged defamation had nothing to do with Mr Justice Lategan's function as a judge of the Supreme Court. The application related to words allegedly uttered before he had been appointed a judge.

Mr H P Viljoen SC, for Mr Justice Lategan, said General Van den Bergh had not been present at the Paarl meeting and had not heard the alleged slander personally.

The general's evidence was therefore based on hearsay. Mr Viljoen said the applicant had to prove that such evidence was admissible in court.

He said General Van den Bergh also had to prove that the allegations involving the commission had

been made by the commission, that the allegations were untrue and therefore not privileged and that they were made maliciously.

In his affidavit, Mr Justice Lategan said he could not recall using the words which General Van den Bergh claimed he had while addressing the Junior Reporters in Paarl.

Judgment was reserved.

The Deputy Judge President of Natal, Mr Justice Milne, sat with Mr Justice Kannemeyer (Eastern Cape) and Mr Justice Le Grange (Transvaal). Mr C D de Jager and Mr J S Rossouw, instructed by Couzyn, Hertzog and Horak of Pretoria and R Asherson and Asherson of Cape Town, appeared for General Van den Bergh. Mr H P Viljoen SC, assisted by Mr T E Kleynhans and instructed by the State Attorney's Office, appeared for Mr Justice Lategan.

judge

CAPE TOWN 15/5/82 (527)

SA 'more militarized after Info scandal'

Staff Reporter

THE years since the Information scandal in 1978 had reflected a growing militarization of South African society, a former president of the Witwatersrand University SRC, Mr Glen Moss, said yesterday.

Speaking at the University of Cape Town's Focus on the Military, Mr Moss told students the growth in power of the South African Defence Force was reflected by the increased power of the State's military intelligence services which had overtaken the old Bureau of State Security (BSS) formerly headed by General

Hendrik van den Bergh.

This was also shown by the attendance of "assorted officers of the SADF, particularly those from military intelligence" at the recent meeting between the Prime Minister, Mr P. W. Botha, and the Zambian President, Mr Kenneth Kaunda.

Increasing militarization had come about because of a change in the power base of the country, with the military forging increased alliances with big business, he said.

This alliance had been "articulated as a free enterprise ideology", but the extension of military power was

profoundly anti-democratic and authoritarian.

Mr Moss said one effect of this militarisation was that in the last three years "incidents of crimes of violence committed by members of the SADF had increased by more than 500 per cent". He based this on newspaper reports he had kept of the reported incidents.

Mr Bruce Meier, a member of the UCT SRC, said education in South Africa had always aimed to fit people into the roles the government had created for them. In the 1980s the role of white schoolchildren was in-

creasingly that of soldiers, he said. Youth preparedness classes, veld schools and militarised holiday adventure camps were also an indication of the growing military influence in education.

These influences, coupled with an education system which taught that nationalism was right and apartheid was natural, "perpetuated war in this country instead of trying to make it a better place to live," he said.

At present there were 200 000 white South African schoolboys who received "paramilitary training" as part of their compulsory schooling.



FRANS ESTERHUYSE reviews the week in Parliament

Spectre of jackboot rule

W/E ARGUS 15/5/82

IT MAY be a mere coincidence that the release of the President's Council constitutional proposals diverted public attention from this week's Assembly debates on new tough security measures. He said he could not see how any sane person could voluntarily exchange the present already inadequate set-up for a constitutional situation in which "an individual can exercise almost dictatorial powers."

The fact is that the Minister of Law and Order, Mr Louis le Grange, began piloting his controversial Bills through Parliament at a time when all eyes were on the new power structure proposed for South Africa. Dr Slabbert was not the only one with such misgivings. Similar fears were reported to have been expressed by right wing Nationalist groups and by a Nationalist editor who was quoted in the Press as saying he refused to sign a blank cheque giving an executive president almost unlimited powers.

Ironically, however, both events seemed to set off alarm bells in the official Opposition's mind about the spectre of dictatorial or totalitarian rule. In the Assembly, the Government's new security measures were seen by the official Opposition as a further erosion of civil liberties in South Africa.

NEW SHAPE
Two events though apparently unconnected, gave new shape to a recurring South African political nightmare — the vision of a steady drift towards some kind of jackboot rule. Some of the proposed measures evoked visions of a kind of jackboot rule that would, in PFP eyes, offer a feast to any power-hungry ruler.

Outside the assembly, initial reaction of the Leader of the Opposition, Dr F van Zyl Slabbert, to the President's Council proposals reflected Opposition fears about a key issue — the rule of the proposed executive president. Against the backdrop of early misgivings about the President's Council's plan, the Assembly debates on the security Bills provided more than a bare outline for the nightmarish political spectre.

Dr Slabbert pointed out that the incomplete recommendations, as they stood now, offered no clarity as to the checks and balances that would affect the exercise of power. The Demonstrations or near Court Buildings argument was brushed aside by speakers on the vigorously opposed by the Government side.

It was argued that the Bill would even make it a punishable offence for a person to stage a silent protest about anything in the vicinity of a court.

The Intimidation Bill was opposed in principle by the PFP on the grounds that it was too vague and too wide in its possible interpretations.

OVER-KILL

Here, too, was a measure described by the official Opposition as an "over-kill."

The Internal Security Bill was seen as a measure that sought to perpetuate an undeclared State of Emergency in South Africa.

Government speakers, in their defence of the proposed new legislation, leaned heavily on the report of the Rabie Commission of Inquiry into security legislation.

What seemed to add to the official Opposition's fears was the Government's attitude during the debates.

The Opposition complaints were repeatedly rejected with the kind of argument that unless the measures were supported, the official Opposition would be regarded as standing for disorder and chaos in South Africa.

Objections to this kind of argument were brushed aside by speakers on the Government side.

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CAT Trans 15/5/82

327

Le Grange: Security stays a priority

HOUSE OF ASSEMBLY. — The government was determined to ensure the safety and welfare of all the people of South Africa and would continue to give security a high priority, the Minister of Law and Order, Mr Louis le Grange, said yesterday.

Speaking in the resumed second reading debate on the Internal Security Bill, he said the bill provided a new dispensation in security legislation and its implementation.

The government would not hesitate to act against anyone who tried to endanger the security and safety of the Republic and her people, he said.

"Those people who are seeking the violent overthrow of the existing system must take note of this. The government will not flinch at doing what is necessary in the circumstances. Where action has to be taken, it will be taken with determination."

The bill, Mr Le Grange said, was the result of an in-depth investigation into South Africa's security legislation by an independent commission of inquiry.

It defined, among other things, new crimes which replaced the existing ones relating to the combating of terrorism, subversion and sabotage.

Any person found guilty in terms of the new definition of terrorism could be sentenced to the same penalties as those provided for high treason.

Anyone found guilty of subversion involving violence could be sentenced to at least 25 years imprisonment.

For sabotage the Rabie Commission recommended a prison sentence of at least 20 years. This was provided for in the legislation, Mr Le Grange said.

— Sapa



Mr Louis le Grange

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Fosatu Annual Report 1980/81

JEWELLERS AND GOLDSMITHS UNION

Suzman slams new security bill

Cape Times 15/5/82 327

Political Staff

HOUSE OF ASSEMBLY. — Mrs Helen Suzman (PFP Houghton) told Parliament yesterday that the Internal Security Bill will perpetuate an undeclared state of emergency in South Africa.

lease of a detainee, whether he will be charged or called as a witness."

Mrs Suzman rejected outright a claim by the Minister of Law and Order, Mr Louis le Grange, that the bill brought South Africa to the door of an entirely new deal regarding its security legislation.

On behalf of the Official Opposition she used the strongest form of Parliamentary opposition to protest at the second reading of a bill by moving that the bill be read "this day six months".

"There is the same exclusion of the intervention of the courts, under any circumstances for section 29, and appeal to the court is on a *male fide* basis in other cases.

"There is no limitation on the period during which a person may be detained and held in solitary confinement. There is no provision for a code of conduct under which interrogations can take place — a most serious omission, for on interrogation depends the release of a detainee, whether he will be charged or called as a witness."

"I remain of the opinion that the Rabie report, which relied heavily on police evidence and which evaded a number of major issues, is a most disappointing report," she said.

Govt to guarantee R40m loan

Political Staff

HOUSE OF ASSEMBLY. — The government is to guarantee a R40m loan to the O'Kiep copper mine in the north-western Cape.

In terms of the Finance Bill released in Parliament yesterday, the government will pay back the R40m to Barclays Bank, which will lend the mine the money, if the O'Kiep Copper Company fails to fulfil its obligations towards the bank.

back on the path to the rule of law.

"Apart from efficacy, one of the other terms of reference of the Rabie Commission was to consider the 'fairness' of our existing legislation.

"To my astonishment, however, the commission failed to examine in depth the two factors that dominate the lives of detainees under section 6 of the Terrorism Act, namely indefinite solitary confinement and the methods of interrogation used by the Security Police.

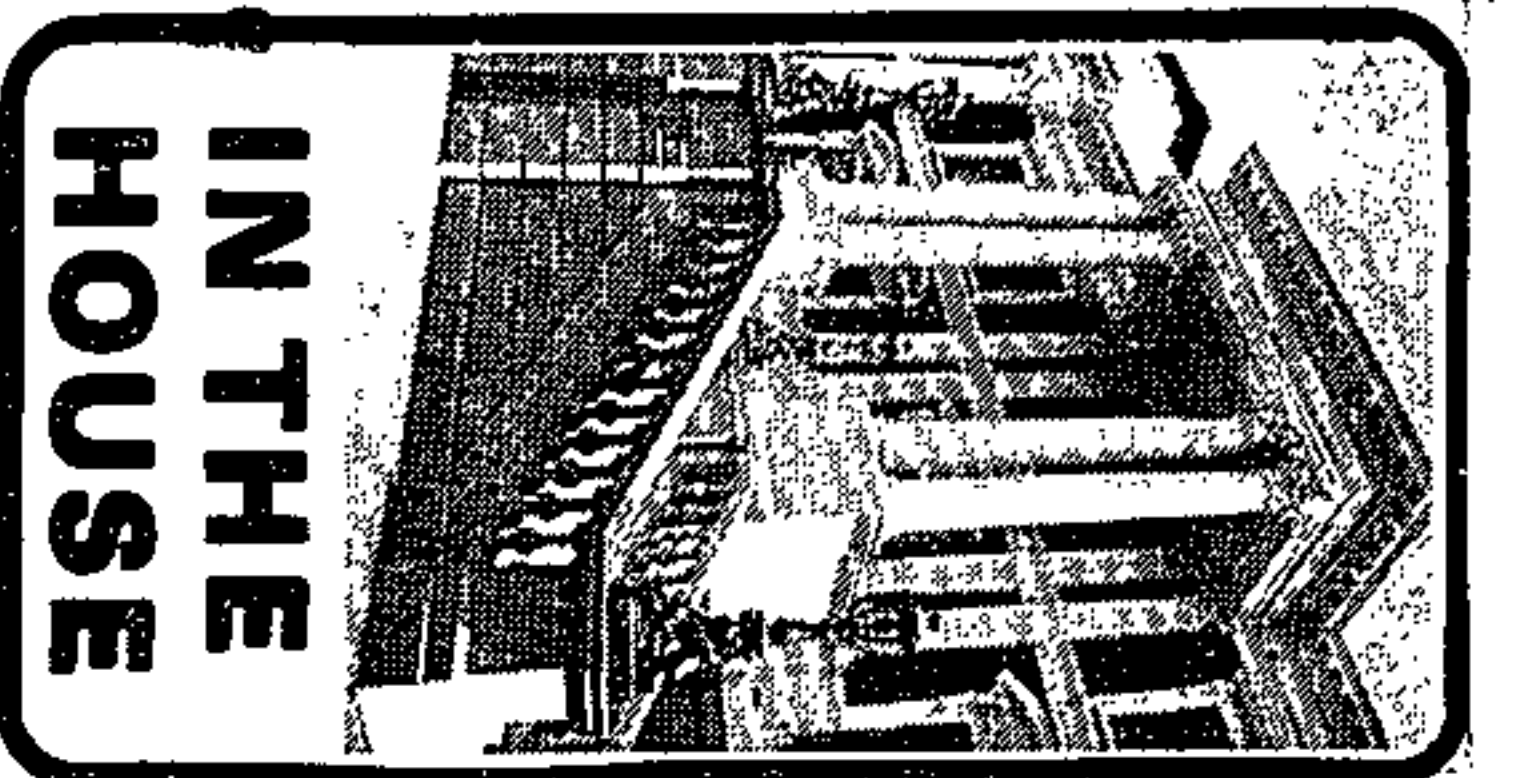
"And this despite the deaths in detention and despite the widespread belief that inhuman and degrading techniques of interrogation are used on detainees and despite the fact that there is weighty evidence of the devastating effect of solitary confinement for long periods.

"For this reason the bill we are considering today retains all the most objectionable sections of our existing security legislation.

"It is true that sub-clause 3a does now make the minister personally responsible for detention exceeding one month.

"I trust he will take this responsibility very seriously indeed.

"He is accountable personally for any future disasters to people held in detention."



Members' Questions

Firearms

SOUTH Africa has 917 268 licensed firearm owners, the Minister of Law and Order, Mr Louis le Grange, said yesterday. Replying to a question by Mr Ray Swart (PFP Beaufort West), Mr Le Grange said 227 647 licences were granted last year while 166 people were declared unfit to possess firearms. More than 6 000 firearms were reported lost or stolen in 1981.

Black police

THERE were no black officers above the rank of lieutenant-colonel in the South African Police, the Minister of Law and Order, Mr Louis le Grange, said yesterday. Replying to a question tabled by Mr Pat Rogers (NRP King William's Town), the minister said there were 21 Indian, 29 coloured and 75 black commissioned officers.

Angry MPs exchange insults

Political Correspondent

HOUSE OF ASSEMBLY. — Insults flew across the floor of the House yesterday as angry PFP MPs reacted to what they saw as a derogatory remark from the Nationalist MP for Simon's Town, Mr John Wiley.

Mr Wiley provoked the exchange by asking Mr Brian Bamford (PFP Groote Schuur) to account for the funds he had "begged" from the public in his legal bid to stop ministerial residences being built on Groote Schuur estate.

Mr Harry Schwarz (PFP Yeoville) and one of Mr Wiley's long-standing political foes, then called on the Speaker to make Mr Wiley withdraw his suggestion.

In a series of interjections, each of which he was made to withdraw, Mr Schwarz accused Mr Wiley of making "smearing insinuations" and said he was not worthy to sit in Parliament.

Mr Philip Myburgh (PFP Wynberg) had to withdraw an accusation that Mr Wiley was "a pig", while Mr John Malcomess (PFP Port Elizabeth central) was made to withdraw the comment "do not insult pigs".

The PFP protests that Mr Wiley's remark was improper and reflected on Mr Bamford failed, and his words were allowed to stand.

The row followed a reply by the Minister of



Mr John Wiley

Community Development, Mr Pen Kotze, to a Conservative Party question about Mr Bamford's successful action for a Supreme Court interdict to stop the construction of six official residences on the northern side of Groote Schuur estate. Mr Kotze's department, as part of the settlement in April, undertook to pay Mr Bamford's legal costs. He said during yesterday's exchange that these amounted to R29 000.

Mr Bamford issued a subsequent statement rejecting Mr Wiley's insinuation and challenging him to repeat it where he would not be protected by Parliamentary privilege against defamation.

Transvaal Retail Meat Trade Employees Union

Catering and Accommodation

Commercial, Catering and Allied Workers Union

East London Liquor & Catering Trades Employees Union

329 ~~329~~

Mrs Suzman, the Opposition's

"The proper functioning of

Mrs. Suzman told Sapa: "This would be a giant step closer to a totalitarian regime in South Africa."

Translated into law, the general's proposal would mean that the government could detain, interrogate, prosecute, convict and even execute a person under the country's security laws, entirely in secret.

Address:

18/0861

Year	Membership			
	African	Asian and Coloured	White	Total
1970				
1971				
1972				
1973				
1974	3 900			3 900
1975	3 900			3 900
1976	6 700			6 700
1977	7 000			7 000
1978				..
1979				..
1980				8 400

17

16/05/82

322

of the public who have no right to use them at all," Dr Coogan said.

In experiments with the thumbcuffs, the Sunday Times found that, to work effectively, they had to be put on extremely tightly.

This stopped blood circulation and turned the thumbs blue within seconds.

If they are put on more loosely, the wearer can wriggle his thumbs out.

A spokesman for the sales company said the thumbcuffs, along with handcuffs and other security "implementations" like leg-irons, were on sale for security firms, the police and the traffic departments.

"We do not sell to anyone. We are not putting profit before the public interest, but we do supply the security firms."

"A lot of policemen buy these things as well as traffic police and people like that. Some store owners also want

The spokesman added: "If the thumbcuffs are correctly used they cannot harm you and are very effective for keeping a person under control."

"They do not have to be put on tightly to work."

"In fact, they have a safety catch so one can be sure not to put them on too tightly."

A spokesman for the South African Police denied that the force had ever used the thumbcuffs.

"We don't use them, and wouldn't buy them from a private company, anyway," he said.

"The police are issued with standard equipment and are

will take the law into their own hands.

"You cannot control the sale of something like this."

"No storekeeper has the right to judge somebody by just looking at them. Someone who looks respectable could easily misuse them."

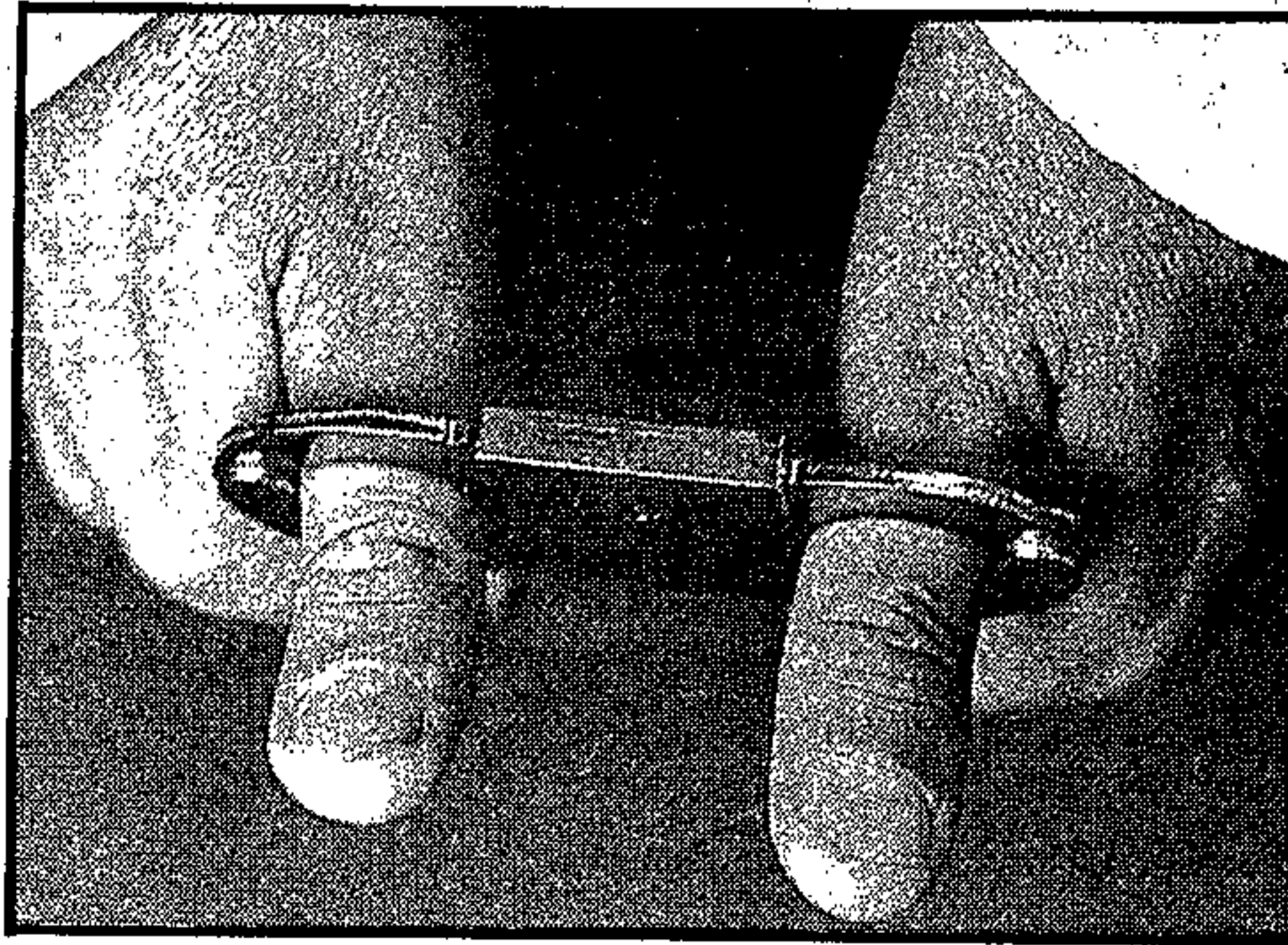
"It is a citizen's job to report crime, not to make arrests."

"I certainly don't think they should be freely available in the shops. If they have to be used at all, they should be available only through a police department."

THUMBS DOWN!

327

S. Times 16/5/82



These neat cuffs could cause gangrene in 30 minutes

'Ban these sick, horrific and dangerous cuffs ...'

THUMBCUFFS — a smaller and nastier version of the handcuff — have been condemned by experts who were shocked this week to learn that they were on sale to the public.

The thumbcuffs, which could prove deadly if incorrectly used, are available from a well-known Cape Town store and have been advertised.

A doctor and a criminologist this week called for the thumbcuffs to be removed from sale and described them as "sick, horrific and dangerous".

The thumbcuffs, made out of steel, sell for only R7,50.

And, although the shop that is selling them, Sparks and Ellis, claims it is "monitoring sales", a Sunday Times representative walked in to the shop and bought a pair with no problem.

The Cape Town medical officer of health, Dr R J Coogan, has warned that, if incorrectly used, the thumbcuffs could cause gangrene within 30 minutes.

"I am shocked to hear that thumbcuffs, which, I believe, are an American invention, are on sale and available to the public here," said a concerned Dr Coogan.

"Apart from cutting off blood circulation, there is a danger that a drunk falling about, or someone making an effort to get away could break his thumbs in the cuffs quite easily.

"The thumbs could be cut in the cuffs too.

"I certainly do not believe they should be used at all, and most definitely should not be available to members

By VAL CARTER-JOHNSON



Mrs MANA SLABBERT
Horried

to buy them for when they apprehend shoplifters.

"But we certainly don't sell them unless the person looks respectable and has a good reason for buying them.

"If we are suspicious of a person we tell them to go and get a letter from the police saying that they can buy the thumbcuffs.

"We would not sell to children."

The spokesman said he had imported the thumbcuffs from Taiwan, but would not say how many he had ordered or had in stock.

The Sunday Times saw a

not supposed to carry any other equipment with them while on duty."

Two major security firms also denied using them, and one spokesman agreed that they could be dangerous if used incorrectly.

"Handcuffs are just as effective, without being dangerous," he said.

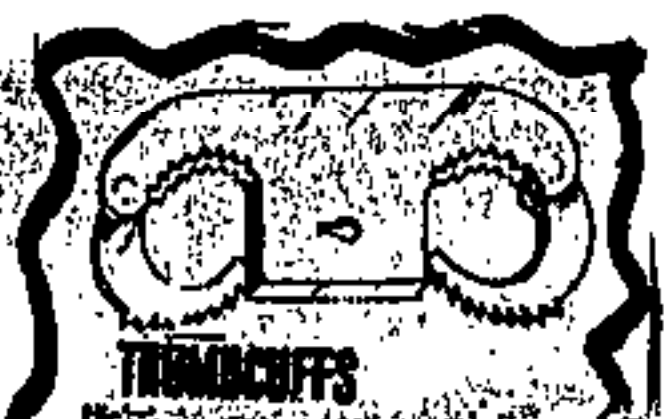
Traffic departments also denied using the thumbcuffs.

Mrs Mana Slabbert, senior lecturer in criminology at the University of Cape Town, feels that the thumbcuffs should be withdrawn from public sale immediately.

"It is sick and horrifying that they can be on sale here.

"If this same store sells handcuffs and leg-irons too, that is just as bad, although these little thumbcuffs have the potential to be even more dangerous," she said.

"The sale of these instruments indicates that people



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Parliament

Miller rejects Bill's 'unfettered powers'

Parliamentary Staff

NO Cabinet Minister in the history of South Africa had ever had such unfettered powers as the Minister of Law and Order would have in terms of the Internal Security Bill, the Assembly was told yesterday.

Mr Ron Miller (NRP, Durban North) said the proposed legislation would give the Minister powers over the life and death and freedom of individuals in society and over organisations, without any form of constraint by a court of law.

Speaking in the second-reading debate on the Bill, Mr Miller said the legislation allowed the Minister to overrule recommendations of the Review Board regarding further detention, and also to overrule the recommendations or attitude of the Chief Justice.

The Minister of Law and Order, Mr Louis le Grange, challenged Mr Miller's argument by way of interjections.

The Minister asked: "Where does this legislation give me unfettered power of life and death? Where do you find that in the Bill?"

Mr Miller replied: "Of course, it gives that power."

Mr le Grange: Where do you see that in the Bill?

Mr Miller: If this honourable the Minister decides an individual must be kept in solitary confinement, that can happen.



Mr Ron Miller

Mr le Grange: What has that got to do with power of life and death?

Mr Miller: If an individual dies under those circumstances... in solitary confinement, I put it to the honourable the Minister that he has, in fact, the power of life and death.

Mr le Grange: You are worse than the Progs.

Mr Miller said the Minister did not want to stand up and face the consequences of the seriousness of the decisions he had to take. Without any constraint by a court of law the Minister could exercise those powers.

"In fact, I go as far as to say that even this Parliament is unable to exercise constraint or control over the honourable the Minister," Mr Miller said.

The new measure confirmed that the Minister alone carried the responsibility for the powers given him in terms of the Bill.

THE ACTUAL POSITION.

the actions of the Minister?

Members on the Government side interjected: "Of course."

Mr Miller then referred to an Assembly debate in December 1978 on the Information scandal.

In that debate every single member of the Cabinet, including the then Prime Minister, refused to accept joint responsibility for the executive actions of a Minister, Mr Miller said.

The leader of the New Republic Party, Mr W Vause Raw (NRP, Durban Point), said the NRP opposed the Bill for reasons that were totally different from those of the PFP.

The NRP could not support the official Opposition's amendment that the Bill be read "this day six months." The NRP believed security legislation was warranted under certain circumstances, but with the necessary judicial safeguards.

Mr Raw moved an amendment declining to pass the second reading of the Bill because it failed to neutralise the damaging propaganda campaign which formed part of the onslaught against South Africa.

Nobody could question the NRP's commitment to South Africa's security, Mr Raw said. In spite of improvements, the Bill failed to meet certain important requirements.

Long fight looms on security bill

Political Staff

CAPE TOWN 18/5/82

HOUSE OF ASSEMBLY. — The Official Opposition has given notice of a marathon clause-by-clause fight of the contentious Internal Security Bill.

The PFP has tabled 39 amendments to the bill which Mrs Helen Suzman, MP for Houghton, has described as a measure which will perpetuate a state of emergency in South Africa.

The opposition calls for the scrapping of 13 clauses and proposes improvements to 32 clauses in a committee stage debate that could last up to a week.

Yesterday the protracted second reading debate on the bill continued in the Assembly with the Official Opposition sustaining a sharp attack on a measure which it sees as both indefensible and counter-productive.

The New Republic Party is also opposing the second reading of the bill although it stopped short of the strongest form of parliamentary opposition adopted by the PFP — that the bill be read "this day six months".

Yesterday Mr Harry Pitman, MP for Pinetown, said that laws contained in the proposed bill were the sustenance of revolutionaries.

Mr Pitman said that power given was never relinquished by the recipient and if Parliament divested itself of its power and gave it to another body this would never be regained.

He said that South Africa was already well advanced on the slippery slope of removing fundamental rights and it was leading to a bottomless pit.

The leader of the New Republic Party, Mr Vause Raw, said the NRP would oppose the second reading of the bill because it failed to neutralize the damaging propaganda campaign against South Africa by failing to:

- Provide adequate safeguards, by means of early judicial review, against executive action against people;
- Provide for statutory prohibition of unacceptable methods of interrogation;
- Limit the possibility of false allegations against the security services by permitting detainees' own doctors to accompany state medical officers visiting them.

Mr Raw called for the establishment of a judicial tribunal or similar body to undertake the necessary review of detentions.

'Full scale civil war' warning

ARGUS
18/5/82

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Argus Correspondent

JOHANNESBURG.

— South Africa seems in ever greater degree to be heading for a full scale civil war, Mr Arthur Chaskalson, SC, summed up last night at the end of a public protest meeting called by the Detainees Parents Support Committee.

The meeting, chaired by Mr Chaskalson, was attended by about 150. Under discussion were the proposed new security legislation based on the

Rabie recommendations, and the activities of the DPSC.

Mr Chaskalson joined with Professor John Dugard, director of the Centre for Applied Legal Studies, in slamming the Rabie Commission proposals, saying "security legislation of this nature is the product of bad law.

"It neither serves the need of the community — nor arises out of a community which functions properly."

In a review of the Internal Security Bill, which is modelled on the Rabie Commission's proposals, Professor Dugard said: "Some of us had naively hoped for real change in security legislation.

COSMETIC

"But all that has emerged is cosmetic surgery to existing laws."

Minor changes had been instituted in the categories of terrorism, subversion, sabotage and advocacy of communism,

but in an overview the changes merely gave statutory status to existing practices.

As far as Section 6 of the Terrorism Act was concerned, which could become Section 9 under the new Bill if passed, it still had not been established whether the State authorised torture or not.

"Interrogation in solitary confinement is a form of torture and it is high time the authorities recognised that fact," said Professor Dugard.

'Catch all' clause spurned

Parliamentary Staff

IT WOULD be an "untenable" situation if a measure preventing news-papers from reporting security law detentions was passed by Parliament, Mr Dave Dalling (PFP Sandton) said in the Assembly yesterday when he spoke against the Protection of Information Bill.

Mr Dalling was speaking during the second reading of the Bill.

He expressed concern about one particular clause of the Bill which he said effectively protected vital information, but in attempting to do so acted as a total "catch all".

He said the provision could easily be used to prevent the disclosure or making public of information to which the public should be entitled.

He wanted to ask the Minister straight out whether the clause could be used to prevent newspapers reporting on security law detentions.

"This is a question posed by many academics who have commented on this Bill," said Mr Dalling.

The Terrorism Act and the Internal Security Act had been used on many occasions to detain people who were not terrorists. A number of journalists, trade unionists and academics could testify to that fact.

He also objected to another section of the Bill which granted "very broad powers" to the courts to hold trials in camera.

In cases involving intelligence or tactical defence matters the courts should have the power to hear evidence in camera, but the powers granted in the Bill were "an open licence to a closed form of justice".

Mr Dalling said a further measure in the Bill which would "cause a great deal of difficulty" was the power given to the State President to declare any association or group outside the Republic to be a "hostile organisation".

He said the Bill for being vague, and said "the vaguely stated curbs on what may or may not be published are horrendous and must be opposed".

Certainly South Africa is confronted by more than conventional enemies.

Therefore, adaptations to laws to meet these modern threats are not out of place. But once again, regrettably, the cure devised here is far broader and all-embracing than that required to deal with the problem.

Mr Dalling moved an amendment calling for the House to decline to pass the second reading of the Bill because its provisions were too widely drawn and vaguely phrased, the State President was granted unfettered power to declare foreign organisations hostile, and the penalties were excessive.

Re-enactment of 'abused powers'

Parliamentary Staff

THE Internal Security Bill was a re-enactment of powers which had been abused for nearly two decades, and which were still being abused, Mr Ray Swart (PFP, Berea) said in the Assembly yesterday.

Speaking during the second-reading debate on the Bill, Mr Swart said it should be seen against the "background of experience."

There had been deaths in detention of people who had never been tried in court; needless and inhuman detentions of people for long periods;

harsh and restrictive banning orders; severe damage to health of detainees and their innocent families; and innumerable instances of unwarranted interference in the freedom of movement of people.

The Internal Security Bill, and the re-enactment of these measures, was a product of the Rabie Commission.

"But the principal weakness in the operation of the commission and its report was that it seemed almost unconcerned with the way in which power had been used in the previous measures, and the effect which it had on people," said Mr Swart.

He said the commission had "come down firmly on the side of the belief

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Jills Dishwasher

29c

750 ml

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1st Grade, Medium Potatoes

25c

Per kg

Tas But Be at

327 Report of Commission of Inquiry into
Security Legislation 19/5/82
Hansard C. 61. 853

*7. Mr. B. W. B. PAGE asked the Minister Justice:

- (1) When is it expected that the English translation of the Report of the Commission of Inquiry into Security Legislation will become available;
- (2) whether there has been a delay in this regard; if so, what has been the reason for the delay?

The MINISTER OF JUSTICE:

- (1) During June 1982.
- (2) No—not if the normal processes of translation, printing and proofreading are taken into consideration.

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Pietermaritzburg Bureau

STEVE Janson, representing 29 of 43 men who have pleaded not guilty to charges arising out of the alleged hijacking of an Air India Boeing 707 from Mahé to Durban last November, yesterday told the Supreme Court here that he intended putting every man 'jack' of his clients in the witness box to describe their roles in an attempt to overthrow the Seychelles Government.

Mr Vernon Prinsloo, one of the accused, and one of two who gave evidence yesterday, said he had boarded the plane at Mahé Airport with his weapon and with the consent of the pilot, Capt Umesh Saxena.

There had been great confusion at the beleaguered airport and he had been part of a group milling round the boarding ramp of the plane, he said.

Explosives

He had been debating whether to keep his weapon or abandon it when Capt Saxena had said from the plane that the men could take their firearms aboard.

Explosives had to be left behind, Mr Prinsloo said.

When he went aboard Capt Saxena had welcomed him on to the jet.

Mr Prinsloo, a former captain in the Zimbabwean Army, said he had been told to take the airport control tower by Col Hoare after a gun had been found by a customs officer on one of the men.

At the tower they had merely spoken through a microphone beside the door and had been admitted immediately.

Three women had been inside and they had been told they would not be hurt.

He had left the tower to get a radio and on his return had been told that the Air India flight was due about four hours later.

Communism

He had radioed Col Hoare for instructions and had been ordered to let the jet land. Passengers were to remain on board, he was told.

He had not asked where the plane was going after the men had boarded because he thought it had been part of Col Hoare's escape plan, he said.

He believed the coup attempt had had the backing of the American Central Intelligence Agency and had thought the captain could have been in their pay, he said.

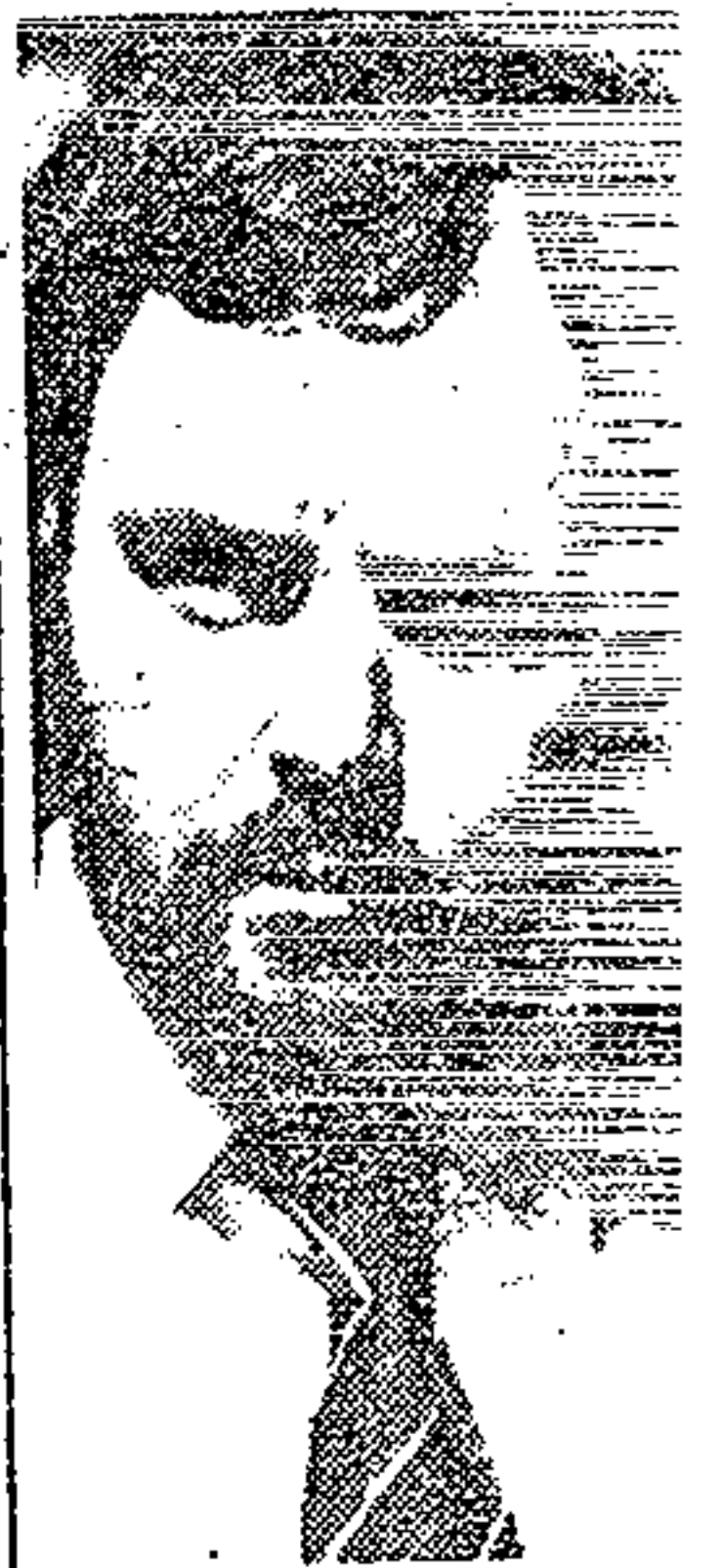
American Charles Dukes, who served with the American, Zimbabwean and South African armies, said he had gone on the raid primarily because of his desire to fight communism.

He also claimed that Col Hoare had said the mission had the blessing of the CIA and the backing of the South African Government.

During an attack on barracks near the airport he had been shot and lost a lot of blood, Mr Dukes said.

British

Pietermaritzburg Bureau. PLANS were made from the Riviera Hotel, Durban's Victoria Embankment for a former Scottish Solicitor-General and British MP to defeat seven mercenaries still being held in the Seychelles.



KEN DALGLEISH
... arrangements made from hotel

The attack party fallen back to the airport terminal where he had been tended with a dressing and a bottle of dettol before being led on the plane.

He remembered about the flight excepting treated by a man and a woman doctor.

He had been given pethidine injection, had slept most of the time, he said.

He had still been in from loss of blood. He made a statement to police at Sonderburg Prison, the Court heard.



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LONG AWAITED

REKORD STATION WAGON

DO NOT MISS OUT

Balloon found

Pietermaritzburg Bureau

City en

Municipal Report
AN OPERA house

Mercenaries for witness box

Pietermaritzburg Bureau
MR STEVE Janson, representing 29 of 43 men who have pleaded not guilty to charges arising out of the alleged hijacking of an Air India Boeing 707 from Mahé to Durban last November, yesterday told the Supreme Court here that he intended putting every man 'jack' of his clients in the witness box to describe their roles in an attempt to overthrow the Seychelles Government.

Mr Vernon Prinsloo, one of the accused, and one of two who gave evidence yesterday, said he had boarded the plane at Mahé Airport with his weapon and with the consent of the pilot, Capt Umesh Saxena.

There had been great confusion at the beleaguered airport and he had been part of a group milling round the boarding ramp of the plane, he said.

Explosives

He had been debating whether to keep his weapon or abandon it when Capt Saxena had said from the plane that the men could take their firearms aboard.

Explosives had to be left behind, Mr Prinsloo said.

When he went aboard Capt Saxena had welcomed him on to the jet.

Mr Prinsloo, a former captain in the Zimbabwean Army, said he had been told to take the airport control tower by Col Hoare after a gun had been found by a customs officer on one of the men.

At the tower they had merely spoken through a microphone beside the door and had been admitted immediately.

Three women had been inside and they had been told they would not be hurt.

He had left the tower to get a radio and on his return had been told that the Air India flight was due about four hours later.

Communism

He had radioed Col Hoare for instructions and had been ordered to let the jet land. Passengers were to remain on board, he was told.

He had not asked where the plane was going after the men had boarded because he thought it had been part of Col Hoare's escape plan, he said.

He believed the coup attempt had had the backing of the American Central Intelligence Agency and had thought the captain could have been in their pay, he said.

American Charles Dukes, who served with the American, Zimbabwean and South African armies, said he had gone on the raid primarily because of his desire to fight communism.

He also claimed that Col Hoare had said the mission had the blessing of the CIA and the backing of the South African Government.

During an attack on barracks near the airport he had been shot and lost a lot of blood, Mr Dukes said.

British MP to defend Mahe men

Pietermaritzburg Bureau
PLANS were made from the Riviera Hotel on Durban's Victoria Embankment for a former Scottish Solicitor-General and British MP to defend seven mercenaries still being held in the Seychelles.



KEN DALGLEISH ... arrangements made from his hotel

it was revealed here yesterday.

Mr Ken Dalgleish, owner of the hotel who is currently facing charges of participating in the alleged hijacking of an Air India jet from Mahé to Durban last November, confirmed after yesterday's hearing that arrangements had been made from his hotel for Mr Nicholas Fairbairn to represent the men detained on the island.

Mr Dalgleish, who acted as a recruiting officer for an attempted coup in the Seychelles, declined to be drawn on where funds had come from or who was involved.

'We have friends,' he said.

Mr Fairbairn, who was Solicitor-General for Scotland until he left the post last year, is a Conservative Party MP for Kinross and West Perthshire.

He is expected to defend all the mercenaries who go on trial at Victoria next month, including Mr Martin Dolinchev, the self-confessed National Intelligence Service agent.

According to reports, Mr

Fairbairn is due in Durban soon to negotiate with attorneys and be briefed for the coming trial.

Mr Fairbairn, 49, was appointed a Queen's Counsel in 1972 and was elected to Parliament towards the end of 1974.



NICHOLAS FAIRBURN ... will defend accused in the Seychelles

The attack party had fallen back to the airport terminal where he had been tended with 'a field dressing and a bottle of dettol' before being loaded on the plane.

He remembered little about the flight except being treated by a man and a woman doctor.

He had been given a pethidine injection and had slept most of the time, he said.

He had still been weak from loss of blood when he made a statement to police at Sonderwater Prison, the Court heard.

He had made the statement, which he claimed was inaccurate in places, because he had been told the 'key would be thrown away' if he didn't.

Summonses

At the start of the proceedings yesterday, Col Hoare said he had decided not to call the Minister of Law and Order, Mr Louis le Grange as a witness.

He was still considering issuing summonses for Brigadiers Hamman and Knoetze. Mr Gerald Hoareau, a former chief

immigration officer in the Seychelles, and exiled Mr Gonzales D'Offay, a former senior member of Mr Jimmy Mancham's Government, he said.

He was expecting to get legal advice overnight and would make that decision known today.

He felt he had to issue summonses because the Judge had indicated that parts of his testimony about the attempted coup were 'hard to believe'.

The only way he could confirm his story was by bringing witnesses, he said.

Balloon found

Pietermaritzburg Bureau

City entertains a Napac deal

Municipal Reporter
AN OPERA house with perfect acoustics, aircon-

chestral concerts. The acoustics are just right, the venue is aircondition-

Yesterday the city's Amenities Committee agreed that Napac's re-

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POWER given is never relinquished. That is the lesson of history and that is the nature of man.

If Parliament divests itself of the power and gives it to the Security Police or whoever — I am not at this stage blaming the Security Police for accepting it — it is never relinquished. The protection of law and procedural safeguards have not come about over the centuries through the unilateral action of rulers.

The Afrikaner nation knows this better than any other nation. Habeas corpus was not a donation by King John in 1215 AD: it was a concession wrung from him by determined barons. The Government knows this.

When one takes away fundamental rights on a permanent basis one sells oneself into slavery.

Here in South Africa we had 90-day detention, but that was not enough.

We then went down the slippery slope to 180-day detention.

Eventually we resorted to permanent or indefinite detention, that bottomless pit contained in Act No 83 of 1967, the Terrorism Act, and also in this Bill.

In 1963 a former Chief Justice of South Africa, an Afrikaner, said that even the threat of 90-day detention was a form of torture.

In 1982 a future Chief Justice (Mr Justice Rabie who recently made recommendations on security legislation) actually advocates not 90-day detention but indefinite detention.

This heralds a very sad day for South Africa.

The Minister of Law and Order, Mr Louis le Grange: It is a very sad day when we have to listen to you.

Mr Pitman: In 1956 Mr Justice Rumpff who was destined to be a future Chief Justice said it was unthinkable the State should take away the right of a person to see a lawyer.

Mr Le Grange: The Member is now being very unfair to both of those eminent judges.

Mr Pitman: I must make these points and I regret having to do so. I shall no doubt have to appear before that

Pitman: We have been sold into slavery



MR HARRY PITMAN
issuing a dire warning

While the public imagination is gripped by the prospect of reform implicit in the President's Council's proposals, four Bills are being debated in Parliament with far less fanfare. The main Bill seeks to consolidate SA's battery of security legislation and to sanction the retention of indefinite detention without trial, preventative detention and bannings. Here is an edited version of a speech in Parliament by HARRY PITMAN, PFP MP for Pinetown, who spells out the official Opposition view on security.

Hon Chief Justice...

Mr Le Grange: You are making the point out of context and you know it.

Mr Pitman: ... but I have to make the points if they are relevant and if they are important to South Africa. I think it is a tragedy that we have reached the stage...

Mr Le Grange: I say that you are making the point out of context. That is what you are doing.

Mr Pitman: I have just made the point that in 1956 Mr Justice Rumpff said it was unthinkable people should be deprived of their right to a lawyer. In 1963 the State created the unthinkable.

In 1982 the Government is actually indignant that we oppose such a measure.

That is how south africa has deteriorated under this

Government and with this Bill.

We are asked by Government speakers in this debate what security legislation we in these benches would accept.

The answer was given by the Leader of the Opposition on a number of occasions.

Extraordinary, emergency security laws are permissible and necessary, but they must be subjected to two things, namely, firstly, they must be temporary, of a limited duration and, secondly, they must be subject to control by the courts.

All extraordinary powers must be subject to an independent judiciary.

The reason for that is obvious. It is because human beings are human power will be abused if it is not controlled.

It is not fundamentally the

fault of the Security Policy or its officials, but it is fundamentally the fault of those who give uncontrolled power.

Let me be perfectly frank: the blame for death in detention does not consequently rest with the Security Police, but it rests with those people who gave that uncontrolled power.

The blame therefore rests on that side of the house.

The PFP will accept as security legislation what lawyers have suggested. The Government is destroying in this Bill the last vestige of respect for the lawyer in South Africa.

This Bill is a manifestation of the degeneration of standards in South Africa and it can truly be said of those who now govern that in this Bill they have destroyed better than they know.

The income from academic

(b) Academic Fees.

1. FINAL ACCOUNTS FOR 1974. (contd.)

Opposition take turns to walk out

HOUSE OF ASSEMBLY. — The controversial Internal Security Bill was read a second time in the Assembly yesterday after members of the Official Opposition and the New Republic Party, in turn, left the Assembly, declining to support each others' amendments to the legislation.

When the second reading debate ended, the Speaker put an amendment by the leader of the NRP, Mr Vause Raw, declining to pass the second reading because, among other things, it "fails to neutralize the damaging propaganda campaign which forms an essential element of that onslaught" (to overthrow the state).

The NRP's Chief Whip, Mr Brian Page, called for a division, at which point the PFP left the House en masse.

Because the NRP have less than 15 members, the amendment fell away and the PFP members returned.

The amendment by Mrs Helen Suzman (PFP Houghton) that "the bill be read this day six months" was then put.

Members of the NRP left the House following a call for a division by the PFP's Chief Whip, Mr Brian Bamford.

The amendment was defeated by 104 votes to 22.

The bill was read a second time after NRP members returned to the House. — Sapa

A/11(d)74

Assoc. Prof. G.B. Brundrit,
Department of Applied Mathematics :

G.B. Brundrit

Yours faithfully,

The completion of a Foundation Year should entail passing at least three first year courses, with perhaps the possibility of condonation of one course. The successful completion of a Foundation Year should be considered a definite achievement and acknowledged as such by the University. Then, with a successful Foundation Year behind him, the student can devote his efforts to the advanced courses of his choice, and within two or three years look forward to his bachelor's degree.

30th September 1974

The Registrar,
University of Cape Town.

Stormy time for Le Grange's Bill — Dalling speaks of 'political terrorism'



Mr Dave Dalling

Parliamentary Staff

A REMARK made by Mr David Dalling (PFP, Sandton) during the debate on the Internal Security Bill in the Assembly yesterday produced the second major row to erupt during the controversial Bill's stormy passage through Parliament.

The first row, on Friday, erupted when Mr S P Barnard (CP, Langlaagte) attacked Mrs Helen Suzman (PFP, Houghton) on her attitude to Nelson Mandela, communism and subversive activities.

It culminated in all but two of the PFP members walking out of the House.

Yesterday's furore erupted when Mr Dalling began his speech on the second reading of the Bill, which has been strongly opposed by the PFP with an amendment proposing it to be read "this day six months."

Mr Dalling said that if the Minister of Law and

Order, Mr Louis le Grange, did not withdraw his arbitrary powers to lock people up, ban them, or enforce other draconian measures, he was guilty of "political terrorism."

He said there was no difference between the Minister and Nelson Mandela. Mandela was convicted of political terrorism, he said.

Mr A J Vlok (NP, Verwoerdburg) rose on a point of order, saying that Mandela had not been convicted of political terrorism, but of high treason, and Mr Dalling's suggestion that the Minister could be likened to Mandela was a reflection on the Minister.

The Opposition whip, Mr Alf Widman (PFP, Hillbrow), responded with another point of order saying that Mr Dalling's remark about the Minister was similar to the remark made by Mr Barnard about Mrs Suzman on Friday, which had not been ruled out of order.

This was rejected by Dr H M J van Rensburg (NP, Mossel Bay), who said that Mandela was a convicted criminal and comparing him with the Minister was unparliamentary.

The argument continued for some time, with both PFP and NP members taking a number of points of order.

Eventually the Speaker, Mr J P du Toit, accepted a suggestion from Mr Widman that he study Hansard and give a ruling on Mr Dalling's remarks at a later stage.

Mr Dalling continued his speech, which was fraught with interjections.

Another disturbance occurred when Mr Dalling noted that the Minister, Mr le Grange, had left the House. This was "discourteous."

When Mr le Grange returned after a few minutes Mr Dalling told him he expected the Minister to be present at the debate while a member of the official Opposition was speaking.

In his speech Mr Dalling said the statute books were filling up rapidly with clauses, chapters and measures to regulate what may or may not be reported on or written about in the Press.

A "formidable and complicated" machinery was in operation to control what people could be allowed to see or read.

The Government had the power to stop publication, close newspapers and to ban publications and periodicals.

South Africa had a Press which was partly free, but which was under siege and constant threat of emasculation.

To the extent that the Internal Security Bill made legislation suppressing publications more reasonable it represented an improvement on the existing situation, but it would be "folly" for the opposition to support the Bill merely because it improved marginally a previously "indefensible and untenable set of laws and regulations."

our well supported conference in August of this year on evaluation in university teaching which revealed the continuing interest among U.C.T. staff in innovation in teaching methods.

growing student interest in and criticism of university teaching.

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Barnard withdraws remarks about Suzman

Political Staff

HOUSE OF ASSEMBLY. — Mr S P Barnard, Conservative Party MP for Langlaate, yesterday withdrew remarks about Mrs Helen Suzman (PFP Houghton) which caused a mass opposition walkout from Parliament on Friday.

Two other MPs, Mr Dave Dalling (PFP Sandton) and nominated Nationalist, Mr Danie Schutte, also withdrew remarks they made during the heated debate on the Internal Security Bill.

The Speaker has also held over a decision on whether New Republic Party leader Mr Vause Raw should withdraw remarks about Mr Dalling following an alleged last minute change of mind by Mr Raw to do so voluntarily.

The withdrawal came at the start of yesterday's parliamentary sitting when the Speaker said that he had had a chance to study the official reports on the debate. He said Mr Barnard had posed three

question to Mrs Suzman. He had asked if she was a member of the so-called "Port Elizabeth movement" which had held a mass meeting in Johannesburg where communism was propagated.

He had also asked what the difference was between her and Mr Nelson Mandela, referring to the fact that both of them were candidates for the chancellorship of the University of the Witwatersrand.

The third question he had posed was whether she had ever repudiated the bomb blast on the Johannesburg station in 1964. He said that by implication, these questions cast reflections on Mrs Suzman and that Mr Barnard had agreed to withdraw them.

Mr Barnard: "Mr Speaker, I withdraw any accusations which might by implication be in those questions."

Immediately afterwards, Mr Schutte withdrew the words "political terrorists" which he had applied to the opposition

during the debate.

Mr Dalling then withdrew remarks he had made on Monday night when he compared the Minister of Law and Order, Mr Louis le Grange, with Mr Nelson Mandela. He also withdrew remarks relating to the minister and "political terrorists".

However, he then took a point of order and said that Mr Raw had also agreed to make a withdrawal but had just intimated that he would not now be doing so.

Mr Dalling said it stood in Hansard that while he (Mr Dalling) was speaking during the debate on Monday night, the NRP member for Umbilo, Mr Derrik Waterson had commented: "This is absolutely ruddy nonsense."

In Hansard, under Mr Raw's name was the remark (addressed to Mr Dalling): "Ruddy is a shade of red. You ought to know all about it."

Mr Dalling said he had taxed Mr Raw about this and he had agreed that he had

made the comment and to withdraw it. "He has now withdrawn his agreement to withdraw it and I ask you to instruct him to do so," said Mr Dalling.

Mr Raw contended that this was not correct.

He had said that he would check his Hansard. He had however used the words. They had not appeared in his Hansard and he did not have an extract of Mr Dalling's.

"If you consider it to be an innuendo — I did not intend it as such — I will withdraw," said Mr Raw.

Mr Speaker: "Will the member be willing to withdraw that remark once he has seen it in Hansard?"

Mr Raw: "If it appears there, and if an innuendo is attached to it, I will certainly be prepared to withdraw it.

"It was not intended that way but I was unable to take a decision without having seen it myself."

The Speaker ruled that the matter would be taken further today.



Mrs Helen Suzman

PHOTOGRAPH BY J. J. VAN DER MERWE

Re-enactment of *ARBUS 19/5/82 (327)* 'abused powers'

Parliamentary Staff
THE Internal Security Bill was a re-enactment of powers which had been abused for nearly two decades, and which were still being abused, Mr Ray Swart (PFP, Berea) said in the Assembly yesterday.

Speaking during the second-reading debate on the Bill, Mr Swart said it should be seen against the "background of experience."

There had been deaths in detention of people who had never been tried in court; needless and inhuman detentions of people for long periods;

harsh and restrictive banning orders; severe damage to health of detainees and their innocent families; and innumerable instances of unwarranted interference in the freedom of movement of people.

The Internal Security Bill, and the re-enactment of these measures, was a product of the Rabie Commission.

"But the principal weakness in the operation of the commission and its report was that it seemed almost unconcerned with the way in which power had been used in the previous measures, and the effect which it had on people," said Mr Swart.

He said the commission had "come down firmly on the side of the belief that unbridled executive authority is justified."

Government speakers had acknowledged that wide powers over rights of individuals were given to the executive. Although this was contrary to what was normally desirable, they pleaded that in existing circumstances in South Africa it was justifiable.

One speaker had likened the Minister of Law and Order, Mr Louis le Grange, to a "wise and responsible 'huis vader' (house father)."

"But if Government members think that people will willingly abdicate their right of freedom, their right to be presumed innocent until they are found guilty by a court of law, and to trust these basic human and individual rights to this benign 'huis vader', then they are very wrong," said Mr Swart.

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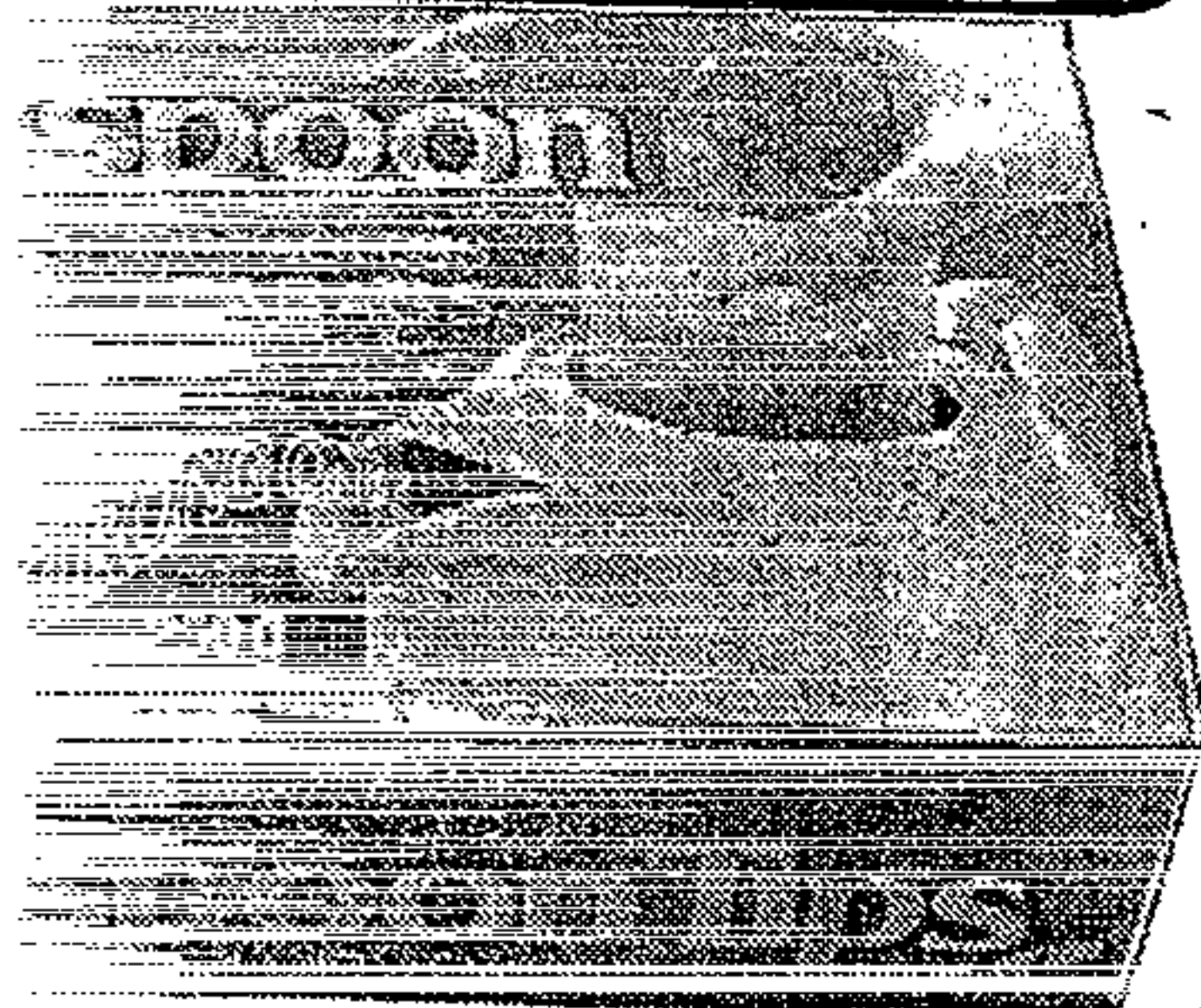
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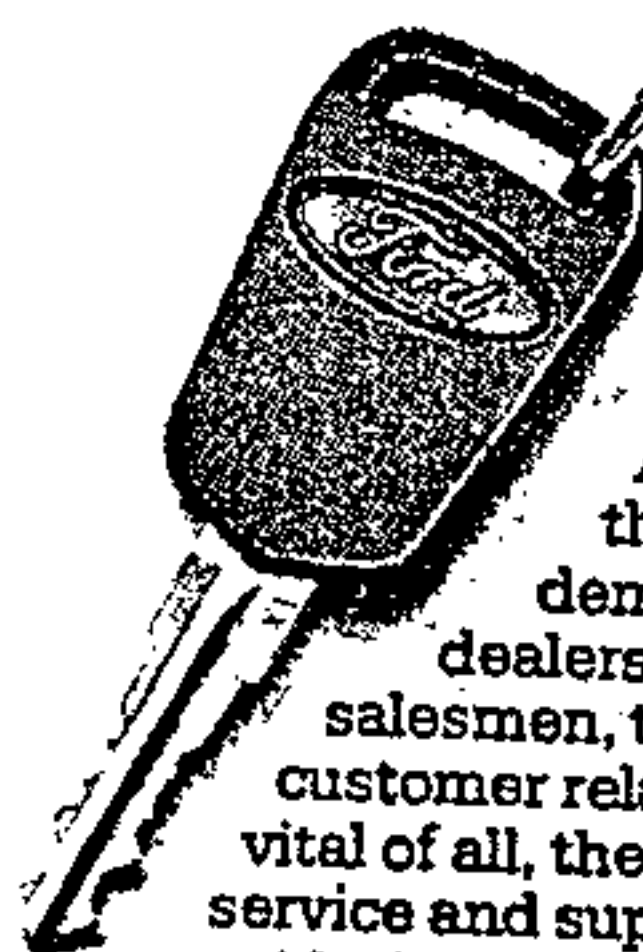
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Made in South Africa

'Ordered to kill Rene'

Pietermaritzburg Bureau
MERCENARIES hired to overthrow the Government of the Seychelles had been ordered to kill President René and two other ministers in the event of them resisting capture, the hijack trial heard here yesterday.

One of 43 men who have pleaded not guilty to charges arising out of the alleged hijacking of an Air India Boeing 707 from Mahé to Durban last November, Mr Patrick Eurelle, 32, a Johannesburg director of companies, was giving evidence in the Supreme Court.

Mr Eurelle said another accused, Col Mike Hoare, had briefed the men at a meeting shortly before their departure for the Seychelles and had referred to President René and two unnamed Cabinet ministers.

They were to be captured and 'eliminated' if they resisted.

Mr Eurelle said he had routed the crew of an armoured car during a skirmish near Mahé Airport. His party had withdrawn to the terminal building where, after the Boeing had landed, he had helped to prepare it for flight.

Friendly

Before boarding the plane he had been ordered to abandon his AK-47 rifle and had destroyed it by bending the barrel. On board, initial tension evaporated and the atmosphere became very friendly.

Mr Eurelle told the Court he felt it would have been legal to overthrow the communist Government of the islands and restore President James Mancham.

It had been made fairly clear before the mission

that the coup would strengthen the position of the West and be advantageous to South Africa.

Earlier, two other accused, Mr Robert Jones-Davies, 23, a commerce student at Wits, and Mr Andrew Standish-White, 23, a science student at UCT, described how they had been recruited for the operation by friends.

Both had served with Rhodesian forces before moving to South Africa and said that Col Hoare had said the coup plan had the backing of America's CIA and the South African Government.

Mr Standish-White, when asked by Mr Cecil Rees, SC, leading the prosecution, why he had simply taken Col Hoare's word that the Government knew of the coup plans, said he thought it obvious because of the weapons to be used.

Col Hoare must have got them from somewhere, he said, and because of the tight security in the country it had been obvious that a government had supplied them.

Mr Jones-Davies said he believed that in a way he had been a South African soldier and had had the backing of the Government.

He had thought it possible that if the coup failed, the South African Government would send in a force to get them out.

Col Hoare told the Court yesterday he had still not reached a decision on whether to issue summons for Mr Gerard Hoareau, a former confidante of President René, and Mr Gonzales D'Offay, an exiled Seychellois, to give evidence.

The hearing was adjourned until tomorrow.

EVERY CANDIDATE MUST enter in column (1) the number of each question answered (in the order in which it has been answered); leave columns (2) and (3) blank.

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Examiners' Initials		

Notes, pieces of paper or other material brought into the examination room candidates are so instructed.

Candidates are not to communicate with other candidates or with any person except the invigilator.

The answer book is to be torn out.

Books must be handed to the invigilator before leaving the examination room.

Failure to do so may lead to possible exclusion from the examination.

Section B

327
Piercing 20/5/82



Parliament

Parliamentary Staff

THE official Opposition yesterday pleaded for courts of law to decide on the banning of publications and organisations, rather than their being judged by "political opponents".

The pleas came during the committee stage debate on the Internal Security Bill.

The PFP proposed amendments calling for two clauses — one providing for organisations to be declared unlawful, and the other for publications to be prohibited — to be negated.

The clause providing for banning organisations allows the Minister of Law and Order to declare an organisation unlawful if he is satisfied that, among other things, it engages in activities

which endanger the security of the State.

This was opposed by Dr Alex Boraine (PFP Pine-lands), who said organisations should be judged by the courts, not their political opponents. The clause neglected the normal process of law.

The Minister, Mr Louis le Grange, replied that the legislation had been brought to Parliament because the Government considered it was in the country's interests in the current situation.

It appeared that he PFP objected in principle to declaring organisations unlawful. He deduced that unlawful organisations would obviously not be curbed under a PFP government.

Dr Boraine's amendment calling for the clause to be negated was defeated in a division in which the NRP and the CP voted with the Government.

Mr Dave Dalling (PFP Sandton) opposed a clause giving the Minister the power to stop publication of any periodical he believed could endanger State security, promote communism or incite racial tension.

He said the PFP believed that literature or publications that incited violence, or had as their objective the aim of inflaming racial tension or overthrowing the Government by other than democratic means, should not be allowed free rein in the country. To allow

them free rein would result in anarchy.

However, in imposing curbs on publications certain basic principles should apply. Control of publications should not be exercised by politicians — in effect giving them power to squash an opponent's publications.

Mr Dalling said the fatal flaw in the clause was that the Minister had the power to make the decisions.

Instead of holding the power of life and death over newspapers the Minister and his staff should have no greater status than that of a complainant in a court case.

Mr Dalling also expressed concern that the provision could be applied against those who were not revolutionaries, communists or terrorists. He cited the jailing of Mr Percy Qoboza, editor of the closed World newspaper, as an example.

"No-one can say Mr Qoboza is a communist," he said.

Mr le Grange replied that State security made it necessary in some cases to use faster and more streamlined methods than could be provided through the normal process of the law.

The clause was passed after another division, in which the NRP and CP again voted with the Government.

Le Grange rejects pleas

Parliamentary Staff

THE Minister of Law and Order, Mr Louis le Grange, yesterday rejected opposition pleas that the Chief Justice be empowered to overrule on merit decisions taken by the Minister to ban or prohibit organisations and publications.

Speaking in the committee-stage debate on the Internal Security Bill, Mr Le Grange said the Government was adamant that the executive — and not the judiciary — was the highest State authority where security was concerned.

This issue was raised in the Assembly during the debate on Clause II of the Bill. The clause provides for review procedures in respect of organisations declared unlawful or publications prohibited by

the Minister in terms of certain provisions of the Bill.

Provision is made for the Chief Justice to consider documents and information submitted to him and to set aside, under certain circumstances, steps taken by the Minister.

The grounds on which the Chief Justice, or a judge of appeal designated by him, may set aside steps taken by the Minister are: If the Minister exceeded the powers conferred on him in terms of the Act; or acted in bad faith; or based his decision on considerations other than those contemplated in certain provisions of the legislation.

Mr Dave Dalling (PFP Sandton) said it appeared to be almost impossible for the Chief Justice to come to a conclusion that

the Minister exceeded his authority on security matters or acted in bad faith.

Mr W Vause Raw (NRP Durban Point), leader of the New Republic Party, said the Chief Justice should have the right to set aside a decision of the Minister on the grounds of the factual report on the case in question.

Mr Raw suggested also that the Minister should be accountable to Parliament in respect of matters submitted to the Chief Justice for consideration.

Mr Ron Miller (NRP Durban North) said it was advisable to allow the Chief Justice to overrule, on the merits of the case, a decision taken by the Minister.

Replying, Mr le Grange said the crux of the matter was the principle of who was the highest

The Rabie Commission's report had stated that the executive was the highest authority when it came to State security.

Mr Raw said all he was asking was that when the Chief Justice was allowed to look at a matter, that the facts also be taken into account.

Such a procedure would be acceptable to public opinion and to the world. It would counter criticism that South Africa was using "totalitarian" methods.

It would have great value for South Africa internationally without taking away the Minister's powers.

Mr le Grange rejected the opposition arguments. The clause was passed after opposition pleas to him to reconsider his stand.

ARGUS 20/5/82

327

ARGUS 20/5/82

327

Govt 'swiped' R196 000, Suzman tells Parliament

AKG:LS 20/5/82

327

Parliamentary Staff

THE Government was yesterday accused of "swiping" R196 000 — the money raised from the liquidation of the assets of organisations banned in 1977 — for the State Revenue Fund.

The accusation was made by Mrs Helen Suzman (PFP Houghton) when she opposed a clause in the Internal Security Bill during the committee stage of the Bill in the Assembly.

Mrs Suzman said she

would not move one of the amendments to the clause she had intended to. The amendment, which was printed on the order paper, called for the omission of a paragraph in the clause providing for the Minister of Justice to designate a person to liquidate the assets held by an unlawful organisation.

Although she was no longer calling for the omission of the provision, she said she had some comments to make on it.

She said she under-

stood that about R196 000 — "a considerable amount of money" — had been realised from the liquidation of assets of organisations which were banned in 1977.

Although the law provided for this money to be granted to a scientific or cultural organisation, no such organisation would touch the "tainted money", and now in terms of the Internal Security Bill it would be paid into the State Revenue Fund.

"It has now been

swiped by the State," she said.

Mrs Suzman also objected to another provision in the clause which prohibits anyone from being in possession of anything indicating that he was a member of an unlawful organisation.

She argued that such people were often subject to raids by Security Police, and could innocently have retained some forgotten object, such as a badge or pamphlet from a banned organisation, in a bottom drawer.

If this was discovered the person could be in serious trouble. She felt the provision was "going too far."

The Minister of Law and Order, Mr Louis le Grange, said the question of possession was not always as innocent as portrayed by Mrs Suzman, and the provision in the clause could not be left out.

The clause was passed by the committee after the objection of the official opposition was recorded.

No. 92, 1982

SUID-AFRIKAANSE INDIËRRAADTUSSENVERKIESING.—KIESAFDELING LENASIA-WES

Ek, Marais Viljoen, Staatspresident van die Republiek van Suid-Afrika—

(1) bepaal hierby ingevolge die bepalings van artikels 31 en 76 van die Kieswet vir Indiërs, 1977 (Wet 122 van 1977)—

(a) Maandag, 14 Junie 1982, as die dag waarop 'n nominasiehof sitting sal hou ten opsigte van die kiesafdeling Lenasia-Wes om nominasies van verkiesingskandidate te ontvang vir die verkiesing van 'n lid van die Suid-Afrikaanse Indiërraad vir daardie kiesafdeling;

(b) dat bedoelde nominasiehof sitting sal hou in Kamer 113, Eerste Verdieping, Nuwe Staatsgebou, Harrisonstraat 77, Johannesburg, om 10h00;

(c) dat ingeval 'n stemming nodig word in gemelde kiesafdeling omdat meer as een persoon behoorlik genomineer is by die sluiting van die nominasiehof, die stemming op Woensdag, 28 Julie 1982, sal plaasvind, om 07h00 op bedoelde dag sal begin en om 21h00 daardie dag sal eindig; en

(2) stel hierby ingevolge bedoelde bepalings mnr. J. J. Visser, Administratiewe Beampte, Departement van Binnelandse Aangeleenthede, Johannesburg, as kiesbeampte aan by die verkiesing in voormelde kiesafdeling.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Vyftiende dag van Mei Eenduisend Negehoonderd Twee-en-tagtig.

M. VILJOEN, Staatspresident.

Op las van die Staatspresident-in-rade:

J. C. HEUNIS.

GOEWERMENTSKENNISGEWINGS**DEPARTEMENT VAN BINNELANDSE AANGELEENTHEDE**

No. 1005

21 Mei 1982

**WET OP PUBLIKASIES, 1974
PUBLIKASIES OF VOORWERPE**

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, soos gewysig, het kragtens artikel 9 (4) van genoemde Wet die invoer behalwe op gesag van 'n permit, van publikasies of voorwerpe wat deur ondergenoemde uitgewers uitgegee word, verbied:

The Forge Reg'd, Montreal, Quebec.

International Committee against Apartheid, Racism and Colonialism in Southern Africa, London.

DEPARTEMENT VAN BUITELANDSE SAKE EN INLIGTING

No. 996

21 Mei 1982

GELOOFSBRIEFOORHANDIGING

Hierby word bekendgemaak dat Sy Eksellensie mnr. Ewen Alastair John Fergusson op Woensdag, 5 Mei 1982, aan Tuynhuys, Kaapstad, deur die Staatspresident ontvang is en dat hy by daardie geleentheid sy Geloofsbrief as Buitengewone en Gevolmagtigde Ambassadeur van die Verenigde Koninkryk van Groot-Brittanje en Noord-Ierland in die Republiek van Suid-Afrika oorhandig het.

[72/20/1 (32)]

No. 92, 1982

SOUTH AFRICAN INDIAN COUNCIL BY-ELECTION.—ELECTORAL DIVISION OF LENASIA WEST

I, Marais Viljoen, State President of the Republic of South Africa—

(1) hereby determine, in terms of the provisions of sections 31 and 76 of the Electoral Act for Indians 1977 (Act 122 of 1977)—

(a) that Monday, 14 June 1982, shall be the day on which a nomination court will sit in respect of the Electoral Division of Lenasia West to receive nominations of candidates for election as a member of the South African Indian Council for that electoral division;

(b) that the said nomination court shall sit in Room 113, First Floor, New Government Buildings, 77 Harrison Street, Johannesburg, at 10h00;

(c) that if a poll becomes necessary in the said electoral division for the reason that more than one person shall have been duly nominated at the close of the sitting of the nomination court, the poll shall be taken on Wednesday, 28 July 1982, and shall commence at 07h00 on the said day and shall close at 21h00 on that day; and

(2) hereby appoint, in terms of the said provisions, Mr J. J. Visser, Administrative Officer, Department of Internal Affairs, Johannesburg, as returning officer at the election in the aforesaid electoral division.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Fifteenth day of May, One thousand Nine hundred and Eighty-two.

M. VILJOEN, State President.

By Order of the State President-in-Council:

J. C. HEUNIS.

GOVERNMENT NOTICES**DEPARTMENT OF INTERNAL AFFAIRS**

No. 1005

21 May 1982

**PUBLICATIONS ACT, 1974
PUBLICATIONS OR OBJECTS**

A committee referred to in section 4 of the Publications Act, 1974, as amended, has in terms of section 9 (4) of the said Act prohibited the importation except on authority of a permit, of publications or objects issued by the undermentioned publishers:

DEPARTMENT OF FOREIGN AFFAIRS AND INFORMATION

No. 996

21 May 1982

PRESENTATION OF CREDENTIALS

It is hereby notified that His Excellency Mr Ewen Alastair John Fergusson was received by the State President at Tuynhuys, Cape Town, on Wednesday, 5 May 1982, on which occasion he presented his Letter of Credence as Ambassador Extraordinary and Plenipotentiary of the United Kingdom of Great Britain and Northern Ireland, to the Republic of South Africa.

[72/20/1 (32)]

BYLAE/SCHEDULE

Lisensie- nommer Licence number	Onderskeidings- nommers van kleims Distinctive numbers of claims	Getal kleims Number of claims	Kaart- nommer Diagram number	Naam van laaste geregi- streerde houer Name of last registered holder	Plaas en distrik Farm and district
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MYNDISTRIK PIETERSBURG/MINING DISTRICT OF PIETERSBURG

Edelmetaalkleims/Precious metal claims

8697	Ongenommer/Unnumbered	5	—	M. M. Lyall.....	Vriscgewaagd 33 KS, Pieter- burg.
8792	Ongenommer/Unnumbered	16	—	A. J. Becker	Vriscgewaagd 33 KS, Pieter- burg.
8558	Ongenommer/Unnumbered	2	—	P. J. J. van Rensburg	Vriscgewaagd 33 KS, Pieter- burg.

DEPARTEMENT VAN SAMEWERKING EN
ONTWIKKELING

No. 995

21 Mei 1982

INTREKKING VAN VRYSTELLING VAN DIE BEPALINGS VAN ARTIKEL 9 (1) VAN DIE SWARTES (STADSGBIEDE) KONSOLIDASIEWET, 1945 (WET 25 VAN 1945), TEN OPSIGTE VAN STADSGBIEDE GELEË BINNE DIE ADMINISTRASIEGEBIED VAN DIE ADMINISTRASIERAAD VIR DIE WES-KAAPGE-BIED

Ek George de Villiers Morrison, Adjunk-minister van Samewerking, verklaar hierby namens en in opdrag van die Minister van Samewerking en Ontwikkeling, kragtens die bevoegdheid hom verleen by artikel 9 (2) (e) van die Swartes (Stadsgebiede) Konsolidasiewet, 1945 (Wet 25 van 1945), en op versoek van die Administrasieraad vir die Wes-Kaapgebied, dat die vrystelling van die bepalings van artikel 9 (1) van genoemde Wet, wat van toepassing is op die huisvesting van hoogstens een Swarte wat voltyds as bona fide-huisbediende in diens van 'n private huishouer is en wat huisvesting goedgekeur deur genoemde Administrasieraad, bewoon wat deur sy werkgever verskaf word op die perseel waar hy aldus in diens is, met ingang van die datum van afkondiging hiervan, nie in die stadsgebiede vermeld in die Bylae hiervan, wat geleë is binne die administrasiegebied van genoemde Administrasieraad, geld nie.

G. DE V. MORRISON, Adjunk-minister van Samewerking.

(Lêer A7/3/K1)

BYLAE

Bellville.
Durbanville.
Goodwood.
Kaaipstad.
Milnerton.
Parow.
Pinelands.
Simonstad.
Vishoek.

SUID-AFRIKAANSE VERVOERDIENSTE
(AFDELING HAWENS)

No. 999

21 Mei 1982

Dit het die Staatspresident behaag om mnr. Welfit John Oddy ingevolge artikel 28 van Wet 65 van 1981, as lid van die Hawe-adviesraad, Port Elizabeth, aan te stel om die Kamer van Nywerhede tot 31 Oktober 1982 te verteenwoordig.

Mnr. Oddy word aangestel in die plek van mnr. Frank Norman Lock wat bedank het.

DEPARTMENT OF CO-OPERATION AND
DEVELOPMENT

No. 995

21 May 1982

WITHDRAWAL OF EXEMPTION FROM THE PROVISIONS OF SECTION 9 (1) OF THE BLACKS (URBAN AREAS) CONSOLIDATION ACT, 1945 (ACT 25 OF 1945), IN RESPECT OF URBAN AREAS SITUATED WITHIN THE ADMINISTRATION AREA OF THE ADMINISTRATION BOARD FOR THE WESTERN CAPE AREA

I, George de Villiers Morrison, Deputy Minister of Co-operation, hereby declare, on behalf and by direction of the Minister of Co-operation and Development, under the powers vested in him by section 9 (2) (e) of the Blacks (Urban Areas) Consolidation Act, 1945 (Act 25 of 1945), and at the request of the Administration Board for the Western Cape Area, that the exemption from the provisions of section 9 (1) of the said Act, which applies to the accommodation of not more than one Black employed full-time as a bona fide domestic servant by a private householder and occupying accommodation approved by the said Administration Board and provided by his employer on the premises on which he is so employed, shall, with effect from the date of publication hereof, not apply in the urban areas mentioned in the Schedule hereto, which are situated within the administration area of the said Administration Board.

G. DE V. MORRISON, Deputy Minister of Co-operation.

(File A7/3/K1)

SCHEDULE

Bellville.
Durbanville.
Goodwood.
Cape Town.
Milnerton.
Parow.
Pinelands.
Simonstown.
Fish Hoek.

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SOUTH AFRICAN TRANSPORT SERVICES
(HARBOURS SECTION)

No. 999

21 May 1982

The State President has been pleased to appoint Mr Welfit John Oddy in terms of section 28 of Act 65 of 1981, as member on the Harbour Advisory Board, Port Elizabeth, to represent the Chamber of Industries until 31 October 1982.

Mr Oddy is appointed in place of Mr Frank Norman Lock who has resigned.

CAPE TIMES 21/5/82

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'Disturbing omission' by Rabie Commission

Staff Reporter

THE most disturbing omission from the Rabie Commission Report on security legislation was the absence of recommendations for effective safeguards to prevent death or injury during detention.

This is the view expressed by the president of the Association of Law Societies, Mr J E Knoll, in response to the Rabie report.

He said in a statement that apart from the more than 40 deaths in detention, there was cause for grave concern in reports of detainees being referred to hospitals for psychiatric treatment. The public no longer believed that detainees were not maltreated.

According to the statement, the commission had gone some way towards meeting submissions it received from the association — the review board in the draft Internal Security Act being "a distinct step forward" — but the commission's rec-



Mr Justice Rabie

ommendations had in certain respects fallen "far short of what is necessary".

Examples

Three examples were the failure to introduce sufficient safeguards to ensure that persons were not detained unless it was justified, the lack of provision for detainees to be visited by their lawyers and the lack of provision for the payment of compensation to detainees.

The commission had rejected the association's submissions that emergency legislation should be brought into effect only when a serious threat to the maintenance of law and order existed — and not as a permanent feature of the legal system — and that all detentions should be by warrant issued by a high ranking police officer and should be confirmed by a judge president within 14 days.

The association had recommended a number of safeguards to the government, apart from the supervisory powers of the judge president.

These included explaining the detainees rights to him, a detailed code for the handling of detainees, regular medical examinations before, during and after periods of detention and the presence of uniformed police and a senior magistrate during detentions.

The statement stressed that the administration was brought into disrepute by abuse of power made possible by security laws and that the security laws might be self-defeating.

"The commission has correctly pointed out that security laws alone will not bring about peace in South Africa. It does not appear to have considered the fact that security laws harshly applied can do the opposite and increase the difficulties of those charged with maintaining law and order."

Heavy debate on security bill

Cape Times 22/5/82

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HOUSE OF ASSEMBLY.

The controversial Internal Security Bill which provides for the security of the state and the maintenance of law and order, was adopted in committee yesterday following a series of amendments by opposition members, the majority of which were rejected.

The bill, introduced by Minister of Law and Order Mr Louis le Grange, is the result of recommendations by the Rabie Commission's investigation into South Africa's security legislation.

Several clauses, notably the one dealing with the interrogation of detainees, drew heavy debate at times.

Opposing what she described as "the most objectionable clause in the whole Internal Security legislation", Mrs Helen Suzman (PFP Houghton) said it made no provision for a code of conduct for interrogation.

Speaking in committee on the bill, Mrs Suzman criticized the fact that people detained for interrogation were denied the protection of the courts.



Mr L le Grange

"We are most depressed that the Rabie Commission, from which this emanates, made no recommendations which would remove the very worst features of a law which has got South Africa into trouble throughout the world, namely because of the number of people who died in detention."

With some minor amendments, clause 29 of the bill was exactly the same as the old section 6 of the Terrorism Act. It made provision for indefinite detention during which a person could be held in isolation for long periods at a time.

Even the toughest measures which applied in other countries allowed the detainee access to his lawyer.

The Minister of Law and Order, Mr Louis le Grange, had quoted Israel as a country with similar provisions in its security legislation, but the law he quoted was in operation before 1979 and no longer applied.

There were one or two little changes in section 29, including a board of review, and the fact that the minister was now personally responsible for signing the order every month for further detention of a person held under this section.

"These changes in no way give the protection we believe is vitally necessary to people detained for interrogation," Mrs Suzman said. — Sapa



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Col Hoare closes his defence

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Mercenary
22/5/82

'Blue' knew, says accused

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Pietermaritzburg Bureau

THE Supreme Court here turned in to a make-believe battle ground yesterday as Col Mike Hoare painted a verbal picture of what conditions in the building would be like while under a terrorist attack.

In a bid to impress upon the Court that it would be very hard to say with certainty what orders had been given and by whom, six months earlier and while under enemy fire, Col Hoare gave a vivid description of bombs falling and people screaming in the old Victorian building.

Col Hoare put this picture to Mr Christo Hillebrand, one of his co-accused, while cross-examining him in his own defence here yesterday.

'Imagine at this moment that this Court was being subjected to a terrorist attack with 81 mm mortar bombs falling on the roof, and 75 mm recoilless cannon shells breaking through the walls.'

Laughter

'Imagine that this bombardment continued for an hour, and worse than that, that a man was lying dead at your feet — possibly one of the prosecution,' said the colonel, drawing laughter from the entire Court as well as from the Bench.

At this point Mr Justice James interjected with a smile: 'I don't think you ought to stretch our imagination so far.'

'My Lord, I could assist in the choice,' the bearded colonel said drawing laughter from even the prosecution bench.

'Imagine that under these conditions you were in a position where you were taking commands from one of a number of people coming or going at the scene. Would you, six months hence, be able

to give an accurate account of who had given you the commands, and describe the instructions in detail?' Col Hoare asked.

Mr Hillebrand, a branch manager of an insurance company who credited himself with a good memory, said with a smile that he did not think he would be able to.

Closed

Forty-three men are appearing in the Supreme Court in Pietermaritzburg on charges of hijacking an Air India Boeing to Durban last November. They have pleaded not guilty.

At the start of yesterday's proceedings, Col Hoare closed his defence when he told the Acting Judge President of Natal, Mr Justice James, that he was not going to call further witnesses.

Col Hoare had intimated at the beginning of this week that he was considering calling on the Minister of Police, Mr Louis le Grange, two Defence Force brigadiers, and an exiled former minister of President Rene's Government to testify for his defence.

Col Hoare, who has been undertaking his own defence since the withdrawal of Mr Mike Hannon, SC, from the defence team, was told by Mr Justice James that he was entitled to call the men but urged him to think first as their testimonies could be detrimental to his case.

Request

The Judge had given Col Hoare until yesterday morning to make up his mind.

'I have decided not to call any more witnesses,' said Col Hoare, thanking the Judge for his advice on the matter.

Col Hoare then asked that the subpoenas that had been issued on his behalf be withdrawn. His request was granted and the cross-examination of Mr

Patrick Eurelle, another of the accused, continued.

Mr Eurelle told the Court he was unemployed when a Mr Paul had approached him over the proposed coup in November last year.

Money had been one of the factors that had influenced his decision to go on the operation. He said that before the Seychelles coup he had never been on 'an operation of this type'.

He admitted he had been shown pictures of Seychelles' President Rene and two of his Cabinet ministers and said they had been given instructions to capture them and 'take them out' (kill them) if they resisted.

Mr Eurelle denied in cross-examination by Mr Gideon Scheltema, for the State, that they had been ordered to kill the men.

Refuel

The civilians that had been held in the Mahe Airport terminus building had not been held there as hostages, but for their own safety, said Mr Eurelle.

Mr Eurelle then described his part in readying the Air India Boeing that lifted himself and his fellow mercenaries off the island.

He had watched airport employees refuel the plane and then helped load luggage on board before he assisted in manoeuvring the plane into a take-off position.

He described himself as a man with flying experience, and said that any pilot would have been in two minds about landing on the island (in the middle of an attempted coup) if he had known the situation.

He personally felt they still had a chance of pulling off the coup when the order was given to board the plane for take-off, he told the Court.

The hearing continues on Monday.

Pietermaritzburg Bureau

A SOUTH African security policeman was one of the mercenaries who took part in the abortive Seychelles coup, Mr Christo Hillebrand, another of the accused, told the Supreme Court here yesterday.

Australian citizen Kenneth John Kelly, or 'Blue', was known to him as a security policeman, and was one of the few people he knew at one of the initial planning meetings before the attempted coup. Mr Hillebrand said when he was called to lead his evidence in the Seychelles hijacking trial here.

He said that Mr Kelly's knowledge of the proposed coup had made him feel more easy about the operation.

'I thought the South African Government would not allow one of its own employees to take part in a coup unless it was a bone fide operation,' Mr Hillebrand, a reserve corporal in the Reece Commando of the South African Defence Force, told the Court.

Mr Justice James, the Acting Judge President of Natal, later gave Mr Kelly the opportunity to question or respond to Mr Hillebrand's statements. Mr Kelly replied with a smile in an Australian accent: 'I have nothing to say, Sir.'

Mr Hillebrand went on to tell how many of the mercenaries had been dissatisfied when they discovered they would have to carry AK-47 rifles through two international border posts.

'We were initially told all the weapons were already on the island. We arrived at the Holiday Inn in Ermelo to be told just before our departure we would have to carry new bags on the trip,' he said. These bags contained guns.

It was because of this that one of the would-be mercenaries, a Dr de Jager, had opted out of the venture at the last minute.

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Post Focus

CAPE TOWN — Amid the excitement of the President's Council's proposals and debates, the South African Parliament has quietly gone about the business of approving drastic additions to the country's security armoury.

Some of it is simply re-formulation of already existing security legislation: a consolidation of the web of police laws built up over 30 years. But some of it adds new dimensions to the control the Government will be able to exercise over information.

In a few cases it improves the existing situation. The four pieces of legislation — the Internal Security Bill, the Prohibition of Demonstrations in or near Court Buildings Bill, the Protection of Information Bill and the Intimidation Bill — all spring from the Rabie Commission of Inquiry into Security Legislation.

The tabling of the Rabie report, the presentation of the significant legislation and the timing of its eventual debate have all — whether by intent or coincidence — occurred at times when the least possible public attention was focused on the key issues of tighter security measures.

The Rabie report itself was tabled at the beginning of the parliamentary session only three days after the massive Steyn Commission report on the mass media. Public attention — certainly newspaper interest — was focused most closely on the horrendous terms of the Steyn Commis-

Useful smoke screens for new security Bills

By BRIAN POTTINGER, Political Correspondent

sion with its recommendations for a journalists' register and a Government-orientated controlling statutory council.

Compared with the turbulent, dubious logic and incipient hysteria of the Steyn Commission, the Rabie Commission read comprehensively, logically and unemotionally. Measured against the startling crudity of the Steyn Commission's attempt to gag the Press, the Rabie Commission's proposed Bills relating to the Press were sophisticated, its full implications neatly hidden in the prosaic terms of the Protection of Information Bill.

Recognising the immediate and most obvious menace, attention focused closely on the Steyn report, almost to a fault. And, because of pressures of time and a new parliamentary session, the Rabie report slipped by.

The critical Bill dealing with Press control — the Protection of Information Bill — was published the day after the beginning of the Easter recess when parliamentarians and Press were ill-placed to canvass the full meanings of the Bill.

It was only a few days later that fuller comment on the Bill — which replaces the Official Secrets Act — began to indicate that the Bill's terms might be more ominous than expected. All four pieces of security legislation have been debated most extensively over the last 10 days.

Two of them have been accepted, another is at committee stage and a third going for its third reading. Most of this has taken place while public attention has been focused more fiercely elsewhere: in the President's Council and the renewed debate on constitutional alternatives for the coloured, white and Asian communities.

Again, pressures of space and time have robbed the parliamentary debates of the prominence legislation of this type would have normally enjoyed.

What do the Bills entail? The Intimidation Bill is a short three-clause Bill defining the offence of intimidation and prescribing stiff penalties for an offence. It will replace the intimidat-

ion section of the Riotous Assemblies Act and will no doubt be of considerable significance in relation to industrial unrest.

The Prohibition of Demonstrations in or near Court Buildings Bill is also a snappy 20-liner Bill. It makes it an offence to hold any sort of demonstration in any building serving as a court or within of such a building. A third Rabie Bill — Protection of Information — replaces in total the old Official Secrets Act. It takes over much of the existing legislation but adds a few more twists to the security armlock.

In place of the old definition of an "enemy power", one now has a definition of a "hostile organisation" — and the State President can, at his discretion, declare any organisation hostile. It includes a catch-all clause preventing publication of information which is prejudicial to South Africa's security or interests.

Only after pressure from the Newspaper Press Union did the Government withdraw the clause "or may be prejudicial". But even as it

stands the proposed law places an impossibly wide ban on the publication of information.

Part of the intention — admitted by the Government during debate — was also, in certain cases, to prevent publication of the news of the detention of an individual. As past experience has shown, "certain cases" at the time the law is introduced inevitably become general procedure in the course of time.

But the Bill with widest implication is the Internal Security Bill which runs to 99 pages and contains 74 clauses. The Bill's major defect in the eyes of the Opposition, the law societies and academics is not so much what it does but what it neglects to do. Much of it is a faithful replication of the essential elements of the 11 existing Security Acts it seeks to consolidate.

Some of it definitely entails improvement. The definitions of offences are clearer, minimum penalties scrapped and the onus of proof shifted. But these are all improvements for the accused once he gets to court. The real objection, of course, lies in the treat-

ment of those who don't get to court: the security detainees.

The Rabie Commission remains largely silent on protections for security detainees. Although there are some review features built in and certain administrative changes, the basic untrammelled power of the executive to carry out indefinite detention remains.

It is this point which has raised grave doubts in the mind of the Opposition and jurists. Why the plethora of security laws? The conventional wisdom has it that, in form of reform, the greatest danger of instability arises.

At times like these, one needs secure government. The rash of Rabie-inspired security laws are seen as the flip side of the Government's present limited reform coin.

In an uncharacteristic high-profile attack on the Internal Security Bill, the Association of Law Societies has expressed serious concern about the continuing use of detention without trial. They warn that the Bill has grave implications for all South Africans.

A counter-argument is, of course, that it is pre-

cisely the possession and sometimes brutal exercise of these arbitrary powers by the Government that creates the conditions of resentment and, ultimately, unrest. And, in the long run, the extraordinary powers sought by the Government — and to which it has rededicated itself in the last two weeks — represents a great retreat for the country from the once secure beliefs in the protection of the courts and the sanctity of individual freedom.

One of the most important speeches during the debate on the Internal Security Bill was by Mr Harry Pitman, MP for Pinetown, and in his own right a top-flight advocate specialising in security laws.

He observed: "In 1963, a former Chief Justice of South Africa, an Afrikaner, said that even the threat of 90-day detention was a form of torture. In 1982, a future Chief Justice of South Africa, Mr Justice Rabie, actually advocates not 90-day detention but indefinite detention."

"In 1956, Mr Justice Rumpff, who was destined to be a future Chief Justice of South Africa, said it was unthinkable that the State should take away the right of a person to a lawyer."

"In 1963, the State created the unthinkable."

"In 1982, the Government is actually indignant that we oppose such a measure. That is how South Africa has deteriorated under this Government and with this Bill."

Petrol Act: Marais found guilty

Carle Tuis 22/5/82

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Own Correspondent

PRETORIA. — Jacobus Albertus "Jaap" Marais, leader of the HNP, was cautioned and discharged after being found guilty under the Petroleum Products Act in the Pretoria Regional Court yesterday.

Marais, 59, of Soelen Street, Rietondale, Pretoria, was convicted for contravening the Act by disclosing at an HNP public meeting held at the Pretoria City Hall on April 27 last year information about the sale, transport and procurement of petrol.

The information of the petrol came from a telex message belonging to the South African Railways in Bloemfontein.

The message was from the SAR headquarters to the district offices of the SAR.

The contents of the telex message was distributed in pamphlet form during the meeting.

According to the pamphlet, between March 22 and 26 last year, South Africa exported petrol to Zimbabwe, where there was a critical shortage of petrol.

The magistrate, Mr C F Kloppe, said although the Petroleum Act provided for a R7 000 fine or seven-year jail term, he was not going to impose a heavy sentence on Marais.

The magistrate said the authorities

had not taken action against newspapers which carried reports on the sale of petrol by South Africa to the neighbouring States.

When he pleaded in mitigation of sentence, Marais handed to the court newspaper cuttings on the sale of petrol by South Africa to African States, including Zimbabwe, then Rhodesia. The cuttings included statements by cabinet members.

In his judgment, Mr Kloppe said although statements by Marais at the public meeting could have endangered the safety of the country, this did not happen. He said another court might come to a different conclusion.

He said Marais, as a former member of Parliament and leader of a political party, should have realized the significance of the utterances he made during the meeting.

Cross-examined by the State prosecutor, Mr J J de Jager, Marais admitted that the information he gave about the petrol sale and its transport at the public meeting was more detailed than reports in the different newspapers.

He said in his speech he spoke about the petrol issue for only about two minutes in a speech lasting for more than two hours.

Mr J B W de Villiers, SC, with Mr B de Vos, appeared for Marais. Mr De Jager prosecuted

Govt silent on terror appeal

Political Staff

WHEN PFP MP Mrs Helen Suzman yesterday mentioned in Parliament the Appeal Court ruling setting aside a Bophuthatswana Supreme Court conviction, the Minister of Law and Order, Mr Louis le Grange interjected: "That is their baby, not ours."

The historic decision of the Appeal Court sets aside the conviction of Mr Wilfred Marwane, who was found guilty under the Terrorism Act in 1979 and sentenced to 15-year's jail by Bophuthatswana's Supreme Court.

Bophuthatswana has since repealed South Africa's Terrorism Act, and its security legislation is contained in its Internal Security Act of 1979.

The Appeal Court found that the Terrorism Act — whose powers are transferred to the Internal Security Bill now before Parliament — is inconsistent with the declaration of fundamental rights in the Bophuthatswana constitution.

Yesterday the Minister of Justice, Mr Kobie Coetsee, declined to comment on the Appeal Court ruling on the grounds that the bill referred to in the report was "at present the subject of debate in Parliament."

Mr Coetsee added: "It is not customary for the executive to comment on the execution of the judicial function of a court of law."

Bill of rights

But Mrs Suzman, (PFP Houghton) said yesterday that the Appeal Court decision underscored the real need for a bill of rights in South Africa.

"It is ironic that in today's debate in Parliament one of the examples given by the Minister of Law and Order, Mr Louis le Grange, of other countries with security legislation comparable with



Mr Justice Rabie



Mr Kobie Coetsee

South Africa's, was Bophuthatswana," she said.

"But the point is that the Bophuthatswana constitution overrides the Terrorism Act in that its bill of rights contains vital protection for the individual based on the rule of law," Mrs Suzman said.

During the committee stage debate on the Internal Security Bill Mr Le Grange rebuked Mrs Suz-

man for the way she had referred to Mr Justice Rabie, who was one of four dissenting Appeal Court judges in the decision.

Mrs Suzman was explaining that Mr Justice Rabie was not the only dissenting judge as she had claimed earlier.

Mr Le Grange: "That does not matter. What matters was the way in which you referred to Judge Rabie."

Mrs Suzman: "That is too bad. He will hang me one day, no doubt."

Four dissent

Later in the debate Mr Harry Pitman, MP for Pinetown, said that out of the 11 Appeal Court judges seven had concurred with the decision and four had dissented.

The seven concurring judges were: Mr Justice Miller, Mr Justice Jameson, Mr Justice Muller, Mr Justice Diemont, Mr Justice Viljoen, Mr Acting Justice Galgut, and Mr Acting Justice Van Heerden.

The dissenting judges were the Chief Justice, Mr Justice Rumpff, the Chief Justice-Designate, Mr Justice Rabie, Mr Justice Cilliers and Mr Justice Joubert.

"The position was that all 11 judges agreed that there was a conflict between the Terrorism Act and the Bophuthatswana Constitution," Mr Pitman said.

"That was common cause among all 11 judges. They all agreed that the constitution of Bophuthatswana would overrule the Terrorism Act."

"The only issue," Mr Pitman went on to say, "was whether that applied only to future legislation in Bophuthatswana or whether it also applied to earlier legislation, such as the Terrorism Act."

● More parliamentary news, page 4

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SUNDAY TRIBUNE, MAY 23, 1982

'BLUE' THE SA AGENT

By RON GOLDEN

MYSTERY man from Down Under, Australian Kenneth "Blue" Kelly was named in the Air India hijack trial this week as a South African security agent who went with Colonel Mike Hoare's mercenaries to the Seychelles.

And when Mr James Kelly, 33, was given a chance by the Acting Judge President of Natal, Mr Justice James, to challenge the claim, he said: "I have nothing to say."

Mr Kelly, however, himself, could have questioned fellow mercenary Christo Hillebrand, a former Recce unit member who told the court he was now on the A Reserve, about his evidence that he was a South African agent.

Judge James said to Mr Kelly: "Do you challenge you were a member of security? If you challenge it you should put it to the witness."

Kelly said he had nothing to say and sat down.

The allegation that he was a South African security agent was one of the most startling pieces of evidence to emerge in the hearing in the Supreme Court in Pietermaritzburg this week.

Various names have been mentioned in evidence about alleged involvement in the coup plot by South Africans, including Government and military involvements, but few people expected the big, raw-boned Australian would be pointed out as a Government agent.

Earlier on Friday, Col Hoare, who is also defending himself, said he had decided not to call more witnesses and had closed his case.

On Wednesday, Col Hoare told Mr Justice James he would subpoena a Mr Claassen, of the National Intelligence Service, Brigadiers Hamman and Knoetze of Defence Force intelligence, and Gonzague d'Offay, a



Kenneth "Blue" Kelly, the big Australian named South African security man . . .

former Seychelloise who lived in Durban.

The hearing is likely to go on until at least the middle of next month as one by one the mercenaries will be called to give evidence.

Only six of the 40 who are legally represented had been called by Friday, when the hearing started with intensive questioning of various accused.

Col Hoare livened up the proceedings when, cross questioning Mr Hillebrand, he constructed an imaginary scene of disaster in the courtroom, seeking to show how difficult it would be to recall the events after six months.

He started off by asking Mr Hillebrand if he had received a South African medal for bravery in the face of the enemy. Mr Hillebrand said he had.

Col Hoare said he knew Mr Hillebrand was a brave and aggressive man and a loyal South African. He also knew he was

manager of an insurance company and had a good memory.

"I hope so," Mr Hillebrand replied.

Col Hoare asked Mr Hillebrand to imagine then and there the court was being attacked by terrorists.

There were 81 mm bombs falling on the roof and 75 mm recoilless cannon shells were going through the door.

Glass was falling into the centre of the courtroom, the action was going on for an hour and, worst of all, a man was dying at Mr Hillebrand's feet, perhaps one of the defence.

"I don't think you ought to stretch your imagination too far," said Mr Justice James.

Would Mr Hillebrand, with his good memory, be able to remember details and his instructions in six months time?" asked the colonel.

"I doubt it very much," said Mr Hillebrand.

COMPENDIUM OF HORRORS

Sweeping new Internal Security Bill sneaking through

By PETER MANN
Political Correspondent

A HARSH new law — which has been called "a compendium of horrors" and is being opposed by the country's legal profession — is slipping almost unnoticed through Parliament.

The sweeping Internal Security Bill — an omnibus legislative rationalisation of South Africa's notorious

security laws — flows from the report on the Rabie Commission. It is being fought by the Progressive Federal Party. The New Republic Party is also opposing the bill. But the release of the reports of the Presi-

dent's Council have overshadowed its story passage through Parliament. The bill is in its final stages of ratification by the House of Assembly which this week went into committee to argue each clause.

The PFP, which took the strongest parliamentary exception to the second reading of the bill, proposing that it be read "this day six months" but was overridden by the huge National Party majority, is now proposing 39 amendments to clauses of the 99-page bill. Since the bill was introduced into Parliament it has caused repeated walk-outs from the House of Assembly by both the PFP and the NRP rather than vote for amendments each put and stormy sessions of Parliament when MPs clashed heatedly and were later forced to withdraw remarks they had made about each other.

At one stage, all the PFP members except the Whip and the next speaker walked out in defence of Mrs Helen Suzman after a Conservative Party MP, Mr Salmon Barnard, likened her to Nelson Mandela and asked if she had distanced herself from the Harris Johannesburg Station bomb blast.

Mr Barnard was not immediately ordered to withdraw his remarks on Mrs Suzman.

PFP MP Mr Dave Dalling later returned to this theme when he accused the Minister of Law and Order, Mr Louis le Grange, of "political terrorism" if he did not withdraw his arbitrary powers to lock up and ban people.

Mr Dalling said there was no difference between the minister and Nelson Mandela who was convicted of political terrorism.

In the ensuing uproar Mr A. J. Vlok (NP, Verwoerdburg) took a point of order saying Mandela had not been convicted of political terrorism but of high treason and that Mr Dalling's remarks were a reflection on the minister.

PFP Whip, Mr Alf Widman, then took his own point of order pointing out to the Speaker, Mr Hannes du Toit, that Mr Dalling had merely said about the minister what Mr Barnard had said about Mrs Suzman.

Dr H. M. J. van Rensburg (NP, Mossel Bay) walked straight into the PFP trap by complaining that Mandela was a convicted criminal and comparing him with the minister was unparliamentary.

The Speaker accepted a suggestion by Mr Widman that he study the Hansard and give a ruling later on Mr Dalling's remarks.

He later said he had studied the Hansard, reports of the debates and Mr Barnard had agreed to withdraw his remarks which were a reflection on Mrs Suzman.

Mr Dalling then withdrew his remarks about Mr le Grange.

The debate has also led to one of the most extraordinary statements ever heard in Parliament. It came during the debate when Mr le Grange responded to a remark by Mr Pierre Cronje (PFP, Greytown) that a person was only a criminal when they had been convicted by a court.

"It is of course the member for Greytown

PEOPLE who wish to understand the horror of the security laws are being asked to live for one week, starting tomorrow, as though they were banned.

This means that:

- You may not be with more than one person at a time.
 - You may not leave your magisterial district.
 - You may not leave your home between 6pm and 6am, and
 - From 6pm on Friday May 28 to 6am on Monday May 31 you are under house arrest and may not leave your home or receive visitors.
- Mr Brian Bishop, the chairman of the league which gained recognition for its work among Nyanga squatters, said:
- "Bear in mind that you, like the banned, have broken no law and that the banned endure these and other restrictions year in and year out."

who alleged earlier that a person is only a criminal after he has been found guilty in a court.

"This is now the sort of foolishness one gets from a civil engineer who knows nothing about the law," Mr le Grange said.

What is so bad about the bill? The PFP spokesman on law and order, Mr Ray Swart, described it in Parliament this week as "a compendium of all the old horrors of our security laws."

Mr Swart pointed out that it provides for:

- Indefinite detention without trial whether for interrogation as accused or as a witness;

- Arbitrary bannings of individuals for preventive detention;

- Arbitrary bannings of organisation and publication; and

- Absolute executive authority over persons to the exclusion of the courts and with a total contempt for the basic rights of individuals.

"As legislation it is thoroughly bad in itself...but what makes this worse is that it must now be seen against the background of experience of the way in which these powers have been exercised in terms of the earlier acts.

"There have been deaths in detention of people who have never been tried before a court of law.

"There have been needless and inhuman detentions of people for long periods and sometimes their release without ever having been tried. There have been harsh and restrictive banning orders.

"There has been severe damage to the health of detainees and of their innocent families — there have been innumerable instances of unwarranted interference in the freedom of movement of people resulting often in a destruction of their means of

earning a livelihood and with a lack of compassion almost akin to sadism.

"The bill is a product or consequence of the Rabie Commission. But the principal weakness in the operation of the commission and its report was that it seemed almost unconcerned with the way in which power had been used in the previous measures and the effect it had on people.

"It didn't apply its judicial mind to deaths in detention, or to the numerous reports of severe ill-treatment of detainees, or to the methods of interrogation, or the needs for codes of conduct.

"It was totally overawed and obsessed with the total onslaught concept, and in general terms, it took the view that in the circumstances, obtaining the end justifies the means.

"And it therefore came down firmly on the side of the belief that unbridled executive authority is justified, rather than to allow the courts any real authority in determining the guilt of the people suspected of undermining the security of the state or allowing individuals the protection of the courts.

"This is reflected overwhelmingly in this bill. But if Government members think people will willingly abdicate their right of freedom, their right to be presumed innocent until found guilty by a court of law, and trust these basic human and individual rights to a 'benign' minister then they are wrong."

The Minister of Law and Order, Mr Louis le Grange, said the entire cabinet accepted responsibility for the bill. It was being debated in the House of Assembly so its provisions were known to the entire country.

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The receipt itemising arms allegedly supplied to Colonel Mike Hoare by the SA Defence Force

Trial lawyers meet in London

By RAY JOSEPH

MR NICHOLAS FAIRBAIRN, QC, the controversial former Solicitor-General for Scotland, who is to defend six of the mercenaries due to go on trial in the Seychelles shortly, met with the island's Attorney-General in London on Friday.

The meeting was arranged from Durban by attorney Graham Fowles, who, with Mr Johann Havemann, will instruct Mr Fairbairn.

Mr Fowles and Mr Havemann will alternate at the trial of the six — a seventh person, NIS man Martin Döllincheck is to defend himself — when the trial begins on June 16.

A Seychellois attorney, Mr Kiernan Sha, will assist Mr Fairbairn.

The Durban attorneys refused to reveal who was funding the Seychelles defence — after Mr Hannon pulled out many of the mercenaries told me they were "broke" — and who had organised it.

Donors

I understand that some of the mercenaries on trial in South Africa made donations towards the defence.

I was also reliably informed that a list of possible donors to the fund, mostly wealthy businessmen, had been drawn up and would be approached for donations shortly.

I also understand that the possibility of setting up a fund in London with the intention of approaching possible donors, is being investigated to help with the island defence.

Yesterday I spoke to Mr Fairbairn, Tory MP for Kinross and West Perthshire, at his Scotland home, Fordell Castle — he has the title of Baron of Fordell — in Dunfermline.

He confirmed that he would be arriving in South Africa on June 2 and

would "acquaint myself with the facts of the case and also sit in on the Maritzburg trial for a while".

Mr Fairbairn told me he had just returned from a London meeting with Seychelles Attorney-General Bernard Rasool.

"We spoke about the case and anything we could agree on. We also got to know one another."

"I see this case as a very daunting task and a great challenge. I have defended many people faced with the death penalty in the UK (when there was still capital punishment) and not one of them was hanged."

"I was instructed from South Africa, presumably by reputation, and I have a professional duty to accept any such instruction... in fact I was delighted to accept."

Mr Fairbairn said he would be consulting with the other mercenaries in South Africa in preparing a defence.

The flamboyant MP resigned his Solicitor-General post about two months ago following a row after he declined to prosecute three men who had allegedly raped a Glasgow woman.

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THE first thing to note is that, although the Minister has said that it is the Government's desire not to retain these measures longer than necessary, the Bill has no provision for annual renewal by Parliament.

It is to become, like the Acts it incorporates, a permanent part of the law.

Unlike other countries which had to introduce emergency legislation, there is nothing temporary about the Internal Security Bill.

Since the Rabie Report was published, I have studied a number of documents and articles commenting on its contents and recommendations.

Nothing I have read has, in any way, altered my first impression that the report, which relied heavily on police evidence and which evaded a number of major issues, is most disappointing.

Disappointment

Consequently, the Bill which emanates from it is a sad disappointment to those of us who hoped it would set South Africa back on the path to the Rule of Law.

In an excellent lecture, delivered about three years ago to the Faculty of Law at the Rand Afrikaans University, Advocate D P de Villiers said that incisive action was required "to devise a system which will contain the necessary checks and balances to serve as far as possible the fundamental rights and the sense of justice of the community on the one hand, together with the need for effectively controlling terrorism and sabotage on the other".

That, I believe, should have been the short-term aim of the legislation proposed and presented by the Rabie Commission.

In the long term, of course, as the Rabie Commission itself admits, security legislation by itself can be no guarantee of the maintenance of law and order.

That can be guaranteed only if a country is governed with the consent of the majority of the people.

Vast battery

In South Africa that would mean that we would have to do away with the vast battery of laws that discriminate on the basis of colour, that cause bitterness and hostility and that are, in themselves, at the root of disorder in this country.

It is true that the terms of reference of the Rabie Commission excluded consideration of these long term factors.

But one surely could have hoped that legislation introduced on the recommendations of a commission whose

Nothing is temporary about this Security Bill



THIS WEEK IN PARLIAMENT, NEW SECURITY LEGISLATION — DESCRIBED AS A COMPENDIUM OF PREVIOUS SECURITY LAWS — WAS DEBATED. IN THIS ARTICLE, MRS HELEN SUZMAN, MP, GIVES THE OPPOSITION VIEW

terms of reference did include an examination of the efficacy of our security laws would come up with a Bill which would have made some reference to the obvious failure of the existing security laws in combating terrorism, sabotage and violence.

Tougher

The Minister of Law and Order has himself admitted that ever tougher and more repressive security laws embodying powers of detention without trial have not succeeded in reducing the incidence of terrorism, sabotage and violence.

Indeed, on the contrary, such incidence has increased steadily.

Apart from efficacy, one of the other terms of reference of the Rabie Commission was to consider the "fairness" of our existing legislation.

To my astonishment, however, the commission failed to examine in depth the two factors that dominate the lives of detainees under Section 6 of the Terrorism Act: indefinite solitary confinement and the methods of interrogation used by the security police.

This commission was:

- despite the deaths in detention;
- despite the wide-spread belief that inhuman and degrading techniques of interrogation are used on detainees;
- and despite the fact that there is weighty evidence of the devastating effect of soli-

tary confinement for long periods.

For this reason, the Bill retains all the most objectionable sections of our existing security legislation — far removed indeed from the checks and balances suggested by Advocate de Villiers.

Clause 29 in no way differs materially from Section 6 of the Terrorism Act and Clause 31 in no way differs materially from Section 12B of the Internal Security Act.

And I am singularly unimpressed by the "safeguards" provided.

A detainee must be visited "as frequently as possible" in private by an Inspector of Detainees — and the inspector must report in writing to the Minister after each visit.

If he suspects an offence has been committed against the detainee, he must report to the Attorney General.

Inspectors have been on the go since Steve Biko's death.

Interprets

During 1979 and 1980, they paid over 1 000 visits and received only seven complaints. From February 1980 to December 1981, they paid 1 655 visits and received only 28 complaints.

The Minister interprets this as indicating there were hardly any grounds for complaint.

There is another interpretation: that the detainees were too scared to complain — for they remain in the hands of those they complain about.

We may get different statistics now that the visits must be in private.

But, as the Association of Law Societies points out, inspectors are nominees of the Minister and in no sense can they be described as independent ombudsmen.

And magistrates and district surgeons are also within the system.

It is true that sub-Clause 3(a) now makes the Minister personally responsible for detention exceeding one month.

I trust he will take this responsibility very seriously. He is accountable personally for any future disasters to people held in detention.

The Board of Review is also new for some detainees and, if the Minister does not accept the recommendations of the board or the advisory committee, the Chief Justice may exercise certain powers.

These are, however, considerably limited by the legal grounds set out: if the Minister exceeded his authority, if he acted in good faith, or if he based his decisions on considerations not related to the maintenance of the safety of the State or of law and order.

There is no provision for referral to the Chief Justice for restricted persons, banned organisations or publications, or for persons held under the preventive detention clause (28), which replaces Section 10(1)(a) of the Internal Security Act.

Hapless

In the case of the hapless Clause 29 detainees, the Chief Justice does not come into the picture at all.

To sum up:

- This Bill perpetuates an undeclared state of emergency in South Africa;

- Like the Terrorism Act and other draconian measures, it is to be a permanent feature of our law;

- There is the same exclusion of the intervention of the courts under any circumstances for Section 29, and appeal to the court is on a male fide basis in other cases;

- There is no limitation on the period during which a person may be detained and held in solitary confinement;

- There is no provision for a code of conduct under which interrogations can take place — a most serious omission for on interrogation depends the release of a detainee, whether he will be charged, or whether he will be called as a witness.

To my mind Clause 29 is the most important clause in the Bill.

It certainly embodies all the powers that have, for 15 years, caused the most deaths, the greatest anxiety and, I may add, have done the most harm to South Africa's standing in the democratic community of nations.

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ANC man to see

banned son and family

JOHANNESBURG. — For the first time since he was imprisoned for life for sabotage in 1964, African National Congress leader Walter Sisulu will be able to see his banned son, Zwelakhe, with his family at the same time.

Zwelakhe and his wife, Zodwa, with their son, Mayikwe-Zwelethu, leave for Cape Town tomorrow night.

Their destination is Pollsmoor Prison where Sisulu and other ANC leaders, including Nelson Mandela are held.

DIVIDED INTO THREE

They will be with Sisulu for one and a half hours. The time will be divided into three 30 minute sessions when they will see him on Saturday, Sunday and Monday.

Zwelakhe is the banned president of the Media Workers Association of SA and his wife is a radio-grapher at Baragwanath Hospital.

In August Zwelakhe's elder brother, Mr Mlungisi Sisulu, will be taking his family to see his father who turned 70 last week.

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Motor Industry Employees Union of South Africa
Motor Industry Combined Workers Union
Motor Industry Staff Association
National Union of Engineering, Industrial and Allied Workers
National Union of Motor Assembly & Rubber Workers of S.A.
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Court told of pilot's 'deal' to fly men out

Own Correspondent

MARITZBURG. — The son of an Austrian High Court judge told here yesterday how the pilot of an Air India jet had offered to get the Seychelles mercenaries out of the islands if they saved his plane.

This was said by one of the accused in the hijack trial in the Maritzburg Supreme Court.

Mr Sven Forsell, 38, a Johannesburg-based film production manager, told the Acting Judge President of Natal, Mr Justice James, that he had been surprised when Captain Umesh Saxena had said there was "no problem" in getting the mercenaries away from the beleaguered Mahe Airport on November 25 last year.

He had been talking to Captain Saxena while he and his co-pilot, Captain S Misra, were in the terminal building, Mr Forsell said.

Seating

He had asked Captain Saxena what the seating position on his plane was like. Captain Saxena had replied and he had then said: "So, you could take us," Mr Forsell said.

"Captain Saxena said: 'No problem — if you get us out of here,' Mr Forsell, who joined the abortive coup in an administrative capacity, said.

"I was not astonished. I think it was obvious that they (the Seychellois forces) were not stopping the firing and he had an option to join us or the others," Mr Forsell said.

Mr Forsell, who admitted under cross-examination from Colonel Hoare that his father was an Austrian High Court judge, said he had not seen any of the mercenaries threaten or point firearms at civilians. He had had the impression that the Seychellois regarded the civilians caught up in the coup as expendable.

Firing from a 75mm recoilless rifle had begun after the Air India jet touched down and Colonel Hoare had negotiated with Seychellois authorities to stop the shelling of the airport "on humanitarian grounds", he said.

After the men had boarded the plane at Mahe and it had lifted off, he had seen men packing away their guns. He had walked up and down the

aisle talking to passengers and apologising for the inconvenience the mercenaries had caused.

"It was not really necessary, people were calm and collected," he said.

"There was a lot of hand-shaking and shoulder-slapping and once the weapons were stashed away it was like a normal flight", he said.

Mr Forsell told the court he had got involved in the abortive coup purely by accident.

He had been researching a film script about mercenaries in 1975 and had interviewed Colonel Hoare to gather research material, he said.

Later, while acting as production manager on the TV series "The Diggers" he had met Tullio Moneta — also one of the accused — and had become friendly with him.

One day last year, while visiting Mr Moneta to discuss a trip overseas to sell a feature film in which they both had an interest, Colonel Hoare had arrived at Mr Moneta's house.

Mr Moneta had told him he better leave and he had done so, but remained curious about Colonel Hoare's visit, he said.

Later that night he had telephoned Mr Moneta and asked him if there was "something brewing".

Mr Moneta had evaded his questions, but when he had jokingly brought up the matter two days later he had been invited to attend a meeting.

Bloodless coup

Colonel Hoare had addressed the meeting and said he was planning a bloodless coup which had the support of the South African authorities.

Mr Forsell said Colonel Hoare agreed to take him along in an "administrative" capacity.

He had arrived on the islands unarmed and had not touched a gun during the entire battle at the airport, he said.

Earlier another accused, Mr John Mackay, 26, a member of the crack Recce regiment based on Durban's Bluff, said he had initially thought that the Air India jet which touched down at Mahe during the fighting had been arranged for their escape.

The hearing continues today.

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ILO hits at new SA security law

Argus Correspondent

GENEVA. — South Africa has made "positive changes" in its labour legislation as far as racial discrimination is concerned in the past year, the director-general of the International Labour Organisation (ILO) says.

But these changes were offset by new security and police controls, Francis Blanchard states in his annual report to the 1982 International Labour Conference opening in Geneva on June 2. Mr Blanchard, a Frenchman, acknowledges that "some far-reaching legislative changes" have been made in South Africa since his last report.

genuine, it must be accompanied by the will to allow it to function and the removal of all undue restraints." The report says South Africa has a "government-supervised industrial relations system" on one hand and, on the other, "a government-directed labour supply system." This is "a major obstacle" to real freedom of association.

against trade unionists and the large-scale harassment and arrest by the administration board officials and police of blacks, both employed and seeking employment, under the Urban Areas Consolidation Act," the report goes on.

EMPHASIS

"Such actions maintain serious constraints to the exercise of freedom of association and suggest merely a shift of emphasis and responsibility within the Government's supervision of the industrial relations system."

Mr Blanchard notes that "adjustments were also made to legislation concerning manpower training," with "explicitly discriminatory features removed and single legislative measures applied to all races."

"But discrimination continues in practice," he declares. There is still no "genuine and upward job mobility for blacks," and the guidance and placement act still "retains the dual and racially based nature of the existing system of registration for employment."

CONSTRAINTS

"The removal of legislated discrimination from the former system does not remove the constraints of the latter system, which is based on constitutional law and administrative practice and regarded as outside the scope for trade unions," Mr Blanchard says.

Legislative changes during the past year have had the effect of "reducing the degree of direct supervision of the industrial relations system by the Department of Manpower."

But the Government also "has continued legislative and official intervention in industrial relations through other departments and agencies."

"The past year saw the widespread use of security legislation and police in industrial disputes and

AUTONOMY

"Freedom of association has been extended in legislation to all black workers, trade union membership has been recognised, racially discriminatory features have been removed from industrial relations legislation, and a unitary system of industrial relations has been established," this year's report declares.

"Offsetting these positive changes are others which introduce or extend control, particularly over unregistered trade unions," Mr Blanchard states.

The report adds that while changes in industrial relations legislation are welcome, they "cannot be seen in isolation".

"Freedom of association is not established by mere legislative change," it declares. "If it is to be

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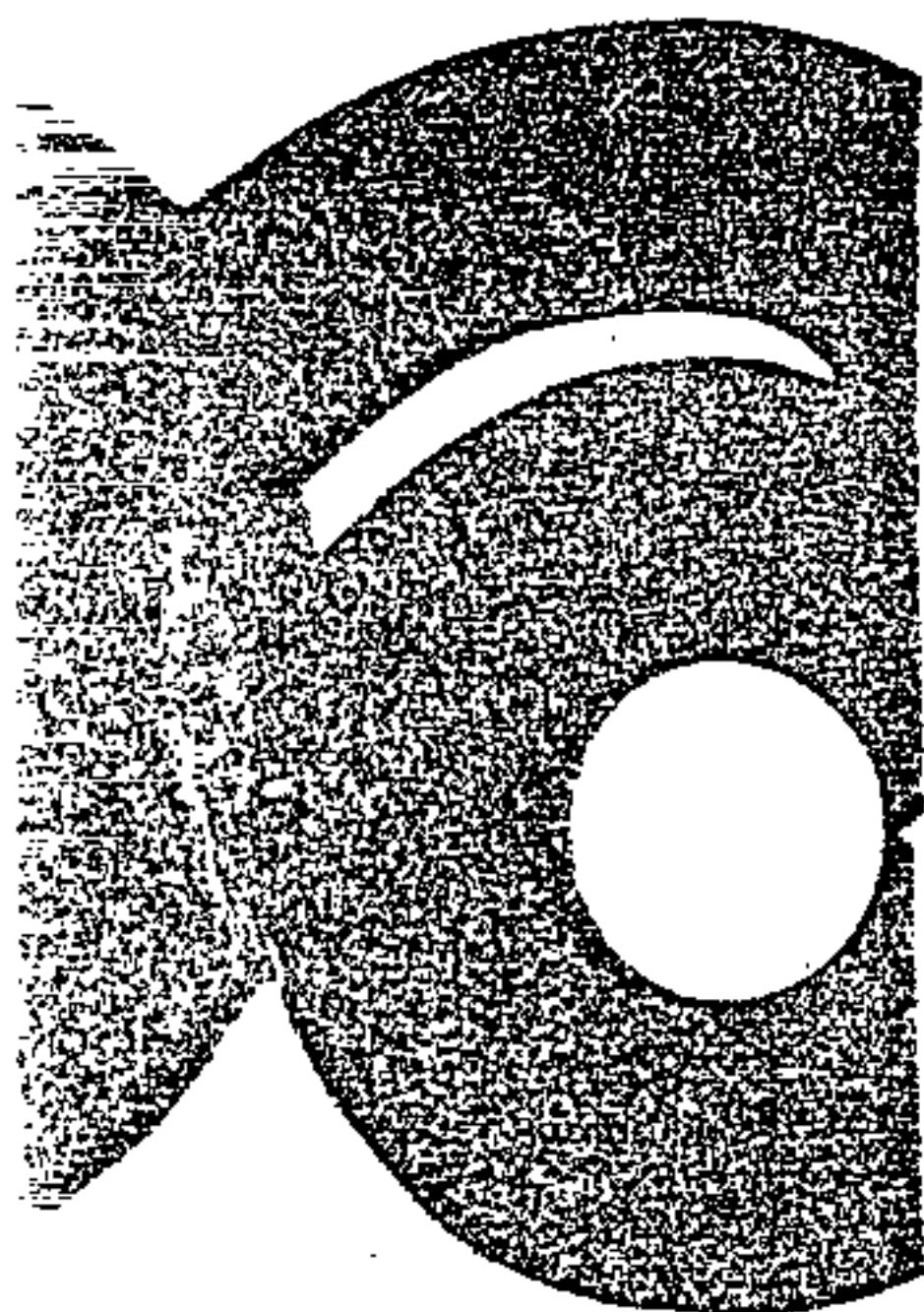
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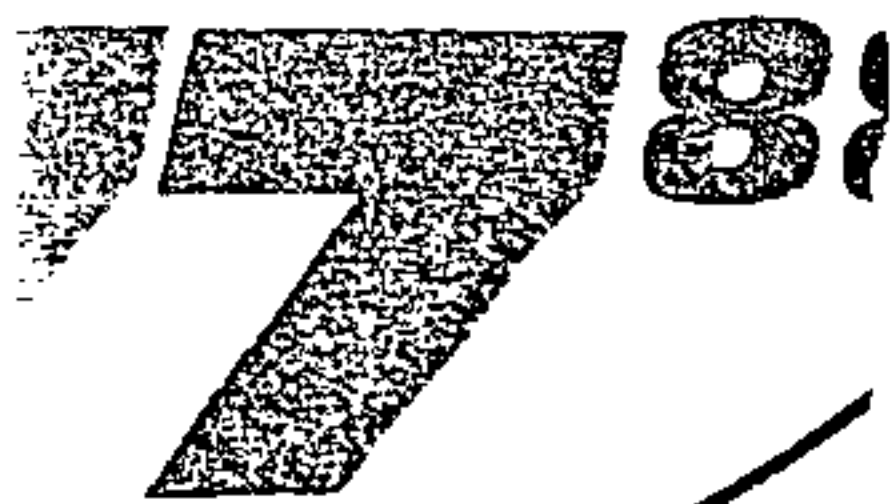
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16 HOURS: MON-THUR

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- Grates, slice
shreds large
variety of
vegetable
1 year guarantee



MINI BRA

Limited
1 year guarantee



'Major loss'

(Continued from Page 1)

Army specialist operators of the "Blowpipe" shoulder-fired surface-to-air missile.

Answering questions in the House of Commons yesterday, the Prime Minister, Mrs Margaret Thatcher, ruled out any cease-fire until the Argentinian forces leave the Falklands.

She said Britain would veto any United Nations Security Council resolution demanding a cease-fire without Argentinian withdrawal.

"Surrender"

While Britain may have underestimated the Argentinian pilots' willingness to sustain losses, it clearly believes it can win the war quickly.

Mr Nott said last night he was sure the task force could take Port Stanley.

Argentina had lost more than 50 fixed wing aircraft in the fighting so far and could not go on taking such punishment.

In a broadcast to the Falklands, he told the islanders they could "look forward to an early prospect of liberation."

He advised the Argentinian commanders to follow their colleagues' example on South Georgia and surrender quickly.

British confidence is echoed by US Secretary of State, Mr Alexander Haig, who reportedly told a meeting with President Reagan and senior congressmen yesterday that Britain was winning the Falklands war and winning it fast.

Closed on Monday

MOST businesses in the Peninsula, including banks, bottle stores, off-sales and supermarkets, will be closed on Monday, Republic Day.

There will be milk deliveries, but no bread deliveries. Petrol stations will be open as usual.

Public bars will also be open, as will cinemas, some of which will screen midnight shows from Sunday into Monday.

Buses and trains will operate according to public holiday schedules.

Municipal services operate as usual, but municipal offices will be closed.

Visit to sick Sisulu hits snags

Argus Bureau

JOHANNESBURG. — Banned Johannesburg journalist Mr Zwelekhla Sisulu could not accompany his family last night to visit his imprisoned father, Walter Sisulu, at Pollsmoor Prison in Cape Town.

Twelve objections to rezoning

Provincial Staff

THE Pinelands, Parow and Milnerton municipalities and the Cape Divisional Council are among 12 bodies which have objected to the proposed rezoning of portions of the Cape Showground, Goodwood, for commercial use.

Mr Hernus Kriel, MEC for local government, today listed the objections received by the provincial administration, replying in the Provincial Council to questions by Mrs Di Bishop (PFP, Gardens).

Mr Kriel said representation for the rezoning were received from the Western Province Agricultural Society last December.

They were supported by Colyn and Meiring, Professor A G S Oosthuizen, Dr S S Morris, Market Research Africa and by Lillicrap, Wassenaar and Partners.

Support was also received last month from Goodwood Municipality, the Tygerberg Chamber of Commerce and the Industrial Association.

Mr Kriel said that in March objections were received from the municipalities of Pinelands, Parow and Milnerton, the Divisional Council of the Cape, Cape Town Chamber of Commerce, Epping Industrial Association, Maitland Municipal Voters' Association, Thornton Ratepayers' Association, Western Cape

Mr Sisulu had snags at the last minute when Security Police told him he could not go to Cape Town by train as the family had initially planned. His wife Zodwa, and little boy Movikwa-Zwelethu, left alone.

According to a family member, Security Police told Mr Sisulu he was not permitted to leave by land. He had to fly instead, and the train ticket he had already bought would be used by his wife.

PROBLEMS

The family members said Mr Sisulu also had problems with the office of the chief magistrate of Johannesburg, who had not yet temporarily lifted the ban on Mr Sisulu to enable him to travel from the magisterial district to Johannesburg to which the banning confines him.

The chief magistrate, Mr J A van Dam, yesterday refused to comment on the matter. The family member said Mr Sisulu was told to buy an air ticket first before the banning could be relaxed.

The Sisulus had intended being with Walter over the coming weekend for three visits divided into sessions of 30 minutes each.

Walter Sisulu's health has not been good lately. He underwent surgery in a provincial hospital and also tests for an undisclosed illness.

He turned 70 last week.

WEATHER forecast for the Peninsula, Boland and Overberg for the period ending 6 pm tomorrow:

Fair to fine and mild, but cold overnight.

Winds moderate fresh southerly to southeasterly.

The minimum temperature at D F Malan Airport will be between 5 and 7 deg C.

THE MOON

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PRESIDENT'S member, Mr Lof said today he interested in variety show" w Gatsha Buthelezi

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TWO Kraai detainees were on Monday a held under Se the Terrorism about four mo

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Mr Sauls, w on January 9 t Kimberley, sh

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All the worst features of our security laws...

ARGUS
26/5/82

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ALL the worst features of South Africa's security legislation have been consolidated into one massive Internal Security Bill which was finally pushed through Parliament this week in spite of strong Opposition protests.

Meanwhile a bitter debate is in progress on another measure which will curb civil liberties and the rule of law and which further affects what is left of the freedom of the Press — the Protection of Information Bill.

The line the Government side has taken has been virtually apologetic: that they wish it was not necessary to introduce this type of legislation and that they hope that the time would come when it would no longer be necessary.

Although the Minister of Law and Order, Mr Louis le Grange, stated that the Government did not want to retain the security measures for longer than necessary, the new Internal Security Bill has no provision for annual renewal by Parliament.

Unlike other countries which had to introduce emergency legislation, such as Britain and Israel, there is nothing temporary about the new Bill.

It is in fact a codification, and a perpetuation of existing security laws, taking in measures such as the present Terrorism

By TOS WENTZEL
The Argus Political Correspondent

Act, the Internal Security Act, formerly the Suppression of Communism Act, the Unlawful Organisations Act and parts of a number of General Laws Amendment Acts and the Criminal Law Amendment Act.

The new Bill is a re-enactment of all the worst features of the present security legislation with relatively minor improvements.

As Mr R A F Swart, MP, one of the Opposition's chief spokesmen on police and justice matters described it, it is a compendium of all the old horrors of the country's security laws.

Included in it are indefinite detention without trial for interrogation as accused or witnesses, arbitrary bannings of organisations and publications, absolute executive authority over persons to the exclusion of the courts, and total contempt for the basic rights of individuals.

As the Opposition pointed out, this Bill is made worse by the fact that it must be seen against the background of experience of the way in which these wide powers have been exercised in terms of the earlier Acts.

Critics of the severity of these powers given the

State in the new Act need not rely on conjecture or supposition or suspicion that these powers may be abused in future.

One need now only look at the new measure against the background of the abuse of power over the past two decades and which still occurs in the implementation of this type of legislation.

Among such abuses were the deaths in detention of people who had never been tried before a court of law.

There were also the detentions of people for long periods and their subsequent release without ever having been tried.

One of the disturbing features of the parliamentary debate on the measure is the lack of confidence the Government seems to have in the legal and the medical professions.

The Government was, however, willing to accept some Opposition amendments, one of which lays down that a district surgeon can visit a detainee in private.

Another lays down that a board of review must investigate the situation of some detainees after six months, and that after another three months the Commissioner of Police

must give reasons for further detention after an initial period of detention for people being interrogated. The Minister must renew the order every month.

Among the improvements on existing legislation are that minimum sentences for some security offences have now been removed and left to the discretion of the courts and that protection for minors has been reinstated.

In the case of banned organisations or publications, the position can also be reviewed but, as in the case of detainees, the Minister, in effect, has the final say.

In the case of organisations and publications there is some appeal to the Chief Justice who can, on very limited grounds, mainly those of mala fides or bad faith, set aside a Ministerial decision.

The Minister has refused to accept amendments that would have made it necessary for the authorities to inform detainees' relatives of their detention and where they are being detained.

The curbs on civil liberties are taken further in the Protection of Information Act now before Parliament.

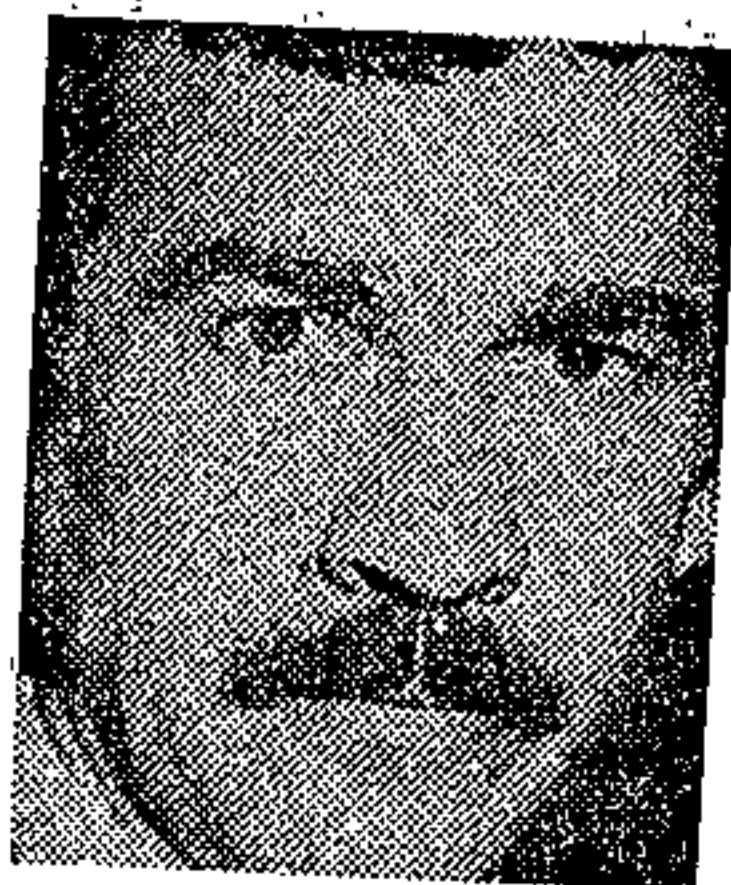
In terms of this Bill publication of information on detentions will be severely restricted. There are also restrictions on the publication of terrorist incidents.

This legislation carries a well-defined presumptive clause putting the onus on the accused to prove that there was no intention to prejudice "the security or interests of the Republic."

This Bill replaces the Official Secrets Act.



Parliament



Mr Tian van der Merwe

'Minister's assurance of no value in a court'



Mr Kobie Coetsee

'Clause not aimed at bone fide journalists'

Bill 'a minefield' of trouble for the Press

ARGUS
26/5/82

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Parliamentary Staff

CERTAIN provisions of the Protection of Information Bill were a "minefield" for journalists, particularly those reporting for foreign media, the Assembly was told yesterday.

Mr Tian van der Merwe (PFM Sea Point) said Clause Three of the Bill, dealing with the prohibition of obtaining and disclosing certain information, could get journalists into many difficulties.

Speaking in the committee stage of the Bill, he said journalists writing for international military journals, for example, could get into trouble while preparing reports on harmless matters.

The clause makes it an offence, for example, to prepare or compile any

article or information relating to "the defence of the Republic or any military matter" for purposes of disclosing it "to any foreign state".

Responding to Mr van der Merwe's criticism, the Minister of Justice, Mr Kobie Coetsee, said the clause was not aimed at bona fide journalists.

It was purely concerned with documents and items that needed to be protected in the interest of State security.

Speaking again, Mr van der Merwe said the Minister's assurance would be of no value in a court of law because it was not written into the Bill.

The kind of situation created by the clause could be open to abuse. The wording of the clause could be used to include innocent activities.

Even such matters as conscientious objection to military service could be included in the term "military matter." It was a matter related to the defence of South Africa and could, therefore, fall within the scope of the prohibition.

Earlier, Mr van der Merwe challenged an assurance by the Minister that the Bill was not open to abuse by the Government.

Mr van der Merwe said his party's argument was that the Bill could be used to cover up improper actions to save the Government from embarrassment.

If, for example, the Government wanted to save one of its Ministers from embarrassment it would not use that aspect of the matter as the

reason for stopping publication, but could advance other reasons. The Bill could be used for this.

In the Information scandal the Defence Department was involved in supplying money to the former Department of Information.

It could have been said, in terms of the Bill, that some of those actions affected the interests of state security.

This would have made it more difficult to expose the "mess" of the Info scandal.

Mr van der Merwe said it was important to ensure now that the proposed legislation was worded in such a way that abuse would be impossible.

Replying, Mr Coetsee said the Government had not applied the Official Secrets Act to the Information Department situation.

The Rabie Commission's report on which the Bill was based had gone out of its way to distinguish between information that had to be protected and information that did not need to be protected.

It was the endeavour of Government departments to ensure a flow of information.

Tussle over Info Bill

Parliamentary Staff

THE official Opposition yesterday continued to criticise the "vague and wide" terms and definitions in the Protection of Information Bill which gave rise to much legal argument in its committee stage debate.

The definitions of terms such as "prohibited place" and "security matters" contained in the first clause of the Bill, came under fire from Mr. Harry Pitman (PFP Pinetown).

He said these definitions were stated to "include" certain acts and objects, but there was no clarity about what else could be included under a term such as "prohibited place".

"And when one faces 20 years in prison for violating a prohibited place it is very important to know what a prohibited place is," said Mr. Pitman.

The Government had "cast the net too wide" — which it was increasingly inclined to do.

Mr. Pitman had similar complaints about the second clause.

According to this clause "any person who approaches, inspects, passes over, is in the neighbourhood or enters any prohibited place for any purpose prejudicial to the security or interests of the Republic shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding 20 years".

He said clarity was required on what a "prejudicial purpose" was — this phrase was very vague.

It was also unclear what an "approach" was — it could be five yards or five miles; and at what height did one have to "pass over" a prohibited area to constitute an offence.

Allegations that the Bill was vague also came from Mr. Tian van der Merwe (PFP Green Point).

The debate on the clauses developed into a legal argument with PFP and Government members

clashing on interpretations of the terms in the Bill, particularly that of "the interests of the State".

Mr. Kobie Coetsee, Minister of Justice, contended that the interests of the State were ever-changing, depending on circumstances.

He rejected all the amendments proposed by the PFP — except one technical amendment — for the first three clauses. The House then adjourned.

SP raided our office — union

Labour Correspondent

A SPOKESMAN for the SA Allied Workers' Union said Security Police yesterday raided the union's Kempton Park office.

The union's national organiser, Mr Herbert Barnabas, said the SP men had confiscated documents and T-shirts, ripped posters off the walls and threatened union members.

Mr Barnabas said the police had raided twice, saying they were looking for him. He

was not in the office on either occasion.

A spokesman for the Police Directorate of Public Relations said yesterday the police would not comment on the allegations. "We do not comment on routine investigations," he said.

SAAWU's president, Mr Thozamile Gqweta, its vice-president Mr Sisa Njikelana, and general secretary Mr Sam Kikine are awaiting trial prisoners, having been held in Security Police detention for several months.

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Paper, Wood and Allied Workers Union

National Union of Furniture & Allied Workers of S.A.

Wood & Wood Products, including Furniture

Trunk & Box Workers Industrial Union

Transvaal Leather and Allied Trades Industrial Union

Textile Workers Union (Transvaal)

Textile Workers Industrial Union

Tanning, Footwear and Allied Workers Union

Tailoring Workers, Dressmaking & Furriers Industrial Union

S.A. Canvas & Ropeworkers Union (Cape)

S.A. Canvas & Ropeworkers Union

South African Allied Workers Union (SAAWU)

National Union of Textile Workers

National Union of Leather Workers

National Union of Clothing Workers

General Workers Union of South Africa

General Workers Union

Garment Workers Union (Western Province)

Garment Workers Union of South Africa

Garment Workers Industrial Union (Natal)

Black Allied Workers Union

African Trunk & Box Workers Union

African Leather Workers Union (Transvaal)

African Garment Workers Union (Natal)

Textiles, Clothing, Leather and Footwear

Rustenburg Tabakwerkersvereniging

National Union of Cigarette & Tobacco Workers

African Tobacco Workers Union

Tobacco

Witwatersrand Brewing Employees Union

Witwatersrand Baking & Confectionery Industrial Union

Western Province Sweet Workers Union

S.A. Electrical Workers Association

S.A. Boilermakers, Iron & Steelworkers, Shipbuilders and Welders

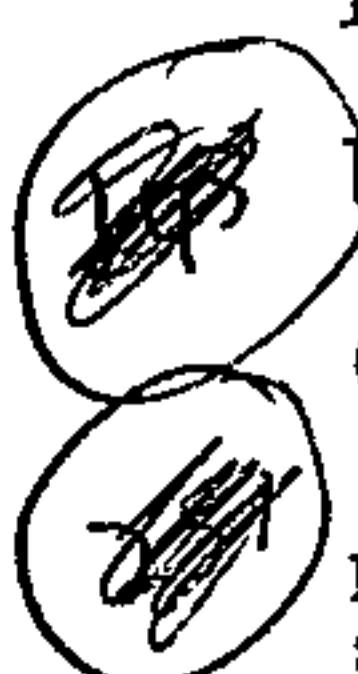
South African Allied Workers Union (SAAWU)

Sugar Industry Employees Union

Sweet Workers Union

Sweet Workers Industrial Union (Natal)

28/5/82 LAB
 Police take /
 Stan
 union's 327
 documents



Labour Reporter

Plainclothes police seized piles of documents from a union office in Kempton Park this week.

Correspondence, agreements with companies and pamphlets were among items taken at the South African Allied Workers' Union (Saawu) office on Wednesday.

Police also tore down posters and wall calendars, says the union's national organiser, Mr Herbert Barnabas.

He described the police action as "routine harassment" and said the union had consulted a legal adviser with the aim of regaining its property.

"The police took two minute books, with details of our committee members in the factories; and also several Saawu T-shirts," Mr Barnabas said.

Police signed and left an itemised two-page list of material taken.

● Three senior Saawu officials from East London and Durban are to appear in the Johannesburg Magistrate's Court today on charges under the Terrorism Act. They are: Mr Thozamile Gqweta, president; Mr Sisa Njikelana, vice-president; and Mr Sam Kikine, general secretary.

latest and available to large cash registers through the report on the accounting and control features and Your task is to survey the current scene and accounting and control features are possible. Large cash retailing organisations (such as supermarket and bottle store chains) have not only mastered many of the internal control problems surrounding cash sales but through sophisticated cash registers many useful

Other

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Building, Construction and Allied Workers Union
Building Workers Union

Electrical and Allied Trades Union of South Africa

Electrical and Allied Workers Union of South Africa

Engineering and Allied Workers Union

Engineering Industrial Workers Union of South Africa

General Workers Union

Metal and Allied Workers Union

National Union of Engineering, Industrial and Allied Workers

Port Elizabeth Operative, Plumbers Employees Association

S.A. Operative Masons' Society

S.A. Woodworkers

Steel, Engineering and Allied Workers Union

S.A. Electrical Workers Association

'Routine
police
rip-off'

Labour correspondent

THE SA Allied Workers' Union regarded a police raid on its Kempton Park offices this week as "routine harassment", a union spokesman said yesterday.

He said he had been "shocked" by an SAP Directorate of Public Relations spokesman's refusal to comment on allegations of a raid because the SAP did not comment on "routine investigations".

On Wednesday, the union alleged that police had raided the offices, confiscating 51 union documents and 10 T-shirts and that police had "ripped union posters off the walls".

On learning that no-one had been arrested in the incident, an SAP spokesman declined comment, saying: "We do not comment on routine investigations".

"We are shocked that the police can describe actions like these as 'routine'. As far as we are concerned, they are yet another example of routine harassment of our union," the spokesman said.

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WHOLESALE & RETAIL TRADE AND CATERING AND ACCOMMODATION SERVICES

Wholesale & Retail Trade

Black Allied Workers Union

Commercial, Catering and Allied Workers Union

Concession Stores and Allied Trades Assistants Union

Domestic Workers and Salesladies Association

Kimberley Shop Assistants, Warehousemen and Clerks Association

National Union of Commercial, Catering and Allied Workers

National Union of Distributive Workers

Pretoriase Vakbond vir die Kleinhandel Vleisbedryf

Transvaal Retail Meat Trade Employees Union

Catering and Accommodation

Commercial, Catering and Allied Workers Union

East London Liquor & Catering Trades Employees Union

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The Cape Times, Friday, May 28, 1982 5

Side — the repression session

limited detention in solitary confinement, the principle of detention-without-trial, the arbitrary banning or restriction of people, organizations and publications, and provides for no checks on the methods of interrogation used by the Security Police.

Peripheral improvements are the provision for maximum mandatory sentences, protection for juveniles, and the placing of personal responsibility on the minister for detentions exceeding one month. It creates a board of review for detentions of over six months, and institutes a system of referral to the Chief Justice for certain categories of detained or restricted people excluding those held under section 29 (6), which used to be section six of the Terrorism Act.

However, possibly the most sinister bill

of the Rabie quartet is the Protection of Information Bill, which replaces the existing Official Secrets Act.

The bill drastically broadens the definition of information which may not be disclosed from that which affects the security of the state to that which affects the security "or other interests of the Republic".

Opposition spokesmen insist that the bill could be used to prevent the disclosure of information which it could be in the public interest to disclose such as corruption and malpractices as in the Information scandal, alleged government involvement in the Seychelles coup bid, or alleged arms sales by South Africa to Argentina, whether they be true or false.

One of the main opposition criticisms of

the bill was that its provisions are so widely and vaguely drawn as to be incapable of unambiguous interpretation.

This has led to protracted and intricate legal arguments during the committee stage of the bill as to what constitutes the security and other interests of the state.

The bill effectively gives the state the power to interpret what information is prejudicial to the interests of the state, and puts the onus on the accused to show that information that has been obtained or disclosed is not prejudicial to the state.

The bill also grants the State President unfettered power to declare any foreign organization to be hostile.

The Intimidation Bill provides for the creation of a statutory offence of intimidation. The reason the PFP opposed the bill

was because it is sufficiently vaguely worded to include within its ambit community campaigns to boycott products in solidarity with trade unions.

The Laws on Co-operation and Development Amendment Bill provides, among other things, for a blanket of secrecy to be thrown around the activities of the Commission for Co-operation and Development for which deliberates on a broad spectrum of matters affecting the lives of blacks.

The Nuclear Energy Bill consolidates a number of existing laws pertaining to nuclear energy and includes very wide secrecy provisions to outlaw the publication of information relating to nuclear energy. All these measures have been debated in Parliament during the past four weeks.

Union
Makers & Packers
Allied Workers

Reform's dark

By JOHN BATTERSBY

IN spite of the Nationalist split, a strong revival of reformist rhetoric and wide debate on the constitutional proposals, the 1982 parliamentary session will be remembered more for its repressive legislation than for its contribution to political reform.

The government appears to have distanced itself considerably from the controls recommended by the Steyn Commission, but has warmly embraced the Rabie report.

The four "Rabie" bills are the Internal Security Bill, the Intimidation Bill, the Demonstrations in or near Court Buildings Prohibition Bill — all of which have passed through Parliament — and the Protection

of Information Bill, which is still to have its third reading.

In addition to the four Rabie bills there are three other bills, currently being debated in Parliament, which infringe individual liberties and limit the public's right to know.

These are the fingerprints-for-all provision in the Population Registration Amendment Bill, the Laws on Co-operation and Development Amendment Bill, and the Nuclear Energy Bill.

However, above all looms the Internal Security Bill.

The bill was opposed through all its stages by both the Official Opposition and the New Republic Party. It perpetuates preventive detention, un-

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CORDING TO INDUSTRIAL CLASSIFICATION



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Vol. 203]

PRETORIA, 28 MEI
MAY 1982

[No. 8213

GOEWERMENTSKENNISGEWINGS

**DEPARTEMENT VAN BINNELANDSE
AANGELEENTHEDE**

No. 1036 28 Mei 1982

ONGEWENSTE PUBLIKASIES OF VOORWERPE

'n Komitee bedoel in artikel 4 van die Wet op Publikasies, 1974, soos gewysig 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 P82/45

Inskrywing No. Entry No.	Publikasie of voorwerp Publication or object	Skrywer of voortbringer Author or producer	Artikel 47 (2) Section 47 (2)
P82/4/55.....	<i>Trouble in Paradise</i>	Nick Carter.....	(a)

No. 1037 28 Mei 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
P82/4/118	<i>Vacuum Developer</i> (Voorwerp/Object)	Nie vermeld nie/Not stated	In SK./G.G. 6127, GK./G.N. 1633 van/ of 11/8/78.

**DEPARTEMENT VAN BUITELANDSE
SAKE EN INLIGTING**

No. 1009 28 Mei 1982
GELOOFSBRIEFOORHANDIGING

Hierby word bekendgemaak dat Sy Eksellensie mnr. T. S. Mangwazu op Woensdag, 21 April 1982, deur die Staatspresident van die Republiek van Suid-Afrika ontvang

GOVERNMENT NOTICES

**DEPARTMENT OF INTERNAL
AFFAIRS**

No. 1036 28 May 1982

UNDESIRABLE PUBLICATIONS OR OBJECTS

A committee referred to in section 4 of the Publications Act, 1974, as amended, 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. 1037 28 May 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:

**DEPARTMENT OF FOREIGN AFFAIRS
AND INFORMATION**

No. 1009 28 May 1982
PRESENTATION OF CREDENTIALS

It is hereby notified that His Excellency Mr T. S. Mangwazu was received by the State President of the Republic of South Africa on Wednesday, 21 April 1982, on

● A detainee shall be visited not less than once a fortnight, in private, by a magistrate;

● A detainee shall be visited not less than once a fortnight by a district surgeon;

● The position of Inspectors of Detainees be given legal recognition;

● The Commissioner of Police would be authorised in law to allow persons other than State officials to visit detainees;

● A detainee may not be detained for more than 30 days unless authorised in writing by the Minister after considering an application for such further detention from the Commissioner of Police;

● If a detainee has not been released after six months, the police shall advance reasons before a board of review as to why he should not be released; that this board may consider written or oral representations

believe that the doctors are subordinate to the security police as far as the police are concerned, and yet the Government has obdurately refused to allow detainees to be visited by doctors of their own choice.

Similarly, by not providing a right for the family to visit the detainee and by not allowing the lawyer a right of access to a client, in contrast to Northern Ireland where lawyers are granted access after detention for 48 hours, the Bill does little to improve a system in which 46 persons have died.

Punishment

For the Bill to have countered the belief that detention is not only used for eliciting information but also for the purpose of punishing political dissidents, such safeguards should have been introduced.

Apart from the question of detainees' rights, the very substance of offences: terrorism, sub-

of the opinion that the actions of the person contribute to the continuation of a state of order, riot or public violence which exists at any place in the Republic and that the detention of the person will contribute to the termination or combating of that state of affairs.

Alternatively, action may be taken in terms of this provision if the detention of the person would contribute to the resumption of such a state of affairs being prevented.

Following on from the Rabbie Commission's recommendations that the present definition of terrorism, communism and sabotage are somewhat ill-defined, the Bill provides for three new offences: terrorism, sub-

mitted or intended by the accused.

With various grades of security offences introduced, the question is whether this will involve increased prosecutions and possible convictions of an even more wide-ranging number of activities, than previously, so as to stigmatise various forms of political opposition as criminal.

A provision which will doubtless widen the scope for possible prosecution is the offence which will be committed by someone who, among other things, directly or

indirectly renders assistance to another or fails to report the presence of such person to the police when he has reason to suspect that person has committed or intends to commit the offence of terrorism, subversion or sabotage.

Parents

Thus parents who suspect that their child has been involved in a campaign to defy the law, for example, and who do not report their suspicions to the police, can well find themselves liable to conviction.

Less than 20 years ago, the Government

late Division would reject if we had a Bill of Rights as part of South African law.

The Bill does not anticipate an end to emergency powers, for it is based on the assumption that the emergency is a permanent phenomenon of our society.

This emergency, which allows the Government to justify laws which only totalitarian regimes maintain as an entrenched part of a legal system, will remain permanent for as long as South Africa is committed to maintain a social system which denies true political and economic participation to the vast majority in our land.

However, events of the past weeks have cast the issue in a completely new light.

The President's Council proposed a powerful Executive President who, with his executive, will not be subject to parliamentary control as under the Westminster system.

The authors of the plan ignored pleas by numerous witnesses to provide for a Bill of Rights. Instead they opted for a declaration of intent, which has little to do with the protection of the basic rights of the ordinary citizen.

A full bench of the Appeal Court found that the Terrorism Act was in conflict with Bophuthatswana's con-

version and sabotage. In addition, the offence of communism is retained but the definition of communism is drafted in more restricted terms.

Death

Although the three new offences cover substantially the same activities presently dealt with by other laws, a major change is that the crime of terrorism must now consist in the commission of an act of violence with specifically defined intentions, and only this crime will carry the death penalty as a possible punishment.

At present, all the offences created by the Terrorism Act carry the death penalty as a possible sentence (as do the Internal Security Act and Sabotage Act) in spite of the fact no act of violence was com-

the provisions of the Clause is cause for suspicion. No time limitation is placed on the period of detention even though it has been known for the police to have detained persons for more than a year.

(In Northern Ireland the period of detention for interrogation is limited to a maximum of seven days.)

New offences

In spite of consistent criticism ever since its introduction, the provision that no court of law shall pronounce upon the validity of any action taken in respect of detentions, has been re-enacted in the Bill.

A new form of detention is introduced in the Bill.

According to Clause 50, a policeman of the rank of warrant officer or above may arrest a person without a warrant if the policeman is

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29/05/82

Terrorism Act violates Bophuthatswana constitution

THE schizophrenic character of the South African legal system probably has never been better illustrated than it was last week.

While the Appellate Division held that the provisions of the Terrorism Act violated the constitution of Bophuthatswana (and thus a universally accepted standard of human rights), wide-ranging security measures encompassing the provisions of the Terrorism Act were passing through Parliament before becoming law.

As a result of this, 74 sections of the Internal Security Bill, South Africa's security laws will be consolidated into one Act.

An examination of its clauses discloses that in spite of much controversy and suspicion concerning security legislation in general and notwithstanding the fact that some 46 persons have died in detention since 1963 (when the 90-day detention clause was first introduced), little attempt has been made to allay suspicions and safeguard detainees.

Clause 29 of the Bill reintroduces the detention procedures which were previously governed by Section Six of the Terrorism Act. This is not surprising, given the Rabie Commission's conclusion, formulated almost entirely on the basis of police evidence, that "information obtained from persons in detention is the most important and to a large extent only weapon of the police in anticipating and preventing terrorist and other subversive activities."

Certain modifications to Section Six have been made in the light of previous conduct of district surgeons in respect of detainees, has

from the detainee, and shall report its findings to the Minister. Presumably, although this is not clear from the Bill, the Minister may, on the basis of this report, either order release or further detention. These provisions are totally inadequate as far as safeguards are concerned.

Quote

"The Bill does not anticipate an end to emergency powers, for it is based on the assumption that the emergency is a permanent phenomenon of our society."

"Parents who suspect that their child has been involved in a campaign to defy the law, and who do not report their suspicions to the police, can find themselves liable to conviction."

By DENNIS DAVIS, senior lecturer in the department of commercial law, University of Cape Town

Need for Bill of Rights now seen in new light

By Leon Marshall, Political Staff

PLEAS for a Bill of Rights have in the past mostly fallen on deaf ears in South Africa.

But now that the Westminster system is being ditched and the politicians are groping uncertainly at new constitutional models, more and more people are starting to see the advantages of a Bill of Rights.

Not so long ago it was scoffed at as a liberal concept aimed at sanctifying the rights of the individual at the cost of the interests of the State.

TORN UP

Others who claimed to be speaking from a superior knowledge of "what happened in Africa and elsewhere" pointed out that a Bill of Rights was worth more than the little



Prof John Dugard

stitution which included a Bill of rights.

Civil rights campaigner Professor John Dugard hailed the judgement as a condemnation of the provisions of the Act as being contrary to civilised standards, another eminent lawyer, Mr Sidney Kershaw, said it showed the importance

FOUNDATION

The Magna Carta is regarded as the foundation of the rule of law. Actions derived from it include the "Habeas Corpus" and the provision in the United States constitution which reads "No person shall be deprived of life, liberty or property without due process of law."

Although South Africa has inherited the Westminster constitutional system it cannot be said in the light of some of the legislation passed since the early sixties that it has been adhering to all the values and the unwritten guarantees contained in that system.

GUARANTEES

Particularly now that this country is embarking on an uncertain constitutional future under a powerful President, it could allay many people's fears if firm guarantees were written into the constitution setting out people's rights and how they are to be protected.

The value of a Bill of Rights is borne out by the American system where, backed by a powerful judiciary which can test enactment of the legislature against the constitution, it is held to be almost sacred.

But for South African purposes there can hardly be any better proof of the need for a Bill of Rights than the test in the Appellate Division of the Supreme Court of this country's security legislation against Bophuthatswana's constitution.

24/05/82
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Meanwhile, in Parliament, the lawmakers were consolidating the very measures objected to by virtually the entire legal fraternity into a new Bill.

Some detractors of a Bill of Rights point out that the Westminster system has worked perfectly well without it.

They seem to forget that that system, too, at an early stage was founded on a kind of Bill of Rights, which was the Magna Carta King John was forced by his barons to sign in 1215.

Among the principles contained in that declaration was one that no one's possessions or freedom shall be unlawfully infringed or taken away from him without a proper legal trial, and another that the king shall see that justice is done to everyone.

Sisulu is allowed visit by family members

Staff Reporter

JAILED former African National Congress leader Walter Sisulu met his daughter-in-law for the first time yesterday.

Three family members were allowed a 30-minute non-contact meeting with the 70-year-old Sisulu at Pollsmoor Prison. They will visit him again today — the last of the visits he will be allowed this month.

Yesterday, Mrs Zodwa Sisulu, wife of the banned journalist Mr Zwelakhe Sisulu, her niece Moyika Zwelethu and two-year-old son went to Pollsmoor for the visit.

Mr Zwelakhe Sisulu, who was recently released after spending 251 days in police detention, also saw his father at the

weekend. It was the first time he had been allowed to leave Johannesburg since his banning in December 1980.

Mrs Sisulu said her father-in-law was looking quite well and healthy. Prison warders had been present during the meeting. Before seeing him she had been warned that discussion had to be non-political and on domestic matters only.

She said Walter Sisulu still did not know why he had been moved from Robben Island. "Nobody seems to know, except Pretoria, who won't tell us," she said.

After spending 20 years on Robben Island, it appeared that Sisulu had "not got used to Pollsmoor yet," she said.

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Report
Fosatu Annual
1980/81

Year	Membership			Total
	African	Asian and Coloured	White	
1980				460
1979				445
1978				..
1977		30	347	377
1976		21	201	222
1975		26	305	331
1974		28	294	322
1973		98	320	418
1972				
1971				
1970				

JEWELLERS AND GOLDSMITHS UNION

Post Reporter

A RALLY to protest against increased rents in black residential areas was prohibited in terms of the Riotous Assemblies Act yesterday.

The president of the Port Elizabeth Black Civic Organisation (Pebco), Mr Q Godolozzi, said last night the banning would not stop Pebco's fight against increased rents.

"The ban was uncalled for. It is a form of intimidation that will not stop our efforts to have rents that everyone can afford and for home security," he said.

A notice prohibiting the meeting, which was to be held in Kwazakele yesterday, was served on Mr Godolozzi by three security policemen at his home at 6.45am.

The order, signed by the Port Elizabeth Chief Magistrate, Mr J A Coetzee, specified that meetings of

E. Post
31/5/82
Ban will not stop Pebco's fight'

the organisation in the district of Port Elizabeth were prohibited from 1pm yesterday till tomorrow.

The magistrate said he had reason to "apprehend" that the public peace would be seriously endangered by the Pebco meeting.

Mr Godolozzi believed the

banning of the meeting followed an announcement by police on Friday that Pebco allegedly planned to mount a campaign of violence at the weekend with, as their target, delivery vans and certain businesses in the townships.

"The ban was an attempt to slow down the pace of the organisation," Mr Godolozzi said.

"Pebco does not and has never advocated or condoned violence and whoever provided the police with this information did so to discredit the organisation," he said.

Pebco's secretary, Mr Xola Makapela, was picked up by security police at 2pm yesterday and questioned in their Strand Street offices. He was released at 5pm.

The head of the security police, Lt-Col Gerrit Erasmus, could not be contacted today.

In violation of human rights...

ARGUS 1/8/82

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BY a majority of seven to four South Africa's supreme judicial body, the Appellate Division of the Supreme Court, Bloemfontein, has held that two South African statutes, the Terrorism Act, No 83 of 1967, and the General Law Amendment Act, No 76 of 1962, violate fundamental human rights.

The situation in which the Acts were tested was an anomalous one, as an integral part of the Acts themselves is that they cannot be ruled upon by a South African court.

However, the Appellate Division was ruling on an appeal brought by a citizen of a sovereign, independent, but foreign State, something it was entitled to do in terms of the Supreme Court Act, No 59 of 1959 (as amended), and the Republic of Bophuthatswana Constitution Act, 1977, which became effective in 1977 of that year.

Each of the three Acts which the appellant was alleged to have contravened is an Act, not of Bophuthatswana, but of the Republic of South Africa.

The corollaries of the judgment are that anyone detained in the Republic of Bophuthatswana would, at the time of the appellant's arrest, have had recourse to the courts to contest the legality of his detention.

Furthermore that any person charged in that country, at that time, would not have the onus of having to prove himself innocent but would be deemed innocent until the State had proved him guilty beyond reasonable doubt.

Wilfrid Sebonege Marwane had been convicted in 1978 by Mr Justice Hiemstra in the Supreme Court of Bophuthatswana

In South Africa convictions under the Terrorism Act and the General Law Amendment Act are commonplace. JOHN RICHARDS, News Editor of The Argus, reviews a historic decision of the Appeal Court which ruled that they constitute a violation of human rights.

of contravening the Terrorism Act, which became law in South Africa in 1967. He was sentenced to 15 years' imprisonment.

He had been charged with contravening the Terrorism Act, alternatively with contravening a section of that Act read with a section of the General Law Amendment Act, which Mr Justice Miller, who handed down the judgment, referred to as the "sabotage provisions."

A second alternative charge was contravention of the Arms and Ammunition Act of 1969.

He pleaded not guilty to the main charge and the first alternative, but guilty to the second alternative, contending that he had undergone military training in Angola against his will, and that his only reason for returning to Bophuthatswana was to reach his home in Zee-rust.

He had returned in the company of military men to whose command he was still subject at the time, but he admitted that he had been in possession of a grenade when arrested.

In the majority judgment by Mr Justice Miller, to which Judges of Appeal Messrs Jansen, Muller, Diemont and Viljoen, as well as Acting

Judges of Appeal, Messrs Galgut and Van Heerden concurred, it was held that the Arms and Ammunition Act of Bophuthatswana contained no provision objectionable to the Constitution Act of Bophuthatswana.

The other two Acts which formed the basis of the main charge and the first alternative, were, however, held to be in conflict with his country's Constitution Act, and the appellant's conviction on the main charge was set aside. He was found guilty of contravening the Arms and Ammunition Act, and sentenced to 3½ years' imprisonment.

This is not, however, the main thrust of the judgment, which was based on the conflict between the laws of the Republic of South Africa and those of Bophuthatswana which has entrenched in its Constitution Act, certain fundamental rights and freedoms.

These are, firstly: "Everyone charged with a criminal offence shall be presumed innocent until proved guilty."

Secondly: "Everyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings by which the lawfulness of his detention shall be decided promptly by a

court and his release ordered if the detention is not lawful."

At the time of independence the Bophuthatswana Legislative Assembly repealed certain laws, but decreed that "all laws which immediately prior to the commencement of this constitution were in operation in any district of Bophuthatswana . . . shall continue in operation and continue to apply except in so far as such laws are superseded . . . amended or repealed."

But Mr Justice Miller ruled that this retention of laws governed by the opening words of the subsection of the Constitution Act, "Subject to the provisions of this constitution . . ."

Of course, the constitution contained the two declarations of rights and freedoms mentioned above, and these were in direct conflict with the provisions of the Terrorism Act and the General Law Amendment Act.

It was apparent from the provisions of these two Acts, said Mr Justice Miller, that an accused bore the onus of proving beyond reasonable doubt the absence of the elements required to convict him.

It also provided that no court could pronounce on the validity of detention under the two Acts, nor could a court order the release of any detainee held in terms of them.

The judge found that these conflicts, and they were not the only ones, precluded the possibility of the Terrorism Act being in force in Bophuthatswana when Marwane committed the acts which formed the basis of the charges against him.

The hearing of Marwane's appeal was only the third time in the history of the South African Appellate Division that a full Bench of 11 judges has sat to hear a matter—the two previous occasions involved the validity of enactments of the South African Parliament: the Senate Act of 1955, and the South African Amendment Act of 1956, and, on the second occasion, in 1968 when the applicability of the Terrorism Act and a section of the General Law Amendment Act to South West Africa were at issue.

In Marwane's case there was a dissenting judgment handed down by the Chief Justice, Mr Justice Rumpff, in which the Chief Justice designate, Mr Justice Rabie, and two other Judges of Appeal, Messrs Joubert and Cillie, concurred.

The judgment of the Chief Justice was based, in the main, on the interpretation of the phrase, "Subject to the provisions of this constitution . . ."

Whereas Mr Justice Miller gave these words an extensive meaning, Mr Chief Justice Rumpff felt they should be interpreted restrictively.

Bearing in mind that the State of Bophuthatswana had been born in perilous times, there was no doubt in his mind that both the South African Parliament and the Legislative Assembly of Bophuthatswana had intended that "any rule of law" of effect in Bophuthatswana at the time of independence would continue to apply unless expressly repealed or amended after independence.

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S.A. Canvas & Ropeworkers Union (Cape)

Tailoring Workers, Dressmaking & Furriers Industrial Union

Tanning, Footwear and Allied Workers Union

Textile Workers Industrial Union

Textile Workers Union (Transvaal)

Transvaal Leather and Allied Trades Industrial Union

Trunk & Box Workers Industrial Union

Wood & Wood Products, including Furniture

National Union of Furniture & Allied Workers of S.A.

Paper, Wood and Allied Workers Union

South African Allied Workers Union (SAAWU)

Paper & Paper Products, Printing & Publishing

Amalgamated Engineering Union of South Africa

Media Workers Association of South Africa

Paper, Wood & Allied Workers Union

S.A. Boilermakers, Iron & Steelworkers, Shipbuilders & Welders

S.A. Electrical Workers Association

S.A. Society of Journalists

S.A. Typographical Union

South African Allied Workers Union (SAAWU)

Sisulu looking well, says family

Own Correspondent
JOHANNESBURG. — Jailed former ANC leader Walter Sisulu "is looking extremely well and feeling great", members of the Sisulu family said after visiting him at Pollsmoor Prison at the weekend.

Sisulu, the ANC's former secretary-general, who turned 70 two weeks ago, was reunited briefly with his son, banned journalist and trade unionist Zwelakhe Sisulu, for 45 minutes at 2.30pm on Saturday.

Since they last saw each other 19 months ago, Zwelakhe has been banned and detained by security police.

Sisulu's wife, Mrs Albertina Sisulu, who was banned for 17 years, said yesterday that father and son were relieved to see each other.

"Zwelakhe has now seen his old man and is satisfied with his condition," she said.

Former news editor of the banned Sunday Post

newspaper and former president of the Media Workers' Association of South Africa, Zwelakhe was banned in December 1980 and detained for 251 days before being released on February 25 this year.

About a month ago, his father had an operation at Groote Schuur Hospital for a kidney complaint.

Permission was also granted for three visits by Zwelakhe's radiographer wife Zodwa, their two-year-old son, Moyikwa, and six-year-old niece Ayanda.

Zwelakhe was permitted to leave Johannesburg for only a day. The rest of the family visited for 30 minutes on Sunday and for 15 minutes yesterday.

The visits — permitted on condition only family matters were discussed — were conducted on either side of a glass partition and before two prison personnel.

Welders

Gunmen question union worker

Own Correspondent

DURBAN. — A trade unionist, Miss Cindy Mngadi, was taken from her Lamontville home in early yesterday morning and questioned at gunpoint by four men who claimed to be security police. The South African Police has denied any involvement in the incident.

Miss Mngadi, a Durban organizer for the independent General Workers' Union, said she was awakened about 12.15am by men who initially claimed to be from a doctor friend of hers who said they wanted to speak to her.

Forced

She said that once she was outside, they forced her into their car, drove her to a isolated place and began to question her about the union.

She said she asked them who they were and what they wanted. They told her they were security police.

"One of the men seated in the front of the car took out his gun and waving it in front of my face told me I would tell them everything," Miss Mngadi said.

About 2.45am, Miss Mngadi said, they dropped her near the Lamontville Port Natal Administration Board offices and from there she had to walk home.

Miss Mngadi said they told her they would visit her again.

The General Workers' Union, in a statement yesterday, condemned the action as "sheer political thuggery".

The South African Police have denied any involvement in the incident.

A statement from them says Miss Mngadi "is obliged to report the incident to the nearest police station".

lated by 1977/78 and with

1974 affiliated to the other unions formed

Registration: Yes

Founded: 1939

Area of Operation:

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Cape Town

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Address: 201/4 City

Telephone: (021) 433658

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Fosatu Annual Report 1980/81

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UNION

DEMONSTRATIONS IN OR NEAR COURT BUILDINGS
PROHIBITION ACT, 1982

327
ACT

To prohibit certain demonstrations and gatherings in or near court buildings, and to provide for matters connected therewith.

(English text signed by the State President.)
(Assented to 22 May 1982.)

BE IT ENACTED by the State President and the House of Assembly of the Republic of South Africa, as follows:—

1. In this Act, unless the context otherwise indicates—

- 5 (i) "demonstration" means any demonstration by one or more persons for or against any person, cause, action or failure to take action, and which is connected with or coincides with any court proceedings or the proceedings at any inquest under the Inquests Act, 1959 (Act No. 58 of 1959); and "demonstrate" has a corresponding meaning; (i)
- 10 (ii) "gathering" means any assembly, concourse or procession of any number of persons, relating to or arising out of any demonstration. (ii)

Definitions

15 2. (1) Subject to the provisions of subsection (2), all demonstrations and gatherings in any building in which a court-room is situated or at any place in the open air within a radius of five hundred metres from such building are hereby prohibited on every day of the week except Saturdays, Sundays and public holidays.

Prohibition of demonstrations and gatherings in or within a fixed distance from certain buildings.

20 (2) The provisions of subsection (1) shall not apply to any demonstration or gathering for which the magistrate of the district in which the demonstration or gathering takes place has granted permission in writing.

25 (3) The provisions of section 48 of the Internal Security Act, 1982, shall *mutatis mutandis* apply in connection with the dispersal and the manner of dispersal of any demonstration or gathering prohibited by this section.

3. Any person who—

- 30 (a) convenes or organizes any demonstration or gathering prohibited by section 2 (1), or encourages, promotes or by means of force or threats causes the demonstration or gathering or attendance thereat or participation therein, or presides thereat or addresses it;
- 35 (b) prints, publishes, distributes or in any manner whatsoever circulates a notice convening or organizing the proposed demonstration or gathering, or advertises or in any other manner makes known the proposed demonstration or gathering;
- 40 (c) attends or takes part in any demonstration or gathering so prohibited; or
- (d) demonstrates in contravention of the provisions of section 2 (1),

Offences and penalties

327

ACT

To prohibit certain forms of intimidation and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 22 May 1982.)

BE IT ENACTED by the State President and the House of Assembly of the Republic of South Africa, as follows:—

1. (1) Any person who without lawful reason and with intent to compel or induce a particular person to do or to abstain from doing any act or to assume or to abandon a particular standpoint—
- 5 point—
- (a) assaults, injures or causes damage to that person or any other person; or
- (b) in any manner threatens to kill, assault, injure or cause damage to that person or any other person,
- 10 shall be guilty of an offence and liable on conviction to a fine not exceeding twenty thousand rand or to imprisonment for a period not exceeding ten years or to both such fine and such imprisonment.
- 15 (2) In any prosecution for an offence under subsection (1), the onus of proving the existence of a lawful reason as contemplated in that subsection shall be upon the accused, unless a statement clearly indicating the existence of such a lawful reason has been made by or on behalf of the accused before the close of the case
- 20 for the prosecution.

Prohibition of and penalties for certain forms of intimidation.

2. Sections 10 to 15, inclusive, of the Riotous Assemblies Act, 1956 (Act No. 17 of 1956), are hereby repealed.

3. This Act shall be called the Intimidation Act, 1982.

Short title.

Chemical & Chemical Products, Coal, Rubber & Plastic Products

Black Allied Workers Union

Cape Explosives Industrial Workers Union

Chemical and Allied Workers Union

Chemical Workers Industrial Union

Chemical Workers Union

Durban Rubber Industrial Union

Engineering and Allied Workers Union

Engineering Industrial Workers Union of S.A.

Federated Mining, Explosives and Chemical Employees Union

Industrial Salaried Staff Association

General Workers Union

Metal and Allied Workers Union

National Union of Engineering,

National Union of Motor Assembly

S.A. Chemical Workers Union

South African Allied Workers Un

Steel, Engineering and Allied W

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Non-Metallic Mineral Products

Building, Construction and All

Glass & Allied Workers Union

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Motor Industry Combined Work

Motor Industry Staff Associ

National Union of Engineeri

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S.A. Electrical Workers Un

S.A. Iron, Steel and Allied

S.A. Tin Workers Union

South African Allied Work

Steel, Engineering and All

Transvaal, Radio, Televisi

United African Motor and Al

ANC robbers shot in Durban

Own Correspondent

DURBAN. — Two members of a small armed band who have been on a rampage of robbery in and around Durban for the past 14 days, have been shot dead — one in the black township of Kwa Mashu and the other in the Inanda Reserve north of the city's boundaries.

Speaking from Police Headquarters in Pretoria yesterday, General Johann Coetzee, head of the security branch, said both dead men were ANC terrorists.

Other members of the group who were operating in the Durban area are still at large. A country-wide dragnet has been spread to capture them.

Security Branch police have taken possession of foreign-manufactured semi-automatic hand carbines and hand-grenades which were carried by the terrorists who were shot dead.

General Coetzee said: "This is not the first time that ANC terrorists have resorted to criminal deeds. There were the incidents at Soekmekaar, near Louis Trichardt in the northern Transvaal, and at Wonderboompoort, near Pretoria, where they made cowardly attacks on innocent black people.

"The terrorist incidents in and around Durban indicate that the pattern remains the same — they are outright criminals in the true sense of the word."

Builders and Welders
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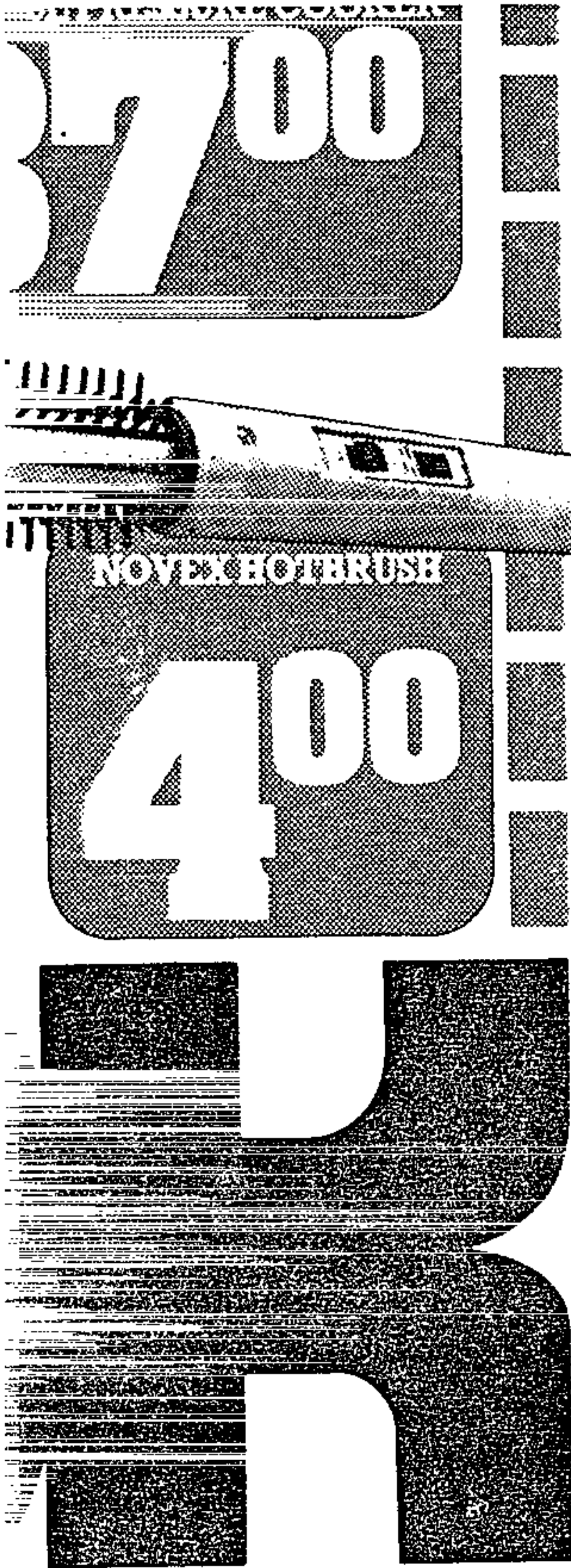
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GWU abduction Complaint to police

Own Correspondent

JOHANNESBURG. — The General Workers' Union is to lay a complaint with the police about an incident in which a 19-year-old union official was allegedly abducted from her home near Durban and questioned at gunpoint by four men who claimed to be security policemen.

The police have denied any involvement in the incident and have said that the unionist, Miss Cindy Mngadi, is "obliged to report the incident to the nearest police station".

Miss Mngadi says she was abducted from her home by the men in the middle of the night, driven to an isolated place and questioned at gunpoint about the GWU, its officials and a recent union meeting.

After about 2½ hours, she was dropped near the offices of the Port Natal Administration Board, from where she had to walk home, she said.

The men had told her they were security police, she said.

A union spokesman in Durban, Mr Mike Morris, said yesterday that Miss Mngadi would lay a com-

plaint at a police station. He planned to accompany her "to ensure she has no problems".

He said the decision to lay the complaint did not necessarily mean that the union had accepted the police assurances on the incident.

"But they say we should report it and we have decided to do this in the hope that the incident will be fully investigated."

Mr Morris added that it would be difficult for Miss Mngadi to identify the men who abducted her if called on to do so but may recognize their voices.

try because the western Cape is, in a sense, a barometer for all South Africa despite the fact that other areas may forge ahead."

Encouragement

Mr Kreiner said he had been encouraged by the positive response to the concept of Wesgro, and trusted it would be the panacea for the ills of the Western Cape.

The Western Cape's population was expected to double within 18 years and the requirements this would impose were staggering. Projections of a 2.7 percent increase in the labour force over the next decade meant about 27 000 job-seekers coming on to the market each year.

The first board meeting of Wesgro, which stands for the Association for the Promotion of the Western Cape's Economic Growth, will be held on June 9.

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Victim shoots alleged mugger

AN 18-year-old man shot dead a wanted robber after he was allegedly threatened by the man on Tuesday night.

Crime Reporter

Anxious colleagues comfort Sicilian seaman Mr Calenda Giuseppe, 35, of Palermo, who injured his back when he fell six metres into a hold on board the container ship Europa. Mr Giuseppe, was removed by ambulance from the ship when she docked in Table Bay harbour yesterday. He fell through the hatch when the ship was four days from Cape Town. The injured man was given emergency treatment by a doctor and Metro rescue service paramedics on the quayside. The doctor said Mr Giuseppe had a suspected spinal injury or pelvic fracture. He was lifted into an ambulance on a trauma board and taken to Sea Point Clinic. A clinic spokesman said Mr Giuseppe was "comfortable".

Bomb found in Butterworth
Own Correspondent
BUTTERWORTH. — A live bomb was found by police in a shed on the corner of Blyth and Grubb Streets here yesterday morning. The Transkei Commissioner of Police, Major-General Martin Ngceba, confirmed this last night. Police received a tip-off that she had passed foetal piro, appeared for Dr Emdin

men were arrested shortly afterwards. Major Eddy Snyman, police liaison officer for the South Western Districts, said yesterday that about 2.30pm, Mr Johan and Fanie Claassen were on their way to the scene. When they arrived at the farm, they arrested a man outside Mr Olivier's home and shortly afterwards, a second man was arrested nearby. Major Snyman said the two men, aged 19 years and 27 years, would appear in court today. Mr Olivier was not seriously injured.

the facts

Mr Louber, on behalf of the house, extended his condolences to the bereaved families. More provincial council reports, page 11

To correct material errors of fact write to the Editor, Cape Times, PO Box 11, Cape Town, or dictate the complaint briefly to the Editor's office, telephone 41 3361, Ext. 220, between 9.15am and 5.00pm.

THE Cape Times yesterday reported a court case concerning a woman accused of fraud "while in the employ of Mutual Medical Aid Society known as the Cape Medical Plan". This information was obtained from court records but the Cape Times has now been informed that the society is "a mutual medical aid society" run by its members and has no connection with the Mutual Medical Aid Society.

Hijack trial accused issues subpoena

Prosecuting team ordered to appear as defence witnesses

Pietermaritzburg Bureau

THE prosecuting team at the hijack trial here was presented with a subpoena ordering them to appear as witnesses for the defence yesterday.

The subpoena, ordering the Attorney-General of Natal, Mr Cecil Rees, SC, the Deputy Attorney General Mr Hendrik Klem, SC, and State advocate Mr Gideon Scheltema to appear as witnesses was issued by Mr Kurt Priefert, one of the mercenaries who is conducting his own defence.

The subpoena was issued during the short teabreak adjournment by the Deputy Sheriff of Pietermaritzburg, Mr Rusty Gilson, as the three State advocates were consulting behind closed doors at the historic College Road courthouse.

Joke

Raising the matter in court later, Mr Rees told the Acting Judge President, Mr Justice Neville James, that he had been furnished with a subpoena asking the three State prosecutors to put before the Court all particulars relating to the charges being brought against Mr Priefert.

He had thought the subpoena was a practical joke, but it had been delivered in an official manner on official documents, Mr Rees said, adding that the prosecution had already endeavoured to put all the particulars in the case before the Court.

Ascertain

The subpoena could affect the prosecution as it would be difficult for the State to 'prosecute with moderation' if they thought they were going to be called as witnesses, Mr Rees said.

The Court should ascertain what information Mr Priefert wished to brought before the Court by finding out what his questions would be, Mr Rees contended.

The Judge, who described the subpoena as 'most unusual', then asked Mr Priefert what he had in mind when issuing the subpoena.

First

'I believe I have questions to ask the prosecuting team that would help facilitate the dispensation of justice. As a novice this is the only way to legally get them to answer questions,' Mr Priefert said.

Mr Justice James then told Mr Priefert that if he called the men he would have to first give evidence himself and would also not be able to cross-examine the trio.

He did not want Mr Priefert to do anything that could rebound to his disadvantage, the Judge said.

Mr Priefert should seek advice from an attorney or advocate on the question before making a final decision, he said.

The Court would not make an order on the subpoena until after Mr Priefert had given his evidence and matters arising from his testimony had been considered by the Court, he said.

Before the surprise turn in the day's hearing, one of the accused, Mr Tullio Moneta, Col Mike Hoare's

second-in-command, told the Court of a mystery man who had contacted him at his home while the coup was still being planned.

The man, who identified himself on the telephone only as 'Anton from New York', had known of the plan and had told him that the Recce commandos recruited for the coup were cleared to go on the operation.

He had never known who the caller was, but had assumed it was somebody belonging to 'security', Mr Moneta said.

Mr Cecil Rees, when cross-examining Moneta, suggested the anonymous caller could have been Mr Martin Dolincheck, a National Intelligence Service agent now imprisoned on the island.

Mr Moneta said he did not know Mr Dolincheck, but had told the members of the Recce commandos they apparently had been cleared for the operation by a member of security.

Convinced

He had thought the South African Government was backing the coup even though they had not seen one high-ranking Defence Force officer during the pre-coup briefings, Mr Moneta said.

He had become convinced the army was involved once he had seen the weapons at Col Hoare's Hilton home.

Later, another accused, Mr Barry Gribbin — an American who saw service with the Rhodesian Light Infantry, Special Air Service and the Recce commandos in South Africa — said he had participated in a coup before being invited on the trip to the Seychelles.

He was familiar with the AK-47 assault rifle and had used it on operations for both the Rhodesian and South African armies, he said.

After the coup had been aborted he had boarded the Air India jet with the rest of the men and had flown to Durban on what had been a 'normal' flight, he said.

CAPE TIMES 4/6/82

ANC men not to hang

PRETORIA. — Three men sentenced to death for high treason in the Soekmekaar terrorism trial had had their death sentences commuted, the Sheriff of the Transvaal said last night.

Ncimbithi Johson Lubisi, Naphtali Manana and Petrus Tsepo Mashigo, would now serve life imprisonment, the sheriff, Mr M van der Westhuizen, said.

Two others also had their death sentences commuted by the State President, Mr Marais Viljoen.

They are S E Shezi and D Majola, who will now serve sentences of 20 and 15 years respectively.

Lubiso, Manana and Mashigo were at the centre of an Amnesty International letter-writing campaign appealing for clemency.

They were sentenced to death by Mr Justice De Villiers in the Pretoria Supreme Court. Six others appeared with them and were jailed for a total of 90 years for high treason.

They are: Moses Medobatsi and Benjamin Tau (20 years each); Jeremiah Radebe and Phumulani Grant Shezi (15 years each), and Johannes Bogale and Thomas Mngadi (10 years each).

The Soekmekaar terrorist attack took place in November 1980. The nine were acquitted at the same trial of involvement in the Silverton bank siege in Pretoria in January 1980.

They were also accused of planning other ANC attacks which did not materialize and of undergoing military training outside South Africa. — Sapa

Slashed tyres ³²⁷ inquiry ^{COM} falls flat ^{4/6/82}

By ANN PALMER

NO COMPLAINTS have been made to the police despite an allegation that car tyres were slashed outside a detainees' benefit concert at the University of the Witwatersrand last month.

A Rand Daily Mail report last week claimed the tyres of up to 200 cars had been slashed on May 21.

Mr Adrian Tighe, the concert organiser, told the police his parked car and about 30 to 40 others had had their tyres slashed in Yale Road on May 21.

Colonel Fred Bull, of the Police public relations division said yesterday: "Mr Tighe said an unknown person had told him further tyres had been slashed in the nearby parking ground."

"He apparently concluded from this that 200 cars were involved."

Colonel Bull said no evidence had been received to support the number of 200 cars or that so-called Rightwing thugs were involved.

Colonel Bull said Mr Tighe had been requested to bring his tyre and to lay a complaint "but he had not compiled one yet".

● Mr Tighe said yesterday he stood by the number of 200 and could furnish witnesses to support the number.

"I have not reported the matter as I did not realise it was a matter of urgency but I will go to the police today," he said.

RDM (11) (327) 5/6/82

Reprieve of ANC trio may save coup group

By EUGENE HUGO

THE reprieve of three African National Congress insurgents has almost certainly saved seven of Colonel "Mad Mike" Hoare's mercenaries from a possible fate on the gallows in the Seychelles.

An appeal for clemency for the three ANC men from Seychelles President Albert Rene in April was intended to establish a basis for similar clemency for the mercenaries now facing treason charges on the Indian ocean islands.

And Seychelles Government sources told the Rand Daily Mail that should a reprieve be granted by the South African State President, the Seychelles President would be in a position to do the same for the mercenaries.

Behind the Rene move was his personal abhorrence of the death sentence. But Seychelles sources made it clear to the Mail that unless President Rene could point to a softening of South Africa's traditional hardline stance in such cases he would be politically unable to take such a decision.

An unusually mild reply to President

Rene's plea from Mr Botha was seen as the first step in state-to-state manoeuvres aimed at saving the lives of Mr Martin Dolinchek, Mr Jeremiah Puren, Mrs Susan Ingles, Mr Robert Sims, Mr Aubrey Brooks, Mr Roger England and Mr Bernard Carey.

They are due to stand trial for their roles in the abortive Seychelles coup on June 16.

President Rene appealed to the SA Government on humanitarian grounds not to execute Ncinibithi Johnson Lubisi, Petrus Tsepo Mashigo and Naphtali Manana.

They were sentenced to death for their roles in the attack on the Soekmekaar Police Station in January, 1980. There were no deaths in the attack.

Their sentences were commuted to life imprisonment on Thursday after a dramatic 11th-hour petition for clemency — filed just minutes before the deadline at noon on Wednesday.

The former UN Secretary-General, Dr Kurt Waldheim, and Amnesty International groups in several countries also pleaded for clemency.

Trade unionist lays abduction charges

Mercury Reporter 5/6/82

DURBAN trade unionist, Cindy Mngadi, who was allegedly taken from her Lamontville home and questioned at gunpoint by four men on Tuesday night, yesterday laid charges of abduction against the men.

Miss Mngadi, an organiser for the General Workers' Union, said she had been abducted from her home by four men who, after taking her to an isolated place, questioned her on her union

activities.

She said they had claimed to be security police but the South African police have denied any involvement in the incident.

Miss Mngadi, accompanied by the union's attorney Mr C J Albertyn, laid a charge at C R Swart Square and handed in a statement drawn up by the attorney.

Police confirmed a charge had been laid and said they were investigating.

Welders

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African Garment Workers Union (Natal)
African Leather Workers Union (Transvaal)
African Trunk & Box Workers Union
Black Allied Workers Union
Garment Workers Industrial Union (Natal)
Garment Workers Union of South Africa
Garment Workers Union (Western Province)
General Workers Union
General Workers Union of South Africa
National Union of Clothing Workers
National Union of Leather Workers
National Union of Textile Workers
South African Allied Workers Union (SAAWU)
S.A. Canvas & Ropeworkers Union
S.A. Canvas & Ropeworkers Union (Cape)
Tailoring Workers, Dressmaking & Furriers Industrial Union
Tanning, Footwear and Allied Workers Union
Textile Workers Industrial Union
Textile Workers Union (Transvaal)
Transvaal Leather and Allied Trades Industrial Union
Trunk & Box Workers Industrial Union

Textiles, Clothing, Leather and Footwear

African Tobacco Workers Union
National Union of Cigarette & Tobacco Workers
Rustenburg Tabakwerkersvereniging

Tobacco

Sweet Workers Industrial Union (Natal)
Sweet Workers Union
Sugar Industry Employees Union
South African Allied Workers Union (SAAWU)
S.A. Boilermakers, Iron & Steelworkers, Shipbuilders and Welders
S.A. Electrical Workers Association
Western Province Sweet Workers Union
Witwatersrand Baking & Confectionery Industrial Union
Witwatersrand Brewing Employees Union

CONCERN is mounting over the whereabouts and well-being of a Port Elizabeth student leader, Mr Siphiso Mthimkulu, who is suing the Minister of Police for R150 000 after allegedly being poisoned while in security police detention.

Mr Mthimkulu went missing on April 14 with another man, Mr Topsy Madaka, after returning from Livingstone Hospital. Although Mr Madaka's car was later found near the Lesotho border, neither he nor Mr Mthimkulu have been in touch with their relatives yet.

The 21-year-old student leader, a member of the Congress of South African Students (Cosas), was detained under Section Six of the Terrorism Act for five months last year. He became ill soon after his release in October and was later admitted to Groote Schuur Hospital, where doctors diagnosed poisoning by thallium — a deadly rodent poison outlawed in most Western countries.

Mr Mthimkulu suffered extreme pain in his limbs and stomach, lost all his hair and later had to be confined to a wheelchair. The poison caused minimal brain damage and Mr Mthimkulu was confused and delirious when transferred to Groote Schuur Hospital in November.

By mid-January, however, he had recovered sufficiently to be discharged and sent home to Port Elizabeth. The police later confirmed that they were investigating the poisoning and that Mr Mthimkulu had instituted legal proceedings against the Minister of Police. His attorney, Mr Herbert Fischat, said the student leader was suing the minister for R150 000 arising from the poisoning.

Mr Mthimkulu was due to return to Groote Schuur Hospital on May 3 for further neurological tests, but went missing on April 14. His mother, Mrs Joyce Mthimkulu, said she last saw him when Mr Madaka fetched him at home to collect his medical file from Livingstone Hospital. His doctor said he had arrived at hospital, but disappeared soon afterward without the file. The doctor assumed that he had left for home.

Mr Madaka's car was later found near



Mr Mthimkulu

Sterkspruit in the Transkei, which is close to the Lesotho border. This prompted suggestions that the men had fled to Lesotho, but church officials and others in the neighbouring State have been unable to locate either him or Mr Madaka.

The PFP MP for Walmer, Mr Andrew Savage, said last night that he had approached the Minister of Law and Order, Mr Louis le Grange, two days ago to discuss the matter. Mr Le Grange had told him that Mr Mthimkulu was "not in the hands of the South African security police".

To date, neither of the men have contacted their families. Friends of Mr Mthimkulu said he was close to his parents and would have contacted them as soon as possible.

Towards the end of April, a friend in Kwazakele, Port Elizabeth, claimed that Mr Mthimkulu had telephoned him to say he and Mr Madaka were "safe". He said the caller did not identify himself or disclose their whereabouts, but he recognized Mr Mthimkulu's voice. The friend conveyed the message to both men's mothers.

The chairman of the Civil Rights League, Mr Brian Bishop, who became acquainted with Mr Mthimkulu while he was in Groote Schuur Hospital, yesterday described him as "a force for peace in our country".

"Although many young black men are filled with bitterness and hatred, we never heard a word of bitterness from Siphiso. His message was always one of peace, hope and cheerfulness," he said.

Mrs Mthimkulu and Mr Fischat, the student leader's attorney, could not be contacted last night.

No sign of missing student
 Staff Reporter
 3/6/81
 323

Van den Bergh can sue judge

CAPE TIMES 5/6/82 327

Staff Reporter

THE former head of the Bureau for State Security, General Hendrik van den Bergh, was yesterday granted permission to sue Mr Justice A J Lategan of the Cape Bench for damages.

A full bench of the Supreme Court decided that General Van den Bergh would be allowed to sue Mr Justice Lategan for alleged defamation, but dismissed his application to sue the Erasmus Commission of Inquiry, of which the judge was a member.

Mr Justice Lategan will lodge an appeal against the decision.

Supreme Court Act

The ruling of the three judges — Mr Justice Milne, who is Deputy Judge President of Natal, Mr Justice Kannemeyer from the Eastern Cape, and Mr Justice Le Grange from Pretoria — was delivered yesterday by the

Judge President of the Cape, Mr Justice Munnik.

In terms of the Supreme Court Act permission has to be obtained to issue a summons against a judge.

Mr Justice Milne said in his judgment that General Van den Bergh had failed to prove that statements made about him in the commission report were published maliciously.

He said Mr Justice Lategan's address at a Junior Rapportryers meeting in Paarl in 1979, was totally different to the comments made about him in the commission report.

In Paarl he had not appeared as a commission member and did not have the protection of privilege given by law to commissions. Furthermore, the speech was made before Mr Justice Lategan became a judge.

General Van den Bergh said in his application that Mr Justice Lategan had said at the Paarl

meeting that the commission could not "decide whether this man (General Van den Bergh) was mad or a liar".

Judge Milne said it was important that Mr Justice Lategan had admitted addressing the meeting, and had not denied uttering the words in question, only that he could not remember saying them.

'Double dealer'

On the issue of alleged defamation in the Erasmus Commission report, the general said he had been called a "double dealer, manipulator and a liar". The report had also found that he had threatened a Mr Reynders and influenced him to make a false statement to the commission.

These words were defamatory, he said. He also mentioned a newspaper interview with the chairman of the commission, Mr Justice Rudolph Erasmus, who had said: "A commission like this will not be put off by General Van den Bergh's judgments. If I pay attention to every baboon where will I be then... I cannot shoot him or poison him."

Court told of (327) Mercen 5/6/82 'elite' troops

Pietermaritzburg Bureau
TROOPS from the elite Special Air Service of the Rhodesian Army were hired as a unit by the South African Defence Force after independence in Zimbabwe, the Seychelles hijack court here was told yesterday.

Giving evidence, Mr Ken Dalglish — owner of the Riviera Hotel which was used as a recruiting ground for mercenaries for the Seychelles coup — said he had had no problems contacting former members of the crack Rhodesian unit.

There were 'many SAS in Durban' as they had moved as a unit on one-year contracts with the Defence Force, he said.

Identified

Most had taken up civilian occupations after their contract period ended, he said.

He had initially been approached by a man identified in court only as Mr X, about the Seychelles operation with the request to recruit former SAS men, Mr Dalglish — a former British South Africa Police inspector — told the Court.

He and Mr Mike Webb — another accused — had recruited 20 men for the coup which he understood was a clandestine operation supported by the South African Government.

Knowledge

He had understood from Mr X — who is still in the Seychelles that Colonel Mike Hoare was in overall command of the coup.

At a later meeting chaired by Col Hoare he was told that the Colonel had been working for three years on plans with the support and knowledge of the National Intelligence Service, full cooperation of military intelligence and the backing of the Cabinet, although they could not officially or openly support it.

him that he had made a deal with the captain and they would be flying back to South Africa, he said.

He had boarded with his weapon and had located Mr Charles Goatley, another accused, on the Colonel's orders and told him to go to the cockpit, Mr Dalglish said.

He had talked to Capt Saxena and told him of his flights on Air India jets when he was a child and his parents worked in India.

Capt Saxena had asked him into the cockpit to show him around, he said.

On landing at Louis

Botha airport he had been asked by Mr Webb to help Mr Peter Duffy, another accused, to defuse what would be a diplomatic problem, he said.

Colonel Hoare had been exhausted when the plane touched down in Durban. 'He looked a broken man,' Mr Dalglish said.

He admitted telling a fireman that they had commandeered the plane. He had meant 'commandeered in the military sense' and not simply taking over without permission, he explained.

The hearing continues on Monday.

He had been satisfied with Col Hoare's explanation because he had read about his experiences in the Congo and knew the Colonel had government contacts, he said.

Advance party

He had been one of the advance party which flew to the Seychelles and arrived on November 23 last year, he said.

As had been planned, the advance group met the rest of the Ancient Order of Frothblowers on their arrival at Mahe Airport on November 25, he said.

After the discovery at customs, he had raced down to the Southern barracks with others in an attempt to contain the enemy troops.

They had blocked the entrance to the barracks with their vehicle but had come under heavy fire with two men being wounded, he said.

Support arrived, but they all eventually withdrew to the main terminal building where he had 'wandered around', he said.

He had seen a number of civilians in a large office but they had not been guarded by the mercenaries he said.

He had heard the Air India flight land and about twenty minutes after its arrival had seen the two Air India captains standing outside Col Hoare's headquarters.

He had then been ordered to refuel the plane — a task which had been accomplished while the party was under fire by a 75mm recoilless rifle, he said.

Col Hoare had then told

Court hears of gun smuggling

Pietermaritzburg Bureau

SEVERAL Ak-47 rifles were smuggled through two major South African airports by the advance party going to the Seychelles, the Court was told yesterday.

Mr Ken Dalglish, one of the chief recruiters of mercenaries for the coup, said he had only known that he was expected to smuggle a gun through Louis Botha and Jan Smuts airports when he had arrived at Louis Botha prior to his departure.

Colonel Hoare had told

the party of five that they were to pack some of their clothes into bags he had brought which contained rifles.

The bags had simply been placed on the weighing scales and had been packed into the plane's hold for the journey, he said.

As the bags were not hand luggage to be carried in the plane, they were not X-rayed.

On arrival at Mahe, he had simply walked through the 'green' area. A customs man had stopped him, but just inspected his duty free purchases, he said.

Families upset over transfer of detainees

Cape Times 7/6/82 327

Own Correspondent

JOHANNESBURG. — The transfer of prisoners from Robben Island to prisons in the Western Cape has created tension between the Prisons Service and families of those moved out of the maximum security prison.

Families claim they were not informed of the moves until at least a week after they had taken

place.

However, the Prison Service said in a statement that "it is standard practice to inform the family members of transferees as soon as possible after the transfer of a prisoner has been realized".

A spokesman for the Sisulu family said they had been told by a journalist that Walter

Sisulu, jailed former secretary-general of the ANC, had been transferred to Pollsmoor Prison.

"A journalist from a Cape Town newspaper telephoned us to ask us if we had heard about the transfer," the spokesman said. "That was the first time we learnt about it."

'Letter'

"The next day we read about it in the press."

"We were officially told long after the transfer, when we got a letter from the authorities."

It is believed several "security" prisoners have been transferred from Robben Island to prisons in the Western Cape.

The Prisons Service statement added that transfers from one prison to another took place for administrative reasons, but it was not policy to divulge the details.

It said Robben Island would be evacuated "as soon as suitable alternative accommodation is available elsewhere".

A new maximum security prison is being built at Leeuwkop, north of Johannesburg. It is not known when the new prison will be completed, but plans are said to be at an "advanced stage".

By Lesley Friedman

LONDON. — David Some waved a finger in my face. "Go away," he shouted.

I was the first South African journalist to come face to face with Detective-Sergeant Some since he fled from South Africa early in March.

He had jumped bail of R3 000 while awaiting trial on four counts of murder in Natal.

The Argus tracked down Some to his latest address — a council flat in a London suburb.

Judging from the graffiti defacing the entrance, the block could serve as headquarters for the right-wing National Front. "Niggers will always be slaves," was one slogan.



Mr David Some

was his refusal to speak to the Press, he said: "I'm not interested in what you have to say.

"If you don't go away, I'll call the police and tell them you are harassing me. The police in this country don't like that."

The door slammed again. This time he did not reappear.

Some has been working as a labourer since moving to London, according to a woman, who did not want to be named.

He told her that he had given up a better job with a chain of clothing retailers when his background was discovered.

He said his money had run out and he was "almost destitute".

Background

He said: "I will never be able to get a job in this country because of my background. I'll probably be a labourer for the rest of my life here."

British-born Some, who joined the South African Police in 1972, told the woman he was not guilty of the four murder charges.

The charges arose from the discovery of the bodies of four black men under a road bridge in Natal. The men had been in police custody before their bodies were found.

Some told the woman he had jumped bail because he was innocent and "the maximum penalty for murder in South Africa is death by hanging."

Smiled

Some has said he is nearly destitute. But he, his wife and a relative, Mrs Jean Purchase, spent the weekend away at the coast. They returned to the flat at 9.20 pm yesterday.

Some, who wears glasses and has a beard, smiled as I approached him while he was opening the front door.

"David Some?" I asked.

"Yes," he said.

"I'm from The Argus."

The smile vanished.

"Go away," he yelled. "I will never speak to the South African Press."

As his wife approached the flat, I asked her why he would not speak to the Press.

Some grabbed his wife, Yvonne, and said: "If she wants to find out what this is all about, let her go and ask the South African Government, not me."

The door slammed shut.

About five minutes later Some reappeared.

The Times

"The Press in South Africa has tried and crucified me already," he said. "I have an arrangement to speak to The (London) Times."

When it was put to him that the reason his side of the story had not been printed in South Africa

Somes
says
he is
innocent

Argus
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Pietermaritzburg Bureau
INTERNATIONAL pressure from Third World countries resulted in the Seychelles mercenaries being arrested and charged with hijacking an Air India flight from the islands, it was alleged by an accused giving evidence here yesterday.

Mr Ken Dalgleish, whose hotel on the Victoria Embankment was allegedly used as a recruiting centre, said he believed that the men had been charged after threats had been made that South African aircraft would not be al-

lowed to land at some international airports.

When the mercenaries had first been arrested and taken to Sonderwater Prison, most of them had been released without charges being preferred against them, he said.

The initial charge against some of the men had been one of kidnapping which had been subsequently dropped, he said.

Pressure

The Attorney-General of the Transvaal did not charge us and he had the same facts as the Ator-

ney-General of Natal, Mr Dalgleish told Mr Cecil Rees, SC, the Attorney-General of Natal, while being cross-examined.

He believed that it was due to international pressure from mainly Third World countries and the United Nations that the men were rearrested and charged with hijacking the Air India Boeing on November 25 last year, Mr Dalgleish said.

When questioned about a police statement he made while in custody at Sonderwater Prison, Mr Dalgleish said he had been convinced that statements were taken so that the authorities could construct a cover for the men.

The question of prosecution after the coup had 'not entered our heads', Mr Dalgleish said, adding that the men did not consider that they had committed any crime.

Protect

Asked why the pilot had made use of the international hijack code by triggering a transponder on the jet during the flight, Mr Dalgleish said there were two reasons why Captain Umesh Saxena should have done so.

The first was that he was an Indian going to South Africa and the second was the fact that his company would not have been happy if they knew he had made an agreement to fly the men out.

'So, in order to protect his reputation, it would be logical to put it (the transponder) on,' Mr Dalgleish said.

'He only did it just before he got to Durban — we flew right over Tantanarive in the Malagasy Republic and he did not put it on then,' Mr Dalgleish said.

When the plane arrived at Louis Botha airport it had been suggested that he accompany Mr Peter Duffy to negotiate with the security personnel at the runway, he said.

As he had been a hotelier and many police and legal men had visited his hotel, it was quite possible that he would have known some of the officials called to the scene, he said.

The hearing continues today.

Silence in court

THE trial came to an abrupt halt for the second time yesterday when recording equipment in the court malfunctioned.

The hearing in the Supreme Court in College Road adjourned early on Friday after the court stenographer experienced problems with the machine.

It broke down again yesterday shortly after the lunch adjournment and the hearing had to be adjourned because there was no technician available to repair the equipment.

Acting Judge President Mr Justice Neville James said it was 'unfortunate and appalling' that machines should dominate the proceedings.

He ordered that the machine be repaired in time for the trial to continue today and a qualified court stenographer be found and kept available to record proceedings in case the machine malfunctioned a third time.

Accused
tells of
coup 'cover'

8/6/82
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US hails move on ANC trio

Argus Bureau
WASHINGTON — The Reagan Administration has welcomed the South African Government's decision to commute the death sentences on three members of the African National Congress (ANC).

A spokesman for the State Department said yesterday: "We are pleased the executive committee of the South African Government decided to spare the lives of the three convicted men, Nkimbithi Lubisi, Petrus Mashigo and Naphtali Mahana."

He stressed that the United States had supported a United Nations Security Council resolution calling on all member states to make urgent efforts to save the lives of the three men.

EXCHANGE

The resolution was supported on humanitarian grounds.

Last month a State Department spokesman declined to comment on any diplomatic exchanges which might have taken

place between the United States and South African governments.

However, he confirmed that the South African Government was aware of the Reagan Administration's views on the death sentences.

At the time the State Department spokesman said that if the three men were hanged it would be the first time in modern South African history that anyone had been executed for participation in an incident in which no lives were lost.

PRECEDENT

Many of the organisations and individuals who asked the South African Government to commute the sentences — or who asked the American Administration to intervene — said they feared execution of the men would create a precedent for future convictions.

● The three men were sentenced to death for an attack with automatic weapons and hand grenades on a Lebowa police station on January 4 1980.

— The Argus —



Mr Jorge Costa

Own Correspondent

JOHANNESBURG. — Mozambique's National Director of Security, Mr Jorge Costa, yesterday defected from his country and asked for political asylum in South Africa.

The 30-year-old director was number four in the department charged with top security, including espionage, counter-espionage and intelligence. He has had many direct dealings with President Samora Machel.

He made his shock announcement at Jan Smuts Airport at 7 am after a three-day visit on police matters to South Africa together with two other Mozambique Government officials.

The other two officials — an adviser for the Ministry of Security and a security police colonel — listened in stunned silence to Mr Costa's announcement before departing for Maputo. The colonel refused to shake Mr Costa's hand.

Well-groomed

Yesterday afternoon Mr Costa, well-groomed and dressed in a fawn pinstriped suit, was introduced to the press at Pretoria police headquarters by the security police chief, Lieut-Gen Johan Coetzee.

The tall, composed man, who has been working with Mozambique's

most coveted secrets in the Ministry of Security, admitted that he had met General Coetzee on previous official visits in the past three years.

He said he had been an honest worker for his government even though he had contemplated defecting for more than eight months.

Left family

Mr Costa, who left behind a wife, three children and his parents, said his country was economically almost on its knees, that Frelimo plans had failed to materialise and that the Soviet Union was destroying the economy.

"Southern Africa with its mineral and agricultural wealth is of strategic importance to them and is their main target. In the 21st century food will be the biggest problem.

"I am not prepared to oppress my people and will not work in matters against my people just because the Russians want it.

"I have always supported the freedom of my country in the way I could. Frelimo had a good programme in the beginning but the economic aid promised to it by communist countries did not materialise."

Anti-SA propaganda

He said one of his functions was to spread propaganda in Mozambique about South Africa backing resistance movements in his country.

"I even drew maps of where South Africans infiltrated the country. These were used in Mozambican papers recently."

General Coetzee said at yesterday's conference that there had been regular liaison between Mozambican police and the South African Police on criminal matters. He said security police were involved in discussions over border matters.

Mr Costa — who shot up from Inspector of Police in 1974 to Director of Police and National Director of Security in 1978 — said he did not feel he owed his government anything.

"I was loyal and have always supported the freedom of my country. If you are a hard worker, it is easy to shoot to the top in Mozambique. There is a great lack of skilled manpower."

Spy-master
defects to SA
Cape Times 8/6/82
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INTERNAL SECURITY ACT, 1982

Act No. 74, 1982

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ACT

To provide for the security of the State and the maintenance of law and order; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 1 June 1982.)

BE IT ENACTED by the State President and the House of Assembly of the Republic of South Africa, as follows:—

ARRANGEMENT OF SECTIONS

	<i>Section</i>
5 Definitions	1
CHAPTER 1 Director of Security Legislation.....	2-3
CHAPTER 2 Measures in respect of Certain Organizations and Certain Publications.....	4-17
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15 CHAPTER 7 Procedure, Jurisdiction of Courts and Evidence	64-69
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1. In this Act, unless the context otherwise indicates—

Definitions.

- 20 (i) "authorized officer" means a person designated as such under section 6 (1), and includes any person acting under his written authority; (vii)
- (ii) "board of review" means a board of review established under section 35; (ix)
- 25 (iii) "Commissioner" means the Commissioner of the South African Police; (xii)
- (iv) "communism" means any doctrine, ideology or scheme—
- 30 (a) which is based on, has developed from or is related to the tenets of Karl Marx, Friedrich Engels, Vladimir Lenin or Mao Tse-Tung, or of any other recognized theorist in connection with or exponent of those tenets, and which aims at the establishment of any form of socialism or collective ownership;
- 35 (b) which aims at the establishment, by means of a class or group polarization of the community and

for full text see gg 8232 Act's Box

Coup 'could have been a covert Defence Force operation'

Manamy
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9/6/82

Pietermaritzburg Bureau

HIRING Col Mike Hoare to lead the coup in the Seychelles last year could have been in accordance with plans laid by the Defence Force, an accused told the Supreme Court here yesterday.

Mr Patrick Henrick, a member of the elite Recce commandos and Cape Town estate agent, said he had been convinced that the planned coup of the islands had been a 'covert Defence Force operation'.

The fact that Col Hoare, known for his exploits as a mercenary leader, was in charge could have fitted in with army plans, he said.

'What better man to welcome President Mancham back to the islands?' he asked Mr Hendrik Klem, SC, who was cross-examining him for the State.

He had decided the coup was backed by the Government after Col Hoare had disclosed that he was working closely with a general and two brigadiers on the project.

There had also been a lot of troops from his regiment, Two Recce Battalion, and this had added to the legitimacy of the project, he said.

Col Hoare, in a pre-coup briefing, had told the men that the 'two brigadiers' had insisted on a plane being held available at all times to lift out the South Africans involved in the operation, Mr Henrick said.

His toy

They had been told that everybody from P W Botha downwards knew of the plan, which also had the support of Gen Alexander Haig, US Secretary of State, who had been briefed by the Central Intelligence Agency, he said.

After the group had arrived on the island, he had cleared customs only to be told to get 'his toy' when Mr Kevin Beck, another accused, had his gun discovered, Mr Henrick said.

He had tried in vain to assemble his AK-47, but had abandoned the damaged weapon and ran to the air terminal.

Inside he found his friend, Johan Fritz, lying on the ground bleeding. He had died shortly afterwards.

Mr Henrick said he had then grabbed a weapon lying near Fritz's body and ran to the control tower after telling four men to follow him.

He arrived at the tower first, found the door locked and then shot out the windows — not realising there were women in the tower. In the control room he found two other accused, Mr Charles Goatley and Mr Vernon Prinsloo, talking to the women.

He had left and helped capture an armoured car. While he was still busy trying to get its armaments to work he had been told the coup was to be abandoned, Mr Henrick said.

When the jet landed in Durban he had sat playing chess for a while and had looked out to see Col Olckers — known to him as a Recce regiment officer — on the tarmac.

This had fitted in with his idea that the Government backed the coup, he said.

Mr Kenneth Kelly when cross-examining Mr Henrick while conducting his own defence, denied that he had ever served with South African security.

He had not met Col Hoare until the Seychelles operation, he said.

The hearing continues today.

Accused was 'convinced' SADF backed coup attempt

Own Correspondent

MARITZBURG. — Hiring Colonel Mike Hoare to lead the coup bid in the Seychelles last year could have been in accordance with plans laid by the South African Defence Force, one of the accused told the Supreme Court here yesterday.

Mr Patrick Henrick, a member of the elite Recce Commandoes and a Cape Town estate agent, told the "hijack" trial he had been convinced that the planned coup of the islands had been a "covert Defence Force operation".

The fact that Colonel Hoare, known for his exploits as a mercenary leader, was in charge could have fitted in with army plans, he said.

He had decided the coup bid was backed by the government after Colonel Hoare had disclosed that he was working closely with a general and two brigadiers on the project.

There had also been a lot of troops from his regiment, and this had added to the legitimacy of the project, he said.

Colonel Hoare, in a briefing, had told the men that the "two brigadiers" had insisted on an aircraft being held available at all times to lift out the South Africans involved in the operation.

After the group had arrived on the island, he had cleared customs only to be told to get "his toy" when Mr Kevin Beck, another accused, had his gun discovered by a customs officer.

He had tried vainly to assemble his AK47, but finally abandoned the damaged weapon and ran to the Air Terminal armed with a knife after hearing shooting.

Inside he found a friend, Johan Fritz, lying on the ground bleeding profusely from a wound above his heart. He shouted for help from Dr Steyn de Wet and tried to tend to his friend, who died soon after.

Mr Henrick said he then grabbed a weapon lying near Fritz's body and ran to the control tower after telling four men to follow him.

He arrived at the tower first, found the door locked and then shot out the windows — not realizing there were women in the tower.

He then found the door ajar and entered the control room to find two other accused, Mr Charles Goatley and Mr Vernon Prinsloo, talking to the women. He had left, become involved in another action and had then helped manufacture petrol-bombs for use on an armoured car.

The armoured car was bogged down in mud. He had climbed on to the rear of the vehicle, poured petrol over the vision slots, and set it alight.

The crew inside believed their vehicle was alight and surrendered.

He clambered into the car to try to get its armaments working. While doing so he was told the coup was to be abandoned. He went to the air terminal, where he and others prepared Mr Fritz's body for the flight to South Africa.

The hearing continues today.

CAPE TIMES 9/6/82
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Defector 'traitor' — Mozambique

MAPUTO. — Mozambique yesterday accused its former security chief, who defected to South Africa on Monday, of being a traitor who terrorized whites and foreigners.

The official Mozambican news agency Aim, quoted a Security Ministry statement as saying that Mr George Costa, who sought political asylum in South Africa while on official business, had created "instability and terror among white Mozambicans and foreigners".

The Mozambican official sought asylum at Jan Smuts airport shortly before he was due to return to Mozambique after talks on security issues.

He told a news conference later that Soviet influence in his country was increasing.

Aim described Mr Costa's defection as "treason".

"He's given himself up to Pretoria. You know what this means? Prepare for an attack," Aim quoted Mozambican President Samora Machel as saying.

The report added: "Now we are telling all Mozambicans who collaborate with Pretoria: You won't have a place in the last boat when apartheid is destroyed."

Mr Costa had opposed

an official campaign being waged to stamp out abuse of power and violation of civil rights by defence and security forces, the Security Ministry said.

●Our Correspondent in Johannesburg reports that the security police yesterday spirited Mr Costa away from the public eye.

The chief of the South African security police, General Johan Coetzee, said that at this stage there was nothing further that could be said about the defection.

Thirty-year-old Mr Costa was introduced to pressmen by General Coetzee at Pretoria Police Headquarters on Monday afternoon.

General Coetzee said Mr Costa had asked for political asylum in South Africa at 7am that morning — moments before he was due to return to Maputo after a three-day official visit to South Africa on police matters.

Two Mozambique Government officials listened in stunned silence to Mr Costa's announcement and themselves returned to Maputo.

Police declined to disclose the whereabouts of Mr Costa, who is still in South Africa on a valid visa. — Sapa-Reuter

'We had lost the element of surprise'

Pietermaritzburg Bureau

MERCENARIES at Mahé airport in the Seychelles had total control of an Air India jet and all its movements, one of the mercenary officers said at the hijack trial here yesterday.

Cross-examined by Mr Cecil Rees, SC, the Attorney General of Natal, Mr Michael Webb, a former British Army officer, admitted that the mercenaries had totally controlled Mahé airport on November 25 last year.

The pilot would have been unable to refuel, turn the jet or take off without the mercenaries' assistance, he said.

Mr Webb, who has also seen service with the army of the Sultan of Oman and the Rhodesian special forces, said he had given a radio order for the men in the control tower to allow the Boeing 707 to land at the besieged airport.

Meetings

He had done so as he had been told that everything should continue as normal, he said.

Mr Webb, now a barman at the Riviera Hotel which allegedly served as a recruiting centre for mercenaries, said he had attended several meetings before the coup was launched last year.

One of them had been at Col Mike Hoare's Hilton home where the vice-president-elect of the Seychelles, Mr Gerard Hoareau, and the leader of the Seychelles resistance, had been present.

After the Air India jet had landed at Mahé, he had been told by Col Hoare that they had the opportunity of leaving the island on the

plane.

He had thought the men should go as they had lost the element of surprise, had failed to turn a captured armoured car to their own use and some of the men were running short of ammunition, he testified.

Although the men had been ordered to leave their weapons behind before boarding the jet, he had discussed the matter with Tullio Moneta, the second-in-charge, and he had countermanded the original order, he said.

It was thought that the plane could have been stopped by Seychellois troops before it could get off the ground, Mr Webb told the Court.

He had seen Charles Goatley, another accused, who was ordered to monitor the flight, in the cockpit of the jet, he said.

Although Goatley had initially carried his AK-47 in the cockpit, he had handed it over for storage after take-off, Mr Webb said.

The hearing continues today.

Hijack trial told of 'special assignment'

ARGUS

10/6/82

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Argus Correspondent

MARITZBURG. — A Durban photographer, Mr Peter Duffy, was approached by alleged National Intelligence Service (NIS) agent Mr Martin Dolinchek to take on a special assignment in the Seychelles, the Air India hijack trial heard today.

Scottish-born Mr Duffy, 41, who served in the mercenary 5 Commando unit in the Congo, said he was initially approached by Colonel Mike Hoare.

He was then paid a social call by a Mr Y, who was employed by a Government department. When pressed, he identified this man as Mr Martin Dolinchek, who claims to be an NIS agent.

"He smiled at me and said did I know there was an operation in the air. I smiled back and said I believed so.

"He said he had a special assignment for me on the operation."

PLANNING

Mr Dolinchek told him he had been involved in planning the Seychelles coup.

"He said Colonel Hoare was a straight soldier and he (Mr Dolinchek) had suggested the idea of a cover for the mercenary group — the Ancient Order of Froth Blowers."

Mr Duffy was to be tour leader of the group.

The judge asked him if he had any claims or qualifications as leader of the order.

Mr Duffy replied: "Not the ancient part, but I've done a bit of froth-blowing."

When the weapons were discovered at Mahe

Airport in the Seychelles Mr Duffy said he tried to distract the attention of the customs official with a squeaky duck — one of the toys taken along by the Ancient Order as gifts for disabled children on the island.

Later, when the Air India jet landed, Colonel Hoare told him the aircraft should not have come down.

Wearing civilian clothes and with his AK-47 rifle under his jacket, Mr Duffy said, he climbed on board to speak to the captain.

He said a coup was taking place and the aircraft would be refuelled as soon as possible and take off.

A Seychellois helped with the refuelling and told Mr Duffy: "I am prepared to die for you."

Mr Duffy said he boarded the Air India Boeing without knowing where it was going. Later a crew member told him jokingly they were headed for Bombay, but Colonel Hoare laughed and told him they were going to Durban.

Before reaching Louis Botha Airport, Mr Duffy said he spoke to Colonel Hoare.

"I told him there was going to be a big stink

when we arrived and there would be an international incident blown-up out of all proportion."

He suggested contacting the authorities to explain what had happened.

A note was sent to the navigator: "Suggest you request senior security to meet aircraft and aircraft to stop at end of runway to be met by doctor."

AMBULANCE

After landing Mr Duffy noticed an ambulance on the runway. He asked that it be moved because he had recently been on an assignment for the Sunday Tribune and thought the ambulance personnel might recognise him.

A senior security officer, Colonel Mouton, walked up to the aircraft and "the captain asked if I would explain the situation to the authorities."

"I told him there had been an attempted coup in the Seychelles but it had failed and that he had better contact Pretoria before all hell was let loose. I told him he should attempt a cover-up."

Colonel Mouton then left to telephone Pretoria for a decision, he said.

(Proceeding)

Police hide family

Own Correspondent

DURBAN. — The entire family of the young man who shot and killed two suspected terrorists at Paulpietersburg on Tuesday night has been evacuated by police for fear of their safety.

They left their farm for fear of terrorist reprisals because the young man had been identified by television, radio and press reports.

African National Congress terrorists were probably still in the area and the family, with a black farmhand who was indirectly involved in the shoot-out with the terrorists, were being housed at a secret place, a police spokesman said in Pretoria yesterday.

Meanwhile, a major row is brewing between the SA Police and the SABC's television and radio services and certain newspapers who allegedly ignored a police request not to identify the farmer or his young son.

"The request, which came direct from General Johan Coetzee, chief of the security branch of the SA Police still stands," the spokesman said yesterday.

CAT 7.4/82
11/6/82
Prisons
Act
Lawyer
fined

JOHANNESBURG. — A Johannesburg attorney, Graham Dyson, was found guilty yesterday of contravening the Prisons Act by trying to take crumpled tissues with verses of poetry on one of them out of the Fort Prison after visiting a security detainee.

Dyson had pleaded not guilty to the charge.

The Johannesburg District Magistrate, Mr M P Prinsloo, sentenced Dyson to a fine of R200 or three months' imprisonment.

Mr Prinsloo said Dyson could expect further action to be taken against him.

Dyson, 30, who has been practising as an attorney since 1980, consulted his client, Miss Elaine Mohammed, at the Fort Prison on December 22 last year to discuss matters in mitigation of sentence.

Wardress

During the consultation, which was watched over by a wardress, Mrs Esther Mtsweni, Miss Mohammed had tissues in her hand.

According to Mrs Mtsweni, Miss Mohammed stealthily handed over a bunch of tissues to Dyson, who crushed them and placed them out of sight behind his attache case. Dyson told the court that after the consultation he had "crumpled an ashtray I had made out of paper and which I was using during the consultation and put it into my right-hand pocket. I looked around to see if she had left any mess".

"On the chair near me, I saw crumpled but clearly unused tissue paper. I put it into my lefthand pocket. I was going to dispose of the tissues and the ashtray in a dirtbin just outside the prison.

"I was unaware that there was writing on the tissues until I saw this when the tissues were handed over," he said. — Sapa

'Squeaky duck' played a part in coup bid, evidence

NIS agent recruited me, Court told

Pietermaritzburg Bureau
NATIONAL Intelligence Service Agent Martin Dolinchek, currently imprisoned in the Seychelles, had recruited freelance photographer Peter Duffy for the Seychelles coup, the Supreme Court here was told yesterday.

Giving evidence, Mr Duffy, an accused and well-known in Durban as a freelance Press photographer, said he had initially been telephoned about an 'adventure' by Col Mike Hoare.

He had known the colonel since the 1960s when they had met in the Congo. He had been going in as a mercenary and Col Hoare was leaving the troubled country, Mr Duffy said.

Some time later he had got a call from Mr Dolinchek who asked him if the colonel had contacted him, Mr Duffy said.

Mr Dolinchek said he should approach Col Hoare and get in on the operation, which he hinted was scheduled for a country to the north-east of South Africa.

Tour leader

He had later attended a meeting addressed by Col Hoare but by that time had already decided to join, he said.

Dolinchek had not been at the meeting which was held in a Durban flat during November last year, he said.

He had been appointed 'tour leader' of the group and had later lectured the other mercenaries about their cover as members of the Ancient Order of Frothblowers when they stopped at Ermelo, before proceeding to Swaziland to catch a flight to the Seychelles.

On the plane's unscheduled landing at Louis Botha Airport, he had suggested that he should negotiate with the authorities in an attempt to solve the problem of the landing before the first 'business flights' began arriving at the airport, he said.

Pietermaritzburg Bureau
PHOTOGRAPHER-turned-mercenary Peter Duffy had tried to distract a customs officer with a squeaky toy when it appeared that the discovery of the mercenaries at Mahé airport was certain, the Supreme Court here heard yesterday.

Mr Duffy, giving evidence, said he had gone on the coup as 'tour leader' of the Ancient Order of Frothblowers, and it had been his task to get the mercenaries through customs.

He had been first off the plane and introduced himself to the officials.

Suddenly, one of the men discovered fruit being carried by one of the plane's civilian passengers. Mr Kevin Beck, another of the accused, was next in line with his bags — one of which contained an AK-47 rifle, Mr Duffy said.

He had pulled out some toys — destined for disabled children on the island as part of the group's cover — and had attempted to distract the officer with a 'squeaky duck', Mr Duffy said.

In spite of his efforts, Mr Beck's weapon had been discovered and he had been marched off by the official.

He had tried to follow, but had been stopped at some glass doors where he saw a customs man appear with an AK-47 rifle, Mr Duffy said.

He had alerted the other men and they had unpacked their weapons, he said.

Explain

Later he saw the Air India jet overhead and approached Col Mike Hoare who told him the plane should never have landed, Mr Duffy said.

Mr Duffy said Col Hoare told him it was better that the plane should be refuelled and got out of the way.

Col Hoare had then delegated him to explain what was happening to the jet's pilot, he said.

He had boarded the aircraft and told the captain he had landed in the middle of a revolution and suggested that the plane's lights should be extinguished as it made a good target on the runway.

He then told the captain that they would refuel the plane and try to get it off the island as soon as possible, Mr Duffy said.

The pilot had then asked to see his commander, but had first examined the flap of the jet which had been damaged when it struck a vehicle on the runway as it landed, he said.

Destinations

Two of the aircrew had been escorted to Col Hoare in the terminal building and refuelling commenced, he said.

Later in the terminal, he had heard a group, which included the aircrew discussing possible destinations for the plane.

The captain had said there was room on the plane but the men should not bring too much baggage, Mr Duffy said.

When the plane had landed at Louis Botha airport in Durban on November 26, he had volunteered to negotiate with the authorities as he wanted to avoid an international incident over the plane's arrival, Mr Duffy said.

He had told Col Jacobus Mouton of the Railway Police that several people in Government knew of the coup and that he should contact Pretoria about the matter.

Believed

Although he did not know who the people in Government were, he expected Col Mouton to contact them through his senior officers, Mr Duffy told Mr Hendrik Klem, SC, prosecuting for the State.

He had believed the Government was involved because he had been told so by Col Hoare and NIS agent Martin Dolinchek, Mr Duffy said.

Asked why Capt Umesh Saxena, pilot of the Boeing 707, should have lied about incidents on the plane, Mr Duffy said the captain could have changed his story after leaving South Africa.

Capt Saxena had lied when he contended that he had prevented a member of the group from paying for drinks on the plane, and when he claimed he had stood behind the pilots with a gun when the plane landed at Louis Botha airport, Mr Duffy said.

The hearing continues tomorrow.

327 S. Times 13/6/82

Dolinchek promises 'surprises for all'

NATIONAL Intelligence Service agent Martin Dolinchek has told a barrister and an attorney who visited him in prison in the Seychelles this week that he has "surprises in store for everyone" when he and six other people go on trial for treason on Wednesday.

Mr Dolinchek and the others were arrested shortly after the abortive coup in the Seychelles last November.

Said Durban attorney Graham Fowls, who returned to South Africa yesterday after a week with Scottish barrister Nicholas Fairbairn, QC, preparing for the trial:

"We were allowed to see all the prisoners and were given ample opportunity to discuss the case at length with them."

Mr Fowls, Mr Fairbairn, and a Seychellois attorney, Kieran Shah, will be defend-

By RAY JOSEPH

six of the seven accused.

"We saw Dolinchek at the request of his wife who asked us to speak to him and find out if he needed assistance."

"He thanked us, but said our help would not be necessary and that he would defend himself."

"He also said he had 'surprises in store for everyone' when the case begins."

"He seemed supremely confident, but I have been told by the other prisoners that his state is not that good and he spends a lot of time talking to himself."

"Of the prisoners Susan Ingles seems to be the most frightened, although she has probably been the best looked after of them all."

"She is at the central police station and the others are being held in the local prison under heavy guard by Tanzanian soldiers."

"At first the men got pretty rough treatment, but now they are being well looked after."

"Roger England and one or two of the others showed me scars on their wrists from tight handcuffs."

□ □ □

"They are being held in separate cells, but they do see each other in the prison yard during exercise periods."

"All of them told us there had been a loosening up of their treatment as the date of the trial draws near."

"We have told them that

the crime of treason carries the death penalty."

"They said they knew and seemed to have come to terms with this."

"Despite this they seemed to be in fair spirits and even managed to crack the odd joke."

"Visiting them in jail was quite an experience. We had to pass through three separate gates, each guarded by armed Tanzanian troops before we got to their cells."

Mr Fowls said he had returned to South Africa for a series of important meetings before going back.

"At first we were pessimistic, but we have three faint rays of hope."

"I can only say that we will handle the trial, which could be over in as little as three

days, on points of law and not the alleged South African Government involvement in the coup."

"During our time there we had two lengthy briefings with our clients. We also met the Minister of Defence, the Chief Justice and other judges, the British High Commissioner, the Attorney-General and the Commissioner of Police."

□ □ □

On Monday, during the final remand before the trial begins, Mr Fairbairn and Mr Fowls were entered on record as the defence for the six.

Earlier Mr Fairbairn, also an MP in the UK, was admitted to the Seychelles Bar.

But Mr Fowls said that funds for the defence were running out and there was still a possibility of the defence withdrawing.

Meanwhile, Mrs Di Brooks, wife of mercenary Aubrey Brooks — one of the seven accused — left for the Seychelles yesterday to attend her husband's trial.

Said Mrs Brooks, a soft-spoken mother of two:

"I do not know whether they will allow me to see Aubrey, but I feel I must go just to be close to him and let him know that I care."

Mrs Brooks said she had written to Seychelles Police Commissioner James Pillay asking for permission to attend the trial.

"Aubrey wrote back and told me that Mr Pillay said I

should come over.

"I will sort this thing out once I get there even if I have to walk around knocking on doors and begging for permission."

"At least I know that once I am there I can appeal to someone," she said.

□ □ □

Mrs Brooks has received two letters since his capture.

"I also spoke to him once when Mr Pillay phoned me and said he had someone who wanted to talk to me."

"The next thing he put Aubrey on the line. I just cried with relief to talk to him again."

"In his letters Aubrey never complained about what had happened or the way he was being treated."



MARTIN DOLINCHEK
Nervous

"Aubrey is like that. He is very strong and if anyone can survive, he is the one."

"I am very nervous and excited and I don't know what to expect. But at least I will be there to see Aubrey," she said.

The day Isaac came to see Dr Piet's face

"I have come to look at Dr Piet Koornhof's face."

This was how Mr Isaac Tembani, the leader of an eight-man delegation of Fingo people, described why they came to Parliament on Friday when their 4 800 hectare traditional land was legislated away from them and became "white" property.

As it happened, Mr Tembani — whose name translates as "Have ye hope" — was not

By WCR WILKINS
Political Correspondent

years ago in gratitude for services rendered.

According to Progressive Federal Party MP for Albany, Mr Errol Moorcroft, he has a number of sworn affidavits saying that many of the tribesmen were removed at gunpoint by agents for the Department of Co-operation and Development.

described as peaceful and law-abiding occupation of their ancestral lands, the Fingo people had to move to live among strangers in a foreign state.

As a consequence of the move they lost homes, agricultural land, jobs, their South African citizenship and their protection under the British-granted trust.

Mr Moorcroft said he had previously presented evidence "in which it was declared unlawful that homes were broken into, goods and pro-

ple were forced to leave their homes at gunpoint."

"I cannot reconcile this behaviour with that of a government which claims its actions are guided by Christian principles."

No hope

In an interview, Mr Moorcroft said that although he had tried to explain to the Fingo delegation that there was virtually no hope of the government reversing its decision

sisted on coming to Cape Town.

Mr Moorcroft said he had tried to arrange an interview for the Fingos with Dr Koornhof, but had been told that because they were now settled in the Ciskei, it was a matter that had to be taken up through diplomatic channels.

"They were removed from their land by the white South African Government and now that they are in another state, the same government simply washes its hands of them."

Koornhof had been to came Minister and Development

He said the removal of the Fingos had been paid for by an average of some R100 000. Dr Koornhof had refused to say whether they should be given the right to return. "I have n



PFP hits at police swoop

ARGUS 14/6/87
111 327
122 327

Political Correspondent THE Opposition today voiced its strong objection to the arrest of 200 people yesterday at a memorial service for trade union leader, Mr Joseph Mavi in Soweto.

Police were today still holding one person after the mass arrests. Police headquarters said only one person had been detained, in connection with the alleged organisation of an open-air meeting. They refused to give the name.

The Divisional Commissioner of Police in Soweto, Brigadier D J D Jacobs, said earlier the people had been detained because they had attended an unlawful meeting. That had been the "only reason" for the detention.

Shortly after 4 pm, about 50 uniformed policemen, acting on behalf of the Security Police, surrounded the YMCA hall in Dube. The service was in memory of Mr Mavi, and ANC member Mr Petrus Nzima and his wife, who died in a bomb blast in Swaziland two weeks ago.

People present said they were told they were all under arrest and were loaded into police vans and driven to Protea police headquarters. Dr Alex Boraine, MP, the Progressive Federal Party's chief spokesman on manpower matters, said the police swoop was "nothing short of outrageous."

JOURNALISTS

Foreign and local journalists were separated from the others, and notes, TV and camera film were confiscated.

A spokesman for police headquarters in Pretoria said only seven people were questioned, but people who were released from Protea denied this.

Among those arrested were Dr Nthato Motlana; Mrs Albertina Sisulu, wife of imprisoned ANC secretary general Walter Sisulu; Mr Gatsby Mazwal, number two in Mr Mavi's Black Municipal Workers Union; Mrs Ellen Khuzwayo, a member of the Soweto Committee of 10; Mrs Joyce Kaloate and Mrs Amanda

The arrest of 200 people who were mourning the tragic loss of a major trade union leader can only compound the mood of confrontation between trade unions and the police.

"It would appear the police are determined to wreck any chance of industrial peace in South Africa."

"Their action is all the worse in that it totally disrupted a memorial service for a man who was recently killed in a motor accident."

"There does not seem to be anything sacred in South Africa any more," Dr Boraine said.

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CARE TIMES
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Mavi**

Own Correspondent

JOHANNESBURG. — More than 200 people were arrested at a memorial service for trade union leader Mr Joseph Mavi in Dube, Soweto, yesterday afternoon.

In a swoop which started about 4.30pm, police rounded up everybody at the service for the former president of the Black Municipality Workers' Union, who was killed in a road accident in the Free State last week.

The mourners — estimated at between 200 and 250 — were taken in police trucks to the security section at Protea Police Headquarters for "screening".

A police spokesman said they expected the screening to be over by about 8pm yesterday evening. Late last night it could not be established if any of the mourners had been released.

No incidents

Police remained tight-lipped on the reason for the swoop but said there were "no incidents of unrest or violence" to spark off the arrests.

Among those believed to be held are Dr Nathato Motlana, Mrs Albertina Sisulu and Mrs Ellen Khuzwayo.

Also presumed to have been arrested were a Rand Daily Mail reporter, Mr Stan Hlope, two Sowetan reporters, Mr Len Klane and Mr Mhlanhla Mbatha, and a photographer from The Sowetan, Mr Len Khumalo.

Witnesses said five large police vans crammed with mourners, left the Dube YMCA about 5pm. They were apparently taken to the Protea police station.

According to an onlooker, police arrived about 4.30pm and sealed off the YMCA property where the service was being held. "No-one was allowed in and nobody could get out."

Trucks

"Everybody was taken away in five large police trucks," said the man, who asked not to be named.

At 5.15pm, after police had rounded up the mourners, all that remained was a group of black policemen, some in camouflage uniforms and armed with sjamboks, apparently guarding the cars of the mourners.

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By EMMILIA JAROSCHKE

MORE than 200 people were arrested yesterday at a memorial service in Dube, Soweto, for former union leader Mr Joseph Mavi.

Dr Ntsho Motlana, chairman of the Soweto Committee of 10, and Mrs Albertina Sisulu, wife of the jailed secretary-general of the banned ANC, Mr Walter Sisulu, were believed to be among those arrested.

In a surprise swoop which started at about 4.30 pm, police rounded up everybody at the service for Mr Mavi, the former president of the Black Municipality Workers' Union, who was killed last week in a road accident in the Free State.

The mourners — estimated between 200 and 250 people — were taken in police

Police swoop on Mavi Service mourners

trucks to the security section at Protea police headquarters for "screening".

A police spokesman said the screening was expected to be over by about 8pm. At the time of going to press, it could still not be established if any of the mourners had been released. The spokesman declined to name the people detained.

Police refused to give reasons for the action but said

there had been "no incidents of unrest or violence" to spark off the arrests.

Among those presumed to have been arrested were Rand Daily Mail reporter Mr Stan Hlope, two Sowetan reporters, Mr Len Kalane and Mr Mhlanhla Mbattha, and Sowetan photographer Mr Len Khumalo.

Witnesses said five police vans, crammed with mourners, left Dube YMCA at about

5 pm. They were apparently taken to the Protea police station.

According to an onlooker, police arrived at about 4.30 pm and sealed off the YMCA property where the service was being held.

"No one was allowed in and nobody could get out," he said. "Everybody was taken away in five large police trucks." A group of black police-

men, some in camouflage uniforms and armed with sjamboks, remained behind, apparently to guard mourners' cars.

A Rand Daily Mail reporter was refused permission to speak to the officer in charge at Protea police station but was told a statement would be made at a Press conference today. However, he heard the sound of voices singing inside

the station and was told by one of the police on duty: "That's the people arrested at Dube."

In July 1980 Mr Mavi, a bus driver, led 10 000 municipal workers on a strike which left refuse uncollected, pavements uncleared and black busses idle.

Mr Mavi went into hiding but was arrested in the corridors of the Rand Supreme Court while there to seek legal redress for his union.

He was eventually charged under labour legislation but acquitted. He was then re-detained under the Internal Security Act and released again.

Mr Mavi became in 1963 one of the first black workers to be employed by the Johannesburg City Council's transport division. He later joined the African Transport Workers' Union, rising to become president.

Police ^{Star} 14/6/82 ~~14/6/82~~ arrest ³²⁷ 200 in ²⁵ swoop

Police are still holding several people after the mass arrests yesterday of more than 200 people attending a memorial service in Soweto for union leader Joe Mavi and two members of the African National Congress.

The arrests came shortly after 4 pm when about 50 uniformed policemen, acting on behalf of the Security police, surrounded the YMCA hall in Dube.

People at the meeting said they were told they were all under arrest and were ordered into police vans and driven to Protea police headquarters.

Others in private vehicles were told to follow to the police station.

Everyone ordered to go to Protea was questioned and fingerprinted before being released.

Among those arrested yesterday were Dr Nthato Motlana, Mrs Albertina Sisulu, wife of imprisoned ANC secretary general Walter Sisulu, Mr Gatsby Mazwai, number two in Joe Mavi's Black Municipal Workers' Union, Mrs Ellen Khuzwayo, a member of the Soweto Committee of 10, Mrs Joyce Kaloate, and Mrs Amanda Kwadi of the SA Federation of Women.

Police headquarters said only one person had been detained in connection with the alleged organisation of an open-air meeting.

A spokesman for the SA Institute of Race Relations said today:

"The mass arrests of mourners for Joseph Mavi can only be condemned in the strongest possible terms."

MRS JOYCE MTIMKULU, mother of former detainee **Siphiwo Mtimkulu**, who is suing the Minister of Police for R150 000 for alleged poisoning, has just returned from Lesotho after a fruitless search for her son. The former student leader disappeared on April 14 and has not been seen since.

In Maseru, Mrs Mtimkulu sought help from a senior official of the United Nations High Commission for Refugees. He immediately checked the United Nations and State records and interviewed representatives of the major South African political organisations in Lesotho. According to Mr Brian Bishop, a member of the Catholic Commission for Justice and Peace who accompanied Mrs Mtimkulu, the official came back and said: "Everybody knows about his disappearance and has been looking for him already. Nobody has seen him." He said he felt "secure in guaranteeing that Mr Mtimkulu never entered Lesotho."

The office of the Catholic Archbishop of Lesotho was given photographs and press cuttings about Mr Mtimkulu and undertook to try to trace him.

At Mr Bishop's house in Cape Town a distraught Mrs Mtimkulu broke down and wept quietly when asked if she thought her son was dead.

"I think everything. At night I can't sleep. I see all the pictures in front of my eyes. I really can't believe he is nowhere to be found."

"I try to keep busy — going to church, meeting with people — so I don't have to think what happened to him. My husband finds it even worse than me because he is alone more of the time."

Mr Mtimkulu was found to be suffering from the effects of thallium poisoning after his release in October from five months detention under Section Six of the Terrorism Act. His mother said: "I was away so I didn't see him until three days after he was released from detention."

"He had lost a lot of weight and complained of pain in his feet. He could hardly walk properly and he could hardly eat or drink because of the terrible stomach pains."

After visiting a private practitioner who prescribed tablets and an injection "for nerves" Mr Mtimkulu went to the

house of a friend. "That evening his friend carried him to our home on his back. He couldn't walk. He asked me to put hot water on his feet and massaged them. His condition deteriorated over the weekend and

on Monday he was admitted to Livingstone Hospital. From there he was transferred to Groote Schuur Hospital where he was diagnosed as having thallium poisoning.

Thallium, an outlawed rat poison, has been described as "a homicide's dream." Symptoms appear between two and five days after ingestion of the substance.

Mrs Mtimkulu said: "I thought he would die on his way to Cape Town. When his hair started to fall out on November 14 they discovered it was poison. I came to visit him and he was very, very confused. He could speak but his voice was hoarse and it took a long time before he recognised me. I just took a bunch of hair from his head. I couldn't believe it — I was horrified."

She has one photograph of him sitting — almost bald and dazed looking —

in his hospital bed. Another photograph of him hobbling along supported by a nurse on one side and a friend on the other while a concerned Helen Suzman looks on.

When he eventually returned to Port Elizabeth in January it was in a wheelchair. "We had to help him learn to walk again. At night I would hear him groaning from the cold in his feet. I would go and massage them with cloths dipped in warm water. I wonder if there is anybody to massage his feet now?"

"When he disappeared he was still wearing his sheepskin slippers. The pain had eased and he could walk with a stick but not for any distance."

He vanished on April 14. A friend, Topsy Madaka picked him up and took him to Livingstone Hospital where he had an appointment to



SIPHIWO MTIMKULU in his wheelchair shortly before discharge from Groote Schuur Hospital. "At night I would hear him groaning from the cold in his feet," says his mother.

I really can't believe he is nowhere to be found. VICTIM SON

MOTHER'S SEARCH FOR THALLIUM

see the doctor. "He had to collect tablets for the pain and for his nerves. He was wearing his slippers, khaki pants and a short-sleeved black sweater with a yellow stripe on the collar. He took his stick with him and also an outpatient visiting card. He never came back."

He was spotted at the hospital by his physician but disappeared before his consultation. He also made four telephone calls to Walmer MPC Molly Blackburn but unfortunately she was not at her home or her office.

At about 8.30 pm on April 14 Mr Madaka arrived at Mrs Mtimkulu's house and asked if she had seen Siphiwo. "I said: 'You're the person who took Siphiwo, so I'm supposed to ask you where he is.' He replied that I mustn't worry, he knew where Siphiwo was that evening and would rush to him. I gave him a

red and white tracksuit top to take to Siphiwo because it was a bit cold and I was worried about him. He left and that was the last I saw of Topsy."

She began to worry when Siphiwo did not contact her. He had always left messages to say where he was. No messages came. His friends saw no trace of him.

After being approached by a Sunday newspaper, Lieutenant-General Johann Coetzee, head of the Security Branch, was reported as saying that Mr Mtimkulu had definitely not been redetained.

He said Mr Madaka's car had been found at Sterkspruit near the Lesotho border. General Coetzee ordered his staff to investigate Mr Madaka's disappearance.

In May Mrs Mtimkulu was taken to the local security police headquarters and questioned

about her son's whereabouts. "They said they would let me know if they came up with anything but so far I have heard nothing.

"I'm not interested in Siphiwo's suing the minister. I'm only interested in his life, that's all. He had no reason to leave the country. To me this whole thing sounds funny even without the suing business."

There have been rumours that Mr Madaka was regarded with suspicion by certain of Siphiwo's student friends. Mrs Mtimkulu refuses to comment on this.

All she will say is: "I am worried that Topsy took my child — where to I don't know. He was older than Siphiwo and could have stopped him going anywhere where he didn't have parents. When I think of Topsy taking Siphiwo away I get a headache."

LINDA VERGNANI



● A DESPAIRING Mrs Mtimkulu holds up a photograph of her former detainee son Siphiwo who vanished on April 14.

Photographs by Mike Mackenzie.

'Air India jet came under fire' evidence

Pietermaritzburg Bureau
15/6/82
ANTI-AIRCRAFT fire was directed at an Air India jet as it came in to land at Mahé airport in the Seychelles, the Supreme Court here was told yesterday.

Mr Simon Willar, 26, one of the accused who served with the Selous Scouts during the Rhodesian war and left with the rank of captain, said he had first approached the control tower after the mercenaries' cover had been broken by a customs officer who had found a rifle belonging to Mr Kevin Beck.

Later on in the evening of November 25 last year, he had seen the jet coming in to land. The plane had been subjected to short bursts of anti-aircraft fire while still in the air, he said.

He had been confused when he saw the plane being fired on as he did not know where it had come from.

Only after it had landed did he see it was an Air India jet, he said.

Withdrew

Shortly after it had taxied to a halt, a 75 mm anti-tank gun had opened fire on the airport. It appeared as if the gunners were trying to hit the plane, he said.

He and other men withdrew and went to the terminal later that evening and were told to withdraw to the plane.

Just before he boarded, Mr Mike Webb, a co-accused, had said that Col Mike Hoare had struck a bargain with the captain of the jet to fly them out, Mr Willar said.

Later, Mr Alex Deacon, formerly a Permanent Force member of the Recce commandos, described how he had been recruited for the coup.

Shot

At a Johannesburg pre-coup meeting, Mr Tullio Moneta, Col Hoare's second-in-command told him and other members of Two Recce Commando regiment that they had been screened for the operation by the SADF.

At Mahé airport, after their discovery by the authorities, he had seen Johan Fritz, another mercenary, lying shot on the terminal floor.

He had run off with a group of men and had met Tanzanian troops coming down the runway towards them. A few shots were exchanged and the Tanzanians fled, he said.

Later he had helped load the body of Johan Fritz on to the plane, he said. It was while he and some other men were preparing the body for transport that he was told by Mr Piet Dooreward, another accused, that the pilot of the Air India jet was going to fly them to Durban, he said.

The hearing continues today.

Cape Times 15/6/82

Photos of Mtimkulu circulated

Staff Reporter

THE United Nations High Commission for Refugees and churches in Lesotho are circulating photographs of missing Port Elizabeth student leader Sphiwo Mtimkulu as concern for his safety increases.

Mr Mtimkulu, 21, and another man, Mr Topsy Madaka, went missing on April 14 after returning from Livingstone Hospital. The police later disclosed that Mr Madaka's car had been found near the Lesotho-Transkei border.

Mr Mtimkulu is a member of the Congress of South African Students (Cosas). He suffered from rare thallium poisoning after his release from security police detention in October last year.

He was treated for three months at Groote Schuur Hospital. After his discharge, Mr Mtimkulu instituted a R150 000 damages claim against the then Minister of Police.

Mother's search

His mother, Mrs Joyce Mtimkulu, visited Lesotho at the weekend to search for her son, but found no trace of either him or Mr Madaka. Neither man has been in touch with his family since their disappearance.

The chairman of the

Civil Rights League, Mr Brian Bishop, and his wife Mrs Di Bisop, MPC for Gardens, who accompanied Mrs Mtimkulu, said inquiries in church and exile circles in Lesotho had failed to find Mr Mtimkulu or Mr Madaka.

The Methodist and Anglican churches and the Catholic Commission for Justice and Peace in Maseru have been unable to trace the men.

Student wept

The party also travelled to the National University of Lesotho in Roma, south of the capital, but were told Mr Mtimkulu had never been there.

Mr Bishop said a South African student who had previously known Mr Mtimkulu wept when he saw a photograph taken of him after his release from detention. Photographs of the student leader are now being circulated throughout Lesotho.

The Mtimkulu family has also been unable to confirm reports that the student leader is being detained in Transkei.

Man detained after surprise police swoop

NRG 15/6/82 (199-327-329)

Own Correspondent

JOHANNESBURG. — One man was yesterday detained under security legislation while police released the last of 250 mourners arrested at the weekend memorial service for union leader Joseph Mavi and two ANC members.

None of those released were charged, police said yesterday. They would not disclose the name of the detained man and the act under which he is being held.

The mourners were arrested on Sunday afternoon at the YWCA in Dube, Soweto in a surprise swoop by police while the memorial service for Mr Mavi, who died last week in a car accident, and two ANC members who died recently in a car bomb explosion in Swaziland, was in progress.

A spokesman at police

headquarters said yesterday that the swoop followed suspicions that the service was not "bona fide" but was being abused to "promote the interests of banned organizations."

"We have already referred several dockets on similar meetings which we believe were abused politically to the Attorney-General for a decision," the spokesman said.

Police said that most of those arrested were released by 2.30am yesterday morning and some kept overnight and released after 8am, when the screening process was completed.

Rand Daily Mail reporter Stan Hlope, who was among the arrested, said yesterday that police went into YWCA hall at 4pm and "a policeman got on to the stage and said, 'this meeting is illegal.

You are all under arrest.'" Reporters from the SABC, the Sunday Express and the Sowetan were asked to move to one side and warned not to take pictures.

'Posters seized'

"Posters, pamphlets and banners with union slogans were seized by the policemen who wore camouflage and blue uniforms.

"At the police station, we were searched, fingerprinted, photographed and our names and addresses were taken. Notebooks and films were taken off reporters and photographers.

"A policeman then told us that they were going to release us but they were still looking for a Siphwe Thusi who apparently gave them a wrong name."

● Lieutenant-General Johan Coetzee said last night that police were investigating whether the memorial service was misused for propagating the interests of "proscribed organizations".

Asked why everyone was arrested, General Coetzee said, "the reasons for the presence of the people and their involvement in the meeting — if any — had to be established."

"When the investigation is completed the docket will be sent to the senior public prosecutor or Attorney-General for a decision," General Coetzee said.

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Information abruptly stops hijack hearing

16/6/82

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Col Hoare had described the Seychellois as 'lovers and fishermen who had not fought for 400 years' and said 'the whole island would cry if one of the natives were hurt'. For that reason only AK-47s without butts would be used.

At a later meeting, Mr Dunlop Paul said Col Hoare had revealed 'the best-kept secret of the whole operation' — which was that the main party would be taking their weapons into Mahé Airport in suitcases.

He said there was a shocked silence during which time Col Hoare took a call from London. He had spoken either to Mr James Mancham himself or a representative, and had been told there had been a transport hitch. This led to the date of the operation being brought forward.

Although the men present had been apprehensive about taking the weapons, Col Hoare had said there would be no problem through customs.

Pietermaritzburg Bureau
PROCEEDINGS in the Air India hijack trial ended abruptly yesterday after a defence advocate said he had information which should be heard in camera.

The Acting Judge President of Natal, Mr Justice Neville James, adjourned the hearing for about 10 minutes while he and members of both the defence and prosecuting teams went into his chambers.

After reconvening, the Judge said he had been given information which had made it necessary for the trial to be adjourned until 10 a m today.

Karate expert

One of the 43 accused in the trial, Mr William Dunlop Paul, 46, was giving evidence when the defence advocate for 10 of the accused, Mr Piet Oosthuizen, SC, interrupted proceedings to say he had information which should be heard in the Judge's chambers.

Earlier, Mr Dunlop Paul, a Japanese-graded 5th dan karate expert, described his role in the events which led to the aborted coup on the Seychelles.

He said he had been approached by one of the accused, Mr Tullio Moneta, last year and was asked whether he knew of anyone who would be willing to make 'R5 000 up front and R5 000 completed'.

Mr Dunlop Paul, a widower since 1980, told the Court that a Maj Willie Ward, Commander of No 3 Parachute Battalion, was to have done the recruiting. Because Maj Ward was 'involved in special operations', Mr Dunlop Paul said he felt he would see that they were 'looked after'.

A number of meetings followed, during which he first met Col Mike Hoare, who was to lead the operation. At one of the meetings Col Hoare had said that the operation had the support of the former President of the Seychelles, Mr James Mancham, and the CIA.

Right on the top

They were told that although the CIA would not support the operation, they would give logistic support. They were also told the Americans did not want their R14 billion tracking installation damaged.

Mr Dunlop Paul said that Col Hoare had said the South African Government knew of the proposed coup, and he had been in touch with men 'right on the top'. These included two brigadiers who operated from 'the place on the hill'.

Mr Dunlop Paul would not say more about the 'place' except that it was outside Pretoria and on the fringes of Voortrekkerhoogte, and was staffed by military and civilian personnel.

Col Hoare had told the court that a number of the accused had been approached by the National Intelligence Service did not want too many South Africans involved in the operation.

Malan gags hijack trial

ARGUS
16/6/82
(327)

Argus Correspondent

MARITZBURG. — The Minister of Defence today clamped down at the hijack trial here on evidence of army personnel involved in the prelude to the Seychelles coup.

A hushed and expectant court heard Mr Justice James adjourn the trial until later today.

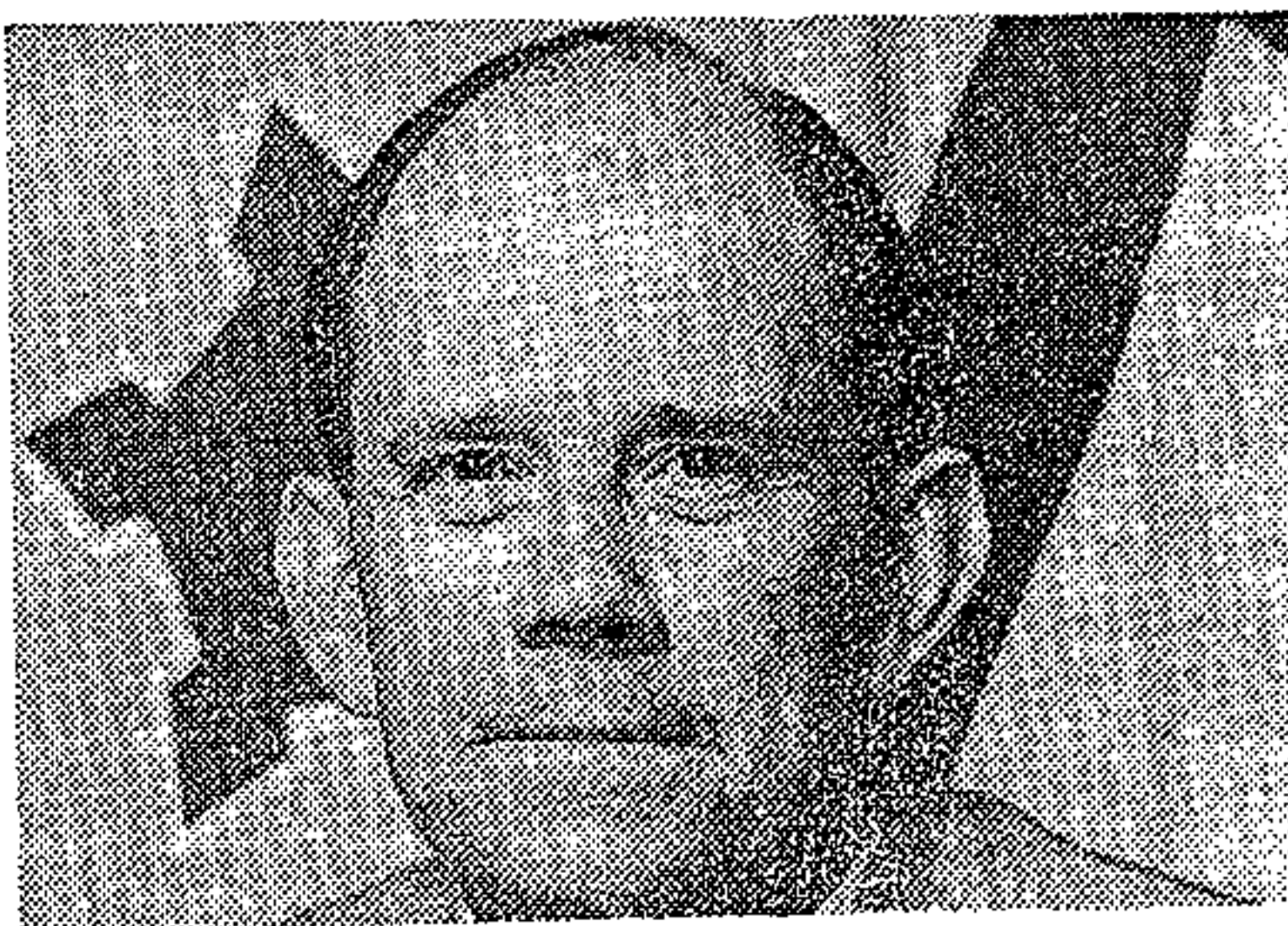
He said he received an affidavit yesterday from General Malan who invoked Section 29 of the General Law Amendment Act of 1969 in the interests of State security.

Affidavit

This section provides that no person can be forced or permitted to give information if a Minister of State signs an affidavit saying that the release of the information would affect the security of the State.

The Minister's intervention clamps down on information relating to 23 of the accused, all said to be soldiers or former soldiers, and two commanding officers and two State witnesses up to the departure date of the main body for the Seychelles.

The commanding officers are Colonel Ewald Olckers and Commandant Danie van der Spuy and the two State witnesses are Dr Theodorus van Huyssteen and Dr Steyn de Wet.



General Magnus Malan

Prohibited

The information now prohibited includes planning, instructions, aim, targets and methods of operation before November 24 last year.

General Malan says he regards the disclosure of this information as prejudicial to the interest of State security.

"I therefore ask that no one be forced, allowed or instructed while giving evidence during this trial to provide information on these facts, negotiations and occasions.

The Attorney-General, Mr Cecil Rees, SC, said that the document, in Afrikaans only, raised a serious matter.

The very least that could be expected was for English copies to be supplied to the "unilingual" accused, he said.

Mr Justice James said the unilingual people defending themselves were Colonel Mike Hoare, Australian Mr Kenneth Kelly and German Mr Kurt Priefert.

Activities

The document also prohibits the disclosure of information concerning the military activities before the Seychelles saga of: Mr Charles William Dukes, Mr Christo Hillebrand, Mr Bernhard de Vos, Mr Louis Anthony Boucher, Mr John Vincent Mackey, Mr Richard John Stannard, Mr Nicholas Wilson, Mr Kevin Trevor Beck, Mr Jochemus Louis Dekker, Mr Frederick Lourens Gouws.

Mr Barry Francis Gribbin; Mr Johannes Lodewicus Pretorius De Beer; Mr Patrick Glynn Barry Henrick; Mr Keith Macleod; Mr Desmond Walker; Mr Pieter Doorewaard; Mr Donald Peter Kenny; Mr Kenneth John Kelly; Mr Kurt George Horst Priefert; Mr Jacob Adriaan du Toit; Mr Alex Deacon; Mr William Dunlop Paul; Mr Alan Ashton Mann.

RDM 16/6/82

SABC also to be hit by the ~~82/6~~ 327 new media Bill

By CHRIS FREIMOND
Political Reporter

THE SABC will have to submit all pre-recorded television programmes — including film for news broadcasts — to Government censors in terms of legislation which passed through Parliament last week.

The controversial Registration of Newspapers Amendment Bill withdraws the SABC's exemption from the terms of the Publications Act.

This was confirmed last night by the Minister of Internal Affairs, Mr Chris Heunis.

He said as the Bill now stood all SABC film would have to go before a publications committee before it could be screened.

However there was provision in the Publications Act for exemptions and this would be a matter for negotiation with the SABC, Mr Heunis said.

Mr Heunis said the SABC's exemption had been withdrawn to "bring it into line" with the Publications Act.

The Opposition spokesman on the media, Mr Dave Dalling, said yesterday if the Bill became law it would "create chaos" in the media world.

The ridiculous situation could arise where a pre-recorded SABC interview with the Prime Minister may be subject to vetting by a publications committee before it could be broadcast.

Mr Dalling called on the State President not to sign the Bill into law. He said Mr Heunis should carefully consider the implications of the Bill and either amend it or withdraw it.

A spokesman for the SABC, Mr Retief Uys, said yesterday it was not clear how the new measures would affect the corporation.

"Provided the application of such measures does not impede the practical functioning of the corporation they need not have an undue effect on the SABC's broadcasts as the corporation, through its code and relevant licencing conditions, already functions within the spirit of the legislation," Mr Uys said.

Clamp on military evidence at hijack trial

Own Correspondent

MARITZBURG — The Minister of Defence today clamped down on evidence at the Maritzburg hijack trial of army personnel involvement in the prelude to the Seychelles coup.

A hushed and expectant court heard Mr Justice James adjourn the trial until this afternoon. He said he yesterday received an affidavit from General Magnus Malan, who invoked section 29 of the General Law Amendment Act of 1969, in the interests of State security.

This section provides that no person can be forced to give information if a Minister of State signs an affidavit saying the release of the information would affect the security of the State.

The Minister's intervention clamps down on information relating to 23 of the accused, all said to be Recces or former Recces and two commanding officers and two State witnesses, up to the departure date of the main body for the Seychelles.

The Recce command-

To Page 3, Col 1

Clamp goes on military evidence

From page 1

ing officers are Colonel Ewald Olckers and Commandant Danie van der Spuy and the two State witnesses are Dr Theodorus van Huyssteen and Dr Steyn de Wet.

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General Malan says he regards the revelation of this information as prejudicial to the interests of State security.

"I therefore ask that no one be forced, allowed or instructed while giving evidence during this trial to provide information on these facts, negotiations and occasions.

Attorney General Mr Cecil Rees SC, said that the document in Afrikaans only, raised a very serious matter.

The least that could be expected was for English copies to be supplied to the "unilingual" accused, said Mr Rees.

Mr Justice James said that the "unilingual" people defending themselves were Colonel Mike Hoare, Mr Kenneth Kelly an Australian, and Mr Kurt Priefert, a German.

The document also prohibits information on the military activities before the Seychelles saga of: Mr Charles William Dukes, Mr Christo Hillebrand, Mr Bernhard de Vos, Mr Louis Anthony Boucher, Mr John Vincent Mackey, Mr Richard John Stannard, Mr Nicholas Wilson, Mr Kevin Trevor Beck, Mr Jochemus Louis Dekker, Mr Frederick Lourens Gouws, Mr Barry Francis Gribbin, Mr Johannes Lodewicus Pretorius de Beer, Mr Patrick Glynn Barry Henrick, Mr Keith Macleod, Mr Desmond Walker, Mr Pieter Doorewaard, Mr Donald Peter Kenny, Mr Kenneth John Kelly, Mr Kurt George Horst Priefert, Mr Jacob Adriaan du Toit, Mr Alex Deacon, Mr William Dunlop Paul and Mr Alan Ashton Mann.

Lawyers reject Steyn findings

Cape Times 16/6/82

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Political Correspondent

A GROUP of lawyers has criticized the Steyn commission's report on the media as biased towards the government and its recommendations as likely to increase authoritarianism and instability in South Africa.

The group, Lawyers for Human Rights, has produced a 120-page analysis of the report which was published at the beginning of the year.

The Steyn commission's recommendations on compulsory professionalization of the media through a register of journalists and a Press Council empowered to debar them have already come in for strong press criticism.

Observers believe the direct press control the commission advocated was not acceptable to the government, which has since enacted measures

to force newspapers to submit to the discipline of a new press council.

In detailed criticism, academic lawyers from the universities of Cape Town and Stellenbosch question the commission's methods, analysis and assumptions and reject its major findings and recommendations.

The commission is accused of selective quoting of sources, wrong or imprecise deductions from its own evidence, unsubstantiated assumptions, vague use of terminology and a biased reliance on expert evidence without testing this evidence against opposing views.

"The impression gained is one of the arbitrary use of materials to support predetermined conclusions," the lawyers' report states.

"Where the commission does attempt its own anal-

ysis, the result is long winded, repetitious and full of jargon."

They warn, however, against the temptation to dismiss the Steyn report as inadequately researched, poorly-drafted and therefore not to be taken seriously.

They predict that the report will be used by the government to vindicate its "total onslaught" theory which the commission backs fully and to try to force the press to impose more self-censorship.

"Clearly implicit in its analysis and its recommendations is a desire to bring about a more docile and less critical press in South Africa."

The Steyn report's objectivity in particular is called into question as the group concludes that the commission is biased in favour of a government which it believes must be protected as the only viable mechanism for peaceful change.

The commission's endorsement of the "total onslaught" theory is used as a basis for recommendations which the lawyers regard as likely, if accepted, to lead to increasingly unstable, authoritarian and repressive government.

"The emphasis in the commission's version of the freedom of the press is not upon its freedom but upon its loyalty and responsibility to the state which, in a South African context, can all too easily be identified with the government."

The commission's analysis and proposals are rejected as "fundamentally inconsistent with democratic government" by lawyers who state that the imposition of restraints on the press operates against, not in, the public interest.

"Were the commission's views to become generally accepted, its deep distrust of the democratic process could well destroy what little chance is left of achieving stable, multi-racial, democratic government in South Africa," the report concludes.

Near-verbatim lifting alleged

Political Correspondent

A SECOND example of the Steyn commission's uncredited use of the work of other authors has been cited by lawyers who analysed the commission's report on the media.

When the commission report was debated in Parliament, it emerged that sections had been lifted almost verbatim from *The Rise and Crisis of Afrikaner Power* by Heribert Adam and Hermann Giliomee, a work the commission did not even mention as having been consulted.

The commission is accused in a report by Lawyers for Human Rights of similarly using several sections from another book without stating that the views, research or conclusions are not the commissioners' own.

The lawyers' report criticizes both the inclusion of uncredited sections from Adam and Giliomee's book and the omission of other quotations giving an insight which contrasts with that of the commission itself.

"The practice of reproducing work of well-known authors and presenting them as the commission's own, without any acknowledgment, is again apparent in the commission's use of the work of Siebert, Petersen and Schramm: *Four Theories of Press* (1956)," it states.

It accuses the Steyn commission of taking its discussions of the Hutchins commission on freedom of the press almost verbatim from this work.

Other sections of the Steyn report, including its own evaluation of the social responsibility theory and its sections on "positive and negative freedom" and "press and government" are similarly identified as substantial reproductions from *Four Theories of Press*.

'Hijack' trial adjourned suddenly

Own Correspondent

MARITZBURG. — Proceedings in the Air India "hijack" trial ended abruptly yesterday after a defence advocate had said he had information which should be heard in camera.

The Acting Judge President of Natal, Mr Justice Neville James, adjourned the court for about 10 minutes to confer with defence and prosecution teams in chambers.

After the hearing had resumed, the judge said he had been given information which made it necessary for the court to be adjourned to 10am today.

Mr William Dunlop Paul, 46, was giving evidence when defence counsel Mr Piet Oosthuizen SC interrupted proceedings to say he had information which should be heard in chambers.

Earlier, Mr Paul, a Japanese-graded fifth dan karate expert, had described his role in the aborted coup on the Seychelles.

He said he had been approached last year by one of the accused, Mr Tullio Moneta, and asked whether he knew of anyone who would be willing to make "R5 000 up front and R5 000 completed". Mr Paul, a widower since

1980, told the court that a Major Willie Ward, commander of No 3 Parachute Battalion, was to have done the recruiting. Because Major Ward was "involved in special operations" he felt they would be "looked after".

A number of meetings followed during which he first met Colonel Mike Hoare, who was to lead the operation. At one of the meetings, Colonel Hoare had said the operation had the support of the former president of the Seychelles, Mr James Mancham, and the United States Central Intelligence Agency (CIA). They were told that although the

CIA would not help them financially, it would give logistic support. They were also told that the Americans did not want damage done to their tracking installation on the island.

Mr Paul said Colonel Hoare had said the South African Government knew of the proposed coup and that he had been in touch with men "right on the top", including two brigadiers who operated from "the place on the hill". He would not elaborate on the "place" except to say it was outside Pretoria on the fringes of Voortrekkerhoogte and was staffed by military

and civilian personnel. It was called "Zanza".

During a mid-November meeting, Colonel Hoare had told a group of them that the National Intelligence Service (NIS) did not want too many South Africans involved.

Colonel Hoare described the Seychellois as "lovers and fishermen who had not fought for 400 years" and said "the whole island would cry if one of the natives was hurt". For that reason only AK-47 rifles without butts would be used. These weapons would arrive on the island before the main party landed.

Mr Paul said that at a later meeting, however, the colonel had disclosed "the best kept secret of the whole operation", which was that the main party would be taking their weapons into Mahe Airport in suitcases.

A shocked silence had ensued, during which Colonel Hoare had taken a call from London, either from Mr Mancham himself or a representative. The colonel was told there had been a transport hitch. This had led to the date of the operation being brought forward. The hearing continues today.

... very angry.

read less than two weeks after Dr Aggett's cember 23 last year.

... kept it in a matchbox, intending to give it to

... as if he was not late

STOP PRESS

Mercury

NEWS OFFICES

Durban 319331

Pietermaritzburg 29131

Empangeni 24211

FAMINE APPEAL

Lusaka—Officials in Zambia's Southern Province have appealed for Government help to combat famine in the region, the Zambia News Agency reported yesterday. The district's population of about 135 000 is suffering the effects of a drought which hit much of southern Africa last growing season, cutting maize yields by up to 50 percent. — (Sapa-Reuters)

BRAZIL WIN

Seville—Brazil beat the Soviet Union 2-1 in the World Cup group six match here last night. The Soviet Union led 1-0 at halftime. Scorers—Brazil: Socrates (73rd min), Eder (88th). Soviet Union: Andrei Bal (33rd). — (Sapa-Reuters)

Seychelles mercenaries 'in greater jeopardy' as defence team goes unpaid

By GRANT COLLARD

PARTIES interested in the defence of the Seychelles mercenaries, who are due to go on trial in the islands this week, yesterday failed to deliver the R50 000 to pay for the legal team, thereby putting the future of six of the seven captured mercenaries in 'greater jeopardy'.

The seventh accused, self-proclaimed National Intelligence Service agent Martin Dolinchev, intends conducting his own defence.

Instructing attorney Graham Fowles of Durban said that mercenary leader Col

Mike Hoare told him shortly before yesterday's 5 p.m. deadline that 'the funds will not be forthcoming at this point', but that 'everything possible will be done to raise the money some time in the near future'.

Mr Fowles immediately teleaxed this information to the Seychelles, where Mr Nicholas Fairbairn, QC—the British MP and former Solicitor-General of Scotland who was specially engaged to defend the captured mercenaries—and local instructing attorney Kieran Shah have been making 'immense preparations' for the treason trial.

The message said that although Mr Fowles 'will continue to assist in any way possible' he could 'not be held responsible' for the payment of the two men's fees.

Mr Nicholas Fairbairn, contacted at his Seychelles hotel yesterday evening, said that the ultimate decision of whether to proceed with the case, where the payment of fees was a 'promise', now lay with instructing attorney, Mr Shah 'because I am not entitled to act without instruction'.

Mr Fairbairn said that although he would not be able to discuss the 'distressing development' with Mr Shah until to-

day, he thought the Seychellois attorney would be 'unwilling to act further without fees, especially considering the enormous capital outlay he's already made'.

Mr Shah, who heads a family legal firm in the Seychelles, has reportedly come under social pressure for agreeing to defend the mercenaries, 'and expecting him to go through that for nothing is also asking too much'.

Mr Fairbairn said yesterday it would be 'appalling if these people go on trial unrepresented. It will put their lives in greater jeopardy'.

One mourner detained

Mercury Correspondent

JOHANNESBURG—One man was detained yesterday under security legislation while police released the last of 250 mourners arrested at the weekend memorial service for union leader Joseph Mavi and two ANC members.

None of those released were charged, police said yesterday. They said the name of the detainee and the Act under which he was being held would be

disclosed.

The mourners were arrested on Sunday afternoon at the YWCA in Dube, Soweto, in a surprise swoop by police during the memorial service for Mr Mavi, who died last week in a car accident, and two ANC members who died recently in a car bomb explosion in Swaziland.

A spokesman at Pretoria Police Headquarters said yesterday that the swoop followed suspi-

cions that the service was not *bona fide* but was being abused to 'promote the interests of banned organisations'.

Police said that most of those arrested were released by 2.30 a.m. yesterday when the screening process was completed. Some people were kept overnight and released after 8 a.m. yesterday.

Those arrested included Dr Ntatho Mollana, chairman of Soweto's Committee of Ten, Mrs

TELEVISION
Last night's

Let not joy be unfined because *Curiosity Feeds the Cat* is coming to an end.

It is to be replaced on July 5 by something far, far worse — *The Money or the Fox*.

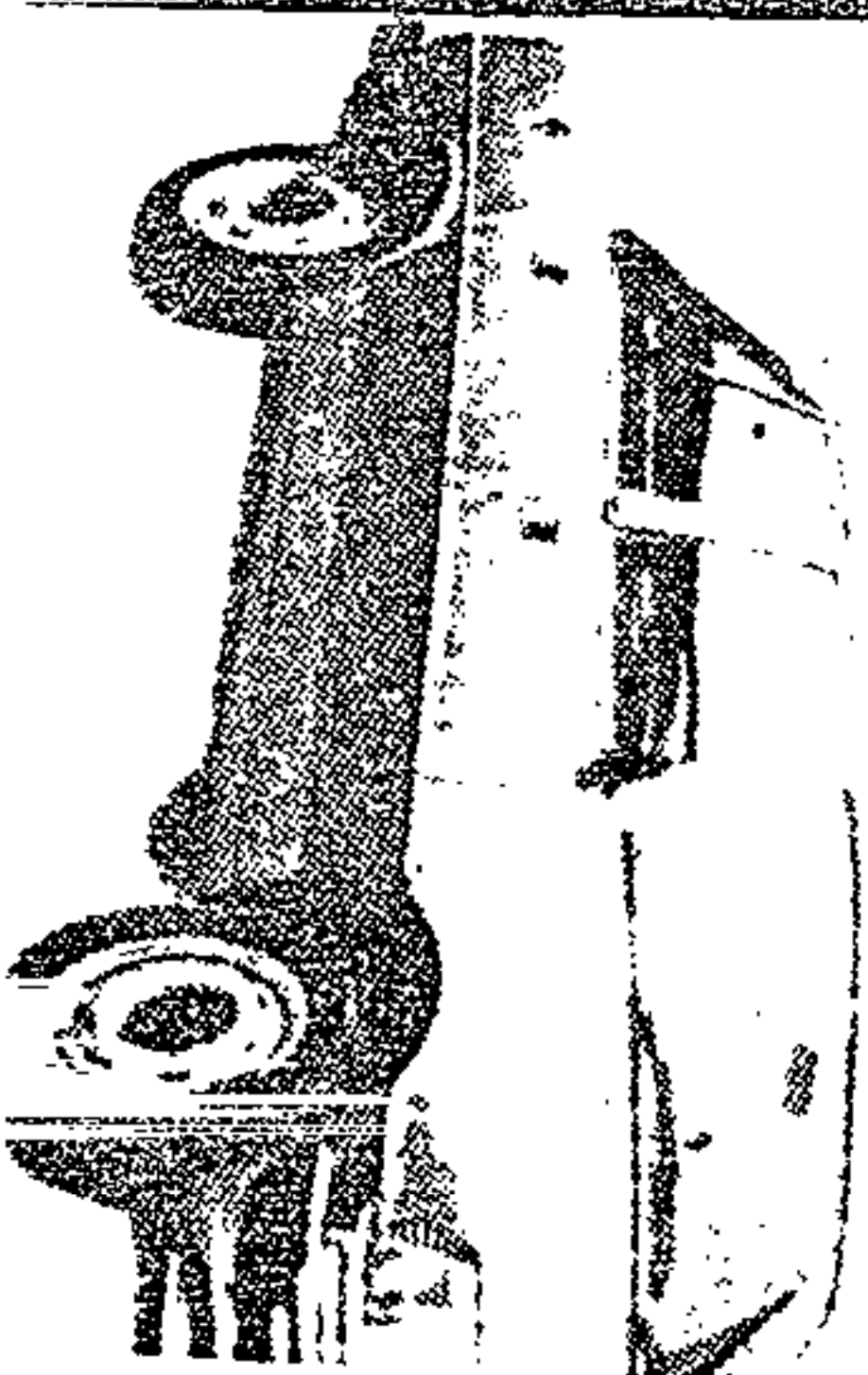
Rand Daily Mail reporter Stan Hlope was among those arrested.

There's nothing really to get excited about in *Night Owls*, but at least SABC is using local talents.

Just a pity that all the drama is contrived instead of arising from the

INTRODUCING PEUGEOT 30

INITIAL LAUNCH PRICE FROM





MARTIN DOLINCHEK
Govt secret agent for 20 years

after a successful coup.

Carrying an AK47 assault rifle in his luggage, Mr Brooks went to the Seychelles as part of an advance party the Saturday before the coup attempt.

When the coup was triggered early by the discovery of a weapon in mercenary Kevin Beck's bag, Mr Brooks was despatched to the army barracks with Roger England, Charles Dukes and Ken Dalgleish.

But he was wounded in the leg, blacked out several times from the loss of blood and spent the night and the following day in a cave in the hills above the airport before finally going to a house to give himself up.

From his testimony, Mr Brooks appears to know little about the background to the coup — apart from claiming Colonel Hoare told the mercenaries that two governments were backing it.

ACCUSED NO THREE: He is Bernard Carey, a British citizen and in the auto-

electrical business with his father in Durban.

Thirty-eight-year-old Mr Carey, a man without military experience, was recruited by Colonel Hoare and chosen to do a "dummy-run" with an AK47 assault rifle in his bag to establish whether this method of getting the weapons into the Seychelles would succeed.

The "dummy-run" on October 31 last year came off without incident — the weapon undetected by SAA, SA customs and Seychelles customs.

In the Seychelles, where he had been in charge of the advance party, Mr Carey decided to stay behind to look for his wounded colleague, Aubrey Brooks, when the other mercenaries fled aboard the Air India Boeing.

He searched all night for Mr Brooks before walking into a security force ambush the following day.

ACCUSED NO FOUR: She is Mrs Susan Ingles, the common-law wife of Robert Sims, whose role was to look after "some financial arrangements" for what she was told would be a bloodless coup.

She and Mr Sims acted like holiday-makers the week before the coup — dining out, swimming and visiting tourist haunts. Mrs Ingles could contribute little detail in terms of the background to the coup attempt.

ACCUSED NO FIVE: He is Roger England, an assistant manager of a Durban bar with dual British and Zimbabwean nationality. He had served for five years in the British army as a parachutist and for two years as a medical assistant in the Rhodesian Special Air Services (SAS).

Twenty-six-year-old Mr England was recruited by fellow mercenary Mr Barry Gibson and went to the Seychelles as part of the advance party three days before the coup attempt.

He was with Aubrey Brooks when he and Charles Dukes were wounded at the Seychelles army barracks during the fighting on November 25.

Subsequently they encountered an armoured car which had been immobilised. They poured petrol over the vehicle to smoke out the occupants who then surrendered.

Then Mr England made what he termed "my biggest mistake" — he joined Bernard Carey who was trying to escape back to his hotel while most of their colleagues boarded the Air India Boeing which was to fly them back to Durban.

He got back to the Reef Hotel by diving into the sea from the end of the airport runway and walking and swimming around the coast.

Mr England was taken to the police station for questioning two days after the attempted coup and arrested.

Asked by the UN Commission about South African Government involvement, Mr England said: "Hoare told us the South African Government had given a large amount of assistance."

He also told the commission: "He (Col Hoare) told us at the airport that if there was any problem with the weapons in South Africa, we were just simply to give him a ring and he would get on to the various people."

Mr England said his motivation in joining the coup attempt was his ambition to become a commercial pilot and the R10 000 he was offered was about the amount he needed. He did not have a job when he was recruited.

ACCUSED NO SIX: He is Robert Sims, a Durban race-horse trainer, brother-in-law of Col Hoare, and common-law husband of Mrs Susan Ingles.

Mr Sims was recruited by Col Hoare and dispatched with Mrs Ingles to the Seychelles as part of the advance party. Their role was to act as the mercenaries' bankers on the islands.

Six weeks before the coup Mr Sims helped test and modify the 80 AK47 assault rifles which were to be used in the Seychelles.

He and Mrs Sims also established a "safe house" for the mercenaries in the mountains above Victoria and were captured there the day after the coup attempt.

Mr Sims made a plea to the UN Commission about Mrs Ingles.

"Her only crime is loving me," he said. "She has done 61 days in solitary confinement. She came over here to look after a little cottage for me, do my cooking, wash my clothes, look after me like a normal housewife. We have been together for the last 10, 12 years, and she has been locked up for 61 days because she loves me."

ACCUSED NO SEVEN: He is Jeremiah Puren, a former confidante of Congolese leader Moise Tshombe and commanding officer of his air force in Katanga. Mr Puren was a company director in Durban and is married with children.

Mr Puren said he was recruited by Col Hoare and claimed he did not know weapons would be carried in the mercenaries' luggage until the last minute when it was too late to withdraw.

His role was to take over the airport control tower in the Seychelles.

When fighting broke out at the airport Mr Puren claimed he tried to contact the Seychelles government by telephone to organise a cease-fire.

He also telephoned the Air Swazi pilot who had brought the mercenaries to the islands disguised as a beer-drinking tour group to persuade him to fly them out. The pilot refused.

Later Mr Puren was cut off from his colleagues by an armoured car and escaped into the mountains and bush above the airport.

He spent 17 days in the bush "starving and dying of thirst", and at times crawling because of injuries to his legs sustained in a bad fall, before giving himself up.

er of the 750 at Killarney on Sat 11, left, and Avril

ere was not mu cation for the For Alfa Romeo did n their promise

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AH — Saudi A new ruler, K has swiftly mo sure continuity world's largest or following of his elder brof seven years on g Fahd, 59, pled ight to adhere to tic, foreign and s of the late l who was bt pomp only h he died of a l at the age o Khalid had a heart trou new monarch. en the day-

ON November 25 last year 53 South African-recruited mercenaries allegedly sought to overthrow the socialist Seychelles regime of President Albert Rene.

Their coup attempt was triggered early and aborted as 45 of the mercenaries under the leadership of Colonel "Mad Mike" Hoare fled the Indian Ocean Islands aboard an Air India Boeing — carrying with them a dead colleague.

Forty-three members of that strike force are now on trial in Maritzburg under South Africa's tough anti-hijack laws, two having turned State witness.

The seven remaining mercenaries — one of them a woman — were captured by Seychelles security forces and now face treason charges in a trial scheduled to start in the Victoria Supreme Court on June 16.

All but one of them, Mr Jeremiah Puren, were members of an eight-strong advance party assigned to prepare for the mercenary invasion on November 25.

On the islands the "Seychelles Seven" told their tales to a special United Nations Commission investigating the background to the bungled coup — stories which in all probability will be regurgitated from the dock.

ACCUSED NO ONE: He is 43-year-old **MR MARTIN DOLINCHEK** (alias Martin Donaldson, alias Anton Lubic), an intelligence officer with the SA National Intelligence Service (NIS), who had known Col Hoare since 1974 when, on instructions from the SA Government, he had delivered a message to him, officially advising him to abandon operations he was planning unilaterally in Rhodesia (Zimbabwe).

Mr Dolincheck, an agent for 20 years, having been recruited to Republican Intelligence, the forerunner to BOSS, DONS and NIS, was based in Durban and is married with two children.

By his own admission to the UN Commission, he arrived on the Seychelles on November 14 last year as part of an eight-member advance party to do

Seven face the music in Seychelles

Seven of Colonel "Mad Mike" Hoare's mercenaries — four of them South Africans — go on trial for their lives in the Seychelles today. **EUGENE HUGO** reports from Victoria.

reconnaissance and translate it into intelligence for the mercenary strike force.

Mr Dolincheck was arrested by the Seychelles security forces at the Beau Vallon Bay Hotel on Mahe two days after the mercenary attack.

He said he first learned of the mercenary operation from Col Hoare in 1978. Col Hoare in fact made "three or four" approaches to Mr Dolincheck — the last of which he said he passed on to General Charles Lloyd, Officer Commanding SA forces in South West Africa, in 1980.

Mr Dolincheck subsequently helped test 80 Rumanian AK47 assault rifles at La Mercy Airport near Durban — weapons which he told the UN Commission were supplied by the SA Government.

Mr Dolincheck is regarded as the key accused because of his potential evidence on allegations of official SA involvement in the coup.

The self-confessed spy has, according to

Seychelles sources, decided to "tell all" and is expected in some Seychellois official quarters to turn State witness.

ACCUSED NO TWO: He is Aubrey Vincent Brooks, a printer by trade and a Zimbabwean National who had lived in South Africa for two-and-a-half years before the bungled coup.

Mr Brooks (38), who ran his own business in Durban, is married with 17-year-old and five-year-old sons.

He told the UN Commission he had become involved in the coup plans after he had lost his family's printing business through "a bit of a lapse in foresight".

"And I think this is basically why, when I was offered this money for my particular role in this thing — it sounds ironic now — it was to provide for my family."

Mr Brooks was first approached by Mr Ken Dagleish to join the Hoare strike force and was given the task of playing two tapes recordings at the Seychelles radio station

16/06/82

(529)

ACT

327

To provide for the protection from disclosure of certain information; and to provide for matters connected therewith.

*(Afrikaans text signed by the State President.)
(Assented to 3 June 1982.)*

BE IT ENACTED by the State President and the House of Assembly of the Republic of South Africa, as follows:—

1. (1) In this Act, unless the context otherwise indicates— Definitions.

- 5 (i) "agent" means any person who is or has been or is reasonably suspected of being or having been directly or indirectly used by or in the name of or on behalf of any foreign State or any hostile organization for the purpose of committing in the Republic or elsewhere an act prejudicial to the security or interests of the Republic, or who has or is reasonably suspected of having committed or attempted to commit such an act in the Republic or elsewhere in the interests of any foreign State or any hostile organization; (i)
- 10 (ii) "armaments" means armaments as defined in section 1 of the Armaments Development and Production Act, 1968 (Act No. 57 of 1968); (iii)
- 15 (iii) "document" means—
- (a) any note or writing, whether produced by hand or by printing, typewriting or any other similar process;
- 20 (b) any copy, plan, picture, sketch or photographic or other representation of any place or article;
- (c) any disc, tape, card, perforated roll or other device in or on which sound or any signal has been recorded for reproduction; (ii)
- 25 (iv) "foreign State" means any State other than the Republic; (ix)
- (v) "Government" includes the South African Transport Services, the Department of Posts and Telecommunications and any provincial administration; (vi)
- 30 (vi) "hostile organization" means—
- (a) any organization declared by or under any Act of Parliament to be an unlawful organization;
- (b) any association of persons or any movement or institution declared under section 14 to be a hostile organization; (x)
- 35 (vii) "military" includes army, air force and naval; (iv)
- (viii) "model" includes any design, pattern or specimen; (v)
- (ix) "prohibited place" means—
- 40 (a) any work of defence belonging to or occupied or used by or on behalf of the Government, including—
- (i) any arsenal, military establishment or station, factory, dockyard, camp, ship, vessel or aircraft;
- 45 (ii) any telegraph, telephone, radio or signal station or office; and

for full text see acts 84

Women's Front head released by police

CAPE TIMES 17/6/82 (4) 139 327

By MARK VAN DER VELDEN
POLICE in Johannesburg yesterday released a 53-year-old Nyanga woman from detention.

They declined to confirm that she had been the one person held by security police after the arrest and subsequent release of 250 mourners at a weekend memorial service for union leader

Joseph Mavi.

Mrs Mildred Holo, chairwoman of the Cape Town branch of the Women's Front Organization, was in Johannesburg to attend a conference of the South African Council of Churches. She was invited to the memorial service to say a few words of sympathy.

A police spokesman confirmed late last night

that Mrs Holo had been held under the Criminal Procedures Act and released yesterday at 3pm. He said he could not disclose when or where she was detained.

In a telephone interview from the home of friends in Johannesburg, Mrs Holo said she had been among those arrested at the memorial service on Sunday afternoon.

"I was in Johannesburg to attend a conference of the South African Council of Churches and read about the memorial service for Mr Mavi and two ANC members.

'Must not cry'

"I was invited along and asked to say a few words of sympathy for the Mavi family. All I told the people gathered there was that God takes and God gives and that they must not cry," she said.

She said police had questioned her about a number of things during her 72-hour detention. Mrs Holo will return to Cape Town by car tomorrow.

A spokeswoman for the Women's Front Organization in Cape Town, which is affiliated to the South African Federation of Women, last night condemned Mrs Holo's detention.

Handwritten notes:
Recruitment of South
African / Nyanga / Cape
Town
Reciprocal
Knowledge
Institutional
- list

Handwritten notes:
BOF
Mentorship
in supply
Development
Revolution

Ban on defence matters at hijack hearing

Pietermaritzburg Bureau

A BAN has been placed on information about Defence Force operations before November 24 last year being described in open court during the hearing of the Seychelles hijack trial here.

The ban was put into force by the Acting Judge President, Mr Justice James yesterday afternoon, after an affidavit from the Minister of Defence, Gen Magnus Malan, was placed before him in chambers on Tuesday afternoon.

In his affidavit, Gen Malan said he felt it was in the interests of State security that the evidence of 23 of the accused, many of them members and former members of the Defence Force, about previous military operations should not be divulged.

Witnesses

This should include the planning, orders, purpose, target, modus operandi and execution of such operations, Gen Malan said.

The ruling should also apply to any witnesses who 'are or was a member of the South African Defence Force and more particularly to Col Ewald Olckers, Cmdt Danie van der Spuy, Theodorus van Huysteen and Steyn de Wet', the affidavit said.

Col Olckers and Cmdt van der Spuy are both officers with Recce commando units and Mr van Huysteen and Mr de Wet were at one stage involved as witnesses in the case.

Difficult

Gen Malan then requested in the papers that 'no person shall be permitted or ordered to give evidence or to furnish information in the said trial proceedings as to the said facts, matters or things.'

Putting the order into action and adding that evidence on military matters heard before the affidavit was brought to Court should still be of 'full value and could not be ignored,' Mr Justice James said the 'inhibition of evidence may make the case more difficult at a later stage'.

Mr Dunlop Paul, one of the accused, then continued with his evidence.

Further questioning of Mr Paul by defence counsel was then stopped because of the ministerial order.

Mr Piet Oosthuizen, SC, before questioning Mr Paul, asked the Judge for his aid in helping to avoid questions which could fall within the ambit of the minister's affidavit.

Not his

Mr Justice James told Mr Oosthuizen he was not a policeman but a judge.

If Mr Oosthuizen infringed a ministerial order he was responsible, the Judge said.

Mr Oosthuizen asked for an adjournment and said after a short break that because of the order he was unable to put questions to Mr Paul.

The men mentioned in Gen Malan's affidavit are: Mr Charles Dukes, Mr Christo Hillebrand, Mr Bernhard de Vos, Mr Louis Boucher, Mr John Mac Kay, Mr Richard Stannard, Mr Nicholas Wilson, Mr Kevin Beck, Mr Louis Dekker, Mr Frederick Gouws, Mr Barry Gribbin, Mr Johannes de Beer, Mr Patrick Henrick, Mr Keith Macloed, Mr Desmond Walker, Mr Pieter Dooreward, Mr Donald Kenny, Mr Kenneth Kelly, Mr Kurt Priefert, Mr Jacob A du Toit, Mr Alex Deacon, Mr Dunlop Paul and Mr Alan Mann.

'Recruiting in bars for slapdash coup

ARGUS

17/6/82

1

327

Argus Correspondent

MARITZBURG. — The Seychelles coup attempt was slapdash, with men recruited in bars by non-commissioned officers and on a "pally-pally basis," the Attorney-General of Natal, Mr Cecil Rees, SC, said in the hijack trial here today.

Cross-examining accused Mr Dunlop Paul, a Japanese-rated fifth dan karateka and member of 2 Reconnaissance Commando, Mr Rees asked why the operation was "not done properly and in a hurry."

Mr Paul said he could not explain why.

Mr Rees said that there was no training and most of the troops did not know one another — nor did they

know their commanding officer, apart from meeting Colonel Mike Hoare once or twice.

Asked if the men were adequately armed, Mr Paul replied that they were, but not to take on heavy weapons.

Mr Rees said the men had to take arms in suit cases through three sets of customs and did so with their weapons concealed in amateurish fashion.

Mr Paul said that from the outside the bags looked professional.

Mr Rees said that in the party were several who had Afrikaans accents. Many also had South African passports and travellers' cheques issued in South Africa.

(Proceeding)

**'Malan
move may
imply SA
involved'**

Political Staff

THE move by the Minister of Defence, General Magnus Malan, to prevent certain evidence being led would undoubtedly lead people to infer that the South African Government was involved in the abortive Seychelles coup, Mr Harry Pitman, MP, said today.

Mr Pitman (PFP, Pine-town), who is also an advocate, said South Africa could suffer internationally as a result of the move by the Minister.

"There's no doubt that people will draw inferences that the Government was involved in the coup attempt from this," he said.

"By executive action certain facts have been closed to the court."

CAPE TOWN
Mavi 17/6/82
arrests
Warning

THE Western Cape Inter-Union Solidarity Committee has warned of "serious repercussions" following the arrest by security police of more than 200 mourners at a memorial service in Soweto for trade union leader Joe Mavi.

In a statement the committee condemned the arrests as "intimidation and provocation".

The committee is composed of the Food and Canning Workers' Union, the African Food and Canning Workers' Union, the General Workers' Union, the Cape Town Municipal Workers' Association, the Federation of SA Trade Unions (Fosatu), the Media Workers' Association of SA (Mwasa) and the Commercial, Catering and Allied Workers' Union of SA (Ccawusa).

The statement says: "Are we not allowed to mourn our dead or pay tribute to our leaders? Thousands of workers all over South Africa loved and respected Joe Mavi.

"The action taken against mourners at Dube can have serious repercussions. While we appeal to all workers to be calm and not to be provoked we protest against police action against mourners."

Capl Times 17/6/82

Ban put on trial ³²⁷ evidence

Own Correspondent

MARITZBURG. — No information about certain South African Defence Force operations before November 24 last year can be given during the hearing of the Seychelles hijack case here.

The ban was put into force by the Acting Judge President, Mr Justice James, yesterday afternoon after an affidavit from the Minister of Defence, General Magnus Malan, was placed before him in chambers on Tuesday afternoon.

General Malan said he felt it was in the interests of state security that evidence about military movements by 23 of the accused, many of them members and former members of the Defence Force, should not be divulged.

This should include the planning, orders, purpose, target, modus operandi and execution of such operations, General Malan said.

The ruling should also apply to any witness who is or was a member of the South African Defence Force and more particularly to Colonel Ewald Olckers, Commandant Danie van der Spuy, Theodorus van Huysteen and Steyn de Wet, the affidavit said.

Colonel Olckers and Commandant Van der Spuy are both officers with Recce Commando units and Mr Van Huysteen and Mr De Wet were at one stage involved as witnesses in the case. Mr De Wet testified in camera, and Mr Van Huysteen was never called.

General Malan then requested that "no person shall be permitted or ordered to give evidence or to furnish information in the said trial proceedings as to the said facts, matters or things".

Putting the order into action and adding that evidence on military matters heard before the affidavit was brought to court should still be of "full value and could not be ignored", Mr Justice James said the "inhibition of evidence may make the case more difficult at a later stage".

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Mr Oosthuizen then asked for an adjournment to consider his position. After a short break he said that because of the minister's order he was unable to put questions to Mr Paul.

The men mentioned in General Malan's affidavit are: Mr Charles Dukes, Mr Christo Hillebrand, Mr Bernhard de Vos, Mr Louis Boucher, Mr John MacKay, Mr Richard Stannard, Mr Nicholas Wilson, Mr Kevin Beck, Mr Louis Dekker, Mr Frederick Gouws, Mr Barry Gribbin, Mr Johannes De Beer, Mr Patrick Henrick, Mr Keith Macloed, Mr Desmond Walker, Mr Pieter Dooreward, Mr Donald Kenny, Mr Kenneth Kelly, Mr Kurt Priefert, Mr Jacob A du Toit, Mr Alex Deacon, Mr Dunlop Paul and Mr Alan Mann.

● Seychelles coup trial objection, page 3

3

One accused in Seychelles freed

ARGUS 17/6/82 @ 327

Argus Africa
News Service

VICTORIA. — Mrs Susan Ingle, one of the seven accused of treason in the Seychelles coup attempt trial, was unexpectedly freed of all charges today.

Earlier today the Seychelles Chief Justice had ruled that all the accused could face treason charges for their alleged involvement in the attempted coup last November.

This means that the six accused remaining after Mrs Ingle's release face the death penalty if convicted.

The decision to drop all charges against Mrs Ingle was announced unexpectedly at the end of today's hearing by the Attorney General, Mr Bernard Rassool, who is prosecuting. He gave no reasons.

After the failure of his attempt to have the

treason charges withdrawn on the grounds that all the captured mercenaries were foreigners, defence counsel Mr Nicholas Fairbairn today made a fresh bid to have the trial stopped.

He submitted that no jury could be selected in the Seychelles that was not prejudiced by contemptuous Press reports and news broadcasts.

Mr Fairbairn then referred to numerous local accounts in which he alleged his clients had been prejudged.

The former Solicitor-General of Scotland said such reports had continued to appear up until the week of the trial.

He added that in his view an editorial in today's Government newspaper was contemptuous in terms of a ruling made by the judge yesterday

concerning local publications.

Because of the numerous reported speeches of government Ministers and officials which clearly displayed the official attitude towards the accused it would be impossible for any jury not to be prejudiced.

Mr Justice Seaton said he would rule on the matter after lunch tomorrow.

The nine-man jury has yet to be chosen. About 73 names of possible jurors have been submitted to the defence.

According to legal authorities the Chief Justice has earlier, in ruling that foreigners may be charged with treason in the Seychelles, created a precedent not used before in any country and has thereby made law in the island republic.

Press Bill: No clarity on SABC

Political Staff

THERE was uncertainty yesterday about how the Government's controversial Registration of Newspapers Amendment Bill would affect the SABC.

The Minister of Internal Affairs, Mr Chris Heunis, has been quoted as saying that as the Bill now stood all SABC film would have to go before a publications committee before it could be screened.

Approached for comment, Mr Heunis said through an office spokesman that he had been incorrectly quoted. He said the Bill had to be consulted to find out what its effect would be.

The Opposition's spokesman on the media, Mr Dave Dalling, has warned that the Bill would create chaos in the media world. He believed the ridiculous situation could arise under the measure where a pre-recorded SABC interview with the Prime Minister could be subject to vetting by a publications committee before it could be broadcast.

Some evidence was strong enough to recommend actions consuming large amounts of fat, it said.

Argus 17/6/82 Ciskei police in 'terrorist' skirmish

Argus Bureau
EAST LONDON. — Ciskei police had a skirmish with "terrorists" in Mdantsane on Tuesday night, President Lennox Sebe told the National Assembly in Zwelitsha yesterday.

Chief Sebe said his men were shot at from close range with a powerful weapon at 8 pm on Tuesday. None of the policemen had been injured. He did not elaborate on the encounter.

A Mdantsane resident said she heard shots being fired in the vicinity of the Methodist Church in NU 8. Police had arrived in a car and encircled the church.

A man carrying what looked like a shopping bag, had been searched in the street under the guard of two armed policemen. He had later been released, she said.

The resident said she did not see anyone being arrested.

R30 000 dagga haul in E Cape

Argus Bureau
PORT ELIZABETH. — Eastern Cape police last night seized dagga worth more than R30 000 in one of the largest and easiest hauls in recent months.

A police spokesman said that a light delivery vehicle, loaded with 21 bags of dagga, stopped behind a furniture truck

at a roadblock at the Coega turnoff on the national road between Port Elizabeth and Grahamstown shortly before midnight.

The two occupants fled into the veld before being confronted by police and could not be traced in the rainy weather, although dogs were used.

Bette Davis in nude pose

BOSTON. — A statue for which actress Bette Davis says she posed in the nude more than a half century ago has been discovered in the Boston Museum of Fine Arts.

Miss Davis disclosed in a magazine interview that she posed naked at the age of 18 for pocket money.

Mr Jonathan Fairbanks, the museum's curator of American art, said the statue had a profile, large

eyes and a mouth very similar to those of Miss Davis.

The statue, depicting the Roman goddess Diana on top of a shell twisted out of dolphin fins and holding a bow and arrow, stood for years in an estate now owned by followers of the Rev Sun Myung Moon.

Before the estate was sold, the statue was given to the Boston Museum, where it is now on display. — Sapa-Reuter.

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Mission a 'front for Govt'

17/6/82
18/6/82

327

Argus Correspondent

MARITZBURG. — The large sum of money offered to Colonel Mike Hoare's men seemed to give a mercenary front to an operation covertly supported by the Government, the hijack trial was told here yesterday.

An accused, Mr Louis Anthony Boucher, 22, a former member of the elite 2-Reconnaissance Commando, said he would not have gone on the Seychelles mission if he had not believed it was a Government - sanctioned operation in mercenary disguise.

In case something went wrong, he said, the Government could deny it knew about or sanctioned the operation, saying that it was undertaken by mercenaries.

MINISTERS

Mr Boucher said several times that he could not reply to questions put to him by counsel because of an affidavit by the Minister of Defence forbidding the disclosure of information about military operations before November 24 last year.

He said that during the planning of the coup he intended to rejoin 2-Reconnaissance Commando and he regarded the Seychelles as a good prelude to rejoining.

"I thought that by joining this operation and reinstating a pro-West government, I was helping to do something for the West and for South Africa," he said.

DAUGHTER

Mr Boucher, who has been out of work for three months because of the trial, said the R10 000 reward offered by the would-be Seychelles government would have been a good start to his married life. He has a two-week-old daughter.

His belief that the South African Government knew about the venture was bolstered when the men's luggage was not examined at Matsapa Airport in Swaziland.

At the airport their hand luggage was examined with X-ray equipment but their large luggage, containing their weapons, was not, although equipment was available.

The trial continues today.

Island police chief 'was waiting'

327
CARE TIMES
18/6/82

Own Correspondent

MARITZBURG. — The Commissioner of Police for the Seychelles was aware that mercenaries were going to launch a coup before the men arrived in the islands, the hijack trial heard yesterday.

Cross-examining Mr Dunlop Paul, an accused, Mr Cecil Rees, SC, the Attorney-General of Natal, said the commissioner had received a tip-off about the operation and was waiting for the men.

Reacting, Mr Paul, a fifth-dan karate black belt, said the authorities could have known of the plot. Their prior knowledge would explain the quick reaction of the Seychellois and Tanzanian troops who had attacked the airport shortly after the discovery of the men by a customs official.

Mr Paul agreed with Mr Rees that the operation had been "slap-dash" with mercenaries being recruited by non-commissioned officers in bars "a on a pally-pally basis" for the coup.

'Amateurish'

The concealment of the firearms in the bags to be carried over three international borders had been amateurish, he said.

He denied that they had been "inadequately armed for the operation, but admitted that they could not have faced heavy armaments.

Mr Paul said he believed that if Colonel Hoare had not arranged a ceasefire with the Seychelles authorities the Air India jet would have been destroyed.

Shortly after Mr Paul completed his evidence, Mr Steve Janson, representing 30 of the accused, said he was closing his case for the defence on the understanding that he later be allowed to call an "avionics" expert to testify.

Daughter

The first witness of Mr Piet Oosthuizen, SC, who is appearing for 10 of the accused, was accused Mr Louis Boucher, 23, a father of a two-week-old daughter, who refused to answer several questions because of a ruling handed down in court on Wednesday.

Mr Boucher, a former Permanent Force member of the Recce Commandoes, said he had joined the coup because he believed the government and Defence Force were involved, considered the coup a good prelude to rejoining the Defence Force and as he was contemplating marriage, the money would be useful.

He had boarded the plane at Mahé airport while following instructions and had not seen the crew being threatened in any way during the flight to Louis. Both airports, he said.

The hearing continues today.

Seychelles police chief was 'aware' of coup plot

Pietermaritzburg Bureau

THE Commissioner of Police for the Seychelles was aware that mercenaries were going to launch a coup before the men arrived in the islands, the hijack trial heard yesterday.

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'Slapdash'

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Mr Paul agreed with Mr Rees that the operation had been 'slapdash' with mercenaries being recruited by non-commissioned officers in bars 'on a pally-pally basis' for the coup.

The concealment of the firearms in the bags to be carried over three international borders had been amateurish, he said, although the bags had looked 'professional from the outside'.

He denied that they had been inadequately armed for the operation, but agreed that they could not have faced heavy armaments.

Shortly after Mr Paul completed his evidence, Mr Steve Janson, representing 30 of the accused, said he was closing his case for the defence on the understanding that he later be allowed to call an 'avionics' expert to testify about various technical aspects of flying, he said.

The first witness called by Mr Piet Oosthuizen, SC, who is appearing for 10 of the accused, was Mr Louis Boucher, 23, who refused to answer several questions because of a ruling handed down in Court on Wednesday.

In terms of the ruling, brought by the Minister of Defence, Gen Magnus Malan, no one may be forced to testify about military operations that took place before November 24, 1981.

Injured

Mr Boucher, a former Permanent Force member of the Recce Commandos, said he had joined the coup for several reasons.

He had believed the Government and Defence Force were involved, considered the coup a good prelude to rejoining the Defence Force, and as he was contemplating marriage, the money would come in useful.

At the start of yesterday's proceedings the Court learned that two of the accused, Mr Bernhard de Vos and Mr Keith Macleod, had been injured in a car accident while they were travelling to Court.

However, both men returned to the dock after the lunch adjournment and remained in Court.

The hearing continues today.

Coup was 'a chance to see the Seychelles'

Mercury Reporter
A PRETORIA teacher, one of the accused in the hijack trial, said in the Supreme Court, Pietermaritzburg, yesterday he had joined the mercenary operation to the Seychelles 'to gain experience'.

Mr Bernhard de Vos, 27, said he had heard of the Seychelles but had never been there and it was an opportunity for him to go 'with transport paid, a place to stay, plus a bit of pocket money'.

He said because he taught standard nine pupils and had therefore completed most of the curriculum, he was able to apply for 'urgent personal' leave in order to take part in the operation.

Under cross examination by the State Advocate, Mr Gideon Scheltema, Mr de Vos, a member of 2 Recce Battalion, said call-up papers had been circulated among the men in the group serving in the Defence Force which would be presented to

their employers.

But, Mr de Vos said, he had decided not to use the call-up papers which had been given to him and had decided instead to apply for personal leave.

He told the Court he had been approached by co-accused Mr Pieter Dooreward, who had asked him whether he was interested in taking part in a 'semi-military' operation.

'When Mr Dooreward told me that the operation was a coup in the Seychelles being planned by Col Mike Hoare I asked why the Defence Force did not know about it.'

Colour

'He said the Defence Force was aware of it but did not want to become officially involved as it would cause too many complications,' he told the Court.

He said Mr Dooreward had told him that Col Hoare had been planning the operation with two brigadiers and a general in the Defence Force.

'I was also told that once the coup had taken place, Kenya, as well as the United States Government, would recognise the new government,' Mr de Vos said.

Mr Dooreward told him the operation would involve 50 to 60 men and that a limit of 20 had been placed on the number of South Africans involved to 'give an international colour to the operation', he said.

Communist

'I asked what Russians were on the island and was told that about 105 KGB were there, but we would be keeping clear of them.'

'I also asked what the enemies' strength was and Mr Dooreward said they were of a "swak" (weak) standard with no fighting experience,' Mr de Vos said.

At a meeting of the entire mercenary group Mr de Vos said he had learned that not all those approached had been received security clearance;

'from this I deduced that the whole group had been cleared by security'.

Mr de Vos said he had understood the whole operation would be in the interests of the West and of South Africa because the present President 'is a communist'.

He told the Court he understood that if the coup had succeeded there would have been the possibility that they would have been able to influence the elections in Mauritius which, he said, was in danger of becoming a communist State.

The hearing was adjourned to Monday.

Ban on public meetings at Mtunzini

Mercury Reporter

19/6/82

ALL public meetings have been banned over the weekend in the district of Mtunzini, which includes Esikhawini township where more than 2 000 striking workers have been meeting daily since the stoppages at Alusaf and Richards Bay Coal Terminal began earlier this week.

Mtunzini's magistrate, Mr F H Swanepoel, said the ban, issued in terms of the Riotous Assemblies Act, began at 4 p m yesterday and would extend until the same time on Sunday.

According to union sources the police, who have been patrolling the township since the stoppages began yesterday afternoon, announced over loud speakers that all meeting had been banned.

Both Alusaf and Richard's Bay Coal Terminal spokesmen had said that all the striking workers would be considered as having dismissed themselves unless they returned to work yesterday, but union sources claimed that none of the workers had gone back.

Branch secretary of the Fosatu-affiliated Metal and Allied Workers Union, Miss June-Rose Nala, said the banning 'hindered industrial relations and denied workers the opportunity of getting together to discuss ways of solving the issues'.

She said the Alusaf workers had met yesterday before the ban had come into effect and had decided to continue the stoppage 'because management refused to negotiate and aren't even considering their demands'.

A shop steward representing Richards Bay Coal Terminal workers said they were prepared to return to work if the company gave written assurance that the pensions issue would be negotiated.

Richards Bay Coal Terminal's managing director, Mr Mike Dunn, said last night 'a few workers had come back who were very scared because of intimidation'.

THE SEYCHELLES COUP TRIAL

THE MERCENARIES MAY ADMIT GUILT TO BEAT SEYCHELLES COUP PLOT DEATH SENTENCE...

THERE was more intrigue and drama outside the court than inside as the trial of seven mercenaries on charges of treason got underway in Victoria — seven months after the abortive Seychelles coup last November.

There was confusion on the eve of the trial as to whether Scotland's most renowned barrister, Mr Nicholas Fairbairn, would withdraw because the Seychellois police had frozen the funds to pay for the defence of the accused.

And on Friday there was more confusion as there was talk of a deal between the State and the defence.

Attorney General Mr Bernard Rassool denied there was a deal — but the question will be answered tomorrow when the six remaining accused are asked to plead.

Rumours are rife that those defended by Mr Fairbairn will plead guilty to avoid the death sentence.

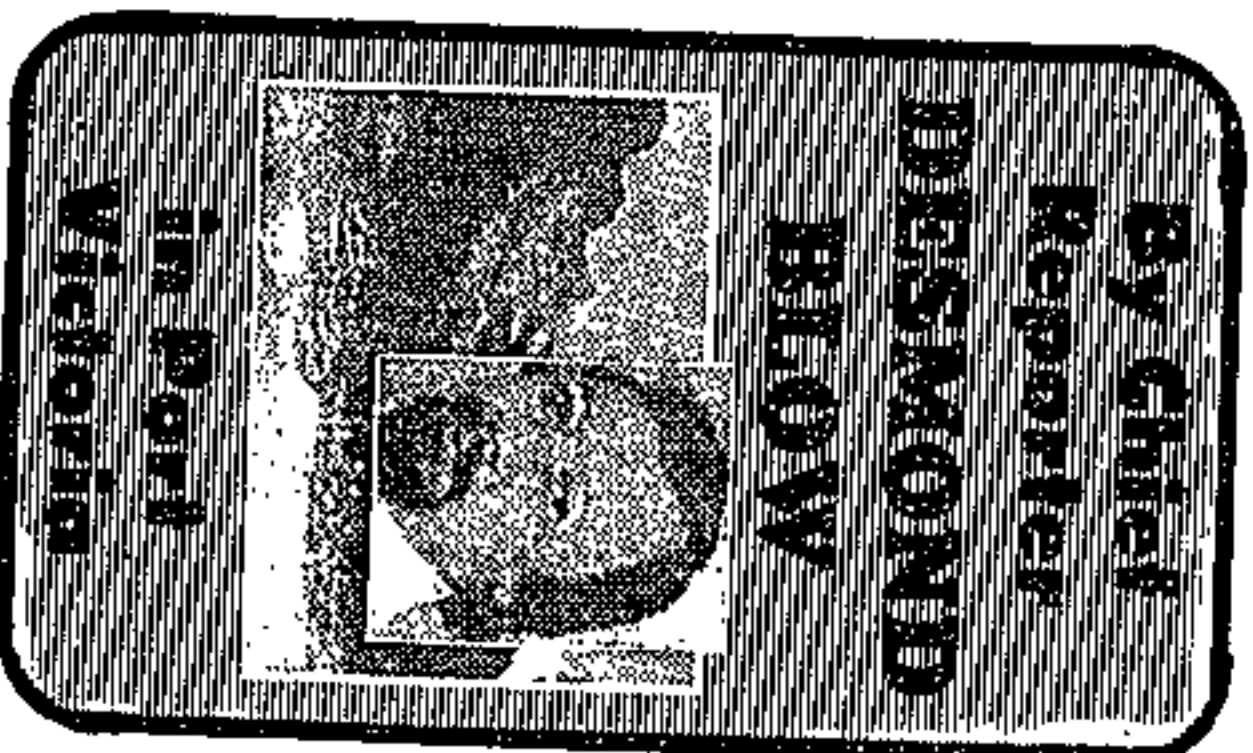
This may be so, but if such a deal was made what of South African secret agent, Martin Dolinchev? He has elected to defend himself because he felt his case was not the same as the others.

A leak on Thursday indicated that charges would be dropped against Robert Sims, common-law husband of Susan Ingles, who was released on Thursday as the court was about to adjourn.

Later there was a two-hour discussion between counsel for the defence and the State, and then defence counsel saw each accused individually — but the matter of Mr Sims was not raised.

However there were rumours of even more intrigue: that the State and the defence had agreed to Mr Sims's release providing the remaining four who are being defended would plead

Intrigue on eve of island treason trial



The police have refused to release cash held in bank accounts in the Seychelles in the names of Mrs Ingles and Mr Sims. This cash, which is alleged to have been part of the coup fund, was to be used for the defence of the

Mrs Brooks arrived in the Seychelles last Saturday but was unable to speak to him until Thursday.

Their meeting was brief under the watchful eyes of both police and soldiers.

Mr Dolinchev has steadfastly maintained that he is not a mercenary.

He told the United Nations Commission of Inquiry: "I am not a mercenary and will never be, it's below my dignity. I am a professional intelligence officer."

He stated that he was not to be paid anything by Colonel 'Mad Mike' Hoare.

At the start of the trial on Tuesday he told the judge that his defence would be different to the others because he "was not a party to the conspiracy and did not aid and abet the attack on the airport".

When he originally refused to be defended by

The most impressive person in the court is Mr Nicholas Fairbairn, QC.

He is arrogant, conceited and brilliant.

But so far he has not had much success in his arguments on points of law before Mr Justice Earle Seaton, Chief Justice of the Seychelles.

The judge said the court would follow British court procedure.

But there the similarity ends. For the accused are charged with treason even though all of them are aliens.

Mr Fairbairn argued that the basis of a charge of treason was treachery against

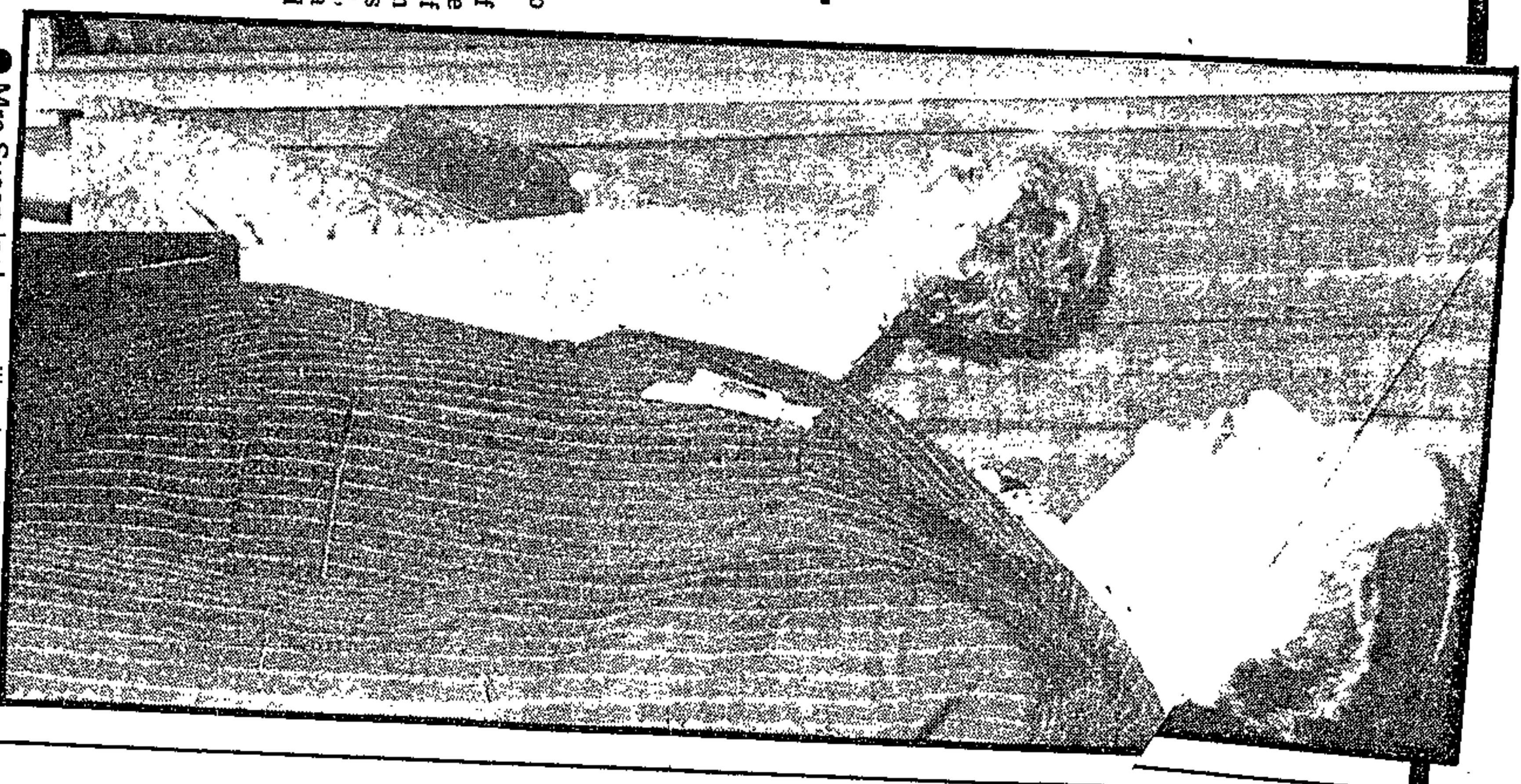
one's state or sovereign to whom one owed allegiance.

"Treachery is the basis of treason as the basis for the charge of rape is violation of a woman. If my clients can be charged in the Seychelles with treason," he argued, "then people parking on a yellow line can be charged with rape."

However, the judge thought otherwise. Mr Fairbairn immediately bounded back and argued that because of the pre-trial publicity in the Seychelles his clients could not be given a fair trial.

The judge rejected this. The jurors will be called on Monday.

● Mrs Susan Ingles, smiling bravely, is hustled through arrivals at Jan Smuts airport with a Railways Police escort.



Family rejoices at Ingles' return

AFTER being held prisoner in the Seychelles for seven months

Ingles were withdrawn on Thursday and her release was arranged.

Then, after a Press report on Friday that Mr Sims would be released, there was political pressure to drop the idea because Mr Sims is a South African.

There is uncertainty whether the accused will agree to plead guilty on the understanding that they will face a lesser charge and escape the death penalty.

Mr Fairbairn said he knew nothing about any possibility of his clients pleading guilty.

Mr Fairbairn refused to say whether, after the release and deportation of Mrs Ingles, whether the money in her name would be freed.

One of the observers at the trial is Mrs Jane Turner of Durban who believes that Mr Dolinchev knows who killed her son, banned University of Natal lecturer Dr Ric Turner.

Also attending the trial is Mrs Di Brooks whose husband Aubrey is one of the accused.

Others there was speculation and false reports that he would turn State evidence, but this week it became clear he believed he had a different defence.

It appears that he will say his role was that of an observer for the South African secret services and not that of a mercenary.

He is the fly in the ointment, because his testimony may sink them all, I was told.

Mrs Susan Ingles arrived home in Durban yesterday amid emotional reunion scenes with her family.

Mrs Ingles was captured after last year's abortive coup attempt on the islands and faced treason charges.

"I had faith God would look after me," she said, hugging her elderly mother.

"I was always treated very well by my captors," she said, "but it's fantastic to be back."

Mrs Ingles arrived at Jan Smuts airport yesterday looking tired, thin and tense, and was met by her daughter Kathy, GORDON EDDEY reported.

She was dwarfed by plainclothes Railway Policemen who prevented Pressmen from speaking to her.

In Durban, Mrs Ingles said the six mercenaries still facing trial in the Seychelles had been "wonderful" towards her.

Mrs Ingles' parents, John and Eileen Burland, were overjoyed at their daughter's return.

"It's like a dream come true," Mrs Burland said. "We just want her to have a long rest."

Charges of treason against Mrs In-

Her freedom is believed to be part of an arrangement which entails four of her mercenary colleagues pleading guilty to charges of treason and facing possible death sentences.

It is also believed negotiations are under way to have Mr Robert Sims, Mrs Singles' common-law husband, released under the same deal.

Mrs Ingles and Mr Sims were to act as bankers for the mercenaries involved in the coup and went to the Seychelles a month earlier than the rest to set up a 'safe house' high above the airport.

20/02/82

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Dolinchek has key to Turner murder — ex-Boss agent

327 E-Post 21/6/82

By DESMOND BLOW and
HELENE ZAMPETAKIS

A FORMER Boss agent who was commissioned to make a private investigation into the murder of Dr Rick Turner believes that fellow-agent Martin Dolinchek holds the key to the crime.

Dr Turner, a banned university lecturer, was shot dead in Durban on January 8, 1978, as he peeped through his window curtains after hearing a knock on his front door.

Mr Dolinchek, an agent for the Bureau of State Security (Boss) and later for the National Intelligence Service (NIS), is on trial in the Seychelles with five others for his alleged part in the abortive coup against the Seychelles Government last November.

Watching from the public gallery is Dr Turner's mother, who has vowed to "haunt him" until she gets to the truth of her son's murder.

The investigator, commissioned by the Sturgeon Trust, which was set up by friends of Dr Turner when the police were unable to solve the crime, felt that Dr Turner's killers intended only to frighten him, but that the bullet rico-

cheted off a window frame to kill him.

Asked at the weekend if he was aware of the private detective's investigation, the Commissioner of Police, General Mike Geldenhuys, said the agent had kept him informed of his findings.

The docket on the killing was still open and police would welcome any evidence that Mr Dolinchek had information on the case, General Geldenhuys said.

An attempt to confront Mr Dolinchek last week with the investigator's report was thwarted when the judge presiding at the trial of the mercenaries ruled that no one could have access to any of the accused.

Last week Mrs Turner was told that there was no chance of her seeing Mr Dolinchek again until after the trial. But she has nevertheless stayed on — although her money has just about run out.

Mrs Turner said: "Dolinchek was the NIS officer keeping my son under surveillance at the time of his death."

She feels that he must therefore have been in a position to know what hap-

pened to her son.

Mrs Turner is angry that she was not informed of the investigation into her son's death by the private agent.

And she does not agree with the agent that Dr Turner's killing may have been an accident.

The ex-Boss agent who investigated the death concluded that the killing was an accident after a close associate of Mr Dolinchek told him: "Did you ever consider it could have been an accident — that the bullet ricocheted?"

The agent then investigated the scene of the shooting and found a mark that could have been made if the bullet had ricocheted off the window frame.

The agent said: "Dolinchek's partner's hair turned white almost overnight and when I saw him shortly after the shooting he acted most peculiarly. He kept forming a pistol with his hands clasped together and aiming at the corner of the wall."

Shortly after being interviewed, Mr Dolinchek's associate disappeared and is believed to have gone abroad.

The ex-Boss agent began his investigation in March,

1978, two months after Dr Turner died.

The agent assumed that Dr Turner was killed for political reasons and investigated organisations and persons on as broad a spectrum as the ANC on the Left to the AWB and the Anglo-Afrikanerbond on the Right, and even the CIA.

The strongest indications seemed to be that the killing sprang from mistaken fears that Dr Turner would attempt a "Donald Woods-type of escape" from South Africa. This was because Dr Turner had asked his ex-wife, Barbara Broer, by telephone for the passports of his children.

The agent says that anyone overhearing Dr Turner's conversation with his ex-wife might have construed the request for passports — needed for a planned visit to Botswana — as preparation for flight.

The agent stresses that while he was a member of Boss they — unlike the KGB or CIA — at no stage sanctioned a killing. He said they preferred banning and did not have the "guts" to order a killing.

A killing could, however, be committed by an individual in one of the services acting on his own.

TWO months ago, Yazeed Faquir decided he needed a book on South American revolutionary Che Guevara for a university assignment.

Possession of the book he needed, however, is prohibited under the Publications Act of 1974. So Yazeed began a complicated path of red tape to try and read it — something he could not do without Government permission.

All the time the book, along with hundreds of others falling under the same prohibited category, was within tantalising, grasping distance in a locked library cabinet.

But because it contained ideas thought by the State to be incendiary, there it would stay until the Directorate of Publications decided otherwise.

This is one of many recent cases that prompted the Mail to look at the laws governing access to banned books in South Africa — laws which have, according to several academics, severely restricted many important areas of study.

Recently I spoke to the University of the Witwatersrand's librarian, Professor Reuben Musiker, and several academics opposed to the many restrictions on academic freedom — of which banned books is one.

More than 51 000 individual titles have been banned and, while many are simply pornographic and salacious, some are widely regarded as important, if not essential, political and sociological texts.

They are banned either by the directorate (which can ban individual issues of a publication or all its editions) or by State President's proclamation under the Riotous Assemblies Act and the Internal Security Act.

South African universities have in their libraries hundreds of banned books, journals and pamphlets which fall into three groups: those banned for distribution, those banned for possession and those banned in terms of the Internal Security Act.

Like many other universities, Wits has been granted an "open exemption" by the directorate as far as "undesirable", distribution-prohibited books are concerned.

This means the library can allow staff and students to read these books — a diluted form of distribution — and post-graduate students and lecturers may even borrow them.

Academic staff can also buy copies of books in this category, as long as they can show the bookseller a copy of the university's exemption.

But they must then comply with a set of stringent conditions.

For example, he (or she) must keep the publication under lock and key when not in use; he must not make the publication available to anyone else; and he may not make copies of the publication — except for bona fide academic purposes.

The application form, besides the usual particulars of name, position and identity number, requires the signed approval of the university librarian and the head of the academic's department.

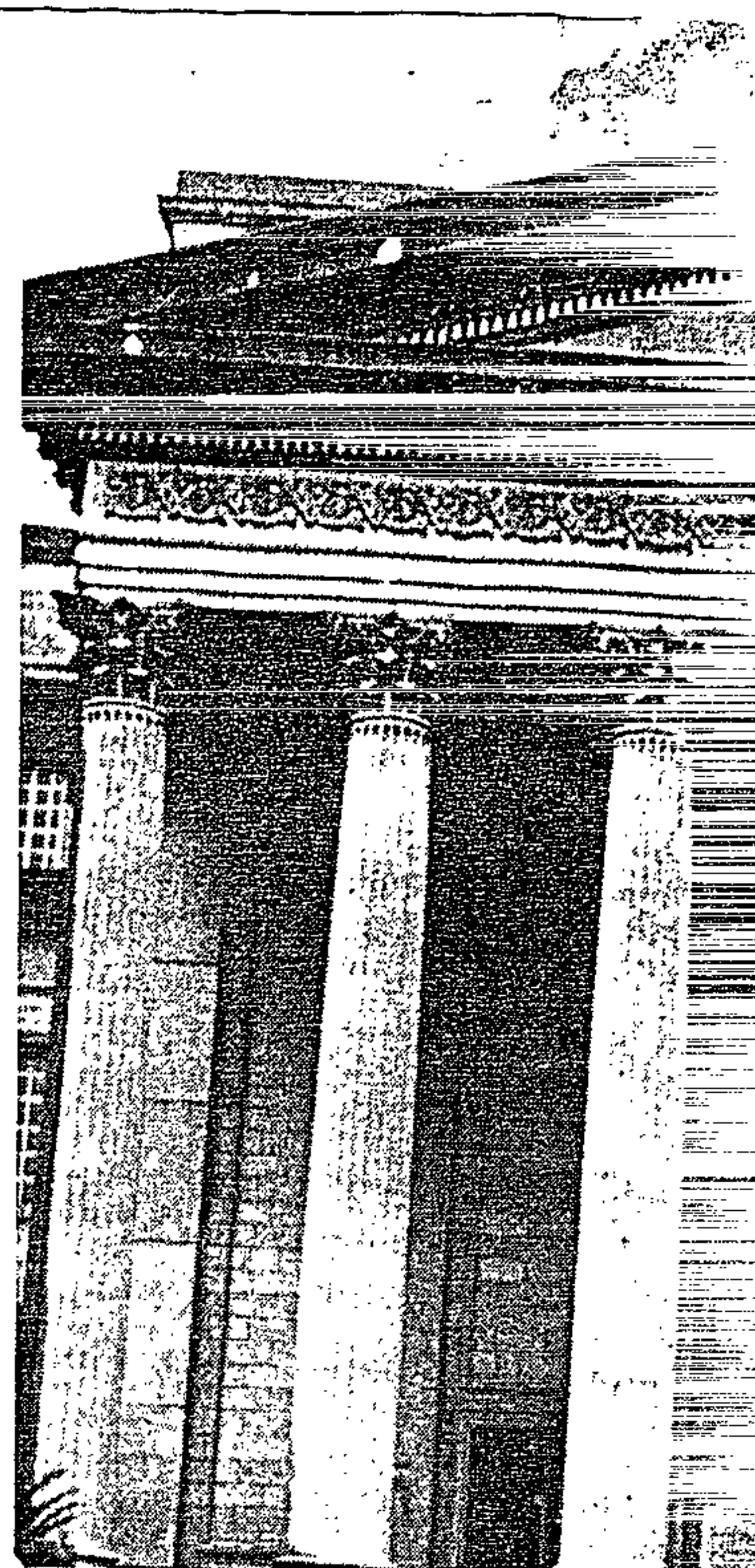
This form, which is kept by the library, also acts as a register which can be inspected at any time by the Director of Publications.

The university has no open exemption for the second category of "possession

Books behind the banning barrier

8/11
327
RDM
21/6/82

Thousands of books, magazines and newspapers have been banned in recent years — even though many of them are regarded as important academic texts. Education Reporter MARTIN FEINSTEIN examines the restrictions on the use of these books at universities.



Wits is one of those univers

prohibited" books, books which the State considers to be so inflammatory that no one may even be allowed to read them in private.

If someone requires such a book for study or teaching purposes, they must apply on a special form for an exemption for each volume they wish to look at — and this procedure is limited to post-graduate students and lecturers.

In "highly exceptional and absolutely essential" cases, application may be made for an academic to obtain a copy of the book or use it outside the library.

On the application form for this group, besides the usual particulars, the reason the book is needed must be given, as well as "any other information from the applicant to support this application".

Again, the form must be signed by the university librarian and the head of the relevant department.

There is a third category of periodicals which have been banned by the Department of Justice, including titles such as The World, Weekend World, The Guardian, Advance, New Age, Fighting Talk, the African Communist and Pro Veritate.

Also in this group are publications

and documents by listed and restricted people, which may not be distributed. No-one may quote from them without permission from the Minister of Justice.

Libraries have no open exemption for access to these publications, and applications for their use have been turned down by the Government "pending the report of the Rabie Commission into security legislation".

According to Prof Musiker, applications for access to the possession-prohibited books are speedily processed by the Directorate of Publications, under Professor A Coetzee.

But, he says, the need to fill in forms, maintain a register and exchange copious correspondence is, in fact, a form of restriction.

"Although there has been no tightening up of the regulations governing banned books, we are witnessing a definite increase in red tape — and that in itself is a form of tightening up," he said.

I asked several Wits lecturers to spell out how they felt about these regulations.

One, a member of the Congress of Academics for a Democratic Society (CADS), one of several Wits organisations strongly opposed to any restric-

tions on free access to public said: "We are completely opposed to forms of censorship, especially as it affects us in the pursuit of open inquiry, both as teachers and researchers."

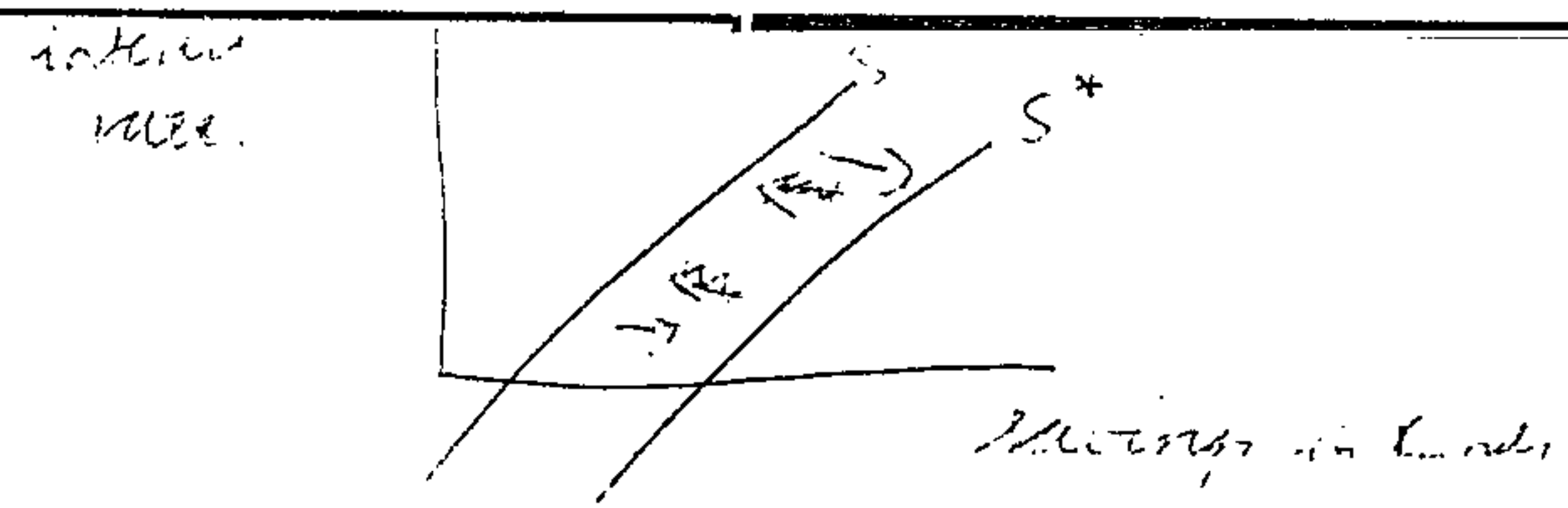
The Government, he said, wielded massive power over South Africa, both through formal channels — such as schools — and informal ones, such as television and radio.

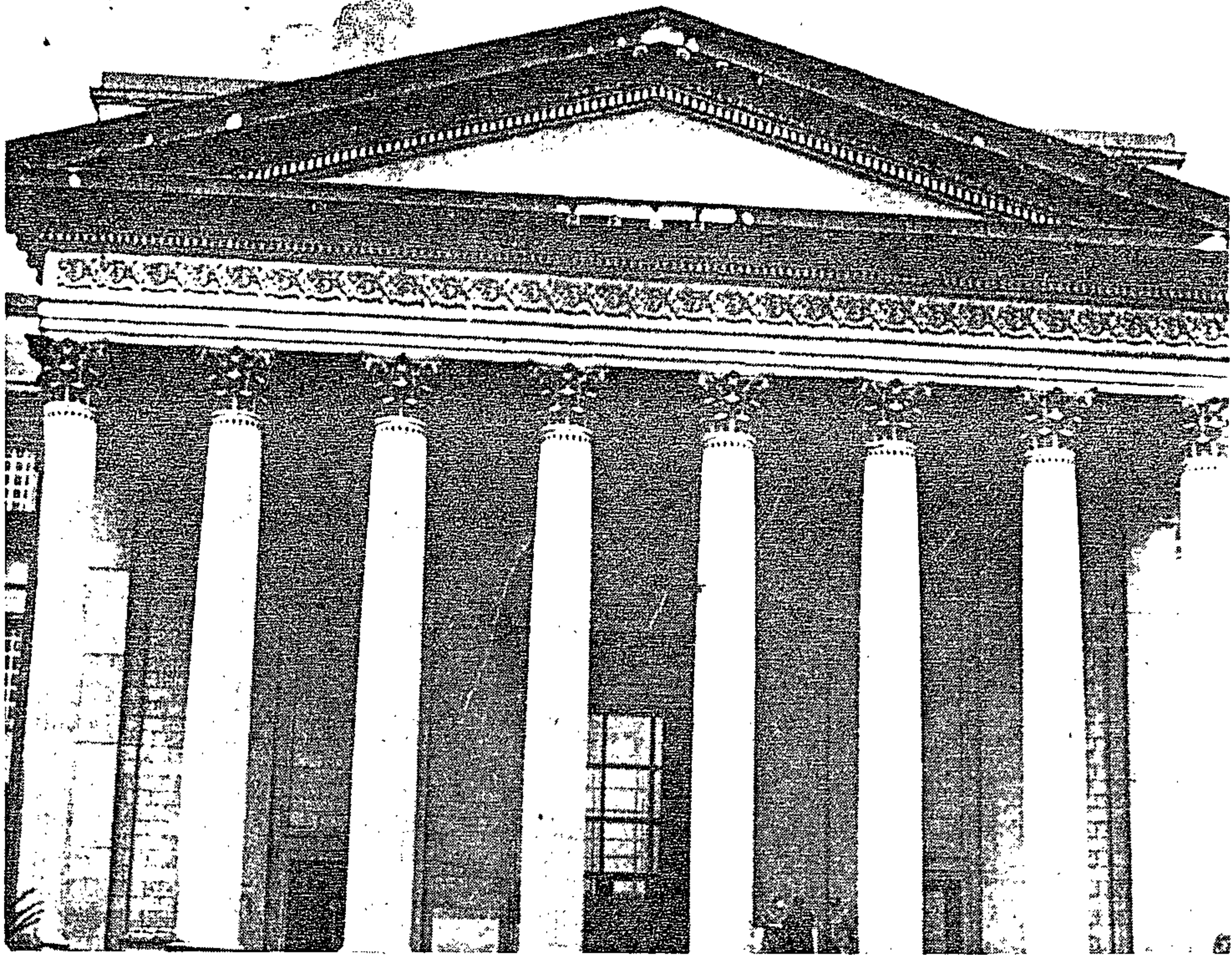
"It now seeks to extend that power to the one remaining area of freedom to choose for oneself — information is valuable and access to it is not."

"It is an obvious attempt to control the discourse of debate within Africa" — not only in the obvious subject of politics, but also in economics, sociology, history, journalism and languages.

The lecturers pointed out that affected academics who felt it their duty to try to see all sides of a debate, to bring all the evidence and come up with a reasoned, balanced analysis, were in a difficult position.

"In present conditions," said a teacher, "students are severely disadvantaged because it is difficult





Wits is one of those universities hit by the censorship of certain academic texts

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problem.

"In present conditions," said one
teacher, "students are severely disad-
vantaged because it is difficult, if not

impossible, for the full range of opinions
and debates to be placed before them.

"They are impoverished by the gaps
in the lecturer's presentation, and in
their own inability — through lack of
access — to make up their own minds on
the important issues which fall under
the censor's proscriptions.

As researchers, he said, academics
suffered "very seriously".

"Many of the more recent theoretical
trends being developed overseas are re-
garded by our censorship board as being
odious, especially if they fall within the
ambit of radical or Marxist
frameworks.

"It is difficult to be fully aware of
these new trends, or to debate them
fully, and our research is therefore
curtailed."

To name a fraction of the banned
titles: *The Political Economy of
Africa* by G Arrighi and J Saul (de-
scribed as an "essential" book for stu-
dents of African government), *Capital
and Class*, a journal of political theory,
and several issues of the journal *Re-
view of African Political Economy*
(particularly a 1976 special issue on
South Africa).

The lecturer said it was "virtually

impossible" to be fully aware of the
range of banned publications, with the
result that academics tended to err on
the side of caution when choosing or
recommending books.

"The difference, for instance, be-
tween banning for distribution or pos-
session, is often not clearly drawn, and
most academics are unsure under which
a banned publication is proscribed."

The lecturers warned of the growing
danger not only of being ill-informed
because of censorship, but also of self-
censorship.

Many academics, they said, would as-
sociate themselves with a call for the
abolition of censorship and a demand
for the free exchange of books, ideas,
knowledge and contact.

It is against this background that Wits
is expecting a "goodwill" visit from the
Director of Publications in the near fu-
ture — his second since the new rules
came into effect.

It is unlikely that he will be bearing
good news in the form of a relaxation in
the rules for access to banned books —
but hundreds of academics will be hop-
ing for just that.

*Name and circumstances changed.

'Hijack' trial counsel for 30 withdraws

Own Correspondent

MARITZBURG.

Defence counsel for 30 of the mercenaries charged with hijacking an Air India airliner from the Seychelles has withdrawn temporarily from the case because the men have run out of money.

Mr Steve Janson, who took the place of Mr Mike Hannon, who was forced to withdraw because of a conflict of interest between clients, said it was a unanimous decision by the accused men.

He said it had been agreed that he should return to argue their case when the trial reached le-

gal argument — provisionally scheduled for July 12.

Mr Janson was given leave by the Acting Judge-President of Natal, Mr Justice Neville James, to withdraw since all Mr Janson's witnesses had given evidence.

Earlier, Mr Louis Dekker, a former artillery officer and member of the Recce Commando, said the thought of fighting for any country except South Africa was "abhorrent" to him.

Mr Dekker said he would never have partaken in the coup with his co-accused unless he was sure that the government and the South African Defence Force were involved.

He understood that the government did not want to be formally involved and had operated behind a mercenary front, he said.

Mr Dekker said he had several reasons for participating in the coup. He had been recruited by Mr Alan Mann, also a Recce, whom he had no reason to mistrust as Mr Mann had saved his life on several occasions.

Several other members

To page 2

objectives of the ANC.

Mr Fine is alleged to have been an active supporter of Sactu and to have agreed to obtain information for the organization regarding labour and trade unions from 1977 to 1981, with the intent to endanger law and order.

He is alleged to have communicated with a Sactu official Mrs Jeanette Schoon, by means of "dead letter boxes" and to have learned a secret code to be used for communications — Sactu.

A

of the Recce were going on the coup bid and he had been told the SA Government, the United States Central Intelligence Agency and the Kenyan Government were aware of the plans to overthrow President Rene of the Seychelles.

Colonel Hoare had given an impression of "strength and confidence" Mr Dekker said.

Under cross-examination by Mr Hendrik Klem, SC, for the State, Mr Dekker admitted that Colonel Hoare had misled the men about "certain facts".

Mr Dekker denied that he had tried to turn State witness against his former fellow-mercenaries.

He had merely telephoned the office of Natal's Attorney-General, Mr Cecil Rees, SC, to find out why two of the accused, Mr Steyn de Wet and Mr T van Huyssteen, had been selected as State witnesses.

He felt it unfair that they should escape prosecution so simply, Mr Dekker said.

The hearing continues today.

complaints of ill-treatment and raised the possibility that Dr Aggett was further assaulted after he had made a complaint on February 4.

Dr Aggett was found hanging in his cell at John Vorster Square in the early hours of February 5 — 14 hours after making the complaint.

Mr Schabert said allegations of ill-treatment contained in the disputed affidavits were irrelevant to the medical finding that Dr Aggett died by hanging.

He argued that the fact that detainees were reluctant to lodge complaints with the Inspector of Prisons was a collateral issue and there was no evidence to suggest that Dr Aggett was inhibited through fear from making a complaint.

go down in history as a watershed year in which the seemingly all-powerful National Party had split.

But the fundamental cause of the split was about means not ends.

"The dispute is over how low a price the Nationalists can pay, in terms of basic and cosmetic changes, and yet keep control of the situation."

However, the future of South Africa depended "not on how to make apartheid work but on how to remove racial discrimination," he said.

Mr Andrew said he believed that within four or five years — maybe even at the next general election — no one party would have a parliamentary majority.

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The Seychelles trials . . .

'I was paid by other states'

Argus Correspondent

MARITZBURG. — Former Recce unit member Mr Frederick Gouws told the hijack trial today that the Seychelles operation was not the first time he had received payment from governments outside of South Africa.

Mr Gouws, 22, an apprentice instrument mechanic of Benoni, told the court he could not elaborate because of the ban on information concerning SADF operations before November 24.

He said the Seychelles coup was to be a counter to communism.

"The Western powers did not wish the Seychelles to become a second Cuba, he said.

His political feeling was the main reason for joining the group. He saw payment merely as a "bonus."

The presiding judge, Mr Justice James, commented: "That was a fairly substantial bonus for 11 or 12 days' work."

Mr Gouws: I would like to explain, but because of the Minister's ruling I can not. But it was not at all strange for me to receive so much money.

Mr Justice James: Have you ever received money from governments other than South Africa? Foreign governments like Mr Mancham's?

Mr Gouws: Yes, I have.

Mr Gouws was previously a member of No 1 and No 5 Reconnaissance

units and is now on the reserve.

He was originally contacted for the Seychelles expedition by co-accused and former Recce member Mr Louis Boucher, who asked him if he wanted to go on a "hunting expedition."

Mr Gouws said he heard Colonel Mike Hoare say that co-accused Mr Kenneth "Blue" Kelly was given to us by security.

Under cross-examination by Mr Kelly, Mr Gouws asked why Mr Kelly's name had been included in the list on the Minister's order.

Mr Kelly replied: "I suggest you and your co-accused have concocted a story to involve me to help save yourselves."

Mr Gouws said he thought the Seychelles operation was the type of special operation in which Permanent Force men could not take part but which men on the reserve list could be called up for.

He thought he had been called for the operation because he was on the reserve list.

He said the call-up instructions used for the operations made him a "bit unhappy. I saw them in the same light as I saw the entire operation."

"The Defence Force did not support it openly and would not issue official call-up instructions, but I thought the Defence Force knew about the operation."

(Proceeding)

3 jurors suddenly recuse themselves

Argus Africa News Service

VICTORIA. — Yet another delay has occurred in the Seychelles treason trial — three members of the jury sworn in early today suddenly recused themselves.

After the Seychelles Chief Justice, Mr Justice Earl Seaton, had emphasised the need for impar-

tiality on the part of the jurors, three stood up and asked to be excused because they felt they were prejudiced.

As this occurred after the jury had been sworn in, all the remaining 71 Seychellois from whom the jury had been selected had been told they could go home.

The judge was then forced to order an

adjournment while efforts were made to trace people eligible to sit.

The judge asked that immediate radio broadcasts be made in an attempt to get the rest of the potential jurors back to court later today.

By the time the three jurors recused themselves, a chairman had been selected. He is Mr

Christian Agathine, but no other details about him are known.

If Mr Justice Seaton follows the same procedure as he did earlier today, it appears he will have to repeat the lengthy warnings on impartiality he issued to all the original jurors. There could then be further recusals.

or other mate-

question you are answering.

- 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.
- Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
- Do not write in the left hand margin.

may be brought into the examination room unless candidates are so instructed.

- Candidates are not to communicate with other candidates or with any person except the invigilator.
- No part of an answer book is to be torn out.
- 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

Five admit treason

CAH Times 22/6/82
100 (227)

VICTORIA, Seychelles. — The treason trial adjourned in confusion here yesterday as one of six mercenaries charged for their alleged part in the abortive Seychelles coup attempt last November sought to change his plea to guilty.

South African Martin Dolinchev, defending himself, first pleaded not guilty to a charge of treason, the only offence punishable by death here.

The former Scottish Solicitor-General, Mr Nicholas Fairbairn, who is defending the other five accused, later told the court that Mr Dolinchev had changed his plea to guilty. Mr Dolinchev confirmed this.

Four pleaded guilty, while Robert Sims pleaded not guilty to treason.

All six are also accused of importing arms, an offence carrying a maximum 20-year jail term.

The trial was adjourned to today while the court decided whether to accept Mr Dolinchev's change of plea.

In a brief resumption of the trial later, Mr Robert Sims admitted charges of importing arms but similar charges were dropped against Mr Brooks, Mr Puren, Mr England, and Mr Carey, who had admitted treason. — Sapa-
Reuter

The board's recom- shocks this year. — DDC

327 ~~144~~ D. Dispatch
Mxenge inquest
starts July 15 22/6/82

UMLAZI — July 15 and 16 have been set aside by a magistrate here for the inquest into the death of Durban lawyer Mr Griffiths Mxenge whose mutilated body was found dumped near the Umlazi cycle track on November 19 last year.

He had been stabbed and slashed 49 times and his throat had been cut.

Although an intensive police investigation into

Mr Mxenge's murder was launched no arrests have yet been made. Investigations are continuing.

Mr Mxenge's widow, Mrs Nonyamezelo Mxenge, said yesterday she would brief counsel to represent the family at the inquest and she would be attending in her personal capacity and not as an attorney. — DDC

Advocate quits hijacking trial

327

Mercury

22/6/82

Pietermaritzburg Bureau
THE defence advocate for 30 mercenaries charged with hijacking an Air India plane from the Seychelles has withdrawn temporarily from the case because the men have run out of money.

Mr Steve Janson, who took the place of Mr Mike Hannon who was forced to withdraw because of a con-

flict of interest between his clients, said a unanimous decision had been taken by the men for him to withdraw because they were 'severely financially embarrassed'.

It had been agreed that he should return to argue their case when the trial drew to an end with legal argument, scheduled provisionally for July 12, Mr

Janson said.

Mr Janson was given leave to withdraw by the Acting Judge President of Natal, Mr Justice Neville James, who said that it was best that Mr Janson should retire at this stage of the trial rather than later.

All Mr Janson's witnesses had given evidence and there was little remaining for him to do until

legal argument began, Mr Justice James said.

He would safeguard the accused's interests and if it were found necessary, legal counsel would be called back to help with matters which arose after his withdrawal, Mr Justice James said.

Mr Janson's instructing attorney would remain in court and monitor the pro-

ceedings on Mr Janson's behalf, the Judge said.

He could understand that in a trial this length — it began on March 10 — such circumstances arose.

Earlier, Mr Louis Dekker, a former artillery officer and member of the Recce Commando, said the thought of fighting for any country except South Africa was 'abhorrent' to him.

Mr Dekker said he would never have taken part in the coup with his co-accused unless he had been sure that the Government and South African Defence Force were involved.

He understood that the Government did not want to get formally involved and had operated behind a mercenary front, he said.

Mr Dekker, the father of a three-year-old daughter and a three-month-old son, said he had several reasons for participating in the coup.

No reason

He had been recruited by Mr Alan Man, also a Recce member, whom he had no reason to mistrust as Mr Man had saved his life on several occasions.

Several other members of the Recces were going on the coup and he had been told the Government, American CIA and the Kenyan Government were aware of the plans to overthrow President René.

Col Hoare had given an impression of 'strength and confidence' Mr Dekker said.

Under cross-examination by Mr Hendrik Klem, SC, for the State, Mr Dekker admitted that Col Hoare had misled the men about 'certain facts'.

Mr Dekker, who refused to answer several questions because of a restriction placed on the release of information about military operations by the Minister of Defence last week, denied that he had tried to turn State witness against his former fellow-mercenaries.

Unfair

He had merely telephoned the office of Natal Attorney-General

Guilty plea by four mercenaries

By EUGUENE HUGO

VICTORIA—Four mercenaries pleaded guilty to treason charges here yesterday.

They are: Bernard Carey, Jeremiah Puren, Roger England and Aubrey Brooks.

All now face the death penalty under the treason charges of these western Indian Ocean islands.

Two of their colleagues — Robert Sims and Martin Dolinchek — are being treated separately.

Sims is to face charges of illegally importing weapons of war to these islands.

He has already been convicted and will soon face sentence — up to 20 years' imprisonment.

Mr Martin Dolinchek in fact pleaded guilty to treason charges yesterday but made so many qualifications that Chief Justice Earl Seaton decided to deliberate on his plea.

He will decide this morning whether the South African spy has in fact pleaded guilty or not guilty.

Should he decide that Mr Dolinchek has pleaded not guilty there will be a separation of trials.

But the Seychelles Chief Justice has made it clear that he will not sentence a single mercenary until he has clarity on each of the six remaining accused.

Mr Sims was a central figure in delicate legal negotiations between defence and the prosecution.

These negotiations led to the sudden release of Mr Sims's common-law wife, Mrs Susan Ingles.

It is understood that part of the legal view was to include the freedom of Mr Sims, but Seychelles authorities indicated at the last minute that they were not prepared to allow him to go free.

to find out why two of the accused, Mr Steyn de Wet and Mr T van Huyssteen, had been selected as State witnesses.

The men had committed the same alleged offences as he had and he felt it unfair that they should escape prosecution so simply, Mr Dekker said.

The hearing continues today.

Magazines foot legal bill

Mercury Reporter

FUNDS for the defence of the five legally-represented mercenaries facing treason and other possible charges in the Seychelles have been guaranteed by Scope and Rooi Rose magazines — in return for exclusive publishing rights on their various misadventures relating to the abortive coup on the islands.

The deal follows considerable doubt about whether costs for the continued retention of the men's three-man legal team, headed by British barrister and MP, Mr Nicholas Fairbairn, QC, could

be met.

It was established last week that unless R50 000 could be 'put up front' towards incurred and continuing legal expenses, the representation might have had to be withdrawn.

The sum in question is believed to be in the region of this amount, although a figure could not be confirmed yesterday by either Durban instructing-attorney Mr Graham Fowles or Scope's editor, Mr Dave Mullaney.

Mr Fowles said he was not able to disclose terms of the deal negotiated between his clients and Scope.

Riddle of

ARGAS 22/6/82

vanished

student

leader

Political Staff

MRS Di. Bishop, MPC for Gardens, said last night she shuddered to think of the fate of student leader Mr Siphiwo Mtimkulu, as being similar to that of other ex-detainees who disappeared without trace.

Speaking at a report back meeting of the Progressive Federal Party in Gardens, she said she feared for the safety of Mr Mtimkulu, who disappeared on April 14 after thallium poisoning.

"South Africa cannot afford to lose this young man. Where is Siphiwo Mtimkulu?" Mrs Bishop asked.

At this time last year Mr Mtimkulu was in detention which lasted five months. He was released without charges being brought against him.

'DEEP RESPECT'

After his release he became seriously ill. His condition was diagnosed as being the result of thallium poisoning and he spent weeks recovering in Groote Schuur Hospital.

"It was during that period that many of us came to know Siphiwo and we learned to appreciate why adult leaders in Port Elizabeth had such a deep respect for him and for his fine leadership qualities," Mrs Bishop said.

On April 14 this year Mr Mtimkulu disappeared without trace.

Dolinchek changes treason plea to guilty

VICTORIA—A self-confessed South African intelligence agent yesterday became the fifth person to stand trial for treason for his alleged role in a failed mercenary operation in the Seychelles last November.

If convicted, Mr Martin Dolinchek could be hanged. He had changed his plea in court yesterday to guilty from not guilty and the trial was adjourned for the Judge to deliberate.

Chief Justice Earle Seaton ruled yesterday morning that Mr Dolinchek had not understood the treason charge well enough to plead guilty to it, and entered his plea as not guilty.

Mr Dolinchek, defending himself, was alone in court yesterday.

Former Scottish Solicitor-General Nicholas Fairbairn is defending five other white mercenaries facing similar charges.

Four of them — South African Jeremiah Puren, Briton Bernard Carey and Zimbabweans Aubrey Brooks and Roger England — pleaded guilty to treason on Monday. Charges against them of illegally importing arms were dropped.

Sentencing has been held over until Mr Dolinchek's trial ends.

The sixth accused, South African Robert Sims, pleaded not guilty to treason on Monday but guilty to the arms charges.

The treason charges against him were dropped yesterday without explanation.

Charges against another South African, Mrs Susan Ingles, alleged to have been an accomplice, were dropped last week without explanation and she was deported to South Africa. — (Sapa-Reuter)

● See also Page 22

Transfers from Robben Island

Staff Reporter

MANY prisoners are believed to have been transferred from Robben Island to prisons in the Western Cape during recent months.

The transfers follow those of the African National Congress leadership from the island's maximum security prison to Pollsmoor prison in Tokai earlier this year.

Nelson Mandela, the ANC's former president; Walter Sisulu, the movement's former secretary-general, and two other ANC leaders, Raymond Mhlaba and Andrew Mlangeni, were transferred at the beginning of April.

Students

Among those believed to have been transferred in recent months are Govan Mbeki, Ahmed Kathrada and Elias Motsoaledi, who, together with Mandela and Sisulu, were sentenced to life imprisonment in the marathon Rivonia trial in 1964.

Convicted members of the Pan African Congress (PAC) and students jailed

in the wake of the 1976 Soweto uprising are also thought to be among the prisoners transferred from Robben Island.

A spokesman for a church organization, which assists the families of political prisoners, said many relatives who formerly travelled to Robben Island were now visiting prisoners in Pollsmoor and at Helderstroom prison near Genadendal.

The Department of Prisons has however refused to disclose the number of prisoners transferred and declined to comment on specific cases.

A spokesman for the department's liaison service said in a prepared press statement: "Transfers from one prison to another take place regularly for administrative reasons. It is not the policy of the Prisons Service to give details of such reasons or to comment on administrative matters of this nature."

The spokesman said it was however standard practice to notify the relatives of a transferred prisoner as soon as possible.

Mystery of 2 other missing ex-detainees

ARGUS 23/6/82

THE disappearance of ex-detainee Mr Siphiso Mtimkulu on April 14 this year has drawn attention to two other ex-detainees from Port Elizabeth who are missing.

Mrs Molly Blackburn, MPC for Walmer, said two families had asked her to assist in tracing detainees who had disappeared.

Mr Gcinisizwe Kondile, an ex-student at the University of Fort Hare, has been missing for about a year.

Mr D Kondile, his father, an attorney, said his son had left Fort Hare after the boycotts in 1980 and went to Lesotho with friends.

About a year later, in mid-1981, he disappeared from Lesotho and friends contacted the family in PE.

NOT SEEN

Mr Kondile said the security police confirmed his son had been arrested in 1981 but said he had been released later.

"He has not reappeared anywhere. His mother has been to Lesotho to try to find him, but no one there has seen him. And he has not been seen in Port Elizabeth," said Mr Kondile.

In June this year, the Minister of Law and Order, Mr L le Grange, confirmed his detention and release in reply to a question by Dr Marius Barnard, MP for Parktown.

Mr le Grange said Mr Kondile had been detained on June 26 1981, first under the Criminal Procedures Act, then under Section 22 of the General Laws Amendment Act, and later under Section 6 of the Terrorism Act.

He was released on August 10, said Mr le Grange.

He had not been visited by either a magistrate or a district surgeon, while in detention, but had been seen by an inspector of detainees on August 3, according to Mr le Grange.

Another detainee, Mr Gwza Buckworth Twalo, has been missing for more than two years.

In a letter to Mr Twalo's attorney dated 12 May 1981, the Commissioner of Police confirmed he had been detained in January 1980 under Section 6 of the Terrorism Act, but released on May 1980.

"We are not aware of his whereabouts," said the commissioner.

Mr Twalo, who had been living in Lesotho with his wife, Mrs H Twalko, a Lesotho citizen, was apparently detained in the Aliwal North vicinity.

His wife has not seen him since. Relatives in the Transkei say they have also not seen or heard from him.

Dolinchek's diary censored

CAPL TIMES
24/6/82

327

From EUGENE HUGO

VICTORIA, Seychelles. — Seychelles Chief Justice Earl Seaton ruled yesterday that certain passages of a diary kept by a South African spy, Mr Martin Dolinchek, should be censored.

The ruling came after Mr Dolinchek told the court during his treason trial that "a page or two" of the diary might embarrass his family.

Before the diary was put on the court record the Chief Justice ordered that any passages not relevant to the case should be "blacked out" or "clipped out" to remove them from the notice of the jury.

The diary was kept by the self-confessed National Intelligence Service (NIS) agent while he was allegedly doing intelligence work here for Colonel "Mad Mike" Hoare in preparation for the bungled coup in November last year.

Death sentence

Mr Dolinchek and four of his mercenary colleagues — Mr Aubrey Brooks, Mr Roger England, Mr Jeremiah Puren and Mr Bernard Carey — face the death sentence if convicted of treason.

The intelligence agent is being tried separately after the judge ruled that his plea of guilty could not be accepted along with the guilty pleas of his four colleagues.

Earlier a series of statements made by Mr Dolinchek to the police were read out in court. He claimed:

- Colonel Hoare had "crossed" him by getting him to carry a cricket bag into the country without telling him there would be an AK47 assault rifle in it.

- The mercenary leader told him the coup attempt would have to be launched on a Thursday, the day after the main mercenary force arrived in an Air Swazi jet, because his men were "a bunch of drunks" and would not last until the Friday.

- He had an altercation with Mr Carey and Mr Sims, who were with him

in the Seychelles as part of the advance party, because they were drinking too much.

- Before he left for the Seychelles on November 14 last year he had told Colonel Hoare that the mercenary leader could not use an "old Congo renegade" like Mr Puren to deal with local politicians and had been surprised when Mr Puren arrived on the island.

In the statements to the police, taken between December 5 and January 11, Mr Dolinchek said he had met Colonel Hoare in 1974, when the mercenary leader had been recruiting an international brigade to fight for the Smith government in Rhodesia.

'Van den Bergh'

Mr Dolinchek said his intelligence chief, General Hendrik van den Bergh, had told him not to have anything to do with it and to instruct Colonel Hoare not to interfere in Rhodesia. In spite of this he had joined the coup plans as an intelligence agent.

At one stage he had helped test the 80 AK47 assault rifles later be used for the coup attempt with Mr Sims and Colonel Hoare's two sons.

Throughout his statements Mr Dolinchek claimed that Colonel Hoare had misled him about Seychelles politics. He had been led to believe the islands were controlled by the Soviet Union, Lybia, and the Palestine Liberation Organization.

The NIS agent repeated earlier claims about the involvement of the Kenyan Government, saying that it was planned that in a follow-up operation two aircraft would fly Kenyan army and police contingents to the Seychelles to maintain law and order.

The trial will continue today.

CAPL TIMES
24/8/82 (327)

Officer tells of misused forms

Own Correspondent

MARITZBURG. — Official South African Defence Force call-up instruction forms had been misused to secure the services of some mercenaries for the Seychelles coup, the hijack court trial was told yesterday.

Mr Johannes de Beer, a lieutenant with the elite Recce commandos, admitted that he had given several accused call-up papers after they had said they were experiencing difficulty in obtaining leave to go on the coup to the Seychelles in November last year.

Issued the papers

Mr De Beer said he had "taken it on myself" to issue the papers and had given them to several other members of the Recce commandos.

He admitted under cross-examination by Mr Cecil Rees, SC, the Attorney General for Natal, that he had told the men not to hand in the forms if possible.

The counterfoil asking members to acknowledge receipt of the instructions had been removed, he admitted.

He also said that all members who had been given the papers had been told they were not official.

Become official

When asked why he had not consulted the general and two brigadiers, who Colonel Hoare said, had approved his Seychelles coup plan for their assistance in obtaining the men's services, Mr De Beer said the matter would then have become official if the senior officers had issued call-up papers.

He had filled in the papers himself because he believed the SADF was giving covert support to the coup, he said.

Earlier, the call-up matter was disputed between the defence and State after Mr De Beer refused to answer questions on the issue for fear he might incriminate himself on the matter.

The hearing continues today.

Dolinchek's diary to be censored

Mercury Correspondent

VICTORIA—Seychelles Chief Justice Earl Seaton ruled yesterday that certain passages of a diary kept by Mr Martin Dolinchek should be censored.

The ruling came after Mr Dolinchek told the Court during his treason trial that 'a page or two' of the diary might be embarrassing to his family.

Before the diary was put on the record, the Chief Justice ordered that any passages not relevant to the case should be removed.

The diary was kept by the self-confessed National Intelligence Service agent while he was allegedly doing intelligence work here for Col Mike Hoare in preparation for the bungled coup in November last year.

Sentences

Mr Dolinchek and four others — Mr Aubrey Brooks, Mr Roger England, Mr Jeremiah Puren and Mr Bernard Carey — face possible death sentences under the island's treason laws.

Mr Dolinchek is being tried separately after the Judge ruled that his plea of guilty could not be accepted along with the guilty pleas of his four colleagues.

A sixth man, Mr Robert Sims, had treason charges against him withdrawn after he pleaded guilty to a charge of illegally importing weapons of war into the Seychelles — a charge which carries a maximum penalty of 20 years' imprisonment.

Earlier a series of statements made by Mr Dolinchek to the police were read out in court in which he claimed that Col Hoare had 'crossed' him by getting him to bring a 'cricket bag' into the country which he realised only at the Seychelles International Airport had an AK-47 rifle in it.

The mercenary leader told him the coup attempt would have to be launched on a Thursday, the

• TURN TO PAGE 2

Seychelles

FROM PAGE 1

day after the main mercenary force arrived in an Air Swaziland because his men were a bunch of drunkards and would not last until the Friday.

Mr Dolinchek said in the statements that he had had an altercation with Mr Carey and Mr Sims because they were drinking too much and he was told he would be shot in the back. He said he had not liked Mr Sims at first sight because he was 'a big-drunkard'.

Before he left for the Seychelles on November 14 last year he had told Col Hoare that the mercenary leader could not use an 'old Congo renegade' like Mr Puren to deal with local politicians and had been surprised when Mr Puren arrived on the island.

He had met Col Hoare, he said, in 1974 when the mercenary leader had been recruiting an international brigade to fight for the Smith Government in Rhodesia.

Mr Dolinchek had however, been told by his intelligence chief, Gen Hendrik van den Berg, to instruct Col Hoare not to interfere in Rhodesia and was told not to have any further dealings with the man.

Throughout his statements Mr Dolinchek claims that Col Hoare had misled him about Seychelles politics which he then believed were controlled by the Soviet Union, Libya, and the Palestine Liberation Organisation.

Overthrow

In discussions about the Seychelles the country's various defences were pointed out to him and he was also shown where there was a 'huge camp' manned by the KGB.

Outlining the plans to overthrow the René regime and reinstate Mr James Mancham, Mr Dolinchek said Col Hoare told him Mr Mancham was necessary to give the coup attempt some appearance of legitimacy in Western eyes.

The NIS agent repeated earlier claims about the involvement of the Kenyan Government, saying

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The NIS agent repeated earlier claims about the involvement of the Kenyan Government, saying that it was planned that in a follow up operation two aircraft would fly Kenyan army and police contingents to the Seychelles to administer law and order.

The hearing continues.

• See also Page 19

Own Correspondent

JOHANNESBURG. — All whites, whether journalists or friends of the dead man, have been barred by the South African Police from attending tomorrow's funeral of trade unionist Joseph Mavi.

The West Rand Administration Board, in consultation with the SAP, has decided not to issue any permits for whites to enter Soweto and attend the funeral.

This emerged yesterday as a committee, formed by the dead man's friends, desperately tried to find a venue big enough to accommodate the thousands of mourners. Permission to hold it in Regina Mundi Cathedral, the only

building in Soweto big enough to hold the crowd, has already been refused because Mr Mavi was not a Roman Catholic.

Alternative arrangements to accommodate mourners at two separate venues — St Francis Assisi, Rockville, and Mndeni, also hit a snag last night. The committee met in Johannesburg in an attempt to find a solution.

Brigadier D J D Jacobs, Divisional Commissioner of Police in Soweto, said

yesterday that police would withdraw permits issued previously found on any whites attending the funeral.

He told the Rand Daily Mail that police were acting in terms of the Act No 25 of 1945.

The Act, as gazetted in June, 1968, concerns the "control and supervision of an Urban Bantu Residential Area".

Section 19, Paragraph Four, states that a permit

"may at any time in the discretion of the superintendent be withdrawn by him without furnishing reasons for such withdrawal". Superintendent, can in terms of the Act, be defined as either Wrab or the SAP.

Mr Alec Rabie, the director of community services of the Wrab, yesterday said Wrab had consulted with the police and "no permission will be granted for whites to

attend or cover the funeral".

Several white friends and white speakers were to pay their respects to the founder of the Black Municipality Workers' Union. Mr Mavi, who was killed in a car smash in the Free State earlier this month, was the organizing force behind the strike which left tons of uncollected rubbish on Johannesburg streets in 1980.

His death led to a legal battle earlier this week between his ex-wife, Caroline, and pregnant common-law wife, Catherine, for possession of his body. The Commissioner's Court decided in favour of his common-law wife.

CAPL Times 25/6/82 127 327
Whites barred from Mavi's Soweto funeral



Mr Ian Smith

Ian Smith has heart attack

HARARE — the former Minister of Rhodesia Ian Smith was taken to hospital from the Rhodesian Parliament yesterday afternoon after collapsing from an apparent heart attack.

The former Rhodesian prime minister, who turned 63 on July 8, was talking to fellow MPs in the corridor of the parliamentary building room at 3.30 pm when he collapsed.

The newly-elected Republican Front member, Mr Ian Smith, a former army medical orderly, received first-aid and Mr Smith soon regained consciousness.

An ambulance called

Smith was helped to his feet and rested in the Speaker's chamber while an ambulance called to take him to the Parirenyatwa Hospital (formerly the Andrew Flem-

ing Smith, in his youth a sportsman in many ways, established a reputation during his 14 gruelling years in office for his physical fitness.

He was in the chamber of the House of Assembly about two hours yesterday afternoon, looking tired and making humorous interjections at Dr Ushewokunze's contributions as the Minister in Mr Robert Mugabe's government responsible for the police.

Mugabe, who had been in the House, sitting opposite Mr Smith on the government front, had just left the

SAP bid to ban news of arrests

Cape Times 25/6/82
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324

Own Correspondent

JOHANNESBURG. — Police last night attempted to suppress any information concerning the detention of four journalists and two others, and for the first time invoked section 27c of the Police Act.

The names of the journalists and two others were widely known yesterday — the names and details of the detention were carried in radio bulletins, printed in various newspapers and distributed by the South African Press Association (Sapa).

Major V Du Plessis of the police division of public relations in Pretoria, said yesterday that on instructions from General Koos Coetzee, chief of the security police, newspapers were warned under section 27c of the Police Act No 7 of 1958 not to publish anything about the detentions.

The police also refused to confirm the detentions or say under which Act the people were being held.

Warned

Major Du Plessis said Sapa and newspapers had also been warned of the consequences.

Section 27c of the Police Act deals with the prohibition of publication in any newspaper, magazine, book, pamphlet or by radio of any information in relation to the constitution, movements, deployment or methods of any member or part of the force concerned in any action for the prevention or combating of terrorist



Mr Dave Dalling



Mr Louis le Grange

activities as referred to in Section 2 of the Terrorism Act of 1967.

It also states that it is an offence to publish anything in relation to any person against whom, or group of persons against

which, any action referred to above is directed, or in relation to any action by such person or group of persons.

The penalty for contravention is a fine not exceeding R15 000, or imprisonment not exceeding eight years, or both.

'Horrendous'

The PFP's media spokesman, Mr Dave Dalling, said the police action in prohibiting the publishing under Section 27c of the Police Act of the names of those detained brought starkly into focus the "horrendous power" of a government which could make people disappear without trace and without any public inquiry being allowed.

"This form of police action cannot be endured except in the direst circumstances."

"I therefore call on the Minister of Law and Order, Mr Louis le Grange, to justify the action he has taken, and secondly to release within 48 hours the names of those detained," Mr Dalling said.

The Southern African Society of Journalists has condemned the detention of the four journalists and has called for their immediate release.



What better way to taste the free Soon after they left Jan van Rie pupils, from left, Tonja Dannha and Cornelia Smit, 14, take to the

Mugabe left unscathed soldiers at

From STAN TAYLOR

HARARE. — The Prime Minister of Zimbabwe, Mr Robert Mugabe, was left unscathed by an attack on his official residence early yesterday by army soldiers who earlier had seized a truck and weapons from barracks nearby.

The attackers — believed to number about eight — later turned their guns on the home of the Supplies Minister, Mr Enos Nkala, who was also unhurt, and fled after an exchange of fire with a bodyguard.

They left behind the body of a black man

in the morning put in a brief at Parliament.

The attack on the seizure of the truck FN 777 rocketed the King George V barracks about Mr Mugabe.

Soon after pulled up a Zimbabwe House was an exchange between the and the Prime guards Reserve area reported machine gun fire.

C-7.

B

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reacting to the news of the police attempt to suppress information concerning the detentions, said: "Detention without trial is bad enough, but when the public is denied the right to know who is being detained, the situation is made infinitely worse."

"Harassment of journalists has no place in a democratic society and the Minister of Law and Order should lose no time in disclosing why these people have been detained and who they are."

"Equally, if they have committed an offence, the sooner they are brought to open trial the better".

Seychelles army majors named in list

Mercury Correspondent

VICTORIA — Five Seychelles army majors were named in a list found in the hotel room of mercenary Bernard Carey two days after last year's failed coup.

They are Majors Rolly Marie, Raymond Bonte, McDonald Marengo, Claud Vidot and Phillip Lucas.

The list was handed in as an exhibit in the treason trial of alleged South African spy Martin Dolinchek.

Also on Mr Carey's list were names of his colleagues,

a reminder about 'pocket money for the boys', a note about radio allocations and a further note that the Seychelles Resistance Movement's shirts were blue.

Other exhibits identified for the Court record yesterday were 11 AK-47 assault rifles, magazines, ammunition, walkie-talkie radios, spare rifle parts and 17 travel bags with false bottoms.

One exhibit was a travel bag which contained a passport in the name of Michael Thomas Bernard Boarel, an international health certificate, a return air ticket to the Seychelles and a document listing radio frequencies.

Attorney-General Bernard Rassool told the Court that the passport would be shown to be that of Col Hoare.

Among radio frequencies allegedly found with Col Hoare's belongings was the call sign of a Beechcraft Super King aircraft 'November 821 Charlie Alfa', a code listed as 'Cloudburst' and a reply 'Fairytale'.

Mr Dolinchek once again declined to cross-examine a series of police and army witnesses and asked only once whether the evidence of yesterday was relevant in his trial.

Diary 327 Mercury 25/6/82 tells of Soviet, Chinese link . . .

By EUGENE HUGO

VICTORIA — Disjointed details of alleged Russian and communist Chinese presence on the Seychelles emerged yesterday from the diary of South African spy Mr Martin Dolinchek.

The diary — portions of which were censored by the treason trial judge here because they would be embarrassing to Mr Dolinchek's family — was kept during the 10-day build-up to the abortive Seychelles coup in November last year.

After Mr Dolinchek had been captured with six of his mercenary colleagues, the diary was recovered by police from its hiding place under a rock in the thick bush near Victoria.

The Dolinchek diary was read into the Court records during the trial in which he faces the death penalty if convicted under local treason laws.

In spite of repeated references to Russian, Chinese and Tanzanian presence on the Indian Ocean island, Mr Dolinchek kept referring to the beauty of the Seychelles and at one point stated: 'I wish I could stay here.'

While the Government

of President Albert René was well disposed towards the Soviet Union, Seychellois had no time for Russians, he wrote.

Guarded

In the diary he noted that he had encountered six adult Russians in a shopping arcade who had told him they were attached to the Department of Youth and Development, teaching athletics and other sports.

He reported seeing a lot of Chinese communists in white military uniforms who kept to themselves and ate only in closely guarded embassy restaurants.

The diary claimed that Lybians were building a big house on North Mahe for juvenile delinquents which at that time had been half completed.

He had found a Russian compound on South Mahe housing 175 people surrounded by a high wall with a control gate. He had been told the complex had cost about R9 000 000.

Mr Dolinchek said he met 20 Chinese communists while swimming. They had been 'all smiles' when he told them he was South African.

He had sat among 48 adult Russians at a football match between Russian and Seychellois sides at which the Russians had been jeered.

The diary sketched encounters with various people, made repeated references to mercenary colleagues as 'drunkards' and related a number of amusing incidents.

At one point he described how he took a young Seychellois home at midnight after he had claimed his father was involved in anti-Government activities.

But the Seychellois had made sexual advances.

Before the coup Mr Dolinchek noted military activities and acted like a tourist, according to the diary.

Almost every diary entry started with the words: 'What a beautiful and peaceful day'.

The diary described how friendly the people were and of one boy in particular he says: 'What a beautiful kid... like my own son.'

The diary ended abruptly on November 24 — the day before the bungled coup — with a note that 'all is quiet'.

Degree/Diploma:
you are registered

Subject.....
(to be copied)

Paper No.....
(to be copied)

NOTE CAREFUL

1. Enter at the top of the block question you
2. Blue or black 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.
3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
4. Do not write in the left hand margin.

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

Hoare was SADF 'front' Court told

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25/6/82

Pietermaritzburg Bureau

AN ACCUSED in the Seychelles hijack trial here claimed yesterday that Col Mike Hoare had led the coup on the islands as a 'front man' for the South African Defence Force.

Mr Keith MacLeod, a Bloemfontein man who is a sergeant with the Recce commandos, said he believed Col Hoare was 'the instrument of the Defence Force' and had acted as 'a front and shield' for the department while planning the coup.

Mr MacLeod, who denied any knowl-

edge of the alleged hijacking of an Air India Boeing 707 from Mahé International Airport to Louis Botha Airport in Durban on November 25 last year, said he had not seen any of the crew members of the jet threatened during the flight to South Africa.

He had known only about half of the mercenaries by the time the party had arrived on the islands, but had still felt the coup had the unofficial, covert support of the Defence Force.

It was not unusual to go on an operation without knowing any of the other men involved, he said.

Asked by Mr Hendrik Klem, SC, the Deputy Attorney-General of Natal, who is prosecuting for the State, if he thought it unusual for soldiers to be paid R10 000 for a military operation by a foreigner, Mr MacLeod said he had not found this at all unusual.

'Mercenaries cannot be paid by the Defence Force. It was a full mercenary front,' he said.

For this reason South African involvement had been limited to between 10 and 13 Recce commandos and the rest of the party had been composed of foreigners, he said.

Financing would have had to come also from foreign sources to fit in with the cover, he said.

The hearing continues today.

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Accused told to 'kill Rene'

Mercury Reporter

A DRAUGHTSMAN, one of the accused in the hijack trial, had been instructed to seek out President René of the Seychelles and top-ranking Government officials and eliminate them.

This was said in evidence yesterday by Mr Pieter Dooreward, 28.

He is appearing with 42 others in the Supreme Court, Pietermaritzburg, before Mr Justice Neville James, in connection with the alleged hijacking of a Boeing 707 from Mahé to Durban in November last year.

Asked by the Judge how much money he had been

offered to complete the task, Mr Dooreward replied that no specific amount had been promised but it was between R20 000 and R30 000.

Under cross-examination by the State Advocate, Mr Hendrik Klem, Mr Dooreward, a member of 2 Recce Battalion, and a military policeman in Pretoria, said his instructions had been to find

President René and two top officials and arrest them.

If there was a problem or if they resisted arrest they were to be killed, Mr Dooreward said.

Replying to a question

from Mr Klem about why he had said in a statement to the police that Col Mike Hoare, leader of the mercenaries who failed to overthrow the Seychelles Government, had instructed him to find President René and kill him, Mr Dooreward said everything he said on his return to Durban had not been taken down by the person who had taken down his statement.

Mr Dooreward said he was certain he said that President René and two others were to have been arrested, and if there had been problems they were to have been eliminated.

Another instruction was to take over the Government buildings in the Seychelles. If President René was not out of the way a takeover of the Seychelles would not have been successful.

Meetings

Asked by Mr Klem if an order from the South African Government and the Defence Force to murder would be lawful, Mr Dooreward said it would in terms of military procedure.

He said he had been told at meetings before going to the Seychelles that the Prime Minister, the Defence Force and other Government officials had approved the coup.

Another accused, Mr Desmond Walker, 27, a nature conservationist, said he went to the Seychelles purely as a mercenary.

He went in the belief that if anything went wrong he could turn to the South African Government and Defence Force for help.

Cross-examination of Mr Dooreward continues on Monday.

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'Mad Mike' in all out bid to help island five HOARE'S LUXURY CAR UP FOR SALE AFTER LEGAL FEE MUDDLE

By ROD JACKSON-SMITH

A DESPERATE attempt to raise funds by mercenary leader Colonel Mike Hoare — including the sale of his luxury Rover car — has been launched to save five of his colleagues facing possible death sentences for high treason in the Seychelles.

The fundraising effort, now in full swing, follows an apparent misunderstanding between Colonel Hoare and Nicholas Fairbairn QC, the man engaged to defend five of the six men now on trial on the island, in the wake of the abortive coup there last year.

Mr Fairbairn, former Solicitor-General of Scotland, described in legal circles as "brilliant" was engaged on the mistaken belief that he would offer his services free of charge, except for disbursements — first class air travel, accommodation and living expenses.

But when the Scottish barrister arrived in

South Africa earlier this month to be briefed on the Seychelles trial, he refused this, according to informed sources.

He claimed he had been engaged "on the normal basis" which, according to reliable sources, would amount to a daily fee of about £2000.

Sources close to Colonel Hoare — he and 42 others are now facing hijack charges in the Supreme Court in Pietermaritzburg following the coup attempt — this week described the turn of events as "inex-

plicable" but confirmed the colonel's car had been put up for sale.

The silver-grey, six cylinder car is now waiting for a buyer at a motor dealer's showroom in Church Street, Pietermaritzburg — with a R10 750 price tag attached.

It was also learned that despite the misunderstanding Mr Fairbairn agreed to defend the five mercenaries in the Seychelles on the basis that his fees would be met.

structing attorney in Durban, Graham Fowles, who told the Sunday Tribune: "The costs factor is still unresolved, but everything will be done to raise whatever his fees turn out to be."

Mr Fowles, who was reluctant to discuss the issue — he did not engage Mr Fairbairn's services, but became the instructing attorney once Mr Fairbairn arrived in South Africa — backed the claim that there had been a misunderstanding about the conditions of the Scottish barrister's appointment as defence counsel.

speculate on the eventual legal bill, but sources suggested it could be considerably higher than R50 000, the figure reportedly paid by a publishing company in South Africa for the rights to the story of the mercenaries on the island.

Despite the misunderstanding over Sir Fairbairn's appointment he has been credited with what was described to the Sunday Tribune as "an incredibly good job" on negotiating the release of one of the accused, Mrs Susan Ingles, the dropping of treason charges against Mr Sims and the dropping of one treason charge against Mr Carey — in the face of reportedly marked backlash in Seychelles Government circles.

our making," said Mr Fowles.

The five men being represented on the island by Mr Fairbairn are former British paratrooper and Rhodesian SAS corporal Roger England, former Selous Scout Aubrey Brooks, Englishman Bernard Carey, former Natal Provincial Council candidate Jenny Puren and Colonel Hoare's brother-in-law, Robert Sims.

Mr Fairbairn's stay on the island has turned out to be more lengthy than originally anticipated, adding to the costs. At this stage no one is willing to

THE SEYCHELLES HIJACK TRIAL

VICTORIA — A nervous mercenary, apparently worried about customs regulations on underwater flippers and goggles, caused the failure of the attempted coup in the Seychelles last November, the Seychelles High Court was told this week.

The prosecution presented a stream of witnesses outlining the chance discovery of the coup bid during the trial of former South African BOSS agent Martin Dolinchek.

Mr Dolinchek is charged with treason and faces a possible death sentence if convicted. He has pleaded not guilty.

The prosecution says Mr Dolinchek was a spy for the mercenary band led by Colonel Mike Hoare, who led more than 40 mercenaries in a bid to topple the socialist government of Mr Albert Rene.

They were found carrying weapons at the airport and were forced to flee aboard an Air India Boeing.

Colonel Hoare and 42 other mercenaries are now on trial in South Africa over the alleged hijacking of the aircraft.

Mr Dolinchek and six others were captured on the islands.

Red alert went up at 'green light' exit

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S. Express
27/6/82

Mrs Susan Ingles, has been released and returned to South Africa. Four others have pleaded guilty to treason and another has pleaded guilty to a charge of importing arms into the Seychelles.

Airport customs officer Mr Vincent Pillay said in evidence on Friday that all but one of the mercenaries had gone through the 'green light' (nothing to declare) customs section and were on three tour buses when "a young man with a moustache"

walked through the 'red light' (something to declare) lane.

"The man asked if goggling equipment must be declared," Mr Pillay said.

By that time his bag had been searched — and a gun found in a false bottom.

Airport security chief Mr Kerchen Esparon walked out of the customs hall and ordered the buses not to leave.

Then someone shouted: "They have guns!"

One of the bus drivers testified that a man in his 60s shouted "Come on boys", and the mercenaries pulled their bags from the bus roof and began assembling weapons.

One mercenary then shot Mr Esparon in the shoulder. Police and soldiers from a nearby barracks joined the fight and the mercenaries were trapped until their escape aboard the Air India jet.

Other evidence included details of telex bank transfers to the Seychelles from the Swiss Bank Corporation in Geneva, in the name of Susan Ingles.

Burnt tapes, allegedly with a recording of deposed President James Mancham which were found at the airport afterwards, were presented as evidence. — UPI.

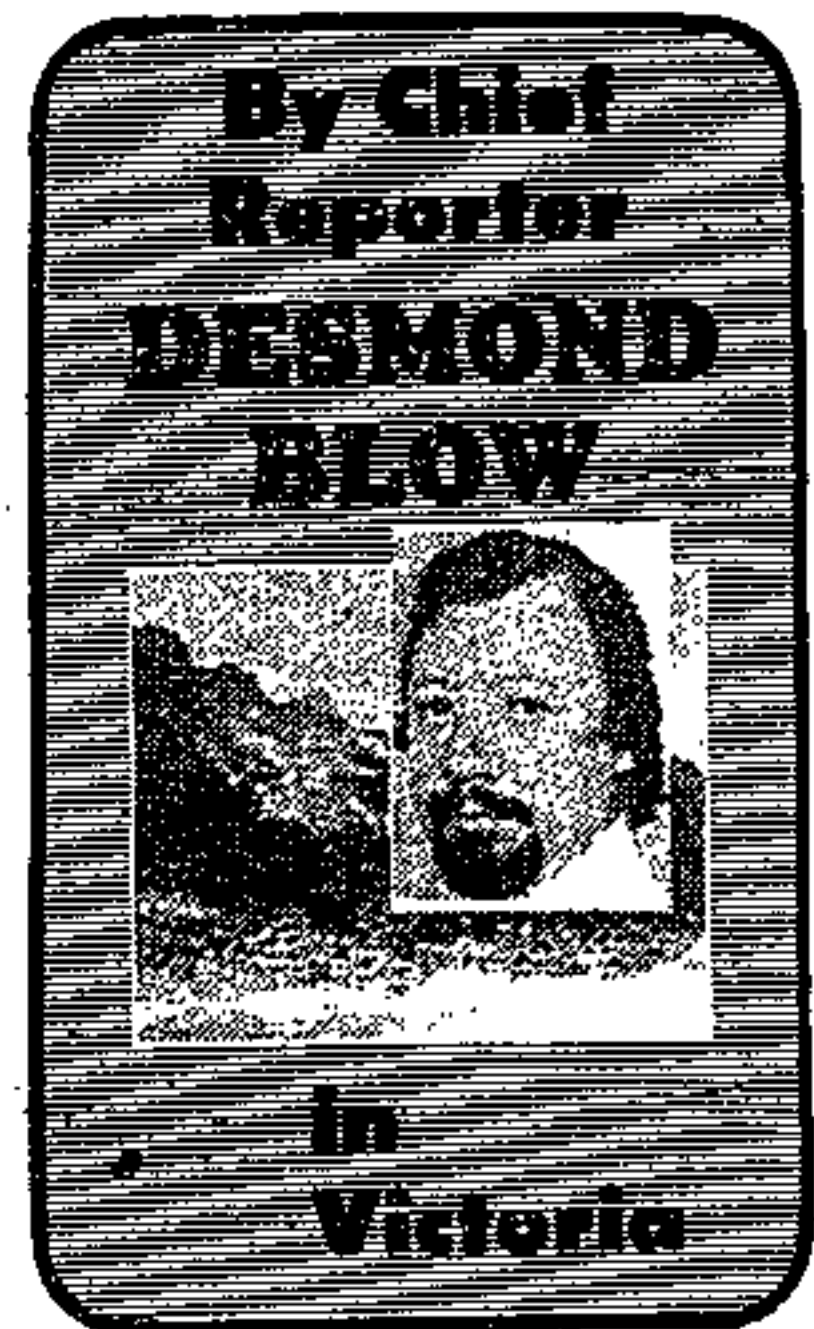
SALDRU SUBJECT HEADINGS

Revised edition

July, 1982.

Spy needs a mental test

327 S. Express 27/6/82



VICTORIA — Mr Nicholas Fairbairn QC, would have asked that South African spy Martin Dolinchek to be sent for mental observation if he were defending him.

The eminent Scottish barrister and MP made this observation after Mr Dolinchek, who first pleaded guilty to a charge of treason, went on to say he was not guilty of the charges against him.

Mr Fairbairn believes Mr Dolinchek would be freed if

René freed Ingles

By DESMOND BLOW

VICTORIA — Mrs Susan Ingles was released in the Seychelles trial on the personal instructions of the President of the Seychelles, Mr Albert René. The defence had not negotiated for her release, Attorney General Mr Bernard Rassool told me.

But he could not give reasons without President René's permission.

Counsel for the defence, Mr Nicholas Fairbairn QC, when asked if he knew charges would be withdrawn, replied: "It is my job to know these things."

However, according to Mr Rassool and the police, he was not told.

The withdrawal surprised Mr Fairbairn, Mrs Ingles and the other accused, I was told.

Although I could not confirm the official reasons for her release, I understand the government, rather than the army, felt she should not be charged because the treason case against her was weak.

All she did was operate a banking account, a diplomat said. "There was no doubt fear that a jury might acquit her, and then they might feel compelled to acquit the others."

There were strong rumours this week that the government had been prepared to allow Robert Sims to be released on the same grounds, but the army objected.

Mr Rassool denied this.

"There was never ever any thought of releasing Sims," he said.

THAT'S HOW I WOULD DEFEND DOLINCHEK, SAYS TOP LAWYER

he was properly defended by a lawyer.

However Seychellois authorities described Mr Dolinchek as a "shrewd" person and one court official told me he believed Mr Dolinchek was playing some kind of game.

The trial judge, Chief Justice Earle Seaton, appears to be going to great lengths to ensure Mr Dolinchek is given a fair trial.

He has had numerous recesses to consider points of law and has often stopped proceedings to instruct the jury.

Mr Dolinchek appears to have a strong defence. None of his five statements or his diary submitted to the court revealed that he did anything to harm the Seychelles during the 11 days before the main party's arrival, nor during the attack at the airport.

He is specifically charged with having aided and abet-

ed the attack on the airport.

He did not operate a banking account like Mrs Susan Ingles and Mr Robert Sims, against whom treason charges have been dropped.

Mr Sims pleaded guilty to bringing a weapon of war (an AK-47 automatic rifle) into the Seychelles.

When he arrived in the Seychelles 11 days before the mercenaries' attack on the airport Mr Dolinchek also carried a gun.

In all his statements he alleged he was told by mercenary leader Colonel Mike Hoare that he was carrying radios in the luggage.

However, Mr Dolinchek is making almost no effort to defend himself. It is left to the judge to cross-examine the witnesses.

The first evidence given related to five statements made by Mr Dolinchek to the police between November 28 and January this year.

Mr Dolinchek declined to

cross-examine on the first sworn statement allegedly made by him, but objected to the fifth statement because, he alleged, it had been taken from him by subterfuge.

He admitted the contents of the statement were true but said he had written them on the instructions of a police officer who told him all he wanted to do was check his handwriting.

Mr Dolinchek told the judge he was objecting because "it was sloppy police work".

"As a policeman I don't like sloppy work," he said.

The judge ordered a recess to consider whether he would allow the statement to be admitted as evidence and when he returned he said he had decided that the statement would form part of the state evidence.

He gave no reason for his decision.

Then Mr Dolinchek's diary was handed into court after four sections, which Mr Dolinchek had said could harm his family if made public, were deleted.

327 S. Times 27/5/82

Mercenaries tell of brutal ordeal

THE personal ordeals of four of "Mad Mike" Hoare's mercenaries are related in affidavits given to the Sunday Times this week.

Apparent from the affidavits is that the mercenary leader had no conception of what his men would go through when he left them behind to flee to South Africa aboard an Air India boeing.

Theirs is a tale of horror told while they sought to stay alive in the hands of military forces shortly after the bungled coup which plunged them into an experience they will never forget.

Bernard Carey's story starts the day after the attempted coup when he was spotted on a hill near the Seychelles airport after electing to stay behind to find his wounded colleague Aubrey Brooks.

Unarmed

The Seychelles army opened up with automatic fire before they physically caught him.

He was unarmed but they kicked and hit him with rifle butts, and then dragged, pushed and bundled him into an army vehicle where he was handcuffed to the roof and spare wheel.

During the short trip to the Pointe Larue barracks he was hit around the head and his hands were hit before being bodily thrown out of the truck with his hands handcuffed behind his back.

"I then had my clothes ripped off of me and at the same time I was being beaten with rifle butts and kicked in most parts of my body and head... I was then carried by my legs and hair and thrown into a small cell — about 2m by 1m."

At one point during his incarceration, he says, guards battered him with a rifle about the head and body.

Aubrey Brook's story starts at about 7pm on November 26 when, handcuffed, he was handed over to the

By EUGENE HUGO
Seychelles

He was put on the floor of a military vehicle with legs bound and hands handcuffed behind his back.

Rifles were pointed at his head and two soldiers tramped on him alternatively. They kept kicking at a wound he had sustained.

He was beaten with rifle butts, kicked, punched and stripped of his clothing. "They threatened to cut off my testicles, take my eyes out and then they prepared to execute me."

Periodically Brooks was ordered to stand up and lie down quickly — if this was not done quickly enough his guards would come into the cell and punch and kick him.

Brooks received water for the first time two days after the attempted coup — and that evening a doctor came to see him.

"I lost complete use of my hands for about five weeks because of what the doctor called compaction," he said.

Roger England's story begins when he was arrested at

the Reef Hotel on November 27 — two days after the failed coup.

At Army HQ, he says, he was "locked in a box".

"I was in this box for two-and-a-half days being questioned daily... during this time I was allowed no toilet facilities and had to complete them where I stood. I then had to try and sleep the night in it."

England said the handcuffs on him were so tight he could no longer feel his hands.

Cell

Robert Sims' story starts at the mercenary hideout at La Misere, high up in the hills above Victoria.

He says he was arrested and taken to the army barracks and put in a 3m square cell.

"I was told that I would be given food and water every second day and would be allowed to go to the toilet only then. I spent about five days there."

He said he was then taken by the army back to the same type of cell after he had made another statement.

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Soviet Embassy on Seychelles spending R40 000 to tighten security

KGB STEALS COUP TARGET

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S. Express 27/6/82

BY DESMOND BLOW Chief Reporter

VICTORIA — South African secret agent Martin Dolinchev went to the Seychelles on a special secret mission: to lead a four-man squad in an attack on the Soviet Embassy while the rest of the mercenary force toppled the island government.

The objective was to microfilm all documents during the confusion of the coup, according to sources close to the mercenaries.

The Soviet Embassy, shaken by discovery of the plans, has moved quickly to tighten its security at a cost of R40 000.

"It has certainly made the Russians paranoid," an informed source said.

"They started immediately on intensifying their security system. Previously it would have been possible to break in. Now I would say it was impossible.

"Whether Mr Dolinchev and his task force would have been successful in micro-filming any documents is open to conjecture because the Russians had just had an incinerator installed. All documents would have been burnt if they became aware of an attempt to break into the embassy."

Mr Dolinchev's 'plot' within a plot' has been confirmed, not only by the panic-stricken Russian reaction, but indirectly by entries in Mr Dolinchev's diary: 'I saw here this week'.



● SA spy Martin Dolinchev — he's said to have planned embassy raid.

It contains little information that might have helped Colonel 'Mad Mike' Hoare's coup but a great deal that could have assisted Mr Dolinchev in making an intelligence report for a raid on the embassy. In his 11 days on the island before the main party of mercenaries arrived, Mr Dolinchev did a lot of spying on the Russians. His diary gives details about his observations. He spied on the embassy complex, with its 19 flats, which he said he was told cost about R9 200 000.

He went out of his way to speak to Russians and watched a Russian team play soccer against a local team and counted 42 Russians and spectators. He

To Page 2

P.T.O

Sunday Express

JOHANNESBURG, JUNE 27, 1982

50c Including Sales Tax

Soviet Embassy on Seychelles spending R40 000

KGB SECR COUP TAR

Chief Reporter

Mr Dolinchev told his three co-conspirators that a special camera to film the chellois police and also five statements to the Sey- Mr Dolinchev, who made request of Mr Dolinchev be- four sections deleted at the only portions not read were in Victoria this week — the diary was read in court. bidden in the forest. Most of tered that he had a diary South African spy volun- Soon after his capture, the to go to the Seychelles. and that he had taken leave with the mercenary forces, to do with his connection was a member, of which he African National Intelli- statements that the South He is adamant in all his the diary. in either the statements or hidden his diary, made no they were personal and showed them where he had documents was in the Seychelles.

The operation was so secret that only the four people involved in the plot were aware of it. Not even Col Hoare knew about it.

The three men chosen especially for the plot to assist Mr Dolinchev were identified by the sources but the Sunday Express is withholding their names to avoid affecting legal proceedings arising from the coup attempt.

One of the men was chosen because he was an experienced photographer. The others were highly skilled soldiers with lengthy experience of special operations.

Mr Dolinchev, who made five statements to the Seychellois police and also a special camera to film the three co-conspirators that a special camera to film the chellois police and also five statements to the Sey-

KGB secrets were a target

The strike was called by the National Union of Rail- Prime Minister Margaret there's no stopping the the NUR has called for other unions not to handle those normally carried by rail. House who don't know much about foreign policy".



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Captured mercenaries tell of brutal:

By Tony Stirling
Tribune Africa News Service

VICTORIA: Grim allegations of torture and brutal treatment at the hands of the military emerge in a series of remarkable statements by four of the seven mercenaries captured on Mahe after last November's abortive coup in the Seychelles.

Zimbabwean Roger England's account of his interrogation by members of the Seychelles army gives details of classical softening up techniques like those used by the KGB under Stalin's in-

famous security chief, Laurenti Beria.

He describes how, after refusing to make a statement to the police, he was handed over to the army for further interrogation.

"At about 10am the army came and put handcuffs on me and took me to a place now known to me as the guard room of army headquarters.

"I was locked inside a box about two foot square with room only to stand," said the captured mercenary's statement.

"I was in this box for two-and-a-half days being questioned daily. During this time I was allowed no toilet facilities and had to complete them where I stood. I then had to try

and sleep the night in it," he said.

The allegations by England concern the period immediately following his arrest at the Reef Hotel on Mahe, where some members of Colonel "Mad Mike" Hoare's advance guard stayed in the build up to the coup attempt.

England refers to

constant threats to shoot him during this period of interrogation.

He also described an incident which took place about a few days later in which he was taken to the Point Larue barracks near Mahe international airport.

"During the journey (to the barracks) I was questioned as to the whereabouts of my

friends beaten on my head.

"After later gave beatings over m

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DOLINCHEK'S STRANGE QUESTIONS

Tribune Africa News Service

THE big question being asked at the Seychelles treason trial this week is whether or not self-confessed South African spy, Martin Dolincheck, has made his own deal with the Seychelles attorney general.

Dolincheck, the only accused on whose behalf a plea of not guilty has been recorded after a qualified guilty plea, has been bending over backwards to make the passage of all the evidence against him as easy as possible.

On Friday, when for the first time he asked a witness a question in cross examination, he appeared to be trying to elicit evidence which would assist the state. This was his strange questioning of a Seychelles army lieutenant about a bag alleged to belong to mercenary leader, Colonel Mike Hoare, which from his questioning Dolincheck seemed to believe should have contained an important item not as yet mentioned and which the witness was unable to assist him with.

He has otherwise with precise politeness declined to cross examine any of the witnesses brought so far in the trial.

With all the other accused having pleaded guilty, it is only the fact that Dolincheck is facing trial by a nine member jury that has enabled the Seychelles attorney general, Bernard Rassool, to trot out a string of witnesses to tell the court of the events at Mahe international airport, near Victoria, last November.

At a time of high public and

military sentiment over the release of Mrs Susan Ingle last week, and the dropping of treason charges against her common law husband, Robert Sims, only the fact that Dolincheck is on trial is enabling the Seychelles public to have the satisfaction of the full story of the airport drama.

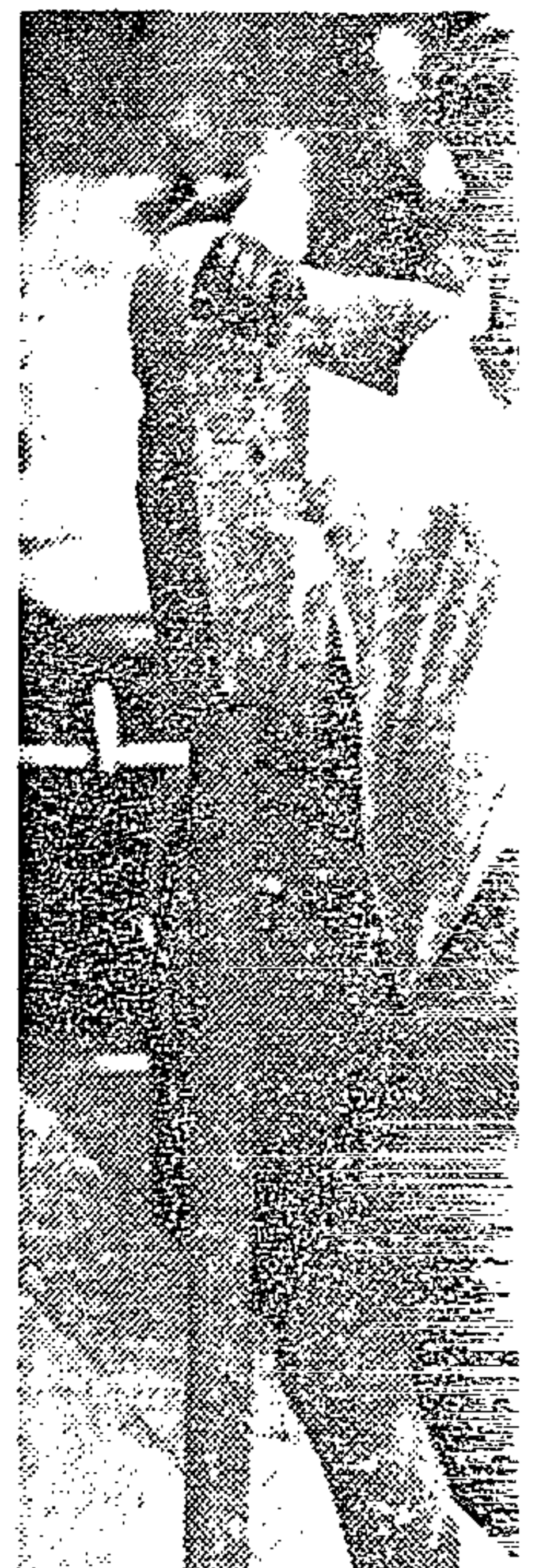
Indeed much of the evidence from the state witnesses has not related to Dolincheck directly at all, but rather to the activities to the other accused and Colonel Hoare and his mercenary band. And the leading in evidence of a diary kept by Dolincheck this week has created a deal of sympathy for him. One female juror was wiping tears from her eyes as it was read into the record.

His frequent references to his liking of the Seychellois, stating that he found them more intelligent than any South Africans he had ever met, and his reference to a little boy called Trevor whom he befriended and likened to his own son made him come across as extremely impressed by the Seychelles and its people.

It also recorded observations on his meetings with Russian and Chinese and members of the army, but there has been no evidence to suggest that he communicated this intelligence to anyone.

And there has been no direct evidence, other than his own statement that he drove to Mahe airport to meet Colonel Hoare and his group before leaving prior to the outbreak of trouble, that he in any way assisted the attack on the airport.

When in



Eat your hearts out chap the grip of winter, Briton such as delicious Dem Grecian

1 of brutal treatment by army

7/6/82

TORTURED

constant threats to snuff him during this period of interrogation.

He also described an incident which took place about a few days later in which he was taken to the Point Larue barracks near Mahe international airport.

"During the journey (to the barracks) I was questioned as to the whereabouts of my

friends and continually beaten with rifle butts on my face, neck and head.

"About 10 minutes later they returned, gave me another beating and put a bag over my head," he said.

England said two of the other mercenaries being held in nearby cells received the same treatment and he had been told "I was to be

shot at dawn". He said the effects of his injuries were visible at a Press conference held on December 3 and that his wrists had been permanently scarred because of the tightness of his handcuffs during the initial interrogation by the army.

Aubrey Brooks, the Zimbabwean shot in the leg during the November coup bid,

said that after his arrest on November 26 last year he was handed over to the army.

"I was taken and put in an army vehicle. My legs were bound and tied to my hands which were handcuffed behind my back.

"Once in this vehicle I was thrown on the floor. Rifles were pointed at my head and two soldiers stood on me and kept kicking my on my wound. This became a regular practice," said Brooks.

After being thrown off the vehicle "like a sack", he had been beaten with rifle butts, kicked, punched and stripped of his clothes.

"They threatened to cut off my testicles and take my eyes out. They then prepared to execute me and this continued late into the night," he said.

Dr G. W. Fosberry, who examined Brooks after he was taken to hospital two days later, reported that the circulation in both hands was grossly impaired as result of the fact that his hands were too tightly bound which was "being continually aggravated by overtight manacled".

Dr Fosberry records that he at one stage found Brooks in hospital suspended by his manacled wrists.

Three days later soldiers removed him from the hospital against the instructions of Dr Fosberry, who had yet to stitch his leg wound. Back at military barracks he had been subjected to further beatings, with his hands manacled behind his knees, a bag over his head and a cord around his neck.

At the second beating he had lost consciousness when he was kicked, punched and hit with rifle butts.

Brooks records that as result of that beating he suffered broken teeth and a broken nose.

He said that after being removed from the hospital, the dressings on his leg wound were changed at intervals of about two weeks instead of daily.

"My dressings were so bad that due to the smell I had to ask permission to take them off and go without."

Mike Hoare's brother-in-law, Robert Sims, in a statement made by him referred to the use by soldiers or a strange television-like apparatus which had been used to torture him.

He described it as "mind blocking and mind destroying" and said its use on him "was the most frightening thing that ever happened to me."

Like the others he referred to numerous beatings by soldiers during the early days after his capture and 10 mock executions in the first three months of his captivity.

Briton Bernard Carey recounted a similar tale in his statement.

He records having sustained fractured ribs and multiple bruises as a result of beatings he received at the hands of the army.

He also mentioned a plot by guards at the hospital to shoot him and Brooks at the hospital, foiled because he understood Swahili which they were speaking at the time, and had been able to summons Dr Fosberry through a nurse.

Much of the evidence relating to alleged assaults on the captured mercenaries is expected to come out during argument in mitigation of sentence which should take place during the coming week.

The four men made no reference to any brutality at the hands of the police and Carey's statement in fact contains an addendum in which he specifically referred to the fact that the police had used no violence.

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When in Britain . . .



Eat your hearts out chaps. While South Africans shiver in the grip of winter, Britons can feast their eyes on sights such as delicious Denny Jones, here seen modelling Grecian-style swimsuit

Court hears tapes on new government

327 Mercury 29/6/82

Mercury Correspondent

VICTORIA—Just how close the Seychelles came to having a new government on November 25 last year was demonstrated in the Supreme Court here yesterday through the crackling of voices on a burned and spliced tape.

The tape had been carefully put together after pieces were found abandoned in the women's toilet at Pointe Larue Airport after the bungled coup in November last year.

Journalists covering the proceedings were only able to hear snatches of conversation from people, it was claimed in court, who would have flown in as the next government.

The tapes, it was alleged, carry the voices of former President James Mancham, Mr Gerald Horeau, who was to be the power behind the throne, and another Seychellois exile named as Paul Chausin.

Message

A hushed courtroom heard what had been intended as a message to the people of the Seychelles — but it did not come through loud and clear as originally planned.

Snatches of conversation referred to 'plush cars' and 'corruption' while one relatively clear message told the people of these islands that anyone who drank excessively or purchased petrol in 'the next few days' would be summarily arrested.

The Court then got an insight into more of this drama of November 25 when a soldier described how he and two colleagues had encountered mercenaries while in their armoured car.

Private Egard Jabusse told how while he was at the Pointe Larue army barracks three big men with beards arrived at the gate.

They got out with guns and started firing. He saw a fellow soldier pinned down under fire and then climbed into the armoured car with a corporal and Lt David Antat — the only Seychellois casualty during the mercenary attack.

Pte Jabusse described how the military vehicle drove on with a number of soldiers on top of it. When they arrived at the airport the soldiers jumped off and they went on to the terminal still under fire from 'big men'.

All the lights of the

armoured car were shot out as the firing continued and they then drove back to the Pointe Larue barracks.

Later they attempted an assault by driving down the airport runway. By this time it was already dark and the Seychellois soldiers turned their armoured car's spotlights on the mercenaries.

The three soldiers then encountered a jam of cars at the airport terminal and had to stop. The corporal then tried to extricate the armoured car but they went into a ditch and could not move.

He became aware of people knocking on the sides with rifle butts and their hands. The Seychellois soldiers refused to emerge while the mercenaries shouted at them in all kinds of languages.

The knocking continued when suddenly he saw flames coming through the vents of the vehicle.

Lt Antat ordered them to get out and they opened the hatch. 'There were nine of them against three of us,' said Pte Jabusse.

A rifle was pointed at him and he and the corporal were ordered to lie on the ground while they were searched.

They were then taken to

the airport terminal where a barrage of questions were flung at them, but they did not reply.

Rifles

Pte Jabusse could not throw any light on the death of Lt Antat who was found dead in the armoured car the next day — a bullet wound in the head.

Mr Martin Dolinchek, then asked the soldier: 'Did you see me at the airport?'

The soldier replied: 'There were so many people, I don't know.'

The Court also heard further testimony about the discovery of two AK-47 assault rifles at the mercenary 'safe house' at La Misere.

Maj Rolly Marie was re-examined about the bag he found containing a passport in the name of Thomas Michael Bernard Boarel.

Asked a direct question about the contents of the bag, the major said it had a false bottom and pieces of tacking material in it — indicating that something must have been tacked in it. 'But I can't say it was a gun'.

The hearing was adjourned until tomorrow because today is a public holiday.

Breytenbach may be released on parole

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Political Correspondent

THE Afrikaans poet Breyten Breytenbach and some other political prisoners may soon be released on parole.

The Parole Board will hold its first meeting on Friday following a recent announcement by the Minister of Justice, Mr. Kōbie Coetsee, that political prisoners can in future qualify for parole.

Mr. Coetsee told Parliament last month that such prisoners could qualify for a reduction in sentence and parole provided the prognosis for rehabilitation was good.

Until then the Government had rejected all opposition calls for some parole system for political prisoners.

The possibility of releasing Breytenbach was again raised on Saturday when leading Afrikaans

writer, Etienne le Roux, pleaded for this.

In 1975 Breytenbach was sentenced to nine years on charges under the Terrorism Act.

At a reception to celebrate the 60th birthday of Le Roux, the writer said Breytenbach should be given two years grace. He had already served the minimum of five years plus two.

In Pretoria today Mr. Coetsee said he was not prepared to comment on individual cases. The cases of a number of people were being considered.

He referred back to his speech in the Assembly last month when he made it clear that the Government had changed its attitude to granting parole to people who were serving sentences in terms of the country's security laws.

Appeal by banned magazine

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By JOUBERT MALHERBE
Pretoria Bureau

A STATE attorney yesterday told the Publications Appeal Board that much of the information in the publication, "Work in Progress", could be factually correct.

Mr Chris Schoeman was appearing for a Committee for Publications which had banned two issues of WIP and banned all future editions.

Mr Schoeman claimed the publishers of "Work in Progress" used the factual information to propagate a one-sided view which he said was socialist.

"Officialdom is presented as an ogre and all Government organs are presented as double-dealers. This creates distrust between racial groups," Mr Schoeman said.

Mr Paul Benjamin, of the Centre for Applied Legal Studies at the University of the Witwatersrand, who appeared for the publishers, disputed that the material in WIP was prejudicial to State security.

He referred to several other political publications which had been passed by the board, saying the material in WIP fell within the ambit of the guidelines laid down by the board itself.

Turning to the permanent ban, Mr Benjamin said many

individual issues of the publication, Varsity, had been banned but that the board had declined to ban it outright.

He said although WIP was critical of many aspects of South African society, it had nevertheless always been prepared to subject itself to the mechanisms of the Publications Act.

Mr Douglas Fuchs, a board member, said WIP attacked the free enterprise, capitalist system in South Africa.

But Mr Benjamin said several features of labour legislation in the country could not be described as free enterprise.

Asked by Mr Fuchs why WIP articles employed emotive terms such as "bantustans" instead of "homelands", Mr Benjamin said not all people consigned to the homelands viewed the territories as their homes.

Mr Benjamin read from affidavits submitted by academics who said WIP was widely regarded as an important reference work in the business sector.

Mr Benjamin said the readership of the publication was limited to academics and professional people, but Mr Schoeman said it was in this sphere of society where revolutionary leaders were found.

Judgment was reserved.