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MBEKI OUT OF PRISON CALL FOR RELEASE OF ALL POLITICAL PRISONERS

After nearly 24 years as a political prisoner Govan Mbeki, one of the ANC's leaders, was released on 5 November from Robben Island where he had been serving a life sentence. (For others released with Mbeki, see PRISONS)

Mbeki's release was welcomed by the ANC and other organisations opposed to apartheid. They attributed the release to pressure both inside South Africa and internationally. At the same time they called for the unconditional release of all political prisoners. The fact that Mbeki remained listed as a communist, and the media were therefore unable to report his words, was widely criticised. (GN/S/CT 6.11.87)

Within days of his release Mbeki made several public appearances. The first, on the day of his release, was at an officially convened press conference, for which restrictions on reporting his statements were temporarily suspended. He affirmed his continuing support for the principles of the ANC for which he had been imprisoned, and said he remained a member of the Communist Party. (DN 6.11.87)

Subsequent appearances were greeted with demonstrations of popular support and welcome in spite of the restrictions imposed by the State of Emergency. Mbeki Reception Committees, consisting principally of UDF affiliates, had been formed in various centres. On 8 November Mbeki went to the Witwatersrand, where he was given what the press described as a 'tumultuous' welcome by an estimated 1,000 people at Jan Smuts airport. During a press conference in Johannesburg jubilant supporters outside the venue virtually brought the city centre to a standstill. On his return to Port Elizabeth Mbeki visited all the townships around the city, and was greeted by crowds of residents celebrating his release and welcoming him as a leader. (S.Star 8.11.87; Star 9.11.87; S/BBC 10.11.87; South 12.11.87; Tel 30.11.87)

Three weeks later a public rally which he was due to address in Port Elizabeth was banned by the divisional Commissioner of Police because of the large number of people planning to come (see MEETINGS).

After the banning of the rally Mbeki read the text of his speech to reporters. It paid tribute to the young activists: 'Their spirit beats strongly through every alley and street of my township and through every township in the country... After 23 years of arid desolation in a prison cell I now express indescribable joy. Through all the physical hardships, the privation of food and comfort, there was a compensating fulfilment of knowing I was pursuing a course expressing loyalty to an ideal of freedom.' (Tel 30.11.87)

Mbeki had been sentenced to life imprisonment in 1964 in the Rivonia Trial of the ANC's political leadership. As a member of the High Command of Umkhonto we Sizwe he had been found guilty of charges relating to the organisation's sabotage campaign.

Until recently the government had insisted that imprisoned political leaders should renounce their commitment to the armed struggle if they were to be released before the expiry of their sentences. This was changed in August last year when the State President said that in future the release of political prisoners would be reviewed in terms of a number of criteria including 'the interests of the state'. The vagueness of this criterion restored to the regime the room for manoeuvre which its previous policy had removed. (S.Star 16.8.87; FM 21.8.87)

The continuing difference between the treatment of political prisoners and others was underlined by the terms of a general pre-Christmas amnesty of which the release of Mbeki and others was said to be part. Three months were taken off the sentences of all prisoners, with exceptions which included anyone sentenced on 'security' and unrest-related charges or for refusing to testify – in other words most political prisoners. (CT 6.11.87)

Senior government figures have presented

the new release policy as an integral part of the political process, explicitly linking it to plans for a National Statutory Council (NSC) as a forum for 'negotiating' a future constitution. The NSC has been rejected by the UDF and other popular forces, as an instrument for the perpetuation of apartheid. Even forces which have normally collaborated with the regime have made participation in the NSC conditional on the release of political prisoners. The Deputy Minister of Constitutional Development and Planning claimed that the release of prisoners would remove a barrier to their participation in the NSC. (FOCUS 73 p.5; S.Star 8.11.87)

In this issue:

SOUTH AFRICA

- Meeting Bans Defied p.2
- Censorship Extended p.2
- Pietermaritzburg Violence p.3
- Prisons p.3
- Detentions pp.4-5
- Over 40 Death Sentences p.6
- Completed Political Trials p.7
- Police Murder and Torture Revealed p.8

NAMIBIA

- Army and Police Accused p.9
- Protests Against Army in Schools p.10
- Detentions p.10
- SWAPO Pushes Ahead p.11
- Fierce Fighting in Angola Invasion p.12

South africa

MEETING BANS DEFIED

More than two years of emergency rule, the detention of thousands of activists, far-reaching censorship of the media and tight restrictions on political activity have failed to prevent mobilisation of resistance. The regime has had to continue to use the police and army to enforce its bans and restrictions on meetings.

Mass mobilisation has been severely affected by the State of Emergency, but there is evidence of adaptation to the conditions of heightened repression. In a radio interview at the end of November last year the head of the Security Branch, Lt-Gen van der Merwe, stated that 'after the revolutionary climate subsided somewhat last year it is now on the increase again' and 'radical organizations are busy re-organizing'. (BBC 1.12.87)

MBEKI RALLY

The response to the calling of a rally in Port Elizabeth on 28 November to be addressed by Govan Mbeki, at short notice and under the difficult conditions imposed by the emergency regulations, indicated a high level of political mobilisation. Other speakers were to include Winnie Mandela and Albertina Sisulu.

On 25 November the magistrate for the area granted permission for the rally to be held. On 27 November the Police Commissioner for the area banned the rally, using powers under the emergency regulations, to 'ensure public safety

and the maintenance of order'. The head of the Security Branch said that the rally had been banned because the speeches 'would have contributed significantly to increasing the revolutionary climate'. He said that over 55,000 people were expected at the rally, although according to another press report police had evidence that up to 100,000 people planned to come.

The banning was upheld by the Supreme Court after an emergency appeal against the order – the court ruled that the Police Commissioner had acted within his powers under the emergency regulations. The organisers of the rally – the Interdenominational African Ministers' Association of South Africa (IDAMASA) and the South African Council of Churches (SACC) said that the banning showed that the police and army could overrule the courts, which had originally sanctioned the rally. (GN/Tel 27.11.87; Tel/Ind 28.11.87; BBC 30.11.87)

For 11 years all outdoor political gatherings have been banned under the Internal Security Act, unless held with permission from a magistrate or the Minister of Law and Order (for the last two years the ban has included all indoor gatherings for organising boycotts). The State of Emergency regulations also give divisional police commissioners power to ban meetings within their area. After the re-imposition of the State of Emergency in June last year the police powers were used to re-impose standing restrictions on funeral gatherings. The restrictions were imposed in over 60 townships by Police

Commissioners for the East Rand, West Rand, Soweto, Port Natal, Natal and Eastern Province. There were orders restricting specific funerals in other areas as well.

In spite of these restrictions – and in some cases similar restrictions under the Internal Security Act – communities frequently gathered in defiance of the regulations to commemorate the deaths of victims of police actions. Funerals of alleged ANC combatants were attended by many hundreds – examples include the funerals of Andrew Mohuhu METLAPE (20), killed in combat in the Northern Transvaal in September; Ashley KRIEL (22), shot by police in July and Paul Sello MOTAU, assassinated in Swaziland in July. At Motau's funeral a large contingent of police and 22 SADF vehicles were present. (FOCUS 72; S 2.10.87; Star 28.7.87)

Other funerals which were reported to have drawn large crowds included that of Nobandla Elda BANI, who died in detention in August, after a year in custody. The death of Bani, a member of the Port Elizabeth Women's Organisation and her local street committee at the time of her detention, was reported in the last issue of FOCUS. The Queenstown funeral of a former detainee, Taitus SONDLO (87) was attended in October by 5,000 mourners defying restriction orders. A leading member of the local community organisation, Sondlo had been released from emergency detention on 13 June, one year and one day after being detained. According to his son the elderly man had been in good health before his detention and contracted asthma while in custody. (South 15.10.87)

CENSORSHIP EXTENDED

A new system of official censorship of newspapers and other periodicals was introduced in August 1987 which cannot effectively be challenged in the courts. While key curbs on media reporting under the emergency regulations were upheld in the courts in September, an attempt by the police to refute a press report about police killings of alleged ANC guerrillas failed, after 18 months.

On 28 August 1987 a new system of censorship was established through an amendment to the emergency regulations relating to the media issued on 11 June. Any periodical that 'systematically or regularly' publishes 'subversive propaganda' can either be closed down unconditionally for up to three months or be required to accept pre-publication censorship as an alternative to closure for a similar period. The import of foreign publications of this nature can also be prohibited for up to three months. (GG 28.8.87; Star 28.8.87)

A new Directorate of Media Relations was set up in the Home Affairs Ministry with a team of censors to monitor South African and imported periodicals and advise the Minister on any contravention of the media regulations. (BBC 4.9.87; WM 11.9.87)

Home Affairs Minister Stoffel Botha infor-

med newspaper editors and senior journalists that his judgement about what constituted 'subversive propaganda' would be a subjective one and that the courts would not be allowed to decide whether or not he had made a correct decision. He claimed that the new regulations 'would only involve the unconventional revolution-supportive press'. However, the South African Media Council stated they would make deep inroads into the freedom of the press in South Africa. (Star 29.8.87; BBC 4.9.87)

A number of publications were under investigation in September and October for publishing 'subversive propaganda'. *New Nation*, *South*, *Weekly Mail*, and *City Press* were the first to be threatened with closure. Material in these periodicals cited by the Minister included reports of appeals against the death sentence for political prisoners, the ANC's rejection of the proposed National Statutory Council, the treatment of a detainee for psychiatric illness, and an advertisement by the End Conscription Campaign. (CT 15.9.87, Star 17.9.87; S-Star 7.10.87; Business Day 8.10.87; CPJ Update Sept/Oct 1987)

On 27 November *New Nation* was officially warned that, in the Minister's opinion, it was publishing 'subversive propaganda'. (SACBC Press Release, 30.11.87)

In the Bophuthatswana bantustan President Mangope was reported to have told editors and reporters not to give publicity either to oppo-

sition parties or to the ANC in the bantustan elections held in November. Although the ban was unofficial, journalists expressed the fear that anyone disobeying the order would be sacked. (NN 3.9.87; WM 22.10.87)

KEY MEDIA CURBS UPHELD

In a case brought in June 1987 by the *Weekly Mail*, and the Release Mandela Campaign to challenge the reimposition of emergency regulations, the Pietermaritzburg Supreme Court ruled on 22 September that the ban on media reporting of protest actions ('unrest') and action by the police and army ('security forces'), as defined in the current emergency regulations, remained in force. Some lesser media restrictions reimposed in the June 1987 regulations were, however, held to be invalid. (BBC/WM 25.9.87; FOCUS 72 p.2)

Tony Weaver, deputy editor of the *Cape Times*, was acquitted of charges of false reporting under the Police Act on 17 September. Parow Magistrates' Court found that he had reasonable grounds for his report on the BBC Africa Service on 4 March 1986 that the South African police had shot dead seven alleged ANC guerrillas in cold blood on the previous day. After his acquittal, Weaver sued the Minister of Law and Order for 'wrongful and malicious' prosecution. (DN 18.9.87; CT 22.9.87; Ind 23.9.87; FOCUS 71 p.8, 72 p.2)

PIETERMARITZBURG VIOLENCE

During September and October at least 80 people died in the Pietermaritzburg area of Natal in clashes between supporters of anti-apartheid organisations and Inkatha, the political organisation linked to the Kwazulu bantustan authorities. Such clashes have been a feature of townships around Durban, Pietermaritzburg and other parts of Natal since 1985. Inkatha's political control of the area has been increasingly challenged since the formation of the Congress of South African Trade Unions (COSATU) and an upsurge in the membership of youth groups, many affiliated to the UDF. (See *FOCUS* 69 p.3 for information on events in 1985)

According to local church and monitoring groups, over 200 people died between January and mid-October last year as Inkatha stepped up recruitment in the Pietermaritzburg region and attempted to drive UDF and COSATU sympathisers out of the area. In affidavits put before the Pietermaritzburg Supreme Court in November, in support of a COSATU request for orders restraining Inkatha officials from organising attacks on township residents, Inkatha vigilantes were accused of forcing people to either join or swear allegiance to Inkatha. It was alleged

that those who refused, or were known to be members of other organisations, risked being assaulted or killed, or having their homes burned. Often their relatives were similarly killed or assaulted.

The affidavits also alleged police complicity in the attacks. (NN 15.10.87; SS 21.10.87; 4.11.87)

The fatalities in the clashes included members of Inkatha, killed in retaliatory action by members of 'people's defence units' set up by youth and other groups to protect local residents from vigilante attacks. However, over 50 of the 80 people killed between mid-September and mid-October were identified as members of COSATU unions or UDF affiliates. Members of other anti-apartheid organisations including the Azanian People's Organisation were also affected. At the same time more than 1,000 leaders and activists of community organisations were reported to be in hiding. (NN 15.10.87; S 11.11.87; S Star 18.10.87; DN 5.11.87)

Anti-apartheid, church and other organisations have long held the view that the attacks are part of a wider pattern of events. These strongly suggest the active collaboration of the central government and bantustan authorities in entrenching the position of Inkatha at the expense of UDF and COSATU. Under the State of Emergency regulations severe restrictions have been placed on UDF-affiliated organisations which prevent them from operating publicly. Inkatha has not been affected by the

restrictions. In June, police stations in many parts of Natal were transferred from central government control to the Kwazulu bantustan authorities, leading in some areas to 'a new cycle of violence and intimidation'. (South 17.9.87)

Between July and November, several attempts were made to stop the conflict between the UDF and Inkatha. Officials of Inkatha, including its youth movement, and UDF leaders met on several occasions to discuss ways of preventing retaliatory attacks.

The emergency restrictions on meetings, however, hampered the UDF in discussing the progress of negotiations with members of its local affiliates. Religious leaders, including Archbishop Desmond Tutu, attempted to intervene in the clashes. However, various statements by Gatsha Buthelezi, the head of the Kwazulu bantustan and President of Inkatha, suggested that Inkatha's commitment to ending the violence was ambivalent. (CT 6.7.87; DN 23.9.87; 31.10.87; CP 18.10.87; Tel 10.11.87)

The police also intervened. Thirty-eight members of COSATU were detained in the Pietermaritzburg region in mid-November, among them officials involved in discussions to end the violence. Twenty were released soon afterwards but 18 remained in detention. A further 251 people were detained under emergency regulations in raids on youth organisations affiliated to the UDF. (S 19.11.87)

PRISONS

RELEASES

Four long-term prisoners were released from Robben Island along with the veteran ANC leader, Govan MBEKI, on 5 November 1987 before their sentences had expired. John NKOSI was freed from a life sentence imposed in June 1963, when he was a school student, for conspiracy to commit sabotage with other PAC members. Thomas MASUKU, an ANC member, had served 10 years of his 20-year sentence imposed in November 1977 for undergoing military training and assisting others to do so. Michael Sello MATSOBANE, who was sentenced to 15 years in prison in June 1979 for his part in organising and undergoing military training for the PAC, was released after eight years. He was released on parole on condition that he does not engage in political activity until September 1990; he was also placed under police supervision. Walter Sifozenke TSHIKILA who had served 10 years of his 13-year sentence imposed under the Terrorism Act in March 1977 for organising PAC activities was also freed. Details regarding terms of release were reported only in Matsobane's case. (See *MBEKI OUT OF PRISON*; S Star 23.8.87; CT/S 6.11.87; Star 11.11.87; South 12.11.87; FOCUS 10 p.14, 15 p.3, 23 p.10, 24 p.3, 27 p.13)

A number of other political prisoners are known to have been released recently on completion of their sentences.

● **Lumko HUNA**, sentenced in January 1978 for recruiting people in Guguletu, Cape Town, to undergo military training with the ANC, was released on 14 October after serving a nine-year sentence on Robben Island. (FOCUS 27 p.13; South 15.10.87)

● **Johanna LOURENS** was released on 20 November last year after serving a four-year sentence for assisting the ANC. She was immediately 'listed', a restriction which makes it illegal for the media to quote her. (FOCUS 50 p.2; WM 27.11.87)

● **Patricia HANEKOM**, a Zimbabwean na-

tional, was released from Pretoria Central Prison at the end of a 38-month sentence in November and was then deported to Zimbabwe. First detained in December 1983, she was convicted in September 1984 for obtaining documents which showed that the SADF was training, paying, and supplying anti-government groups in Mozambique, Angola, Lesotho, and Zimbabwe as part of its destabilisation strategy. (See *SOUTH AFRICAN AGGRESSION AGAINST FRONTLINE STATES*; FOCUS 56 p.6; 69 p.8, GN 23.11.87)

● **Kingdom Masehlane MPAHLELE**, a teacher from Lebowaqomo, Pietersburg, who was sentenced for refusing to testify in a Terrorism Act trial, was released from Robben Island in April last year after serving a two-year sentence. (FOCUS 59, p.5; S 21.4.87)

● **Pierre-Andre ALBERTINI**, a French national who was sent to prison for four years in March 1987 for refusing to testify for the state in the trial of Rev Makhenkhesi Stofile and others, was released early in September 1987 in a prisoner exchange negotiated by the French government. (FOCUS 68 p.5, 71 p.7; DD 8.9.87)

PRISONERS STRUGGLE FOR RIGHTS

Political prisoners have fought long and hard to establish their basic rights and their political status. There have been a number of recent reports of such action by prisoners.

In September Litha MLAHLEKI, who is serving a 42-year sentence imposed in November 1978 for attacks on policemen, began a hunger strike and refused to obey prison warders or submit to strip-searches as a protest against the conditions of his imprisonment. He was seeking a general improvement in conditions at Brandvlei Prison, Worcester, where he is held with non-political prisoners, and a transfer to Pollsmoor Prison where other political prisoners are held. Originally held on Robben Island, he was transferred to Worcester

in May 1987 without his relatives being notified. In October 1987 he was found guilty on nine charges under the Prisons Act arising from his protests and was sentenced to six lashes. (FOCUS 20 p.10; S 25.9.87; NN 22/29.10.87)

After a year-long struggle that began with a hunger strike at the end of 1986, 11 prisoners in a Ciskei bantustan prison established their right under prison regulations to see their lawyers. The successful application to the Supreme Court was brought by the brother of Vulindlela MVABASA who was sentenced in March 1985 to three years' imprisonment for refusing to testify as a state witness in a political trial. (FOCUS 59 p.4; WM 25.9.87; NN 30.9.87)

At the end of July five long-term white political prisoners held in Pretoria Central Prison started an 18-day protest against their physical and mental treatment and in particular the action of the prison authorities in December 1986 in splitting them up as a group. They were Carl NIEHAUS, Robert ADAM, Roland HUNTER, Eric PELSER, and Stephen MARAIS. In September the five men applied to the Transvaal Supreme Court to order the prison authorities to hold them in the same section of the prison. (S Star 20.9.87; NN 24.9.87; WM 25.9.87; See FOCUS 41, 50, 56, 64, 69 for sentences of prisoners)

Political prisoners in Klerksdorp, Pretoria and Robben Island prisons instructed their lawyers in August 1987 to make a court application seeking to end racial segregation in South Africa's prisons. Prison conditions vary considerably for prisoners according to their apartheid classification. (South 27.8.87)

DEATH IN PRISON

A Uitenhage Youth Congress member, Mzamo BABA (20), died on 18 August while serving an eight-year sentence in Goode Mode Prison, Aliwal North. He was convicted of public violence in 1985. No further details are available. (NN 23.9.87)

DETENTIONS

The Sixth National Conference of the Detainees Parents Support Committee (DPSC) in October attended by representatives from 40 regions noted a shift in the pattern of detention. Fewer people were being held under the emergency regulations although 2,000 such detainees were still thought to be in custody out of a DPSC estimate of 30,000 people detained since June 1986. Between two and three hundred of those still held were thought by the DPSC to be children between 16 and 18 years of age. Many community and political leaders remained in detention. (CT 13.10.87; S 14.10.87; NN 15.10.87)

In addition there were 499 people known by the DPSC to have been held under laws other than emergency regulations in 1987. At the end of September there were 210 people known to be in detention under Section 29 of the Internal Security Act, a figure which the DPSC said was certainly less than the total. (DPSC Report 30.9.87)

TORTURE AND VIOLENCE

Although the Minister of Law and Order recently dismissed as 'vilification' allegations of torture by various independent bodies monitoring detentions in South Africa, convincing evidence pointing at sophisticated and systematic torture of detainees by police has continued to emerge. Both Section 29 of the Internal Security Act and the Emergency Regulations prevent visits by independent observers other than those permitted by the state. For this reason, and in response to systematically and carefully compiled evidence at their disposal, various independent bodies including the DPSC, the National Medical and Dental Association (NAMDA) and others have demanded an independent commission of inquiry. In August the DPSC held a Press Conference at which it released information on studies of torture during the 1980s. Since the State of Emergency imposed in mid-1985 approximately 40 cases involving 120 people have been brought against the Minister of Law and Order alleging abuse of emergency detainees. These do not include the action brought against the state by Dr Wendy Orr and 42 others in the Port Elizabeth and Uitenhage area in 1985 which involved hundreds of people. (FOCUS 68 p.4)

Recent reports including a study by NAMDA in April 1987 and an inquiry by a four-person team of the International Commission of Jurists which visited South Africa in early 1987 have added to the evidence revealed by earlier studies. The evidence consistently indicates that detainees are subjected to brutal and systematic torture at the hands of the police. (Star 26.8.87; GN21.8.87)

METHODS

The methods revealed by the above reports and other statements include deprivation of sleep for long hours, enforced physical exercise and exertion, being kept naked, beating, suffocation, slapping and kicking, electric shocks, attacks on genitals, suspension in mid-air and other forms of violence.

NAMDA found that in beating, police used sjamboks, batons, or other blunt instruments. They discovered that in most instances detainees were subjected to mental abuse and deprivation. Thirty-seven affidavits in the possession of Helen Suzman revealed that

similar methods of torture are used throughout the country. (S 27.8.87; WM 18.9.87; FOCUS 73 p.6)

A Durban attorney, Linda Zama, found about 10 youngsters in KwaMashu police station on 2 September doing press-ups on the instructions of people who appeared to be police reservists. The police were armed while those doing exercises were 'sweating and grimacing with effort'. She also 'saw a group of male students moving up and down in a semi-squatting position and being made to keep their arms out in front of them'.

A canvas bag with electrodes was reported to be in use in the Eastern Cape according to Helen Suzman. The International Commission of Jurists Report of 20 August 1987 claimed that in addition to electric shocks, children were teargassed, beaten with rolled wire, and scalded with boiling water and burning plastic. (GN 21.8.87; DD 3.9.87; NN 10.9.87)

Between the end of August 1986 and 10 February 1987, 263 detainees were hospitalised and had sustained a 'variety of injuries to arms and hands; the head or groin; eye injuries, gunshot wounds, jaw injuries and dog bite wounds' (RMG 13.9.87; BBC 14.10.87; NN 15.10.87)

CONDITIONS

The DPSC charged that detainees, especially those in police stations, are held under inhumane conditions. Detainees have complained of the often 'incompetent and unsympathetic' approach of district surgeons resulting in inadequate medical care. There is also a lack of isolation facilities for detainees suffering from infectious diseases.

Neither the Emergency regulations nor Section 29 of the Internal Security Act allow any contact between the detainee and the outside world except with the approval of the authorities. Medical care is provided by state-employed district surgeons and detainees have no access to independent private doctors except for specially established panels of doctors, which were authorised in 1985 to enable detainees to consult a doctor other than the district surgeon. It took a year for the panels to start work and their objectivity was called into question following an admission by the Secretary General of the Medical Association of South Africa (MASA) in an interview in London in 1986 that panel members were screened by the government for 'security' reasons. ('Emergency Law', April 1987, Centre for Applied Legal Studies, University of Witwatersrand)

CAMPAIGNS

Attempts to secure the release of detainees have taken various forms, from court cases brought against the state by detainees themselves to a range of protests by detainees in jails, as well as national and international campaigns.

There have also been glimpses of the resistance waged from within prisons and police stations. Letters smuggled out of Kroonstad Prison in the Orange Free State in April last year and allegations from former detainees at Fort Glamorgan Prison in East London described the harsh conditions for the detainees, which had resulted in such protests as hunger strikes. In Modderbee Prison, 178 emergency detainees on hunger strike were teargassed by prison warders in December 1986. The Minister of Justice argued that this was 'an effective alternative to application and deployment of more stringent means'. (NN 21.5.87; DN 4.8.87)

Another letter smuggled to the *New Nation* in June last year gave details of a hunger strike

by political detainees held at Benoni's Modderbee Prison. According to the letter all the 45 detainees held there joined in the protest. The prison authorities maintained that they would abide by international regulations governing prisons and would not force-feed them. (NN 18.6.87, 21.5.87)

Relatives of political detainees have taken a number of measures to highlight the plight of detainees. On 9 November 1987, approximately 25 women and a child marched to parliament demanding the release of their relatives. In Cape Town the Mitchells Plain Crisis and Relief Committee was formed following widespread detentions in the area. One of its aims is to campaign for the release of detainees. (South 3.9.87; GN 10.11.87)

Community organisations and trade unions have joined these efforts, through advertisements demanding the release of detained leaders and the holding of political rallies to draw attention to political detainees. Two hundred and fifty students and teachers of Setotlwane College of Education in the Lebowa bantustan boycotted classes in protest against the detention of the SRC President Moses Tshehla. Staff and students at the University of Witwatersrand used the birthday of emergency detainee Raymond Suttner to promote the cause of their detained colleagues by holding a picket outside the Great Hall.

The Free the Children Alliance organised a week of action in October and a month earlier the Anglican Bishop of Grahamstown, David Russell, went on a four-day fast against detention in September. The United Democratic Front and its affiliates initiated a campaign called 'Unlock Apartheid Jails' aimed at collecting symbolic keys to be presented to the State President. Launching the campaign, UDF Patron Allan Boesak accused Adriaan Vlok of telling lies in order to allow orchestrated repression to continue. (S 29.8.87; NN 10.8.87, 10.11.87)

In November the Thisahulu Youth Congress in the Venda bantustan organised a 12-hour fast by villagers protesting against the continued detention of leaders who include Tendamudzimu Robert Ratsitanga and Tshivhulawi Makumbane, the village headman. (FOCUS 73 p.6; NN 19.11.87)

SARHWU MEMBERS

Altogether 32 members of the South African Railways & Harbour Workers Union detained during and after the South African Transport Services strike, were still in detention at the end of September. Their names are listed below. All were taken into detention in the Witwatersrand area between 29 April and 8 July, except for Mzoli Dyasi, held in Port Elizabeth on 7 August. (DPSC Report 30.9.87)

At the beginning of December several of those detained were scheduled to appear in court, following a number of other trials arising out of the dispute. (4.12.87)

● BUTI, Richmond; CHAU CHAU, Simon; DYASI, Mzoli; DZEUHE, David; GONTSE, Aaron; IKANENG, Michael; JACOBS, Willie; KGERESI, Simon; LEBELO, Harry M.; MADIHLABA, Lucas; MAJUJEZI, Jeffrey; MAKHAVU, Jonas; MALULEKE, Thomas; MATLOGA, Tiny S.; MBANXA, Thami; MELWANE, Godfrey; MKHOLOKOTHO, Daniel; MOKHOATHATSA, Knox; MOGOROTSI, Isaac; MOKHESI, Johnson; MOLEFE, Patrick; MSIMANG, Mandla; MULOmoni, Simon; MULUVU, Reuben; MUSHAISANO, Wilson; NETSHITUNGULA, Phineas; NGCOBO, Johannes; PHASWA, Philemon; SIBISI, Bongani B.; TAAI, Thozamile; TSHIOUHE, Simon.

DETAINEES — Additional to previous FOCUS lists

24.4.87	Durban	NZAMA, Timothy S.M.	ISA 29
29.4.87	Johannesburg	MOTSEPE, Thabiso E. (15)	ISA 29
30.4.87	Durban	CHAMANE, Sibusiso	ISA 29. Univ. of Durban-Westville Student
30.4.87	Durban	GUMEDE, Bongani	ISA 29. Univ. of Durban-Westville Student
15.5.87	Durban	KHANYILE, Musawenkosi	ISA 29
15.5.87	Duduza	PITSI, Simon Sipho	ISA 29. Duduza Student Congress
21.5.87	Durban	MOTHA, Desmond	ISA 29
25.5.87	Duduza	MAJOLA, David P.	ISA 29
26.5.87	Johannesburg	NYANDA, Sheila M.	ISA 31. Abducted from Swaziland
28.5.87	Johannesburg	TSHABALALA, Elisa	ISA 29
28.5.87	Soweto	TSHABALALA, Mzomdeki	ISA 29
5.6.87	Durban	NXUMALO, Themba	ISA 31. Rel. November
9.6.87	Nigel	PAILANE, Solomon P.	ISA 29. Duduza Student Congress
11.6.87	Soweto	KHOLOANE, Reginald	ISA 29
12.6.87	Soweto	LEBALLO, Kutlounou	ISA 29
12.6.87	Soweto	NDABEZITHA, Raymond	ISA 29. Street Committee member
12.6.87	Durban	ZWANE, Sam	ISA 29
15.6.87	Soweto	MAKHUBU, Ntando	ISA 29. Soweto Civic Association
15.6.87	Soweto	MDALALOSE, Sibusiso	ISA 29
17.6.87	Soweto	DLAMINI, William Veli	ISA 29
17.6.87	Soweto	KHUMALO, Vusi	ISA 29
17.6.87	Soweto	NDAMASE, Nomaledi	ISA 29
17.6.87	Soweto	NTABENI, Andile Chat	ISA 29
18.6.87	Port Elizabeth	FIBI, Layton K.	ISA 29. Port Elizabeth Youth Congress
18.6.87	Soweto	KHUNOU, Siphwe E.	ISA 29. Soweto YCO, Release Mandela Committee
18.6.87	Soweto	LAKALAKALA, Kenneth	ISA 29
18.6.87	Soweto	RADEBE, Abednego	ISA 29. Soweto YCO, Release Mandela Committee
18.6.87	Soweto	TSHABALALA, Moses	ISA 29. Soweto YCO, Release Mandela Committee
19.6.87	Soweto	MAKGETHI, Ezekiel	ISA 29
19.6.87	Soweto	TSHABALALA, Lina	ISA 29
20.6.87	Soweto	LEBALLO, Joyce	ISA 29
29.6.87	Soweto	SEHERI, Richard M.	ISA 29. Soweto YCO
29.6.87	Soweto	WILLIAMS, Pumla	ISA 29
1.7.87	Soweto	KHUMALO, Themba	ISA 29
11.7.87	Alexandra	NDLOVU, Martha (F)	ISA 29
11.7.87	Alexandra	NDLOVU, Simon	ISA 29
15.7.87	Venda	MPHIGALALE, David	MLOA
17.8.87	Mdantsane	SOCI, Boyce (41)	{NSA 26. BCC field worker. Charged 21.10.87 with 4 others with 'Terrorism'
28.7.87	Soweto	HASHE, Mandisa	ISA 29. From Eastern Cape
28.7.87	Soweto	QUNTU, Simon	
28.7.87	Soweto	WAKHASI, Mncedisi	
29.7.87	Port Elizabeth	SIZILE, Olga	ISA 29
5.8.87	Soweto	SIBISI, Albert M.	ISA 29
5.8.87	Venda	VHUFULI, Frederick	MLOA
11.8.87	Port Elizabeth	VELLEM, Mawonga	ISA 29. Port Elizabeth Youth Congress
13.8.87	Soweto	MORGAN, John	ISA 29
13.8.87	Klerksdorp	SILLO, Thabo	ISA 31. CAWU Regional organizer
13.8.87	Klerksdorp	TLADILE, Moses	ISA 29. NUM Regional Chair
23.8.87	Daveyton	MAHLANGU, Moses	ISA 29
23.8.87	Daveyton	NTSOSENG, Daniel	ISA 29
24.8.87	Cape Town	MALGAS, Wayne	{ISA 29. Appeared in the Cape Town Regional Court on 17 November with 12 others on charges of 'Terrorism'
27.8.87	Cape Town	PETERSEN, Colin	
1.9.87	Cape Town	CAIRNCROSS, Colin	
1.9.87	Port Elizabeth	MASIZA, Toto Bongani	ISA 29
3.9.87	Transkei	BHALA, Eliot	{NUM members, detained while waiting to transport mineworkers back to the goldmines after the miners' strike
3.9.87	Transkei	KEYIZANA, Thandazile	
3.9.87	Transkei	MEDUPE, R.J.	
3.9.87	Transkei	VUMBA, Mzawakhiwa	
9.9.87	Durban	MUTHWA, Derek Z.	ISA 29
12.9.87	Soshanguve	MOKUBELA, Samuel	ISA 29
15.9.87	Gugulethu	LUMAMBO, Michael	ISA 29
18.9.87	Gugulethu	NKWANDLA, Wellington	ISA 29
19.9.87	Germiston	MOGWERANE, Aaron	ISA 29
Rep.19.9.87	Gugulethu	DLANGUDLANGU, Herbert	ISA 29. Unemployed Workers Movement
21.9.87	Paarl	TITANA, Mthetheleli	{ISA 29. Shot and wounded while being detained; hospitalised
22.9.87	Cape Town	KRUGER, Gary	ISA 29. Cape YCO & World Vision field worker
25.9.87	Durban	KHUMALO, Simpi	ISA 29
28.9.87	Soweto	MFUNDISI, Bambaliphi Vincent (28)	ISA 29. MWASA Shop steward
2.10.87	Thembisa	MAPALAKANYE, Maropodi (32)	ISA. MWASA Regional Organiser
16.10.87	Messina	Two unnamed alleged guerrillas	ISA 29. Weapons allegedly captured by police
17.10.87	Bloemfontein	Four unnamed people	{ISA 29. Allegedly assisted man shot by police in armed clash
Rep.20/10.87	Bloemfontein	Unnamed alleged guerrilla	ISA 29. Said by police to be armed with Makarov pistol
24.10.87	Eshowe	MADE, Vivani Isidore	ISA 29. Allegedly assisted trained ANC operatives
Rep.27.10.87	Natal	4 unnamed people	{ISA 29. 2 alleged guerrillas and 2 'collaborators' Attack on Empangeni police station

ABBREVIATIONS

Laws: ISA – Internal Security Act, Sections 29,31; MLOA – (Venda) Maintenance of Law and Order Act; NSA – (Ciskei) National Security Act.
Organisations: BCC – Border Council of Churches; CAWU – Construction & Allied Workers Union; MWASA – Media Workers Association of SA; NUM – National Union of Mineworkers; SCO – Student Congress; UDW – University of Durban-Westville; YCO – Youth Congress

OVER 40 DEATH SENTENCES

At least 44 people were facing execution at the end of November after trials arising out of political protest. Six of them, residents of Sharpeville who were sentenced to death in December 1985, had their appeal rejected by the Appeal Court shortly after an execution went ahead despite calls for clemency.

In spite of repression organisations in South Africa continued to call for an end to political death sentences in such cases. The South African Youth Congress (SAYCO), which launched the campaign, has suffered a number of detentions as well as bans on its pamphlets, posters and meetings. (*AA News Nov '87*)

The Detainees Parents Support Committee has begun to monitor death sentences and a special appeal was made by the Port Elizabeth Youth Congress (PEYCO), three of whose members are facing execution: Vuyisile Daniel GONI from Walmer; Tsepo LETSOARE (22) for the killing of an alleged informer, and Benjamin Mlondolozzi GXOTHIWE (27) for the shooting of a policeman. (*Eastern Province Herald 4/5/8/10.9.87; NN 1.10.87*)

PEYCO also appealed on behalf of Gilindoda GXEKWA (22), a member of the Uitenhage Youth Congress, sentenced to death last August for killing an alleged informer in Kwanobuhle in March 1985. This killing, like that of Councillor Kinikini and his family for which two people were executed in September, occurred after the police massacre of at least 21 mourners at a funeral procession in nearby Langa and during a period when vigilantes were terrorising Kwanobuhle. Three months after his death sentence was pronounced Gxekwa appeared in the Port Elizabeth Supreme Court, alongside three others, on another murder charge. (*Eastern Province Herald 5.8.87, 5.11.87; DD 14.8.87*)

Michael LUCAS became the fourth person from Bhongolethu in Oudtshoorn to be condemned when in August the Cape Town Supreme Court sentenced him for shooting a bus inspector. Lucas, who was described as a 17-year-old youth during the trial, was subsequently sentenced to death after the court found him 'to be between 20 and 21 years old.' No details of how his age was determined were reported, nor whether his defence accepted the finding. The death sentence is not compulsory, even after a conviction for murder without extenuating circumstances, if the accused was under 18 on the day of the crime. Lucas was still at school, having completed Standard 8, when arrested.

Lucas had pleaded guilty to a charge of culpable homicide, saying he shot the inspector by accident during an attempt to set alight a bus belonging to the South Cape Bus Service. There was little reporting of the case but presumably the court rejected Lucas' reduced plea. The people of Bhongolethu daubed slogans in support of him on walls in the township when the sentence was announced. Lucas and three other local men sentenced earlier, Patrick MANGINDA, Desmond MAJOLA and Dickson MADIKANE, are all appealing against their sentences. (*FOCUS 68 p.7, CP 17.5.87; DN 22.8.87; South 17.9.87*)

A number of death sentences have been passed on people allegedly responsible for killing policemen. In one case in the Pretoria Supreme Court, Sibusiso Senele MASUKU (23), already serving a 10-year sentence for planting a landmine (*FOCUS 72 p.6*), was sentenced to death along with Oupa Josias MBONANE (21) for allegedly killing a police-

man in Soshanguve in February 1986. The constable was killed during a night vigil for a man believed to have been shot dead by police. Initially police arrested some 95 youths for the killing - most of them 'between the ages of nine and 13.' (*CT/S 6.3.86; S/DN Star/Cit 1/9/87*)

Johannes MOSEKI (23) was sentenced to death in the Rand Supreme Court on 19 October for his alleged part in the killing of a Tembisa policeman in March 1986. Moseki was one of eleven youths, five of them under the age of 18 years, who faced charges of murder and public violence. One was acquitted on all charges, eight were acquitted on the more serious charges and Moseki and Freddie MASHIGO (22) were convicted of murder. Justice Steyn found extenuating circumstances (the nature of which were not reported) in the case of Mashigo, whom he sentenced to 14 years. Moseki was refused leave to appeal. Evidence in the trial indicated that a large crowd was involved in the killing of the police constable. (*S 5/6/13.8.87; Star/S 14.9.87; S/Star 20.10.87*)

Another killing in Tembisa, of a councillor in May 1986, led to a death sentence passed on Joseph CHIDI (23) on 16 September in the Rand Supreme Court. His co-accused, a youth of 16 years, was sentenced to a prison term of 17 years by Justice le Grange who reportedly 'wished' to give him the death sentence also. (*S 16/17.9.87*)

Daisy MODISE (25) became the second woman known to be under sentence of death for actions arising out of political unrest when she was condemned in the Temba court of the Bophuthatswana bantustan. Modise and two fellow-members of the Stinkwater Youth Organisation, Thomas CHAUKE (27) and Johannes TSHABALALA (18), were sentenced in May 1987 but the news was only reported more widely in October, consistent with the generally poor media coverage of events in bantustans. Few details were available though reports spoke of them being charged in connection with 'people's courts' and 'necklacings'. (*WM 9/23.10.87*)

EXECUTION

On 6 November the authorities executed Mlungisi LUPHONDO (21) in spite of a last-minute campaign to save his life. Lumphondo was sentenced to death on 5 March 1987 for the killing of Matholi Alina Maphatsoe. He was originally charged with five others although charges were dropped against three, including a 16-year-old youth, and they were used as state witnesses.

Maphatsoe was killed with her fiancé, Mtutuzeli Jacobs, on 1 April 1986 after he had stopped to offer assistance to a group of men stranded without petrol or food on the James-town-Dordrecht road. Jacobs, who was a Ciskei bantustan official, was shot dead by one of them, Luthando Madolwana, whom he had refused a lift. Maphatsoe, who was asleep in the back of the car, woke up and began screaming and was shot by Lumphondo.

Justice Cloete, presiding over the Grahamstown Supreme Court, found extenuating circumstances in the case of Madolwana whom he sentenced to 20 years' imprisonment. He said he had reached a point of desperation through lack of food and had shot Jacobs 'on the spur of the moment' when his hopes of a lift were dashed. However, he discounted any such factors in the case of Lumphondo although his circumstances were apparently very similar. He sentenced him to death and refused him leave to appeal. The third accused, Sizwe Maqina, was given a five-year sentence for being an accessory after the killing. The men's defence

was that the killings had not been premeditated.

A plea for clemency to the State President was rejected and the execution set for 6 November. Shortly before this a campaign calling for a reprieve was launched and supported by a number of organisations within South Africa and internationally. A service at Khotso House, headquarters of the South African Council of Churches, was addressed by members of the Azanian National Youth Unity, of which Lumphondo was a member, the Media Workers Association (MWASA) and the All-African Students Action Committee. Other appeals were made by the National Forum, the Azanian People's Organisation, the National Congress of Trade Unions and the United Democratic Front, whose president Albertina Sisulu appealed directly to President Botha. Dr W Kistner, senior director of the SACC, appealed for mercy saying 'Perchance, he may still repay his debt to society in a way that will enrich all of us'. The UN Special Committee, the Africa Group at the United Nations and the UN General Assembly, through its president, all made urgent appeals on Lumphondo's behalf.

Some reports spoke of Lumphondo as a member of the African Allied Workers Union and on the day before his death he was visited by the general secretary of AAWU, Cunningham Ngcukana, a relative of his. In a statement condemning his execution the PAC representative in Zimbabwe referred to him as a PAC member. (*S 5/6/11.11.87; DD 6/7.11.87; Ind 7.11.87; BBC/Star 9.11.87*)

APPEAL FAILS

On 1 December the Appeal Court in Bloemfontein turned down an appeal by six Sharpeville residents condemned to death in December 1985 for the killing of a Lekoa town councillor, Jacob Dlamini. The five men and one woman commonly known as the Sharpeville Six were the first people sentenced to death for participation in the mass protests which swept the country from September 1984 onwards. Their much-delayed appeal had been eventually heard on 3 November in the Bloemfontein Appeal Court following which the five judges reserved judgement.

Dlamini was killed by an angry crowd on the first day of the Vaal uprising when he refused to join a protest march against rents increases and instead fired on the demonstrators. Thousands of people were involved in the protest and at least one hundred people participated in the attack on Dlamini. The appeal court ruled that, as part of the crowd, the six were responsible for Dlamini's death even though their own actions did not cause it. In fact the state's evidence linking the accused to the scene of the killing was weak and contradictory.

The unreliability of the state's evidence was a subject raised by the defence both in the trial and on appeal. In particular one state witness who implicated two of the accused, Duma Joshua KHUMALO and Francis Don MOKHESI, in the manufacture and throwing of petrol bombs at the site of the killing, subsequently made a statement to a solicitor saying the police had told him to incriminate the men. The defence was refused permission by the trial judge, Justice Human, to cross-examine the witness on the statement, as it was regarded as a 'privileged' communication. One of the main grounds of appeal contended that the judge had erred in not allowing this questioning but it was rejected.

A number of defendants, including Theresa RAMASHAMOLA the only woman accused, were tortured after their arrest. She was accused

of inciting the crowd to kill Dlamini and not of participating in the attack herself. A single unnamed witness, whom the defence described as unreliable, said he overheard her saying 'He's shooting, let's kill him' when Dlamini opened fire on the crowd. Ramashamola denied this. She said she had attended part of the march – in fact she was hit on the head by a police rubber bullet earlier the same morning. However, the crowd outside Dlamini's house was dispersed by police using teargas and it was only later that he was attacked and killed. In November 1984, when Ramashamola was arrested, she was stripped and tortured with electric shocks. She suffered further injury during the course of the trial when her arm was broken in a police vehicle.

The first accused, Mojalefa Reginald SEFATSA, suffered probably the worst abuse in custody – sustaining a broken jaw as well as

damage to his sight and hearing following physical assault and electric shock torture. The two eye-witnesses who claimed to have seen him participate in the attack on Dlamini contradicted each other as to his role – one claiming he had thrown a stone at Dlamini, the other saying he had wrestled with the councillor for his weapon.

Reid Malebo MOKOENA was also said to have thrown a stone at Dlamini – on the basis of a statement extorted from him under duress but nevertheless ruled admissible. In fact, Dlamini died after being burnt with his car. No evidence linked any of the accused to this fatal attack – they all face execution because of the legal ruling on 'common purpose'. Indeed, the only evidence against Oupa Moses DINISO was that the deceased's pistol was allegedly found at his home some two months later. At the original trial Diniso cast doubt on the authenticity of the

pistol produced in court, saying it was not the same one confiscated from his home.

In a statement on 2 December the Southern African Catholic Bishops Conference called on President Botha to commute the death sentences saying that he should regard as a 'mitigating circumstance' the fact that 'in the present political climate in South Africa, killing people who are perceived as collaborators with the system of apartheid is seen as a political, not criminal, act.' (SACBC, 2.9.87)

Lawyers for the six immediately began to draft a petition for clemency to the State President. Support came from the DPSC, the SACC and the UDF and a series of public meetings were called. Sefatsa's wife described him as 'still very strong' while his mother declared 'I just can't believe they can hang my son. I know he is innocent.' (WM 4.12.87; BBC 5.12.87)

COMPLETED POLITICAL TRIALS

MANGOPE

Robert MANGOPE (30) of Kagiso, Krugersdorp, a member of the Azanian National Youth Unity (AZANYU), was sentenced in October to six years' imprisonment for arms offences. He was sentenced to two years for the possession of three Scorpion machine pistols and a further four years for supplying them to others. He was also convicted of possessing 153 live 7.65mm bullets. Both charges were apparently under the Arms and Ammunition Act. (Star 14.10.87)

In evidence, Mangope said that he had obtained the pistols from a man known as 'Churchill' and later gave them to two other people to hide. In July another resident of Kagiso, Velile Churchill LUVUNO (32), was found unfit to stand trial and was declared a State President's patient. A psychiatric report described him as schizophrenic and incapable of following court proceedings. It said he could not have appreciated the wrongfulness of his actions at the time of the alleged offences. A month earlier Luvuno, who had been in detention since October 1986, had been referred to Sterkfontein hospital for observation after being charged with 'terrorism'. He was described as having had a history of mental illness since 1978 and said to have been in the care of the Johannesburg district surgeon between December and March. (FOCUS 21 p.10, 25 p.10, 41 p.9; Star 8.6.87, 23.7.87)

MASEKO AND OTHERS

Three alleged ANC combatants were each sentenced to eight years' imprisonment in the Rustenburg Regional Court in October after pleading guilty to a charge of 'terrorism'. James MASEKO (23), Samuel MAHOPE (25) and Ben MOKGOSI (28) were detained near Zeerust in 1986. It was alleged they were on a mission to recruit people for military training and to supply arms, ammunition and explosives.

The men initially pleaded not guilty to undergoing military training and possessing and hiding weapons which would be used to commit acts of 'terrorism' and sabotage. They lodged a plea of guilty to 'terrorism' after hearing the evidence of an unnamed state witness. No other details were available. (Cit 10.10.87)

NTUNYA

Noble Kamohelo NTUNYA (25) was sentenced to eight years and six months imprisonment in the Transkei Supreme Court on 16 September for possessing explosives. The explosives were discovered in May 1986 on premises belonging to Ntunya's sister in the Maluti township after he led police to the site. Ntunya may well have been in detention since that time. He denied

possession of the explosives – 10 hand grenades, two mini-limpet mines and 14 detonators – saying he had been given something to store by his brother. He said he had no knowledge of the nature of explosives or how to operate them and had never intended to injure people or property. Ntunya's lawyer gave notice of appeal against both the conviction and sentence handed down by Justice Beck. (CP 31.5.87; DD 17.9.87)

QUMZA AND HOKO

The East London Regional Court imprisoned two men in early November for activities in support of the ANC's armed struggle. Mthunzi Bereng QUMZA (24) was found guilty of being an ANC combatant and Madoda Elvis HOKO (26) was convicted of assisting and harbouring Qumza and another trained man. A third accused, Hoko's brother Andile, aged 28, was acquitted.

The men were all detained in January 1987. The Hoko brothers appeared in court alone in May, with Qumza joining them in August. The essence of the defence case for the Hoko brothers was that they had assisted Qumza, whom they had last seen in 1981, without knowing he had undergone military training in the intervening period. In December 1986 and again in January 1987 they arranged accommodation for him and another alleged combatant named Eddie. Both brothers said they had only made statements under duress. Andile Hoko's statement was subsequently ruled inadmissible whilst Madoda Hoko's was accepted as evidence against him.

Qumza admitted that he had undergone military training for the ANC, but the defence argued that this was unsupported by any independent evidence and could not be used against the Hoko brothers. According to the evidence 'Eddie' was also detained in January but it is not known what has happened to him since.

On 2 November Qumza was sentenced to eight years' imprisonment for undergoing military training and returning to South Africa to establish a safe house to train local people in politics and the use of explosives. Madoda Hoko was sentenced to four years for harbouring and otherwise assisting him. (DD 22.5.87, 25.8.87, 29/30.9.87, 1/2/9.10.87, 3.11.87; Evening Post 22.9.87)

RADEBE

An appeal hearing in the Rand Supreme Court gave the first report of the imprisonment of Jabulani RADEBE for smuggling landmines into South Africa. He had earlier pleaded guilty to possessing two landmines, two hand grenades and ammunition. It was said he joined

the ANC while on holiday in Swaziland in 1984 and was later asked to hide the weapons. He was sentenced to 10 years which was reduced to seven on appeal. (Star 22.9.87)

SIGCU AND WAQU

Two men were convicted of sabotage in the Butterworth Regional Court in the Transkei bantustan in July for allegedly conspiring to burn down the house of an Ezibeleni town councillor. Sindiso SIGCU (22) and Mcebisi WAQU (28) were each sentenced to five years' imprisonment. Two others, Madoana MOSH-OESHOE (31) and Emmet SIMAYI (26) were acquitted. Ezibeleni is a township which serves Queenstown but is situated within the boundaries of the bantustan.

Sigcu and Waqu were alleged to have met at the house of Fikile GWADANA in December 1985 to plan the action. A number of witnesses, including the Superintendent of Komani Hospital, refuted the state evidence that such a meeting could have taken place but this was rejected by the magistrate. He was quoted as saying 'although the evidence given by state witnesses did not correspond completely' he was 'prepared to accept it'. Press reports at the time said that a crowd burnt the house to the ground, causing damage but no injuries.

Gwadana is presently on trial in the East London Regional Court charged with causing an explosion at a shopping centre in Queenstown. (DD 3/10.1.86, 18.7.87, 12.8.87)

TSHIKILA AND MATIWANE

Xolisile TSHIKILA (28) and Joseph Kwanele MATIWANE (28) were convicted of 'terrorism' in the Kanton-on-Sea Regional Court in September after pleading guilty to a charge under the Internal Security Act. The two men from Port Elizabeth first appeared in court in May when they were also charged with illegally possessing arms and ammunition in Uitenhage in December 1986.

Tshikila, an ANC member who described himself as a freedom-fighter, was sentenced to 10 years' imprisonment. He admitted joining the ANC, undergoing military training abroad and returning to South Africa with the aim of destroying a power station in De Aar, although he was arrested before doing this. The alleged offences occurred between November 1981 and December 1986.

Matiwane, of New Brighton, received a sentence of four years and two months for harbouring Tshikila. It was reported that the judge regarded his role in furthering the aims of the ANC in a serious light, saying it was people such as he who made it possible for 'terrorists' to reach their goals. (Eastern Province Herald 8.5.87, 13/19.9.87; South 24.9.87)

POLICE MURDER AND TORTURE REVEALED

Evidence given during inquests, civil claims and prosecutions of 'security force' personnel has partially lifted the blanket of secrecy thrown over police and army operations by the State of Emergency. However, only a small fraction of violent attacks are dealt with in the courts, as few victims are able to take legal action, and the emergency severely restricts court powers.

In particular, Section 12 of the emergency regulations (Proclamation No.96) states that 'no civil or criminal proceedings shall be instituted or continued in any court of law' against the State President, cabinet ministers, 'any member of a Force' or 'any person in the service of the State' for any act carried out 'in good faith' under the emergency regulations. It is presumed that actions are carried out 'in good faith' unless proved otherwise. Courts are obliged to terminate any proceedings which fall under this regulation, which are then deemed to be void. (GG 12.6.87)

The scope of Section 12 is not clear. In at least one case where it was invoked by police facing prosecution, it was not accepted by the court – the accused were however acquitted of murder on the grounds that they were following orders (see the case of *Kruger and Villet, POLICE ON TRIAL below*). In another case, in November 1987, where Constable Cebisile Mkohle was prosecuted for assault and murder, the defence lawyer stated: 'The whole purpose of the emergency regulations is to protect unlawful behaviour [by the 'security forces']. If they were designed only to protect lawful behaviour there would be no point in them since lawful behaviour is already protected.' (CT 11.11.87)

DAMAGE CLAIMS

Despite restrictions, the government has been forced to pay large sums in damages to victims of 'security force' violence and in some cases where people have been tortured in detention. The largest award arose out of 51 claims following the massacre at Langa, Uitenhage, where at least 21 people were killed by the police in March 1985, before the emergency was imposed. (DD 31.7.87)

In September a damages action for R312,000 against the Minister of Law and Order was initiated in the Cape Town Supreme Court by 21 families and the Methodist Church in Africa. The case arises from the destruction of KTC squatter camp and three nearby sites in June 1986, which left 60,000 people homeless. A further 3,198 claims totalling more than R5 million are pending.

The case seeks to show police involvement in planning the attack on the squatter camp by 'witdoek' vigilantes; protecting and transporting the 'witdoeke'; preventing residents from defending their properties by driving them off with teargas and shooting; and burning down dwellings. In the opening weeks of the action, several witnesses, including a number of clergymen, gave evidence of police vehicles escorting armed 'witdoeke' in an advance on the squatter settlement. One witness described how 'witdoeke' were transported in Casspir armoured vehicles. (CT 15-29.10.87)

The attack on KTC took place despite an interim court interdict restraining the police, SADF and 'witdoeke' from attacking the settlement. The Minister of Law and Order opposed the interdict, but by the time the matter was brought before the courts in August 1986 KTC

had been destroyed. Describing the case as 'academic', the Minister withdrew and offered to pay costs. KTC residents saw this as an attempt to prevent them from bringing evidence to court and they began civil proceedings. (WM 18.9.87)

INTERDICTS

The destruction of KTC demonstrates the ineffectiveness of many restraining orders issued against the 'security forces' by the courts. Nevertheless, applications for interdicts shed light on police and military actions under the emergency. Most interdicts are brought by relatives of detainees in efforts to prevent torture and assaults (see *DETENTIONS in previous issues of FOCUS*) while some involve attempts to restrain 'security force' attacks on communities.

Two such cases were heard in July. In the Durban Supreme Court, seven residents of Chesterville sought an order restraining a special police unit which had been deployed in their township. They said that police were mounting night raids on homes, indiscriminately detaining youths for interrogation and torture with electric shocks. (S. Trib 12.7.87)

In the Cape Town Supreme Court in July, the Bhongolethu Civic Association (BHOCa) was granted an interdict restraining local 'kits-konstabels' (Special Constables deployed after only six weeks training). (ST 26.7.87)

Bhongolethu residents said that 14 Special Constables were recruited by the police in January 1987 and sent back to the township with weapons shortly afterwards. Described by BHOCa as 'vigilantes who have been officially licensed to terrorise anyone whose views differ from their own', the Special Constables carried out 'a reign of unchallengeable terror', rounding up residents and torturing them in the presence of other police. (South 5.8.87)

Despite the interdict, the Bhongolethu police shot five residents and assaulted eight others in the following four months. In affidavits filed in the Cape Town Supreme Court residents said that when they attempted to lodge charges of assault against the Special Constables they were further assaulted in the presence of ordinary police. (NN 12.11.87)

POLICE ON TRIAL

In most cases, police or troops responsible for beatings, killings or violent attacks on civilians are not punished. Prosecutions do not result even from some of the most notorious killings, such as a massacre at Kabokweni, White River, in March 1986. However, private prosecutions are sometimes brought by individuals, often with the aid of community legal organisations. (Star 5.8.87)

State prosecutions of police or troops have taken place in some cases where there has been a gross breakdown in discipline, where personnel have clearly acted in unauthorised ways, where there has been extensive negative publicity, where attacks have been carried out against other members of the 'security forces', or where transgressions are seen in more of a criminal than political context.

The Minister of Law and Order disclosed in parliament in March 1987 that during the previous year 253 policemen had been convicted of assault, culpable homicide or murder. Of those convicted, 28 had previous convictions. An incomplete survey of press reports in the second half of 1987 revealed at least 29 prosecutions involving 65 police, with dozens of cases pending. (RMG 13.7.87)

Many of these trials reveal drunkenness, abuse of authority, thieving and violence.

● At least 33 charges were being prepared against Municipal Police from Duncan Village (Gompo) in East London, following reports of more than 50 assaults made to the local Black Sash advice office. According to the Black Sash, these were 'just the tip of the iceberg'. Answering questions in parliament, the Minister of Law and Order disclosed in August that one complaint of murder, four of attempted murder and 56 of assault had been made against the Gompo Municipal Police between 28 November 1986 and 26 June 1987. One policeman was awaiting trial on murder charges and three on assault charges. One of these involved assault on a seven-year-old boy. (S 24.7.87; Star 5.8.87)

● Warrant Officer Paulus Kruger and Constable Ernest Villet were acquitted of murder and attempted murder in the Cape Town Supreme Court in September on the grounds that they were following orders. The two men had hidden in a garden near a street corner in the suburb of Bellville South with instructions to 'eliminate' anyone attempting to set up barricades. They opened fire on a group of young people running past, killing 21-year-old Sarah VAN WYK and injuring three other women. Later Kruger threatened to kill one of the injured women unless she stopped moaning with pain.

The men were congratulated on their 'good work' by senior officers. A police brigadier admitted in court that a false report on the incident had been filed, stating that the men had been attacked by a group throwing stones and burning tyres. (DN 2.9.87; CT 9/16.9.87, S. Star 13.9.87)

● A trial in progress in the Eastern Cape town of Graaff-Reinet during the second half of 1987 revealed drunken and murderous behaviour in police ranks. Warrant Officer Leon de Villiers and Constable David Goosen were charged with murder and assault following a bout of drinking, assaults, torture and executions involving the Port Elizabeth Reaction Unit.

The men in the unit had sworn an oath of 'blood brotherhood' by cutting their forearms and mixing the blood. Nevertheless, some of the policemen gave evidence against the two accused. They said the unit had been sent from Port Elizabeth to Cradock on 25 July to control a funeral scheduled for the following day. On the way they got drunk on brandy.

At 2am they heard a radio report that a police Casspir had been stoned in the Lingelihle township and they decided to go on an 'unofficial' patrol. Wearing balaclavas and armed with rifles, shotguns, knives, a spade and an axe, they drove around looking for 'suspects'. They assaulted a number of people they came across, beating and throttling them, and Goosen killed Andile PLAATJIES by stabbing him. The night foray ended with one of the constables firing his shotgun at 'unknown targets'.

The next morning they went on patrol during the funeral and detained several people. The detainees were all interrogated and assaulted. The policemen tortured at least four detainees by suffocating them with plastic bags, but obtained no information.

Wheanut STUURMAN was detained and severely tortured because he was wearing a Cradock Youth Association T-shirt. According to one of the witnesses, Constable Neveling, Warrant Officer de Villiers declared: 'This boy must be taken out. He is too badly injured to detain.' They then drove to a nearby river where Constable Goosen killed Stuurman with a shot through the back of his neck. (Eastern Province Herald 27/31.10.87; Star 28.10.87; DN 28.10.87; S. Star 1/8.11.87)

ARMY AND POLICE ACCUSED

namibia

Horrifying details of the role of security police and members of the SADF in the torture and murder of a detainee, the killing of an opponent of the MPC Administration and the killing of a civilian living in the war zone have been revealed in three trials in Namibia. Similar evidence has emerged from actions for damages submitted to the courts by relatives of people killed by the 'security forces'.

In the first of the trials Captain Pat King of the South African Security Branch was charged with the murder of a detainee Johannes KAKUVA in August 1980. He was also charged with assault and assault with intent to do grievous bodily harm to several other detainees held at the same time. In the second trial, six members of the SADF, including four officers, were charged with the murder of SWAPO leader Immanuel SHIFIDI, an ex-Robben Island prisoner and an employee of the Council of Churches in Namibia. He was killed at a SWAPO rally in Katutura, Windhoek, in November 1986. (FOCUS 72 p.11) In the third trial a soldier was charged with the murder of Wilhelm HAINDONGO, a resident of the Ovambo bantustan, in August 1986.

● **Johannes Kakuva** The charges against King related to the disappearance seven years ago of Johannes Kakuva, a stock farmer living in the Okarare area of the Kaokoland bantustan. The trial took place in August and September in the Windhoek Supreme Court. In 1983 an official inquiry into the matter accepted the evidence of seven men detained with Kakuva that they had been assaulted and tortured. The prosecution followed a series of strong international protests at the failure of the authorities to call to account those involved.

The men were detained in August 1980, during a police operation aimed at obstructing SWAPO attempts to build support in the Kaokoveld. They were taken to a police base at Opuwa and held there for several months. Napaheri NDERURA, Petrus MBAUMBA and Gustav HAO testified at the trial that after their arrest they had been made to lie on the ground and were severely beaten with sticks by police acting on King's orders. Their interrogators accused them of giving food and assistance to SWAPO guerrillas and questioned them about their movements. In some cases, the beatings lasted half a day. One of the detainees was beaten so seriously that he became delirious. All the detainees later received hospital treatment for their injuries. (Nam 28.8.87; WO 5.9.87)

Nderura, who had two fingers broken in the assaults, said that after continuous beating and electric shock torture he lost consciousness. He was left lying blindfolded on the grass outside the building where he had been interrogated. As he regained consciousness he heard someone screaming and recognised the voice of Kakuva. Later, a lifeless body was dumped on top of him. Lifting his blindfold he saw that the body was Kakuva's. When he did this, however, he was struck on the head with a rifle butt. Water was thrown over the detainees to revive them, but the action had no effect on Kakuva. (WA 26.8.87; Nam 28.8.87; WO 29.8.87)

Nderura was later removed from the scene and he was held in a toilet for seven days with Mbaumba. Other detainees were held in a

cramped outbuilding containing gas cylinders. They were later transferred to a tent where they were kept chained together by the arms and feet and held for a further three months. None of the detainees saw Kakuva after the events described by Nderura. (Nam 28.8.87)

King's defence attorney argued that on the day that Kakuva was detained the security police captain had recruited him to gather intelligence on SWAPO activity in the region. He alleged that Kakuva had agreed to carry out these activities in return for payment in cattle. In supporting documentation, some of it drawn from the 1983 inquiry, King alleged that on 6 August, the day after Kakuva's detention, he dropped him off on a 'spying mission'. After this he claimed Kakuva was never seen again. (Star 28.10.87)

Further witnesses for the prosecution called King's testimony into question. Kakuva's wife, another relative, fellow detainees and a local water board official who regularly dealt with Kakuva, testified that he spoke only Herero and had little grasp of Afrikaans.

King, who speaks no Herero, claimed to have recruited Kakuva in an exchange that took place without the assistance of an interpreter. The prosecution also disputed whether the claimed spying mission could have taken place on 6 August, as King was still involved in the interrogation of other detainees on that day. (WO 22.8.87, 24.10.87)

Kakuva's relatives also testified that he was a relatively wealthy farmer, with a stock of over 200 cattle. He had no reason to accept the bribe offered him by King.

Prior to the trial, an attempt was made to poison Nderura – the key prosecution witness. He was approached by two unidentified men on the pretext that they wanted to purchase goats from him. During the conversation they offered Nderura beer, which turned out to be poisoned. He was subsequently hospitalised. Local officials later established that the two men had been sent to Nderura by Sergeant Ruben Ipingo, based at the Opuwa police base. Ipingo served under King at the time of Kakuva's death and had helped detain the men. On 27 November, King was acquitted on all the charges against him. No further details were immediately available. (Nam 21.8.87; WO 28.11.87)

● **Immanuel Shifidi** In September six members of the SADF were brought to trial on charges of murder, complicity to murder and offences under the Riotous Assemblies Act. They made an initial appearance in the Windhoek Magistrates' Court. The accused included four officers: two colonels, a lieutenant and a commandant. Colonel Willem Welgemoed is the commanding officer of 101 Battalion at Ondangwa in the north of the country. An earlier official inquiry into Shifidi's death found that 27 members of the battalion armed with knives, pangas and other weapons had been bussed to Windhoek to break up a SWAPO rally commemorating the International Year of Peace. They had attacked the crowd and Shifidi was assaulted. He died of serious stab wounds and cuts. (FOCUS 72 p.11; Nam 9.10.87)

● **Wilhelm Haindongo** Dirk Calitz, a sergeant in a COIN (Koevoet) unit based in the

Ovambo bantustan appeared in the Windhoek Supreme Court in November charged with beating to death the headman of a village, Wilhelm HAINDONGO, in August 1986. The incident occurred during investigations into SWAPO activity in the area.

A pathologist, who carried out the post-mortem on Haindongo's body, said that he had sustained 'inter-cranial haemorrhage, multiple soft tissue injuries and lacerations to the scalp and right lower leg'. (Nam 20.11.87)

Haindongo's son testified that Calitz had twice beaten his father with wooden poles. The assault followed an altercation about damage done to a fence by a Koevoet Casspir. Calitz ordered that Haindongo's body be wrapped in plastic and buried. Another member of the same Koevoet unit said that Calitz instructed his unit to bury grenades and camouflage clothing in the homestead to suggest that the inhabitants had links with guerrillas. They were also told that if questioned about the incident they should say that Haindongo had pulled a pistol and Calitz was forced to respond by hitting him. (WA 18/19.11.87)

● **Claims for compensation** In September and October the widows of two men killed by units of the South West Africa Territory Force (SWATF) took legal action against the MPC Administration. Shinene Dumeni claimed damages of almost R100,000 for the wrongful killing of her husband Josef DUMENI who was shot in June this year. The authorities claimed he was killed during curfew when a military patrol was ambushed by guerrillas. Dumeni's brother, Bishop Kleopas Dumeni of the Evangelical Lutheran Church, however, claimed that he was killed in Angola. (FOCUS 72 p.11)

The widow of Frans UAPOTA who was severely beaten and then shot by soldiers at Eembo in northern Namibia in November 1985, brought a claim for compensation against the 'cabinet' of the MPC Administration in September. Attorneys acting for Victoria Mweuhanga disputed the administration's claims that it has no jurisdiction over the SADF and SWATF. Complex legal argument centred on precisely which powers over SWATF had been transferred from the South African Cabinet to the MPC Administration when it was formed. The plaintiffs argued that the administration had acted incorrectly when, on the instructions of President Botha, it ordered a halt to the trial on murder charges of four soldiers in connection with the killing. (Nam 18.9.87)

This was done in terms of a clause of the Defence Act which grants troops indemnity from prosecutions for actions committed 'in good faith' and for 'purposes of the prevention and suppression of terrorism in an operational area'. (FOCUS 67 p.10)

In November, the Shifidi and Haindongo trials and the claims were still in progress. The SADF-accused were freed on bail. It is an unusual departure for the administration to bring members of the police and army to trial for committing atrocities. The vast majority of such actions have occurred without anyone being brought to account. At the same time King's acquittal showed that even when there is strong evidence against members of the 'security forces', the courts may not convict them.

PROTESTS AGAINST ARMY IN SCHOOLS

There were continued protests at schools and colleges in Namibia in the second half of 1987. Many took place against a background of mounting concern over the role of the SADF in education programmes as part of its 'hearts and minds' programme. (See also *FOCUS* 71 p.10, 73 p.4)

NANSO

The role of the SADF was one of the central issues raised at the third annual congress of the Namibian National Students' Organisation (NANSO) in Windhoek in July. Attended by over 500 delegates, it was the organisation's largest congress to date, testifying to its growing influence at schools and colleges. Over the previous two years NANSO had been involved in several struggles at schools. (*FOCUS* 63 p.11, 71 p.10)

In the keynote address NANSO president Paul KALENGA called for the transformation of NANSO 'from a school organisation' to one which actively 'participated in the total liberation struggle of the country'. The conference called on teachers to 'stop being used as instruments by the colonial state to indoctrinate and brainwash the minds of our students by allowing and passively accepting military activities such as cadets in our schools'. Resolutions adopted at the congress expressed concern at interference by police and soldiers at schools and reaffirmed support for the immediate implementation of UN Security Council Resolution 435. (*Nam* 3.7.87)

MILITARISATION

In October NANSO and the Council of Churches in Namibia organised a northern region 'Student Council Consultation'. It provided a forum for student councils at 20 schools in northern Namibia to discuss problems common to the region. These centred on the proximity of SADF bases to schools and the 'hearts and minds' campaign of paramilitary cultural organisations such as Etango. Delegates called for the withdrawal of armed forces from the region. (*WA* 29.10.87)

Between July and October there were several protests at the activities of the army at schools in the north of the territory. In July there were reports in the local press that

Koevoet and Etango were supplying guns to children at secondary schools in the Ogandjera and Etalakelo areas. It was not clear from the reports who the recipients were. However, the issue sowed division in the student body and led to student strikes at some schools. (*African Concord* 9.7.87; *Nam* 31.7.87)

Students at the Ponghosi Secondary, which was the target of SADF attacks in March, drew up a letter in September demanding the withdrawal of a nearby army base at Ohangwena. The students rejected the notion that the base was there to protect them from SWAPO, saying they regarded SWAPO as freedom fighters. (*FOCUS* 71 p.10; *Nam* 25.9.87)

In another letter which appeared in the press, a pupil at the Valombola Technical Institute complained that in June and July the school soccer field had been used for training by members of a nearby Koevoet camp at Ongwediva, and that the school kitchen had been used to store meat for the unit. (*Nam* 1.8.87)

KAVANGO BANTUSTAN

Similar reports from the Kavango bantustan pointed to SADF intervention in schools across the territory. Pupils at the Rundu secondary school stated that the majority of teachers at the school were the wives of SADF and Koevoet members. According to the pupils, children were sponsored by the army to participate in song festivals. The choir at the school had been set up and sponsored by 202 Battalion and the Ezuva cultural movement attached to the SADF. (*Nam* 23.10.87)

On 6 November Koevoet members went on the rampage following a demonstration led by students from Rundu Secondary School. The students, supported by local residents, were protesting at the mysterious death of a Kavango bantustan employee. In the evening police raided a cuca shop, assaulting two women assistants, looting the stock and beating up the owners. Several neighbouring home owners were attacked, of whom at least three required hospital treatment.

Two youngsters, Mauno HAUSIKU and Joseph KALICKI, were arrested and held to appear in court on 16 November charged with malicious damage to property, namely a Casspir armoured vehicle.

The next day men in army uniform entered the dormitories at Rundu Secondary School while the students were at lunch. They tore up

posters and other material relating to the demonstration. (*Nam* 20.11.87)

In October there were signs that the authorities were responding to increased NANSO activity in the north of the country with a smear campaign. There had earlier been a similar smear campaign against an independent school run by the Council of Churches in the Caprivi bantustan, emanating from the SADF-backed organisation Namwi. Students of the Manyuni Secondary School in Katima Mulilo were summoned to a meeting where the school committee chairman informed them that NANSO had plans to burn down the school. At a later meeting, a schools inspector told students that NANSO was a SWAPO front, seeking to engage students in activities furthering the aims of SWAPO. Also in October a SWATF news release accused NANSO of being involved in an incident at the Oshigambo Secondary School where a group of pupils was allegedly 'abducted' by SWAPO as part of a recruitment drive for its military wing, the People's Liberation Army of Namibia (PLAN). NANSO denied that it had any links with PLAN and rejected the allegation as 'a malicious smear campaign'. (*FOCUS* 71 p.10; *Nam* 16.10.87)

HIGHER EDUCATION

Student organisation and protests continued at Namibia's principal institute of tertiary education, the Academy in Windhoek, where NANSO was recognised by the university authorities after a three-year campaign. In August 1987 a student mass meeting resolved that the Academy should withdraw all its sports teams from the Central Sports League (an official body), because it contained teams based on political and 'ethnic selection'. The teams also included members of the police and SADF. (*WA* 12.8.87)

In October students organised a 200-strong demonstration against an attempt to oust an academic known for her support of NANSO. Prof Annemarie Heywood – a senior lecturer in English who had reached retirement age – had not been offered a renewal of contract although such practice is usual. As part of their campaign, the students had collected a petition of 478 signatures demanding that her contract be extended. The authorities eventually renewed her contract for one year. (*Nam* 16.10.87)

DETENTIONS

ANGULA Jason

On 28 October Jason Angula, SWAPO Secretary for Labour and an employee of the Council of Churches in Namibia (CCN), was transferred from detention under Proclamation AG9 to Section 6 of the Terrorism Act, thus effectively preventing him from seeing a lawyer. People held for longer than 30 days under AG9 must be allowed access to a lawyer whereas Terrorism Act detainees have no such right no matter how long they are in custody.

Angula's employer, Dr Abisai Shejaval, general secretary of the CCN, was informed that there was evidence that Angula had assisted 'terrorists'. (*Nam* 30.10.87, 13.11.87)

IKKILA, Petrus

Petrus Ikkila, normally a resident of Arandis and a former worker at the Rossing Uranium Mine, was held for two weeks between 11 and 24 September under Proclamation AG 9. He was detained at his brother's house in Katutura.

Members of the Security Branch questioned

him about his movements since he was dismissed by Rossing and accused him of being a PLAN combatant.

He was held at Windhoek Police Station and warned on his release that he might be re-detained. Ikkila said he was considering legal action for 'wrongful and unlawful arrest'. (*Nam* 2.10.87)

IMWAKA, Bernard and LIMBA Ngonda

Two residents of the Caprivi bantustan were reported to have been detained by the army in early October. Ngonda Limba was taken from his home in the village of Siyumbwa on 8 October and the following day Bernard Imwaka was picked up from Matowa. The arrests were made by members of the SADF or SWATF. The report, from 'informed sources', was not confirmed. (*Nam* 30.10.87)

JAFET, Thomas Haipito

Thomas Jafet, a messenger with the Standard Bank in Windhoek, was detained under Proclamation AG 9 at the end of October. He was later transferred to detention under Section 6 of the Terrorism Act. (*Nam* 13.11.87)

RELEASES

KATOFKA, Joseph

Joseph Katofa was released from detention on 29 September after two months in custody. (*FOCUS* 72 p.11) A witness reported seeing Katofa in detention in July [N] he had been assaulted and had his head buried in a hole in the ground. Katofa has been detained at least three times since 1984. (*Nam* 9/30.10.87)

MUREMI, Nimrod

Nimrod Muremi was released on 16 September after three weeks in detention under Proclamation AG 9. Throughout that period he said he was not allowed to lie down at all and had a bucket of cold water thrown over him if he tried to sleep. For the first week he was made to sit upright in a chair with his hands tied in front of him. Thereafter he was made to sit on the floor.

He was interrogated night and day by a team of 10 policemen who alleged he had organised political meetings throughout the Kavango bantustan and transported people unlawfully across the border. (*Nam* 9.10.87)

SWAPO PUSHES AHEAD

While the South African-installed Multi-Party Conference (MPC) administration in Namibia was considerably weakened during the second half of 1987, SWAPO consolidated its popular mobilisation with rallies in small towns around Namibia. The liberation movement also maintained continuous military pressure on the South African occupation forces.

The meetings, in towns such as Grootfontein in the north, and Otjimbingwe and Usakos in the west, followed a large rally in Windhoek at the end of August, which took place despite the detention of seven SWAPO leaders. (FOCUS 73 p. 2; Nam 2/23.10.87)

SWAPO leaders used the rallies to inform supporters of key political developments, including the progress of the armed struggle. At a SWAPO Youth League rally in November at Omaruru, 250 kilometres north of Windhoek, hundreds of young supporters were told by youth leader Mbapewa Muvangua that the conscription of young Namibians into the South African occupation forces was an indication that the South Africans were losing the war. (Nam 6.11.87)

Police monitored most of the rallies but did not attempt to break them up. However, a

SWAPO meeting in late October at Okakarara in the Hereroland bantustan was attacked by armed 'vigilantes' from the bantustan NUDO party, while police stood by. Six people were injured, one seriously. (Nam 23.10.87)

MILITARY STRUGGLE

A number of major SWAPO military actions were carried out during the second half of 1987, mostly in the north of Namibia. These actions demonstrated the ability of the People's Liberation Army of Namibia (PLAN) to sustain year-round operations, even during the dry season when guerrilla movement is difficult.

PLAN gave details of many incidents, including the following:

● **24 July** An ambush of a South African foot patrol which left seven soldiers dead, 45 kilometres north-east of Ondangwa.

● **21 August** A Casspir armoured vehicle detonated a land-mine at Engela - five soldiers were killed.

● **3 September** Two armoured vehicles were attacked and several troops wounded, while the occupants of another armoured vehicle were killed when it detonated an anti-tank mine 80 kilometres north-east of Okongo.

● **5 September** Elundu and Ekomba military posts were attacked with mortars and rockets.

● **7 September** Okongo military base was attacked.

● **13 September** Seven South African troops were killed and several wounded in an attack on Ohomba military base near Oshakati.

● **15 September** Two members of the Koevoet counter-insurgency police unit were captured at Olukulo.

● **20 September** PLAN fighters intercepted a foot patrol near Eenhana, reporting 'heavy' South African losses.

● **3 October** A Koevoet reconnaissance unit camp north-west of Ondangwa was attacked.

● **10 October** Onavivi base was mortared, with seven troops being killed and several wounded.

● **31 October** A 'major battle' was reported when a large PLAN force ambushed a column of 70 armoured vehicles heading for Angola. PLAN claimed to have destroyed 14 vehicles in the clash, at Okanghudi. Two armoured vehicles which were captured were later put on display by SWAPO.

● **12/13 November** The main rail line north of Windhoek and a post office and municipal offices in the port of Walvis Bay were sabotaged. (The Combatant Aug/Sept 1987; WA 13.11.87; Star 20.11.87; Nam 27.11.87)

ANGOLA INVADED

cont. from p.12

Churches in Namibia, Abisai Shejavali, accused the SADF of killing, maiming and intimidating Angolan civilians. (Nam 16.10.87, 6.11.87)

At the Front-Line States summit on 15 November the leaders of Angola, Botswana, Mozambique, Tanzania, Zambia and Zimbabwe declared that South Africa was waging 'an open war of aggression, occupation and destabilisation' against Angola. They called on the international community to aid Angola in fighting off the attack 'and warned that a larger South African invasion was imminent. (Tel 17.11.87)

The UN Security Council met in emergency session at the end of November and unanimously demanded the withdrawal of South African troops from Angola. South African Foreign Minister RF Botha flatly refused, stating that Pretoria would maintain its troops on 'the present battlefield' in Angola for as long as it wanted. (GN 27.11.87)

MOZAMBIQUE

While Angola has been the main target of South African attacks recently, aggression has also been directed at Mozambique. President Chissano told the UN General Assembly on 1 October 1987 that South Africa was using its own troops as well as MNR mercenaries in its undeclared war on Mozambique. More than 500,000 Mozambicans had been killed, half of them children under five, while 1,800 schools and 390 hospitals and clinics had been destroyed or damaged, he said. Between 1982 and 1986 the MNR destroyed shops, schools and medical centres servicing two million people. (CT 2.10.87)

Large numbers of MNR members were infiltrated into southern Mozambique from training bases at Phalaborwa in the Transvaal early in 1987. They have massacred hundreds of civilians. Over 400 were killed on 18 July in the town of Homoine where maps and photographs linking the MNR directly to South Africa were found. Over 90 were killed on 10 August

in an attack on Manjacaze, and in four separate incidents in October and November over 650 people travelling by road in convoy were massacred. (Ind 1.2.87; Star 15/17.8.87; 15.9.87; D Tel 17.8.87; DN 19.8.87; CT 2.11.87)

In October Zimbabwe's Minister of State for Security, Emmerson Munangagwa, told a group of South African journalists that South African submarines off-loaded food and ammunition in the Zambezi river for transporting by river to the MNR, while Hercules transport planes dropped supplies to them at rough airstrips inside Mozambique. (CT 28.10.87)

More than 3,000 South Africans travelled to attend a memorial service for Samora Machel organised by the United Democratic Front and the Congress of South African Trade Unions at Mbuzini on the border with Mozambique, where his plane had crashed on 19 October 1986. Representatives of the UDF, the President and General Secretary of Cosatu, the General Secretary of the South African Youth Congress (SAYCO) and members of the late President's family were present. Enos Mabuza, head of the Kangwane bantustan, announced that he would erect a permanent monument to Machel on the site. (BBC 20.10.87)

ZIMBABWE

Shortly after the South African government had accused Zimbabwe of complicity in a landmine explosion in northern Transvaal an assassination attempt was made on two anti-apartheid activists in Harare on 13 October. They were Jeremy Brickhill, an official of a co-operative association for former guerrillas, and Joan Brickhill, a freelance journalist and broadcaster for Radio Zimbabwe's anti-apartheid programme. In a statement rejecting South Africa's accusation, the Information Minister N Shumayira said it was part of a persistent South African attempt to destabilise Zimbabwe. (DN 13.10.87; SS 14.10.87)

On 27 November a South African citizen, Odile HARRINGTON (27), was sentenced to 25 years' imprisonment for collecting information on the ANC in Zimbabwe in contravention of the Official Secrets Act. During the trial she admitted she had been recruited by the South African security service. Six residents of Zimbabwe - four Zimbabwean, one Canadian and one British - were arrested between September and November 1987 on suspicion of spying on the ANC for South Africa. (Citizen/Star/CT 18.9.87; S 25.11.87; BBC 30.11.87)

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FIERCE FIGHTING IN ANGOLA INVASION

Between August and November more than 3,000 South African troops invaded Angola, in the largest operation since the occupation of Cunene province in 1981. Simultaneously, South Africa was rearming the MNR destabilisation force in Mozambique, a bomb was planted in Zimbabwe allegedly by South African agents and renewed threats were made against Botswana. Meeting in Angola in November the leaders of the Front-Line States accused Pretoria of creating a 'climate of war' throughout the region which was 'aimed at frustrating the efforts of the international community to achieve a peaceful settlement of the conflict in the sub-region'. (*Angop November '87*)

The fighting in Angola took place mainly in Cunene and Cuando Cubango provinces which lie immediately north of the Namibian border. Much of southern Cunene has been devastated and parts have been occupied by South African troops. Between June and August the South African Defence Force (SADF) attempted to consolidate its domination of the province. Angolan military positions and small towns such as Xangongo and Cahama were bombed and attacked by SADF columns. A South African attempt to seize Ngiva, the destroyed provincial capital, failed in the middle of July, but by the first week of August considerable SADF reinforcements had been brought in. (*Angop June-August, '87*)

While fighting continued in Cunene, during September and October the focus of SADF operations shifted east to Cuando Cubango province, where Angolan government forces were pushing back UNITA. Operating from Cuito Cuanavale, Angolan troops crossed the Lomba river in the first week of September and inflicted heavy casualties on UNITA forces in the area. The aim of the operation, according to the FAPLA Chief of Staff, Lt-General Antonio Franca dos Santos, was to cut UNITA supply routes and destroy underground stores in the Lomba river vicinity. (*SS 25.11.87*)

To counter these operations SADF mechanised columns and 32 'Buffalo' battalion were brought into Cuando Cubango province, engaging FAPLA in the Cuito Cuanavale area on 5 September. Clashes took place throughout

September, both in Cuando Cubango and Cunene, where another attack on Ngiva took place. The Buffalo battalion is believed to have borne much of the brunt of this fighting, suffering many casualties which the SADF later admitted were not reported.

With its ground forces meeting strong resistance, the SADF turned mainly to artillery bombardments and bombing raids during October. Long-range G-5 artillery was used to bombard Angolan positions along the Lomba river. Between 9 and 20 October South African aircraft carried out at least eight bombing raids on military and civilian targets over a wide area of southern Angola. FAPLA reported suffering heavy casualties during artillery bombardments, but several South African aircraft were brought down by Angolan anti-aircraft fire. Ground fighting and aerial attacks continued on a smaller scale in November. Thousands of troops from the SADF's 8th Armoured Division were moved into areas of Namibia bordering Cunene province, pointing to South African preparations for a larger-scale invasion. (*CT 7/19.10.87; DN 13.10.87; MS 23.10.87; Ind 12.11.87; SS 25.11.87*)

For much of the period of fighting the SADF denied that it was involved in Angola except for 'limited' operations which it said were aimed at SWAPO. In one clash early in November the SADF claimed to have killed 150 SWAPO combatants at an undisclosed location in Angola for the loss of 11 of its own troops. This was denied by SWAPO and the Angolan authorities. (*NN 5.11.87*)

On 11 November the head of the SADF, General Geldenhuys, admitted for the first time that South African troops were fighting alongside UNITA against the Angolan armed forces. He claimed that the South Africans were also fighting 'Russian and Cuban forces', but this was refuted by the Angolan authorities. The head of UNITA, Jonas Savimbi, contradicted South African claims and said that his forces were fighting alone. (*Ind 12.11.87*)

LOSSES

The official revelations of South African involvement after previous denials, and a rising toll of white casualties, led to unusually strong criticism of the SADF from amongst the white population in South Africa. At least one Afrikaans newspaper joined the English-language press in calling for more information about the war. To counter criticisms, the authorities claimed that Angolan forces had been forced to retreat after only 'limited assistance' to UNITA

from the SADF. It was also revealed that President Botha and senior cabinet ministers had secretly visited troops in occupied Angola. (*WA 16/17.11.87*)

By mid-November the SADF had admitted to 23 deaths and 42 wounded, but Angolan estimates were that more than 230 invading troops had been killed. The Angolans also stated that they had destroyed at least 11 South African armoured cars and 24 Casspir vehicles, as well as at least 16 aircraft including Mirage and Impala jets. The South African Air Force denied many of these losses, but it was generally acknowledged that some aircraft had been lost during the October bombing raids.

It is difficult, if not impossible, for South Africa to replace jet fighter aircraft because of the United Nations arms embargo, and its ageing Mirages are inferior to the Angolan Migs now in service. In past invasions, the SADF has relied on air superiority, carrying out devastating bombing attacks when it has been unable to advance on the ground. South African generals have expressed deep concern at their inability to crack Angolan air defences. (*S. Tel 15.11.87; BBC 16.11.87; Star 18.11.87*)

TROOPS MUTINY

SADF losses were compounded by problems of morale, and at least two units involved in the fighting mutinied.

Up to 400 troops were reported to have deserted or resigned from 101 Battalion, a Namibian-manned professional unit in the South West Africa Territory Force (SWATF). Many of the troops were said to have been imprisoned after refusing to fight in Angola. One of the soldiers who refused to fight said that 101 Battalion troops had been used as 'UNITA mercenaries' and had been issued with UNITA weapons before being sent into Angola. He accused the SADF of being 'cowardly' for using black Namibian troops in front-line fighting while white South Africans remained behind. After initially denying the reports, SWATF headquarters later admitted that 24 soldiers from 101 Battalion had been discharged for refusing to obey orders. A further 48 had been dismissed from another SWATF unit, 202 Battalion. (*Ind 19/20.11.87; S. Star 22.11.87*)

In South Africa, the United Democratic Front and the End Conscription Campaign called for a withdrawal of troops from Angola, while the Secretary-General of the Council of

cont. on p.11

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Sources and abbreviations: BBC - British Broadcasting Corporation Survey of World Broadcasts; Cit - The Citizen, Johannesburg; CT - Cape Times; DD - Daily Dispatch, East London; Debates - House of Assembly Debates; Cape Town; DN - Daily News, Durban; GG - Government Gazette, Pretoria; GN - Guardian, London; FM - Financial Mail, Johannesburg; FT - Financial Times, London; MS - Morning Star, London; Nam - Namibian, Windhoek; NCC - Namibia Communications Centre, London; Obs - Observer, London; RDM - Rand Daily Mail, Johannesburg; S - Sowetan; S. Exp - Sunday Express, Johannesburg; SS - Southscan; ST - Sunday Times, Johannesburg; S. Trib. - Sunday Tribune, Durban; Star - Star, Johannesburg; Tel - Daily Telegraph, London; T - Times, London; WA - Windhoek Advertiser, Namibia; WM - Weekly Mail, Johannesburg; WO - Windhoek Observer, Namibia.