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focus

ON POLITICAL
REPRESSION IN
SOUTHERN AFRICA

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ORGANISATIONS ATTACKED

An effective clampdown on information about the actions of the police and the army failed to conceal that the declaration of a State of Emergency in South Africa on 12 June was part of a systematic country-wide attack on anti-apartheid organisations.

The little information that emerged also showed that in carrying out this attack, and in using the emergency powers to suppress protests, the police and army made full use of the armed force at their disposal. (See **POLICE AND MILITARY CLAMPDOWN**)

Information about detentions disseminated in defiance of the emergency regulations showed that in every area of the country activists and officers of hundreds of organisations were detained. Monitoring groups put at thousands the number of those who avoided detention by going underground. Emergency regulations were used in many areas to prevent the same organisations from holding any meetings, and in the Western Cape even from issuing statements. The offices of many organisations were searched by the police and documents removed. Some buildings used by anti-apartheid organisations were attacked with petrol bombs and their equipment destroyed. (South African Crisis Information Group, London, July 1986)

Censorship made it difficult to gauge the nature and extent of resistance to the imposition of the emergency. Industrial action by workers protesting at the detention of trade unionists was the earliest visible sign of protest. (See **UNIONS TARGETED**) By the end of July attempts to use emergency powers to coerce pupils into abandoning action over education had led to widespread defiance. (See **EDUCATION STRUGGLE**) Mass arrests of whole church congregations at services to

commemorate those who died during the Soweto uprising of 1976 highlighted another expression of resistance. There were also organised legal challenges to the validity of the emergency regulations. (See below)

These developments suggested that the regime's actions had not destroyed the structures of resistance, whose adaptation to conditions of extreme repression had been signalled during the past year by the formation of such bodies as street committees. (Briefing Paper No.20 'Repression and Resistance during 1985')

CONTROL OF INFORMATION

The emergency powers included most of the powers activated during the emergency in force from July 1985 to March 1986. In certain respects the new emergency went much further, particularly in its restrictions on the dissemination of information and on the making of statements described in the regulations as 'subversive'. (See Briefing Paper No.19 'State of Emergency' for previous emergency powers)

Journalists attempting to report events in the townships are faced with a barrier of laws restricting information about police and military activities. They have had to depend increasingly on police reports, particularly since the imposition of the State of Emergency in July 1985, when the military presence in these areas was substantially expanded.

The new emergency regulations ban the filming, recording or representation of any public disturbance, violence, strike or boycott or any assault on or killing of a person, any person involved in such actions, or any actions of the 'security forces' with regard to the public safety and order or the termination of the State of Emergency.

On 16 June the South African Police Commissioner used his powers under Section 7(1) (c) of the regulations, which deals specifically with control of the media, to impose a further ban on all reporting, without permission, of news about the conduct of the 'security

forces' regarding the public safety and order or the State of Emergency. He also banned journalists from reporting in any African residential area or any other area in which unrest was occurring without prior permission. However, this second order was withdrawn a week later.

All these regulations apply to the dissemination of news both within and outside South Africa. Journalists are expected to make do with the increasingly sparse daily news briefings given by the government's Bureau of Information. The maximum penalty for an offence remains the same as under the last State of Emergency - ten years' imprisonment or a fine of R20,000. (GG 12.6.86; DD 17.6.86; Star 30.6.86)

In addition, the new regulations contain

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South africa

MILITARY AND POLICE CLAMPDOWN

The enforcement of the emergency restrictions has been carried out by the various police forces, chiefly the South African Police (SAP), municipal police and bantustan police units, and the South African Defence Force (SADF).

Immediately after the imposition of the emergency, a number of Citizen Force (part-time) army units were mobilised to supplement the large number of army units already deployed in and around townships. These included regular SADF units consisting mainly of white National Servicemen undergoing two year periods of compulsory military service, Citizen Force units whose members had been mobilised for two-month periods of duty, units such as 1 Parachute Battalion and the locally-based part-time commando force. These forces have been supplemented by 'vigilantes', often recruited and armed by the police. With police backing they have caused havoc in many areas. In Crossroads, groups of people known as 'Witdoeke' aided the police and army in forcibly evicting thousands of 'illegal' squatters by burning down their dwellings. (FM 9.5.86)

Steps have been taken to more than double the total size of the various police forces over the next ten years. Over the past year a new police force controlled by the Department of Constitutional Development and Planning has been placed at the disposal of the Black Local Authorities set up to maintain apartheid administration in the townships. More than 8,000 recruits have been armed, trained by the SADF and SAP and deployed in the front line of township operations. Many of the trainees have had to be recruited from rural areas as a result of

resistance in the townships. (FM 7.3.86)

COMMAND AND CONTROL

Overall military and police strategy is determined through the National Security Management System, a secret nationwide structure falling under the overall direction of the State Security Council. On an operational level, local deployment is most likely to be coordinated by a Joint Operational Centre. Police and military forces remain under their own command during joint operations and follow their own operational procedures, according to the Minister of Defence, General Malan. It was revealed in parliament in February that confidential guidelines had been drawn up to determine whether the SADF or SAP assumes 'primary responsibility' for a given operation. Similar arrangements have been made with regard to bantustan police and military units, although in many cases the SADF or SAP has retained direct command over operations in bantustan areas. (Debates 25.2.86; DD 5.6.86)

OPERATIONS

Police and army operations during the State of Emergency are likely to have followed the pattern established over the past eighteen months. In most townships, joint police and army patrols, either on foot or, more usually, in armoured vehicles, are now routine. The patrols carry out reconnaissance, maintain a show of force and in many cases mount indiscriminate attacks on residents. The patrols have been regularly attacked, initially with stones and petrol bombs but increasingly with small arms. Landmines have also been laid and in some townships residents have been digging trenches to trap vehicle patrols. The number of armed attacks on patrols has increased considerably in

recent months.

Apart from day-to-day patrols, police and troops have mounted attacks on churches, schools, halls and other venues to break up meetings and funerals or carry out arrests. The funerals for victims of police and army attacks, which have often turned into large political rallies, have been the scene of some of the largest operations, involving the occupation of stadiums and other venues and the sealing off of entire townships. Large-scale 'pacification' operations have also been carried out, in which townships are sealed off while troops and police carry out systematic house-to-house searches.

There is evidence that townships throughout the country were sealed off on and around 16 June. Extensive roadblocks were reported around Durban, and in Pretoria leaflets were dropped from the air into townships warning residents to stay indoors and observe a curfew. Extensive operations were also reported in the Eastern Transvaal, while in the Cape there were scattered reports of police and troops breaking up church services and carrying out detentions. From Mdantsane, reports were received of troops breaking up a church service and smashing up pews and other furnishings and carrying out a 'reign of terror' in the township, assaulting residents and breaking into houses.

Further large-scale police and army actions took place on 14 July, when African students were due to return to school after extended holidays. Armoured vehicles were reported to be stationed outside schools, and troops and police deployed inside classrooms in order to enforce the issuing of identity cards to pupils. This led to a renewal of the schools boycott in many areas. (DN 16/20.6.86; S Trib 22.6.86; Star 27.6.86)

INFORMATION CONTROL

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provisions broader and more severe than those which came into effect during the course of the last emergency. Under Section 10 it is an offence to write, record, disseminate, possess or display to the public any 'subversive statement'. A 'subversive statement' is defined as one which is calculated or likely to have the effect of promoting the aims of an unlawful organisation, inciting people to take part in unlawful strikes, boycotts, demonstrations or acts of civil disobedience or in discrediting or undermining the system of compulsory military service; inciting people to resist or oppose the government or 'security forces' in relation to the emergency regulations or public safety; engendering or aggravating hostility between persons or groups of persons; weakening or undermining the public's confidence in the termination of the State of Emergency; or promoting or encouraging disinvestment or the application of sanctions or foreign action against the country.

The Minister of Law and Order, or anyone authorised by him, may authorise the seizure of copies of any publication which he considers contains a 'subversive statement' or any other information that may be detrimental to public safety, the maintenance of law and order or the termination of the State of Emergency. The

Minister may also make it an offence to publish subsequent issues of any periodical publication he considers 'subversive' for any period he specifies.

Within days of the declaration of the emergency police seized copies of the *Sowetan* and *Weekly Mail* newspapers from newsagents. The *Sowetan* was informed that charges were being investigated against it. Police also demanded to see copies of newspapers at the *City Press* and *Sunday Tribune* offices. The offices of *New Nation* were raided and the only staff member present, Tladi KHUELE, was detained under the emergency regulations. Several days later the editor of *New Nation*, Zwelakhe SISULU, was detained and held for three weeks. (Star 14.6.86; BBC 16.6.86; S 17.6.86; WM 20.6.86; Tel 30.6.86)

After some newspapers displayed blank spaces to indicate the censorship imposed on them, one newspaper, the *Sowetan*, was informed that the police interpreted these, too, as 'subversive'. (S 20.6.86)

However, in July much of the far-reaching definition of what qualified as 'subversive' under the emergency regulations was declared null and void by the Natal Supreme Court. In response to an application by the Metal and Allied Workers Union, it found five of the six

definitions too vague to be lawful - leaving only the definition referring to incitement to participate in strikes, boycotts, demonstrations, civil disobedience and to oppose conscription. (GN 17.7.86)

Within a month of the declaration of the State of Emergency 22 journalists had been detained and four correspondents for foreign news agencies deported.

On 16 June telephone communications were temporarily cut off in major townships, including Soweto. The Bureau of Information said that this was due to an accidental breakdown. (FT 18.6.86)

The following day the Bureau of Information issued a directive to the South African Broadcasting Corporation prohibiting all live satellite transmissions out of South Africa by foreign television networks for the duration of the emergency. (BBC 18.6.86)

Information restrictions were extended on 17 June to all the bantustans not declared 'independent' when the State President issued a proclamation providing for the application of the emergency regulations to these areas and giving bantustan authorities corresponding powers. (DD 19.6.86)

UNIONS TARGETTED

Trade unions affiliated to the Congress of South African Trade Unions (COSATU), were amongst the primary targets of the detentions carried out during the first weeks of the State of Emergency.

Between 12 June, when the emergency was declared, and mid-July 269 elected union leaders and officials were known to have been detained, representing a tenth of known detainees. These figures do not include mass detentions of unionists during shopfloor protests at the State of Emergency which brought the total number of trade unionists detained by mid-July to over 2,600, according to the Labour Monitoring Group. (*Star* 8.7.86)

The scale of the detentions represented a marked increase in repression of the trade union movement. During the first five months of the State of Emergency imposed in July 1985 an average of 24 unionists were detained each month, just over two per cent of all those detained. Even these figures represented an escalation of repression against unions when compared to the period before the 1985 emergency. (*FOCUS* 65 p.12; *WM* 14.3.85)

More than 80 per cent of unions affected were in COSATU, in particular its larger industrially based affiliates. A fifth of those known to be detained were from the Metal and Allied Workers Union (MAWU) and over a tenth from the Commercial Catering and Allied Workers Union of SA (CCAWUSA). The detentions continue a trend of action against unions which have moved beyond the shop floor and become

involved in broader political campaigns, particularly in the second half of 1984 and later. This trend was accentuated with the formation in November 1985 of COSATU, which committed itself to active participation in the wider liberation struggle. COSATU was the driving force behind the successful nationwide stay-away on May Day when over a million and a half workers stayed away from work – the largest response of its kind ever. (*FOCUS* 65 p.12; *Star* 1.7.86)

During the previous State of Emergency the targets of detention were leading union organisers and individual shop stewards involved in local community struggles. Repression during the current emergency has been much more systematic. In several areas of the country entire shop steward structures have been held. In Brits, Transvaal, at least 14 shop stewards and union members have been detained. In Empangeni, Northern Natal, 18 shop stewards from COSATU, its affiliates and regional structures have been detained. Similar sweeping action occurred in Harrismith, Natal, Howick, Natal, (directed against strikers at the BTR Sarmcol plant), Kimberley (where the NUM was the main target) and Cape Town (where the Clothing Workers Union (CLOWU) was particularly affected). In some of these areas key worker struggles have been fought during the last three years, notably the dispute over recognition of MAWU at BTR Sarmcol in Howick and the Empangeni bus boycott. At Brits there has been an ongoing struggle against removals.

RESPONSE BY WORKERS

The detentions provoked strong shop floor responses. Between 16,000 and 20,000 workers were involved in strikes protesting at the detentions, initially in the retail sector, in the Pretoria-Witwatersrand-Vereeniging area and the Orange Free State. (*Star* 30.6.86; *CT* 3.7.86; *MS* 11.7.86)

Industrial action spread to the mining sector in the second week of July. Up to 16,000 miners were involved in go-slows and stoppages at diamond, coal and gold mines. The NUM also called for a boycott of concession stores and liquor outlets owned by the mining companies. Strikes spread to the Toyota Car plant near Durban and Mercedes Benz near East London. (*Star* 3.7.86; *FT* 9/11.7.86; *Star* 10.7.86)

Meeting in secret in the first week of July, the COSATU executive issued an ultimatum for the release of detainees, failing which it would organise a day of shop floor action. On 14 July workers took action in factories across the country. In the Eastern Cape there was an almost total stay-away. Restrictions on the media and the disruption of channels of communication through repression have made it difficult to gauge the extent and nature of actions elsewhere. (*FT* 15.7.86)

In the face of strikes, imminent legal action by unions and pressure by employers the authorities exempted trade unions from regulations prohibiting 35 organisations from holding meetings in Johannesburg and Roodepoort magisterial districts. (*GN* 9.7.86; *Star* 10.7.86)

EDUCATION STRUGGLE

The struggle against the education provided for black people under apartheid has for long been considered by the regime to be a central component of the mass struggle against apartheid. For this reason the steps taken under the emergency to break the ongoing schools boycott and thwart efforts to set up alternative forms of education have been particularly harsh.

The Department of Education and Training (DET) postponed the date of return after the mid-year holidays from 1 July to 14 July and introduced a series of measures which it hoped would force students to return to classes and prevent further boycotts. Regulations were promulgated which obliged principals to re-register all their students, to issue identity documents and to employ guards to ensure that registered students remained on school grounds during school hours and that all but specifically authorised non-students remained out. The DET was empowered to refuse registration in its schools to any students and to assign any student to any standard it deemed appropriate. The decision of the Department was made final and legal redress was specifically excluded. (*GN* 14/15.7.86)

Further instructions were issued to teachers to be on school premises from 8 am to 4 pm each school day, with one hour for lunch. No teacher was to leave the school grounds during those hours. Some teachers were also told to bring overalls to school so that they could clean the premises. African schools employ no school cleaners and are usually cleaned by pupils. (*Star* 7.7.86)

The DET claimed to have formulated the measures after discussions with 60 inspectors and 7,000 principals in the seven DET regions. Students, teachers, teachers' associations and progressive educational organisations were not consulted. Predictions of mass detentions of students, dismissals of teachers and the total collapse of black education were predicted.

An emergency proclamation was gazetted shortly before the opening of schools, empowering the DET to expel all students who failed to comply with the regulations, and providing that no expulsion could be contested in any court of law.

In the Western Cape, for instance, the proclamation banned students from being outside their classes during school hours, from taking part in non-educational activities and banned outside speakers from addressing students. In terms of the regulations registered students may be outside a classroom only during break, while visiting a changing room or while changing clothes. Students, if they remain at home, are not allowed to be outside the boundaries of their homes unless they are en route to and from school. Furthermore, no one except a student or a person employed at a school may enter the school premises at any time. The official syllabus must be adhered to and no one is allowed to teach, address or speak to any students about any matter which does not form part of the syllabus or which has no bearing on tuition or normal school activities. (*BBC* 18.7.86)

When schools reopened on 14 July many were surrounded by police and soldiers. Although the DET reported high attendances from some areas, students at many schools in Soweto, the KwaNdebele bantustan, the East Rand and the Eastern Cape continued to boycott classes. Many students tore up regis-

tration forms or failed to hand them in after taking them home to 'fill in'. At some schools where students agreed to go to class, they refused to be issued with ID cards which they said they regarded as another form of the now-defunct pass. (*GN/FT* 15.7.86; *WM* 18.7.86)

UNIVERSITIES

After being closed since May following a prolonged student boycott, the University of Transkei reopened on 8 July. Thirteen students – most of them executive members of student bodies – had their registrations cancelled, leading to speculation that the boycott would be renewed. The original boycott had started over the expulsion of two students from the Transkei bantustan area earlier in the year. Seventy per cent of the students returned to lectures but another five per cent were sent home to 'collect money for their fees'. (*DD* 8/10.7.86; *WM* 11.7.86)

POLITICAL TRIALS

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convened midnight hearings, a special court was necessary on 31 March when about 250 people were convicted of attending an illegal meeting and fined. (*CT* 2.4.86; *FOCUS* 64 pp.1/3)

After 67 of the accused appeared again in court in April, the homes of some of them were petrol bombed. Abel MOTSHWANE was still in hospital as a result of the attacks when the trial resumed on 22 April. It was adjourned to 12 June. (*Star* 1.4.86; *BBC* 3.4.86)

POLITICAL TRIALS

COMPLETED

GQWETA AND OTHERS

Four South African Allied Workers Union (SAAWU) leaders were acquitted of treason on 23 June when the state withdrew charges against them. Thozamile Richard GQWETA, Sisa James NJIKELANA, Sam KIKINE and Duze Isaac NGCOBO were originally charged with twelve UDF leaders who were acquitted in December. Their trial resumed in February with attempts by the state to prove that SAAWU was in fact the South African Congress of Trade Unions (SACTU) 'in a different guise' and that SACTU was an organ of the banned ANC.

On 5 June, Justice Milne ruled video and audio tapes which formed the bulk of the state's evidence inadmissible. The case was then adjourned for the Attorney General's consideration and on 23 June the state withdrew charges, leading to the formal acquittal of the accused. (FOCUS 65 p. 10; WM/CT 6.6.86; DD 6/13/24 6.86)

HENDRICKS AND OTHERS

Titus HENDRICKS (25), Allan Anthony PAULSE (20) and John Eugene KEARNS (24) appeared in the Paarl Regional Court on 23 April charged with 'terrorism' and furthering the aims of the ANC in October and November 1985. They were refused bail on the written instructions of the Attorney-General and were remanded in custody until 23 June. Hendricks and Kearns were first reported detained in December (FOCUS 63 p. 5) but later reports said that Kearns, a final year student at the University of the Western Cape, was held on 25 November.

Hendricks was alleged to have visited an ANC representative in Botswana in October 1985 and discussed with him military training and the storing of weapons and ammunition. He allegedly refused the offer of training in Lusaka, returning instead to South Africa and recruiting Kearns for the ANC. The two men visited Botswana together and returned by car with the aim of storing arms and ammunition.

On 24 June Hendricks pleaded guilty to 'terrorism' for engaging in ANC activities between 19 October and 25 November 1985. He was sentenced to six years' imprisonment. Charges against Pause and Kearns were dropped (CT/DD 24 4.86; Cit 25 6.86)

MAMPURU AND OTHERS

Eight former members of the Congress of South African Students (COSAS), detained when the organisation was banned, were freed in May after the case against them had collapsed. However, three others were sentenced to effective terms of 20 months' imprisonment.

The 11, who faced charges of 'terrorism' (alternatively public violence), arson and malicious damage to property were Moses MAMPURU (24), Moses Vusi MAGAGULA (21), Solomon MOROAPE (18), Peter (Andries) MOKHAWANE (18), Alfred MASEMOLA (20), Daniel Samuel NKOSI (18), Abel Abraham NTULI (19), Elias Oupa TSHEHLA (19), Nokwana SKHOSANA (18), Siki Sydney MOKOENA and Vusi Elkin DLAMINI (18). All are from Witbank and were involved with the local youth congress. They pleaded not guilty to all charges.

The most serious of these, covering the period June-September 1985, alleged that they popularised the ANC, its military wing and its leaders. They also 'politicised, indoctrinated

and conditioned' the black community to accept the Freedom Charter as the basis of the struggle for freedom. Other charges alleged they manufactured or obtained petrol bombs.

However, the state failed to prove the allegations and after only one state witness had given evidence there was a change of plea. Moroape, Makhawane and Masemola admitted stoning buses in Ackerville, Witbank, in July 1985 and were convicted only of the lesser charge of malicious damage to property. They received sentences of 30 months' imprisonment with a third suspended. The remaining eight were acquitted of all charges and released from custody. (Star 22.5.86; S 22/26.5.86)

TALAKUMENI

Ntozelizwe Thomas TALAKUMENI was sentenced to an effective three years' imprisonment in the Cape Town Regional Court on 18 July, for accommodating and transporting guerrillas and receiving instructions in the operation of a weapon. The guerrillas, named as Joseph MAJOLI and Glenville PETERS, were allegedly connected with attacks on the Langa police station and homes of members of the House of Representatives in the segregated parliament, as well as community councillors. Talakumeni's brother, Titus SELEPE, who was called as a state witness was found to have testified unsatisfactorily and was refused immunity from prosecution. (FOCUS 64 p. 10; BBC 21.7.86)

ZONDO - APPEAL

The Court of Appeal in Bloemfontein has turned down an appeal by Andrew Sibusiso ZONDO who was sentenced to death in April on five counts of murder. The deaths resulted from a limpet mine explosion at a shopping arcade in Amanzimtoti near Durban in December 1985. Zondo had appealed against the judge's ruling that there were no extenuating circumstances. (FOCUS 64 p. 6; Cit 28.6.86)

CONTINUING

BALEKA AND OTHERS

The trial of Patrick BALEKA and 21 others on charges of treason, subversion, 'terrorism', furthering the aims of the ANC and murder, which began in January 1986, was adjourned from 29 June to 30 July. Most of the accused have been in custody since 1984 having been refused bail for the second time in March. The oldest defendant, Hlabeng Sam MATLOLE (61), missed a month of the trial when he was taken to hospital. Mohapi Lazarus MORE (26) also required surgery to remove a bullet from a wound he received on 4 September 1984. Press attention focused on More in June when he was allowed to marry in the courtroom. (For full list of defendants and charges see FOCUS 60 pp. 4, 5; 64 p. 6)

The defence took the opportunity, offered when a number of community councillors were called as witnesses by the state, to expose the corruption of the system. Evidence showed that the people of the Vaal had legitimate cause for protest in September 1984 when their rent was to be increased yet again. In the previous seven years there had been a 427 per cent increase, 214 per cent over the national average. Corruption was 'endemic' in the words of a former chair of the Lekoa Community Council, Josiah Knox Matjila, who was jailed for corruption in July 1985.

Piet Mokoena, a councillor from Sebokeng, stated that agitators were not necessary to make

people aware of their grievances. Their main demand was for full political rights and representation in Parliament. He told of the distribution of lucrative liquor licences which followed the 1983 town council elections: 'Of the 12 facilities in Lekoa, nine were awarded to councillors, one to an ex-councillor, one to a partnership in which there was a councillor, and only one to a complete outsider to the council system.' The Lekoa Council treasurer told the Court that the Executive Council could not discuss the matter because there was no quorum after councillors with a personal interest had recused themselves.

Another councillor, John Hlophekile Ngcina, was, according to the defence, elected with 32 votes out of a possible 5,470. Councillor Arthur Zulu Jokozela admitted that the rent increases were a material cause of the unrest. Furthermore only house and not business rentals were increased. (Star 12/13/14/29.3.86)

Evidence seeking to link Patrick 'Terror' LEKOTA with the manufacture of petrol bombs in Tumahole, Parys, was discredited when an unnamed state witness said she had been beaten and threatened with jail if she didn't implicate him. She was told to identify Lekota by his missing front tooth.

The charges have been widened to connect the accused with unrest all over the country, not just in the Vaal. Therefore evidence from both witnesses and video recordings has referred to events in Soweto, Huhudi, Alexandra, Leandra, Tumahole, Tsakane, Grahamstown, Cradock, Pietersburg and Cookhouse. (S21/29.5.86; 4.6.86; Star 27.5.86)

BUTHELEZI AND 9 OTHERS

One woman and nine men appeared in the Durban Magistrates' Court on 30 May to face charges in connection with the ANC's armed struggle. Most of the defendants had been in detention for almost six months before being formally arrested and charged. They were served with indictments before entering the courtroom but the case was postponed for the accused to take legal advice.

The ten include two doctors and a number of medical students from the University of Natal, including the secretary of the Medical Students Representative Council. They are Duduzile Charity BUTHELEZI (32), Dr Sibongiseni DHLOMO (26), Dr Veway RAMLAKANI (28), Sibusiso Robert NDLANZI (29), Jude FRANCIS (21), Ordway Qonda MSOMI (20), Sipho Stanley BHILA (31), Phumezo George NXIWENI (20), Mapiki Aaron DLOMO (32) and Bafo Bawana NGUQU (30). (See FOCUS 63 p. 5, 64 pp. 4, 5 for reports of some detentions)

The defendants face 20 charges under the Internal Security and Arms and Ammunition Acts. The state alleges that a Durban group of the ANC was formed 'to recruit and train members for the purposes of executing armed attacks; to support all anti-Government political activities, such as boycotts and strikes, by military means, and to commit acts of violence in retaliation against the raids by the SADF into neighbouring countries'. The indictment lists 13 attacks in which the accused were allegedly involved in the Durban area. All are alleged to have undergone military training, most within South Africa, and many were said to be personally involved in the placing of explosives. Others ordered the carrying out of such attacks or acted as couriers for the ANC.

Three of the defendants had alleged links with

Andrew Sibusiso Zondo who was sentenced to death in April (see ZONDO).

All the accused were originally refused bail on the orders of the Attorney General who issued a certificate to that effect. On 7 July a full bench of the Durban Supreme Court declared this ruling invalid on the grounds that the defendants had had no opportunity to present their case. Two days later Duduzile Buthelezi was released on R6,000 bail to await the imminent arrival of her first child, due at the end of July. The strict bail conditions imposed on her included reporting twice daily to the Umlazi police station. This, however, was to be suspended for the period of her confinement providing her lawyer informed the police immediately she went into hospital. Buthelezi is charged with undergoing military training, possessing banned literature and giving Ramlakan R10,000 she had brought from Swaziland for the use of trained ANC members.

The trial will start on 3 November. (Cit/DD 31.5.86; S 26.6.86; CT/DN/Star 8/10.7.86; S.Trib 13.7.86)

LENTSWANE AND OTHERS

A new treason trial arising out of the ANC's armed struggle was due to begin in the Rand Supreme Court on 4 August. Abraham LENTSWANE (30), Guy MALAMBA (23) and Sibusiso NGWENYA (32) were served with an indictment in the Johannesburg Regional Court on 26 June, but were not asked to plead to charges of treason, alternatively 'terrorism'.

It is alleged that all three underwent military training outside the country on behalf of the ANC and returned illegally. Lentswane, from Meadowlands in Soweto, joined the ANC in 1972; Malamba, from Umlazi in Durban, allegedly 'became a member or supporter of, or associated himself with, the ANC's aims during 1981' and Ngwenya, from Dube Village also in Soweto, is said to have joined in 1982. The state alleges that the three conspired together, making each liable for the acts of the others. The indictment lists no acts carried out by the accused but only plans for alleged future actions. These include a plan to reconnoitre a South African Air Force base in Pretoria with a view to shooting down aircraft with SAM 7 surface to air missiles. (DN/Cit 27.6.86; BBC 30.6.86)

LUGULWANA AND OTHERS

Seven people appeared in the Paarl Regional Court on 30 May on charges of 'terrorism' and furthering the aims of the PAC. The accused are Bathemba Bethwell LUGULWANA (34) from Langa; Mzwandile MCITEKA (26), Donald Mptulo MXUTO (66), Simon Kosile MAYNOLEWENE (68), Andile Wilfred GUSHA (23) all of Guguletu and Taelo Joseph NTLABA (19) and an unnamed youth, both of Paarl.

Lugulwana, an employee of the St. John's Anglican Church in Wynberg, was detained with six others at dawn on 12 February. Three days later Mciteka, the son of a Guguletu minister, and Xolani HUMANA (17), a school student, were detained under Section 29 of the Internal Security Act. (FOCUS 64 p.5, 65 p.7) Mxutu and Gusha were detained on 24 March, as was Bongani DUNJANA, who is named in the indictment as having sought military training. In July the Repression Monitoring Group reported that Humana and Dunjana were being held under Section 31 of the Internal Security Act as potential state witnesses. On 22 July an unnamed detained state witness was sentenced to a year's imprisonment for refusing to testify.

The charges relate to the activities of the Azanian National Youth Unity (AZANYU) between January 1983 and January 1986. Lugulwana and Mciteka allegedly formed an AZANYU branch in Bonteheuwel in 1983 and

used its 'Awareness Classes' to encourage people to follow the goals and ideology of the PAC which it is alleged were the same as AZANYU's.

Other charges concern attempts by some of the accused to undergo military training with the PAC. They allegedly received help and instructions from Maynolewene and Mxutu to go to the Transkei bantustan and then to leave the country. (DD 31.5.86; BBC 24.7.86)

OTHER TRIALS

DEATH SENTENCES

According to a statement by the Bureau of Information, 800 people were standing trial in July on charges arising out of 'deaths by burning in situations of unrest'. Only a small proportion of these trials have been reported in the press. (BBC 21.7.86)

Between May and mid-July there were press reports of seven cases in courts in Benoni, Atteridgeville, Cape Town and Port Elizabeth in which 68 people were charged with attempted murder, murder and related offences. The cases arose from killings of policemen, people held to be informers and in one case an attack on a vigilante leader during the upheavals in Crossroads in June. In many of the trials the accused included minors. (CT 27.5.86; Cit 29.5.86; DD 24.6.86; DM 1.7.86; Star 8.7.86)

A further 247 people were charged in three cases relating to resistance in the bantustans. (Star 17.4.86; DD 10.6/11.7.86)

If found guilty many of the accused face the death penalty. Death sentences have been handed down in two recent politically-related murder trials.

● According to the Bureau for Information Elii WEBUSHE was sentenced to death for 'necklacing someone' in Jansenville, Eastern Cape. No further reports of the case appeared in the press and details of the charges were not reported. (S 19.6.86)

● Solomon Mankopane MAOWASHA (20) and Alex Matshapa MATSEpane were found guilty of murder in the Tzaneen Circuit Court on 13 July for their part in the stoning and burning to death of two men alleged to have been police informers, in September 1985. Two co-accused, Michael MASINAMELA (16) and Philip Lesetja MAAKE (23), were found guilty of assault with intent to do grievous bodily harm. Masinamela was jailed for two years, one of which was suspended for five years. Maake was sentenced to three years, with 18 months suspended. Details of the trial in the press were sketchy. During the trial the prosecution led evidence by state witnesses including a schoolmaster that the four accused were members of a group of 'comrades' bent on killing informers operating from mountains around Tzaneen.

The accused denied that they were 'comrades' and stated that they had fled to the mountains after a police attack on their parents' homes. In evidence by state witnesses it emerged that a fifth person, who was not among the accused, had actually set alight the bodies of the victims. Argument in the trial centred around whether this person had done so voluntarily or had been forced to do so by the accused. Press reports did not indicate if the four were represented by defence counsel. The first two accused gave evidence from the witness box. Matsepane stated that he had not been present at the incident. (Star 13/14.6.86)

ACQUITTALS AND APPEALS

In two other murder trials there have been new developments.

● Eight men and a woman were all acquitted on charges of murder on 30 May in the Pretoria Supreme Court. The charges arose out of the

killing of a Lekoa town councillor, Caesar Motjeane, and the manager of his supermarket and taxi business.

The deaths occurred in September 1984 when residents in the townships of the Vaal Triangle protested against rent increases. Motjeane was stoned to death by a crowd of people who broke away from a protest march through Sebokeng. They were angered by the news that the councillor had shot dead a youth.

One of the accused, Ratsolilane MASHELA (64), told the court that he had dropped a rock on the prostrate body of Motjeane, but only after he was forced to do so by five armed men who took him from his home to the site of the killing.

In acquitting the accused the judge found that the evidence of state witnesses (most of it *in camera*) was unreliable and that there was a possibility of collusion between them. He also found that their view of the attack had been through a lace curtained window from a neighbouring house and that there was a risk of mistaken identification. (S 15.5/5.6.86; WM 6.6.86; FOCUS 64 p.7, 65 p.11)

The Sebokeng trial is closely related to the treason trial in Delmas where 22 defendants are accused of inciting the crowds which killed Motjeane.

● In a further development leave has been given to appeal against the death sentences imposed in the trial of the 'Sharpeville Six', five men and a woman found guilty of the murder of a councillor in Sharpeville in September 1984. An international campaign for clemency has been launched. (WM 6.6.86; FOCUS 63 p.1)

BANTUSTANS

In line with the rest of the country there have been a large number of political trials in the bantustan areas. Most of the accused have faced charges of public violence and other charges of holding illegal gatherings, possessing undesirable literature, arson, malicious damage to property, incitement and subversion.

● In the Ciskei bantustan nine people were acquitted at the beginning of May after being charged with subversion. It was alleged that they addressed meetings in August and September last year, urging pupils not to go to school and that police should be killed. All the witnesses were found to be unreliable and to have given contradictory evidence. It was shown that the accused had in fact encouraged pupils to return to classes. (DD 10.5.86)

● Trials in the Lebowa bantustan reveal the degree of turmoil in the area and the extent to which police have used vigilantes and others to suppress resistance. Murder and arson charges have been laid against more than 200 villagers in the Sekhukhune area, where more than 30 bodies were found. One hundred and eight people were charged with murder. (Cit 17.5.86)

● In the Gazankulu bantustan 164 people were tried, convicted and sentenced in three days. They had spent six weeks in custody as bail applications were consistently rejected. The group, mainly youths, were alleged to have conducted a reprisal raid on a local gang after a young woman was raped. Those under 17 were sentenced to between four and six lashes while those over 17 received three year prison sentences. (WM 13.6.86)

● Some 2,500 people appeared in court in Ga-Rankuwa in the Bophuthatswana bantustan following a mass meeting of residents of Winterveld on 26 March. Held at the local soccer stadium, the meeting was called to protest at widespread detentions and police harassment. Police opened fire on the crowd as it was dispersing, killing at least 12 people and arresting hundreds. As well as hastily-

continued on page 3

DETENTIONS

The pattern of detention in the first half of 1986 reflected the attempts of the regime to suppress mounting and increasingly well organised challenges to its rule.

There continued to be a steadily high level of the use of detention for purposes of interrogation. At the same time there was extensive use of detention without trial to inhibit political mobilisation.

Sharp increases in the use of Section 50 of the Internal Security Act and also bantustan legislation, marked two periods in the first half of 1986. The first was before the national stay-away on May Day, and the second in the weeks leading up to the planned protests of June 16 until the declaration of a new State of Emergency gave more powers of detention to police and army.

NAMES OF DETAINEES

So many people were detained both during the first weeks of the State of Emergency imposed in June and in the preceding weeks, that it has been impossible to record them in *FOCUS* in the usual way. The information will be found in three parts.

Listed in the Box at the bottom of the facing page are names of people detained before the last emergency ended, under powers other than the emergency powers. Also on the facing page is a list of people detained since then under the Internal Security Act.

A supplement to *FOCUS* contains names of 4,000 people reported by unofficial sources as having been detained in the first weeks of the State of Emergency imposed in June. The list also contains information about where people were reported as having been detained and organisations they were said to belong to.

DEATHS IN DETENTION

Further deaths have occurred of people in police custody:

- Ayanda SILIKA (23), arrested on 6 May in connection with the shooting of a policeman in Crossroads on 25 March, was reported as having been shot dead by police on 12 May. He had been due to appear the next day in the Athlone Magistrates' Court on a charge of murdering Constable Legong, who was shot during a police operation to suppress unrest.

According to the police Silika was shot in Crossroads at about 4 am during an investigation, when he escaped from a Casspir armoured vehicle after knocking over his guard. The police said that early morning investigations in townships were normal because of the danger of attack during daylight hours, and that detectives had been told to use Casspir armoured vehicles when going into townships. Silika was shot in the back of the head as he fled, the police said. (DD 10/13/5.86; S 13.5.86)

- Mbulelo BOLTINI (31), a civil servant in the Ciskei bantustan, died in the custody of the bantustan police within 24 hours of being arrested in connection with the theft of a firearm issued to a member of the South African Police. On his arrest he told the police that he had taken the revolver from the policeman while he was drunk at his - Boltini's - home.

The police alleged that Boltini had died after an epileptic fit, and the Ciskei bantustan pathologist recorded the death as resulting from natural causes. However, two pathologists acting for Boltini's family came to quite different conclusions. They said that no proper

post-mortem had been carried out, although incisions had been made to create the impression that one had been done. Their findings added up 'to death resulting from violence to the head and neck' and indicated that features of the body were 'entirely consistent with assault including, very probably, manual strangling'.

The presiding magistrate said that he was impressed by this evidence and that the death of Boltini was 'brought about by the unlawful acts of the two policemen' who had been the last to see him alive. The inquest was still continuing on 12 July. (DD 20.6.86, 9/11.7.86; City Press 13.7.86)

CHILDREN IN DETENTION

In June press attention focussed on the treatment of children and other young people in police custody after the publication by the Black Sash of a memorandum 'The sufferings of children'. Based on 30 affidavits and on signed and unsigned statements by children, it recorded allegations of electric shocks, beatings and unprovoked shooting by police, and added to the already extensive volume of evidence of regular police violence. (CT 3.6.86)

Violence against young people in custody has taken place in the context of an attempt to undo the advances made by young people in trying to bring about changes in the educational system of apartheid. The scale of the action is indicated in some statistics: out of 7,777 people detained under emergency regulations between July 1985 and February 1986, 2,016 were under 16 years of age. A large proportion of those arrested during 1985 on charges of breaking the law (as opposed to being detained without trial) were young people. The total number of arrests was about 25,000. Out of 18,966 arrests monitored by the Repression Monitoring Group, 13,517 were of people under 20. (S 2.5.86; DD 4.6.86)

Examples cited in the Black Sash report include these:

- A 17-year old described in an affidavit how he 'felt metal clips being attached to each of my wrists ... There followed a series of electric shocks which ran up my arm and caused great pain'.

- A 15-year old said in a signed statement that he was 'beaten up with sjamboks and batons by about six policemen. They hit me in my face over my head and chest ...'

- A 13-year old stated: 'While in custody we were beaten up continuously until some of us finally agreed to make a statement admitting having stoned buses.'

In a recent instance Sidwell DLEPU (14) was detained when he and other pupils went with their teachers to the home of the parents of a fellow student who had recently been killed. Police came to the house, where a vigil was to be held, and beat the pupils and some teachers. They were taken to a police station in Stilfontein and held for a week. They were visited twice a day by two white policemen who sjambokked and beat them severely on each visit. (WM 13.6.86)

ARMED STRUGGLE

More than 30 people whose detentions are recorded in the list opposite were said by the police to have been linked with the armed struggle. The names of such detainees are seldom disclosed unless they are brought to trial.

More information than usual became known in one case after the dramatic release from custody of Gordon WEBSTER (23). He was

arrested at the beginning of April after being wounded in a shootout with police who stopped a car in which he and another man were travelling. His companion died but Webster was taken to Edendale Hospital and kept under guard while being treated for his wounds. A few days later, still on a drip-feed and in a serious condition, he was freed from the hospital by armed ANC members. One person was shot dead during the release.

Two people were detained a few days later: Margaret WEBSTER, a nurse from Fort Napier Hospital, and Eloff MPULO a student nurse at the hospital from which Webster had been freed. Police later reported that they had detained four people in connection with the incident, without giving their names. It was believed that Gordon Webster had left South Africa. (CT 16.5.86; S Star 25.6.86).

SQUATTER LEADERS

At the end of March at least eight leaders of squatter communities at Crossroads were detained (see LIST). The arrests came in a period of mounting conflict arising from efforts to destroy the organisations leading squatters in opposition to forcible removal. Some weeks later the attacks on the squatter communities culminated in the destruction of thousands of homes by fire, followed by the use of bulldozers to raze remaining structures to the ground.

A key role was played by the Crossroads Committee. Set up to represent the residents of Crossroads in opposition to government policies, the committee came under the influence of people working in close collaboration with the government. They attempted to impose their will by means of organised groups (known as 'witdoeke' because of their white headscarves and armbands). Working openly with the police and army, these groups were responsible for much of the destruction in May and June and for many earlier attacks on activists. (WM 18.7.86)

Resistance grew throughout the first half of 1986, during which period there were reports of 'five or six' gun battles with police and army. At the end of March two policemen were shot dead, and the detentions of the squatter leaders took place the following week. Subsequently there were attempts to detain other activists. The Cape Youth Congress, in particular, was a target and its whole executive and several members were reported to be in hiding during April. Mxolisi STOFIE, detained on 31 March, was organiser of CAYCO in Crossroads. During April an unnamed man was detained in connection with the shooting of one of the policemen (see LIST in FOCUS 65) and Ayanda SILIKA was allegedly arrested on 6 May in connection with the death of the other (see DEATHS above). (Star 2.4.86; WM 4.4.86; BBC 12.4.86; City Press 18/25.5.86)

Four of those detained successfully sought a court application to have two police stations searched for instruments which they said had been used to torture them. In response to a similar application made in December 1985 in East London, a judge said that he would have granted the order had there not already been sufficient evidence of torture. Minutes after the search had been carried out on 27 May by the attorneys of Alfred SIPHIKA, one of the applicants, he was arrested on a charge of attempted murder (of one of the 'Witdoeke'). At an *in camera* hearing of a bail application on 30 May Siphika collapsed. He was later referred by the court to a mental hospital for 30 days' observation. (FOCUS 63 p.4; GN 28.5.86; WM 6/12.6.86)

DETAINEES — Additional to previous FOCUS lists (see also Box below). ('ISA29' means 'Internal Security Act/Section 29')

Approx. date	Place	Name (Age)	Details (where known)
15.3.86	Cape Town	Molombo —	ISA 29
15.3.86	Cape Town	Mbuyisile NTWANA	ISA 29
17.3.86	Cape Town	Sylvia TSHOLOBE	ISA 29
Rep.22.3.86	East London	Unnamed People	ISA. After death of Transkei urban rep. in E London. Rel. by 25.3.86
23.3.86	Germiston	Gilbert CHAWE	ISA 29. Member, East Rand People's Organisation
Rep.26.3.86	East London	Sipho FULENI	Member, East London Youth Congress
31.3.86	Nyanga	Melford YAMILE	{ ISA 29. Nyanga squatter leaders
31.3.86	Cape Town	Robin MANXIWA	
31.3.86	Cape Town	Thobile SIKNI	
31.3.86	Cape Town	Alfred YAMILE	
31.3.86	Cape Town	Alfred Moyishikile DYANY	{ ISA. Squatter leaders. Granted order to search two police stations for torture instruments. (See <i>SQUATTERS</i> opposite)
Apr. '86	Bishop Lavis	Malinga MHLUTHWA	
Apr. '86	Guguletu	Alfred SIPHIKA	
Apr. '86	Guguletu	Mxolisi STOFIE	
Apr. '86	W Cape	Mayo MAQATESHA	ISA 29
3.4.86	Aliwal North	Patrick PLAATJIE	ISA. After National Education Crisis Cttee meeting in Durban
12.4.86	Johannesburg	Shabeer SHAIKJEE	ISA 29
Rep.13.4.86	N Tvl	Xoli MAHLALELA	Students at Univ. of North called for his release
23.4.86	W Cape	Pina NCATA	ISA 29. United Women's Congress member
23.4.86	W Cape	Monde NTSHAKA	ISA 29
29.4.86	W Cape	Twelve FUNDAMELA	ISA 29
29.4.86	W Cape	Hassam QHILA	ISA 29
May '86	W Cape	Yusuf PATEL	ISA 29. Muslim Youth Movement
1.5.86	W Cape	Gerald HENDRICKS + 2 brothers	ISA.
2.5.86	W Cape	Achmad CASSIEM	ISA 29. Banning expired 31.3.86. Court order to prevent assault
2.5.86	W Cape	Neville VAN DER RHEEDE	ISA 29. Teacher
Rep.5.5.86	W Cape	8 unnamed people, (1 woman)	ISA 29. Alleg. ANC members. 1 man said to have mil. training
Rep.5.5.86	W Cape	Two unnamed white people	After threat to bomb Mossel Bay police station
Rep.11.5.86	W Cape	Hudson GILA (74)	ISA 29
13.5.86	East London	Westerfield Samkelo MNGAZA	ISA. African Allied Workers Union. Rel. 9.4.86 from previous det.
16.5.86	W Cape	Alicia FAZZIE	ISA 29. Western Cape Civic Association. Rel. by 6.7.86
Rep.16.5.86	Pietermaritzburg	Margaret WEBSTER	ISA 29. Following armed release of Gordon Webster
Rep.16.5.86	Pietermaritzburg	Eloff MPULO	ISA 29
21.5.86	W Cape	Joseph MGOMA	ISA 29. Red Cross worker
21.5.86	W Cape	Douglas MYAMYA	ISA 29. Social worker
21.5.86	W Cape	Sazi VELDSMAN	ISA 29. Post Office worker
22.5.86	Alexandra	Mzwelane MAYENISO	{ Exec. members, Alexandra Action Committee
22.5.86	Alexandra	Richard MDAKANA	
22.5.86	Alexandra	Naele MOITSE	
22.5.86	Alexandra	Godfrey MSEZANA	
Rep.24.5.86	Pietermaritzburg	Two unnamed people	ISA 29. In connection with escape of Gordon Webster
25.5.86	W Cape	Temba TSHIBIKA	ISA 29
28.5.86	Klerksdorp	Sidwell DLEPU (14)	ISA Rel. 4.6.86 (see <i>CHILDREN IN DETENTION</i>)
29.5.86	W Cape	Theophilus MZUKWA	ISA 29
4.6.86	W Cape	Ruby MARKS	ISA 29. United Democratic Front. Rel. by 6.7.86
9.6.86	Pietermaritzburg	Faizal ISMAEL (28)	ISA 29. Midland Information Centre & Research Unit worker
Rep.12.6.86	Atteridgeville	BALOI	After news report in April of petrol bomb attack on his home
14.6.86	Golela	Unnamed woman and man	Discovery of explosives and ANC literature in woman's car
17.6.86	W Cape	Abdul KADER	ISA 29
Rep.27.6.86	Durban	Four alleged guerillas	ISA 29. Alleged ANC guerillas, after arms discoveries
Rep.3.7.86	Pretoria	Four alleged ANC members	Following landmine explosion and handgrenade attack
Rep.5.7.86	Durban	Graham Muzokhama MKHIZE (18)	Court order granted to prevent police assault
6.7.86	Empangeni	Alleged guerilla	In skirmish with police; two others shot dead
Rep.9.7.86		Five alleged ANC guerillas	ISA 29. After landmine explosions in E TVL in April, May, June

DETENTIONS DURING PREVIOUS STATE OF EMERGENCY

Listed below are people detained before the previous State of Emergency was lifted on 7 March 1986, under powers other than the emergency powers, and whose names have only recently become known to *FOCUS*. All were detained under Section 29 of the Internal Security Act, except for those held under the Ciskei bantustan National Security Act or (as indicated) under Section 31 of the Internal Security Act (Section 31 allows detention of potential witnesses). Those who are known to have been released are indicated by 'Rel.' after their names.

1985	William MANYE	Eurashion DITSEBE	Llewelyn MTSHALI
Ciskei bantustan	Morris KHUMALO	Ciskei bantustan	Mathews THULO
Attwell MSAULI (Rel.)	Clement BABA (ISA 31)	Mpumelo MKALIPI (Rel.)	Obed THULO
Ntoyakhe CHARLEMAGNE (Rel.)	Welkom	East London	Ernest PILANE
Durban	Mazwi ZONO	Boyce SOCI	Theophilus DLAMINI
Bafo NGUQU (charged)	JANUARY 1986	Mamelodi	Lydia SEROBAI
Robert NDLANZI (charged)	Durban	Bechorath MSIZA	William KHETHELO
Margaret MAHLOBO	Themba MAJOZI	Godfrey BALOI	W Cape
Fika MAHLOBO	Jude FRANCIS (charged)	Newcastle	Bongani DUNJANA (ISA 31)
Mamelodi	Germiston	Ligebomo MALEKO	
Johannes MAHLANGU	Lawrence MAVUSO	- MTIYANE	
Soweto	Johannesburg	- BLOSE	
Elias DISEKO	Michael MBATHA (charged)	- TAU	
Neal THOBEJANE	Soweto	Port Elizabeth	
Vaal	Charles KHUMALO	Vuyani MOTAUNG	
Tsitsi MOKHELE	Miriam MOTSABI	Sicelo XHATI	
Wapo SEFUME	FEBRUARY 1986	Margaret MAPOSA	
Hendrick SEFUME	Bloemfontein	Sakhiwo SOKUTU	
Angel MOENG	Moiketse LESIA	Soweto	
Sam MOHLABANE (ISA 31)		Mswazi Zulu DLODLO	
Lucas MODIKOANE			

MARCH 1985

Ciskei bantustan
Clifford TWEEBE (Rel.)
Solomon GONI (Rel.)
Mongezi TUBE (Rel.)
Tamsanqa MSOYANA (Rel.)
Ncedani KWELITE (Rel.)

PRISONS

CHILDREN IN PRISON

Doctors who have visited children in prison have urged the authorities to empty the prisons of children.

The doctors stated that 'It is a totally unacceptable situation to have children incarcerated in prisons. Children seen by the doctors ranged in age from 10 to 20 years. Many were being held on charges of public violence.'

Three juveniles had been awaiting trial for 11 months and others for similar lengths of time; many had been awaiting trial for over two months. The doctors' impression of the conditions for awaiting trial juveniles was that one week in some prisons was enough to engender 'permanent psychological effects, deep resentment, habits of criminality and loss of faith in the system of justice.'

Few children knew their legal rights and some had no knowledge that legal representation was possible to arrange. On medical matters they said that the follow-ups of notifications of injuries sustained while in police custody were not thoroughly pursued.

Generally the conditions under which detainees and awaiting trial prisoners were held were worse than those for sentenced prisoners. Certain cells they visited were vastly overcrowded.

There was no privacy, no radios, no library, little recreation, limited visiting and no social services. (S Trib 6.7.86)

The number of children in prison has risen markedly since July 1985 as many detainees are held in prisons rather than in police cells. The Minister of Law and Order announced that during 1985 13,556 of the 18,966 people arrested for 'unrest-related' offences were under the age of 20. During the State of Emergency which lasted from July 1985 until February, 2,016 children under the age of 16 were detained. Some were held with adult criminals, some in solitary confinement and many were beaten, abused and intimidated, according to the Child Welfare Society. (Star 12.6.86, 7.7.86)

The Minister of Justice revealed that at the end of January 1,864 males and 152 females under the age of 18 were being held as unsentenced prisoners. A further 2,860 male and 176 female juveniles were being held as sentenced prisoners. Sixty four per cent were African children, 34 per cent Coloured, two per cent white and one per cent Indian. A total of 2,644 children under the age of three years were imprisoned with their mothers during 1985; 253 were physically and emotionally dependent. (Cit 28.2.86; WM 4.4.86)

RELEASES

The following people have been released from prison in recent months:

● Moffat ZUNGU. Released on 27 January. Sentenced to seven years in June 1979 for taking part in 'terrorist' activities, conspiring to overthrow the state and furthering the aims of the PAC. (FOCUS 23 p.8; S 28.1.86)

● Alfred METELE. Released in April. Sentenced to one year for public violence following the stoning of a motorcade of the Ciskei bantustan leader, Lennox Sebe. (City Press 13.4.86)

● James Edward APRIL (46). Released on 9 May. Sentenced to 15 years in 1971 for undergoing military training, fighting the Rhodesian forces with the intention of making his way to South Africa, communicating with a 'subversive organisation' and entering the country illegally. (CT 10.5.86; DN 13.5.86; Prisoners of Apartheid, 1978, IDAF, p.6)

● Luyanda MPHALWA (27). Mzuyikile HADI (21), Mabuthi MPONTSANA (23), and Sibulelo MTHANZA (22) Released on 30 May. Mphalwa was gaoled for four years for refusing to testify against Patrick MAQUBELA, an ANC activist sentenced for high treason in 1982. The others were each sentenced to five years in 1981 for sabotage. (FOCUS 43 p.2; S 14.5.86)

POLITICAL PRISONERS — Additional to previous FOCUS lists (Abbreviations: CL - common law; ISA - Internal Security Act)

Sentenced	Court	Law-Charge	Events leading to trial
9.12.85 One year:	Wynberg	CL — Public violence	Not known
	Shahied DOMINGO (18)		
14.2.86 Six Years:	Johannesburg	ISA — 'Terrorism'	Membership of ANC; undergoing military training
	Daniel MOTAUNG (26)		
14.2.86 Two Years:	Johannesburg	Arms & Ammunition Act	Possession of arms
	Liptures Charles MBEZA (33)	One Year: Esau RAMONTSHU (27)	
20.2.86 Two Years:	Pietersburg	CL — Intimidation	Student demonstration, University of the North
	Samuel MAMABOLA (21); Goodman SOCIKWA (24); Prince MATOJANE (21); Jacobus MALATJIE (22)		
12.3.86 Six Years:	Burgersdorp	ISA — 'Terrorism'	Recruiting for military training; organising youth and women
	Lungile NOMEVA (26); Ntsikelelo QAKU (30); Simon Spelman (19)	Four Years: Andile XINTOLO (35) Three Years: Denmark TUNGWANA (19); Zukile Ronnie GXAVU (23); Ncedile Godfrey MAKU (22)	
2.4.86 Death:	Scottburgh	CL — Murder	Amanzimtoti bomb blast
	Andrew Sibusiso ZONDO (19)		
25.4.86 Six Years:	East London	ISA — 'Terrorism'	Seeking military training; perjury
	Professor BACELA (20)		
2.5.86 Eighteen Years:	Rand	ISA — 'Terrorism'	Sabotage of SADF offices
	Isaac Thulane MABASO (24)		
14.5.86 Fourteen Years:	Rand	CL — Treason	Undergoing military training; arms caches; acts of sabotage
	Lumkile Happy MKEFA (22)	Twelve Years: Hamilton Mncedisi DUBASI (30) Ten Years: Joseph Themba MAJA (26) Five Years: Jongumzi SISULU (27)	
16.5.86 One Year:		CL — Intimidation	Stayaway in Mamelodi, November 1985
	Louis Khumalo		
17.5.86 Twenty Years:	Rustenburg	ISA/TA — 'Terrorism'	Transporting combatants, 1977-85
	Clement BOGATSU (47)		
19.5.86 Three Years:	Wynberg	CL — Public Violence	
	Wayne JORDAN (18); Venetia DE KLERK; Dee DICKS; 5 others		
20.5.86 Ten Years:	Rand	CL — Treason	Arms caches; reconnaissance for ANC
	Helene PASSTOORS (44)		
21.5.86 One Year Eight Months:	Bethal	CL — Malicious damage	COSAS members; stoning buses
	Solomon MOROAPE (19); Peter MOKHAWANE (19); Alfred MASEMOLA (21)		
22.5.86 One Year:	Pretoria	CL — Assault	Participation in the work of a 'People's court'
	Three unnamed men		
9.6.86 Five Years:	Mdantsane	CL — Public violence	Attacks on rent offices and police houses
	Patrick GODANA (20); Louis MELUDE (18); Youth (17)		
10.6.86 Fifteen months:	East London	CL — Intimidation	Consumer boycott
	Peter MAKATA (24)		
24.6.86 Six Years:	Paarl	ISA — 'Terrorism'	Participating in ANC activities, October-November 1985
	Titus HENDRICKS (25)		
18.7.86 Five Years:	Cape Town	ISA	Harbouring ANC guerrillas
	Ntozelizwe Thomas TALAKUMENI (27)		

DETENTIONS

namibia

Detention without trial continued to be used against apartheid's opponents in Namibia with an apparent increase in the use of Section 6 of the Terrorism Act for long-term detentions. The introduction of a Bill of Rights with the inauguration of the Multi-Party Conference administration has given a focus to opposition to all repressive legislation in force in Namibia and there have been a number of challenges to it in the courts.

In February the Windhoek Supreme Court ruled that detainees held for longer than 30 days under Proclamation AG9 should be granted access to legal advice. Then in July it was reported that detainees in the Kavango bantustan were being held under Section 6 of the Terrorism Act and were denied even visits from the International Red Cross. No names or numbers were given so they do not feature in the list on this page. At least one detainee held in Katima Mulilo (Robert Sinvula) was, however, reported at one stage to have been transferred to Rundu, the administrative centre of the Kavango bantustan. (*Nam* 7.3.86, 4.7.86)

There were a number of well-reported detentions under AG9, such as that of students at Augustineum Training College. In another instance, on 6 July six people were held for seven and a half hours after being detained in Katutura, Windhoek's black residential area. They included two members of the Greens Party from the Federal Republic of Germany who were on a fact-finding tour of Namibia. They were hearing from workers about conditions in the Katutura compound at the time of their arrest. The six, Annemarie BORGMANN and Dr Michael VESPER of the Greens, plus Anton LUBOWSKI and Ben UULENGA of SWAPO, Dave SALMON a journalist and Dr Bjorn FINKENSTEIN, were released after representations by the German Foreign Ministry. The MPC official responsible for 'justice' alleged that they

were addressing an illegal meeting of between 150 and 200 persons when arrested. (*Nam* 11.7.86)

PRISONERS OF WAR

Matheus SHIKONGO, a recently detained SWAPO combatant, highlighted the case of all prisoners of war when he was brought to address a press conference on 29 May. He was carried into the room on a stretcher, having sustained a leg injury when being captured less than a week before. Shikongo refused to denounce SWAPO, stating that he would return to the liberation movement if he could. He denied SWATF allegations that SWAPO lacked recruits, saying there was a 'constant stream of people' wanting to join PLAN's ranks. Inspired by Shikongo's defiance, other prisoners of war who, in the words of one newspaper, were 'paraded before the media' also dismayed their captors by declaring their continued commitment to SWAPO's aspirations. (*WA* 30.5.86, *S Star* 1.6.86)

No statistics are available for the number of prisoners-of-war held by the South Africans. Reporting of the fighting is under strict censorship and the circumstances in which combatants are captured are rarely publicised. The regime refuses to accord them prisoner of war status, preferring to extract information from them and use them for propaganda purposes. Three more alleged combatants were held in June, two of whom were captured by members of the Ovambo bantustan forces following an attack on a shop on 1 June. The third man was seriously wounded and captured on 22 June after a rocket attack on the garrison town of Oshakati. Three other PLAN members were reportedly killed in the encounter. (*DD* 5.6.86; *WA* 23.6.86; *BBC* 26.6.86)

REPRESSION IN CAPRIVI

During the first half of 1986 the authorities continued their policy of direct repression in the Caprivi bantustan detaining a number of people, of whom at least four were still in custody in June. The regime has attempted to establish tighter control over bantustan struc-

tures, harassing all of those suspected of having SWAPO sympathies. (See *FOCUS* 63 p.10)

Paddy MWAZI, a former bantustan 'Minister of Education' and now a member of SWAPO, was detained in Windhoek on 5 December. After two weeks he was transferred to the Katima Mulilo Police Station where he was held until his release on 4 April. During that time he was allowed no visitors, nor could his relatives bring food or clothes. He was held in solitary confinement and permitted no physical exercise. Although suffering from a bout of malaria he was only given treatment some five days after reporting sick. He also suffers from heart disease and high blood pressure. (*Nam* 6.6.86)

Another detainee, Richard KAMWI, held since October 1985, was said to have escaped from custody on 30 January. This was greeted with some scepticism at first but on 21 March *The Namibian* reported that he had reached Zambia. Thaddeus MALUMO, whose detention was reported in March, was out of custody by July. He was then described as having been held for nine months under Section 6. (*Nam* 7.2.86, 21.3.86, 18.7.86)

The detention of Robert SINVULA showed the authorities moving against community leaders who might be a focus of opposition to MPC plans for the area. Sinvula has held the traditional office of *Ngambela* since 1981 but during his detention he was replaced in this position by a known supporter of the Democratic Turnhalle Alliance, an MPC constituent. His successor was not chosen by the majority, in accordance with traditional norms, but rather foisted upon the people. On 21 June Sinvula was reinstated to his position at a gathering which was reportedly the largest in the area for many years. It drew support from all groups in Caprivi, not just those who traditionally owe respect to the *Ngambela*. The regime's plans for Caprivi have involved dividing the population along linguistic and other lines and advancing the interests of one group (in education for instance) at the expense of others. Another of the detainees, Luka MATENGU, is the brother of Sinvula's traditional superior, Chief Moraliswani. (*Nam* 14/28.2.86, 7/14.3.86, 4.4.86, 2/23.5.86, 27.6.86)

DETAINEES — Additional to list in FOCUS 63

Approx. date	Place	Name (age)	Details
Feb. '86	Katima Mulilo	Charles Sampati LUTOKWA	Section 6, Terrorism Act
Feb. '86	Katima Mulilo	— NTONDA	Section 6, Terrorism Act
3.2.86	Katima Mulilo	Boniface LIKANDO	Released by 4.4.86
4.2.86	Katima Mulilo	Robert SINVULA	Released by 4.4.86
March '86	Katima Mulilo	Thaddeus MALUMO	Released by July
March '86	Katima Mulilo	Erwin SIMASIKU	Section 6, Terrorism Act
March '86	Omundudu	Gerhard SHIMWEFENI	Primary school teacher. With wife
March '86	Omundudu	Hilda Daniel SHIMWEFENI	With husband
March '86	Northern Namibia	Albert SIMON	
March '86	Northern Namibia	Gabriel XAVERIA	
11.4.86		Isaane NANGULA	Unconfirmed
11.4.86		John ANGULA	Unconfirmed
11.4.86		Ileni MWUATAKO	Unconfirmed
11.4.86		H TITUS	Unconfirmed
14.5.86	Endola	Ismael KAFULA (36)	Primary school principal
14.5.86	Endola	Rev Tomas NDIWAKALUNGA (32)	Lutheran pastor. Released 9.6.86
22.5.86		Matheus SHIKONGO	Prisoner of war. Wounded on capture
1.6.86	Onesi	Two unnamed guerillas	After sabotage of shop
4.6.86	Windhoek	Gabriel ITHETE	
4.6.86	Windhoek	Moses TIRAMBA	
22.6.86	Oshakati	Unnamed guerilla	After rocket attack on Oshakati
23.6.86	Windhoek	10 Augustineum students	Arson (For names see article opposite)

RESTRICTIONS ON MEETINGS

Restrictions on the freedom to hold meetings in Namibia have been successfully challenged in the courts but the South African installed administration is considering new measures.

In a potentially significant legal judgement a full bench of the Windhoek Supreme Court ruled at the beginning of July that SWAPO can hold meetings legally in Namibia. The judgement was handed down in the trial of three SWAPO office bearers charged with holding an illegal meeting in April 1985 to commemorate the 25th anniversary of the organisation. They were charged under the Notification and Prohibition of Meetings Act. The three accused were Nathaniel MAXUILILI, Acting President of SWAPO, Jerry EKANDJO, Youth Secretary of the organisation and Frans KAMBANGULA, Transport Secretary. (FOCUS 63 p.9; Nam 21.3.86)

Basing their ruling on a strict legal interpretation of the Act, the bench stated that an essential requirement of the law was that organisations to which it applied must according to their constitutions have as their 'sole and only object' the overthrow of an authority or the bringing about of change by any form of force. Based on an analysis of SWAPO's constitution and political programme the bench found that SWAPO has 'peaceful and permissible objectives'. The judgement stated further that although there were references in the Political

Programme of SWAPO to the armed struggle there was still 'no statement which calls for or advocates the overthrow of a government or some form of change by violence, intimidation or forceful means'. (Nam/WA 4.7.86)

Accordingly it was found that the charge sheet failed to disclose an offence. In terms of the judgement SWAPO is no longer required to seek prior permission to hold meetings (as stated in the Act). On the same basis as other organisations it now merely has to inform a magistrate of its intention to hold a meeting 24 hours in advance of the event.

The three accused still face charges of having failed to notify a magistrate of the SWAPO commemorative meeting. (WA 7.4.86)

In an earlier development the authorities prohibited meetings in Windhoek on 31 May and 1 June in an attempt to prevent a Corpus Christi procession organised by the Roman Catholic Church from taking place. Invitations had been extended to members of the Ai-Gams Conference and Christians of other denominations to participate. (See p.12 of this issue) The authorities made use of the provisions of the Riotous Assemblies Act (Act 17 of 1956) which were applied earlier in May to ban meetings commemorating the anniversary of the Kassinga massacre.

According to the Cabinet Chairman of the South African-installed MPC administration the Corpus Christi procession was a 'disguised

SWAPO effort to evade the requirements of law relating to the holding of political meetings with which all other political organisations conform'. (FOCUS 65 p.1; Nam 6.6.86)

An urgent interdict to have the ban set aside was brought by the Roman Catholic Church on the grounds that the ceremony was 'a holy, solemn procession and an important symbol to Christians'. The judge ruled the ban invalid on technical grounds. The order was incorrectly worded, referring to the period of the ban as 'May 31 to May 1 1986'. The judge also concurred that the ban was 'a severe blow to freedom of religion, assembly and association, a blow to Christian membership and furthermore infringed on the pastoral rights of clergymen'. (Nam 6.6.86)

Against the background of these developments parties in the MPC administration have formulated suggestions for security legislation which if adopted would close off existing legal loopholes. According to recommendations being considered by the SWANU and the SWAPO-D parties in the MPC, to replace existing legislation under AG8, the new laws would force all 'political parties, associations, councils and other organisations dealing with the public to register with the Department of Civic Affairs'. Parties would be required to register and deposit copies of their constitutions or other documents with the department. They would also have to submit annual financial statements. (WA 18.6.86)

IN THE COURTS

Alongside major political trials there are a number of cases which rarely get reported — especially if they are heard in the northern war zones or are shortened by the absence of defence lawyers.

- For instance, there are no statistics available of the number of people sentenced for violating the night curfew which is in force in the northern bantustans of Ovambo and Kavango. In January *The Namibian* reported the case of Silas NAMUGONGO from Oshuushu, Ondangua, who was fined R50 for an alleged curfew violation. His case was exceptional in that he challenged the conviction and publicised details of the incident in which his neighbour Nathaniel PETRUS was shot and seriously injured (see *Nationwide mobilisation*). Namugongo denied that the two of them had broken the curfew, stating that they were within their shared homestead throughout the attack by the SADF. He was assaulted and detained for two days at Ondangua police station before appearing in the Magistrates' Court. (Nam 24.1.86)

- In another case in the Ondangua Magistrates' Court, Johannes SHIVUTE (58) was sentenced to 15 months' imprisonment for possession of arms and explosives. The Court heard evidence from a member of the security branch, Colonel Johannes du Plessis, and a police explosives expert, Warrant Officer Gideon Smit. Du Plessis told of finding a Makarov pistol, 800gm of TNT explosive and three MD-5 detonators with time fuses at Shivute's home. Under cross-examination by Shivute (who apparently had no lawyer) du Plessis denied that he or his men assaulted Shivute to obtain a confession. (WO 14.6.86)

Shivute, a father of eight, was sentenced to three months for possession of the firearm and a further 12 months for possession of explosives. In mitigation Shivute said he suffered from tuberculosis but this was denied by the police who did, however, admit that he had contracted pneumonia shortly after his arrest.

- A SWAPO official, Erasmus HANDUBA, was due to appear in the Kempton Park Magis-

trates' Court in South Africa on 17 July to face two charges relating to the possession of banned literature. Handuba, deputy secretary of SWAPO's Windhoek branch and editor of a Roman Catholic monthly newsletter 'Omukuni', was detained at Jan Smuts Airport in Johannesburg on 9 May. He was returning from two conferences on Namibia held in Europe.

Police confiscated a book entitled 'Namibia in the 1980's, a revision of a 1981 publication by the Catholic Institute for International Relations (CIIR) and the British Council of Churches which had been banned. He was subsequently charged with failing to declare the item with the customs and also being in possession of a publication banned in terms of the 1974 Publications Act. (Nam 16.5.86, 4.7.86)

ARSON CHARGE

John PUJATARA (20), a student at Augustine Training College, appeared in the Windhoek Magistrates' Court on 2 July on a charge of arson. His trial was the culmination of further unrest at the school, which first erupted in protest in March. (See FOCUS 65 p.1, 2)

At the beginning of June a fire in a staffroom caused damage to chairs, books and documents. Amid rumours that the school would be closed down for the rest of the year, police began an investigation, admitting that arson could not be ruled out. It was revealed that shortly before the fire the entire prefect body had resigned after accusing the school authorities of ignoring student demands. They had refused to discuss grievances with the 29-member body, saying only four delegates would be seen. One prefect said they had been 'elected by the students and not by the teachers' and could not 'become police for the authorities'. He also stated that students had been arbitrarily expelled from the school hostel without any proper hearings.

On 9 June, the day after the staffroom fire, all students were asked to fill in a questionnaire naming anyone they suspected and detailing any future protests they knew about. The following weekend a fire broke out at one of the hostels.

Between 19 and 23 June a number of students were detained for questioning, leading to an emergency meeting with parents on 24 June and a march on Katutura police station the following day. Between 50 and 60 students demanded the release of their fellows and tried to see them. School sources said thirteen were being held but the police only confirmed ten detainees: eight male and two female. Eyewitnesses said the demonstration was dispersed by police chasing the students in vehicles. A representative of the Augustine Parents Action Committee described the detention of students during the exam period as 'a calculated act to disrupt the careers of the pupils concerned'. Parents heard that student grievances focused on the presence of 'security' guards in the school, the behaviour of certain staff members and the use of some students as informants.

Seven students were held until 2 July when Pujatara made his first appearance in court. He was released on bail of R500 to appear again on 10 July. Later the same day Fidelius MUJEU (20), Obed KUZATJIKE (19), Venondjo KANGUMINE (19), Ben KASENINA (20), Rumold KANGOOTUI (18) and Godwin PUJE were released unconditionally. David Smuts, the lawyer acting for the seven, had been informed that they were being held under Proclamation AG9 and was refused access to them. He later said that the use of AG9 appeared to 'constitute an improper use of legislative powers. The Criminal Procedure Act requires arrested persons to be brought before courts within 48 hours, and afford access to lawyers immediately after arrest.'

On 10 July Pujatara pleaded not guilty to setting fire to the staffroom or alternatively recruiting fellow students for that purpose. His bail was extended and the case adjourned to 1 August.

Other students named as having been detained in connection with the case were Juliana HINDJOU, Selma ANDREAS and E. KAUSEUAPU as well as two students known only by the surnames MUTTI and TJONGGARERO. (WA 10/20/26/27.6.86, 3.7.86, Nam 13/27.6.86, 4/11.7.86)

VIOLENT ATTACKS ON CIVILIANS

Several recent incidents have indicated that intimidatory activities and atrocities by the South African occupation forces are continuing under cover of a clampdown on information from the northern war zones of Namibia.

The Namibian lawyer Anton Lubowski has estimated that only ten to twenty per cent of all violent incidents against civilians are ever brought to public attention, usually through inquests. During 1985, inquest records at one town alone, Ondangwa, revealed the violent deaths of approximately 600 people, most of which were ascribed to 'unidentified persons' or 'persons unknown'. (FOCUS 55 p.8; WO 4.1.86)

Violent attacks on civilians by military and police forces during 1986 have followed the same pattern as in previous years.

● **Shootings of 'curfew-breakers'** Many civilians have been killed as a result of the SADF's enforcement of the evening curfew which has been imposed in most areas of northern Namibia. In an inquest case at the end of last year, a police constable revealed that 'orders in the war zone were to shoot at anything that moves between sundown and sunrise'. (WO 4.1.86)

On New Year's Day, Nathaniel PETRUS was shot and seriously injured by troops while talking to his friend Silas NAMUGONGO. In March an inquest was held into the death of David ELAGO who was shot by army members while riding his bicycle to the local shop after the curfew. The magistrate ruled that the troops were not criminally liable. (Nam 10/24.1.86, 7.2.86; WO 22.3.86)

● **Other shootings** Troops and police are under instructions to shoot at any civilians who fail to stop when ordered. An inquest revealed that three citizens of Botswana had been killed in this way when they were intercepted by a patrol on the border with Namibia. The three, Ben KARENDA, Dishere KARENDA and a man known only by his surname of REWIN, were killed by a hail of automatic fire. A similar fate befell Santos SIMENYE when he strayed into the precincts of the SADF's 32 Battalion. (WO 4.1.86; 15.3.86)

Titus KAMBONDE, a member of the student Christian Movement, was killed when troops from the SADF base at Okankolo opened fire with automatic weapons and a mortar on a homestead in which he was attending a wedding party. In April Johanna SIMON was shot dead while returning home from a shopping trip with relatives. (Nam 24.1.86, 2.5.86)

● **Intimidation and assaults** Police and army operations are characterised by ruthless intimidation and indiscriminate assaults on local people who are suspected of supporting SWAPO and the Peoples' Liberation Army of Namibia (PLAN). In April, an Ongwediva businessman laid charges of assault against police from the Counter-Insurgency (COIN) Unit (previously known as Koevoet) who assaulted Jafet SHINDI, a worker at his garage. Shindi was kicked and hit with rifle butts by the policemen, allegedly in response to an incident in which he had nearly collided with their armoured patrol vehicle while test driving a car. (Nam 11.4.86)

In June, details of a number of assaults were given by Hans Rohr, leader of the Namibian Christian Democratic Party. He reported that a 68 year old man, Hamalodu HAITA had been severely beaten up at his home near Ongwediva. Other residents in the vicinity had also been assaulted, including children and an old couple. Later in the month, Rohr released

details of two other assaults. Franciscus LINUS was kicked and beaten by army members and had to be hospitalised. Haiku PASU, a teacher from the Kavango region, was killed when an army truck deliberately ran him down while he was riding his bicycle. Details later came to light of an assault on a student from the Lutheran Seminary at Otjimbingwe, Ignatius HIAGINGE, who was beaten by troops and had to be hospitalised. (Nam 11.4.86, 20.6.86; WA 18.6.86; NCC 7.7.86)

● **Abductions** There were reports in May of a mass roundup of school students, teachers, youths and other residents in the Ovambo bantustan. Army units visited at least five schools and removed schoolboys, some teachers and in one case the principal. They were taken in armoured vehicles to a detention site in the bush and later some of them were removed to the military base at Tsandi. Some of the detainees were beaten. After first dismissing the reports as 'completely absurd allegations', the South West African Territory Force (SWATF), the local component of the SADF, admitted that 'men of the age groups in which . . . terrorists could be' had been 'screened for their credentials and bona fides' and that some of them had been detained at the local army base. (Nam 23/30.5.86)

● **Rape** In cases where rape was reported and prosecutions of police or army members resulted, sentences were low. In January an effective three year sentence was handed out to a soldier who raped a woman in the Ovambo bantustan. In July three members of the SWATF received similar effective sentences after the brutal rape of a woman in front of her young children, one of whom was slashed with a knife. (Nam 22.1.86, 13.6.86)

● **Personal vendettas** Troops and police, who are usually allowed to take their weapons home, often carry out attacks on friends, acquaintances or members of their family when arguments develop. In January a sergeant in the police COIN unit was jailed for an effective seven years for murdering his mistress and her brother. It was disclosed in court that the man had several previous convictions for assault.

● **Destruction of property** An increasingly common complaint amongst Namibians in the war zones is that the occupation forces deliberately destroy crops by driving armoured vehicles through fields. Residents have reported that the army waits until the crops have ripened before destroying them, and that armoured vehicles ignore gates and tracks and deliberately destroy fences. (Nam 7.3.86, 23.5.86)

● **Torture** Some of the most brutal attacks on civilians take place when they are tortured for information on SWAPO. Torture is so widespread at army and police bases that its use

must be officially sanctioned. This much was admitted in court during an inquiry held in July into the death of Thomas REINHOLD who was detained by COIN police at the end of 1982. A member of the unit, Frederick Stols, stated that it was policy to use 'a measure of violence' during interrogation as 'a terrorist did not talk easily'. He stated that he hit Reinhold across the face until the man admitted that he was a 'terrorist' and indicated a tree where he said his weapon was buried. When a search failed to turn up the weapon, he was again beaten until he indicated another place where his alleged weapon was hidden. Again, no weapon was found, and the beatings were then resumed by other policemen.

Stols stated that he had later seen Reinhold lying on the ground and a short time afterwards he had been informed that he was dead. The corpse was buried at the spot, which was described as the 'customary practice'. Another member of the police unit, Johannes Bezuidenhout, admitted that he had threatened Reinhold with being buried alive, and that such threats were necessary to obtain information.

The grandfather of Reinhold gave evidence that police had arrived at his hamlet in about ten armoured vehicles and had detained Reinhold, whom they had beaten with sticks. As far as the grandfather knew, Reinhold had no association with SWAPO or PLAN guerillas.

The judge hearing the case ruled that he could not arrive at a finding as there was insufficient evidence that a crime had taken place. (WO 28.6.86)

At the end of June, a 15 year old schoolboy, Portas BLASIUS, was reported to have suffered severe facial burns after SADF troops had tortured him by holding his face against the exhaust outlet of an idling military vehicle. Two of the torturers were later fined R500 each for assault after the matter had been brought before the Ondangwa Magistrates' Court. (NCC 24.6.86; Nam 18.7.86)

In another similar case, a 13 year old primary school student, Titus PAULUS, was hospitalised after he had been tortured by being roasted over a fire by army members. He was seized by troops who arrived in armoured vehicles at a settlement called Ethindi where he was visiting a friend. In a statement, the boy said that the troops accused him of being a SWAPO guerilla: 'One slapped me in the face and pulled off my jersey to blindfold me while others kicked and pulled my testicles. They then carried me into the mahangu field where I was held by my arms and legs over a fire, and they roasted my back for a long time. I was screaming out with great pain and they threw me onto my back and left.' (Nam 4.7.86; BBC 7.7.86)

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NATIONWIDE MOBILISATION FOR FREEDOM

Meetings uniting thousands of Namibians have been held throughout the territory to demand independence under UN Resolution 435. The rallies, organised by religious, women's, youth and political groups and the liberation movement SWAPO, form part of a campaign of action by churches and other organisations.

Plans for the campaign were drawn up at the end of April when 16 Namibian organisations signed the Ai-Gams Declaration, committing them to a nationwide mobilisation against the South African occupation of their country. (See *FOCUS 65*, pp.1-2)

The campaign was launched at a public meeting in Katutura outside Windhoek at the end of May. It was due to have been addressed by Rev Frank CHIKANE, a leader of the United Democratic Front in South Africa, but he was prevented from entering Namibia by an order signed by the chairman of the South African installed Multi-Party Conference (MPC) administration in Windhoek. (See *FOCUS 64* p.4) An attempt to show a video recording of Chikane at a Katutura church was also thwarted when the tape was confiscated by the police. (WA 27.5.86; Nam 30.5.86)

The first major event supported by the Ai-Gams Action Committee was a procession on 1 June to mark the traditional Catholic feast of Corpus Christi. A leaflet issued by the committee declared: 'Much is being done by an illegal and foreign occupying power to divide and dominate us... in the same way we are united in the Body of Christ, so too do we claim our rights to be united in a free and truly independent Namibia through the immediate implementation of... Resolution 435'. (Nam 30.5.86)

Several thousand people participated in the march in Windhoek, which was described by the Anglican Bishop of Namibia, Rt Rev James Kauluma, as 'a turning point in the history of the church and of the people of Namibia'. A similar event in the northern town of Tsumeb attracted about 1,500 people. The Windhoek procession was prohibited by the MPC administration but after an appeal by the Catholic church the ban was lifted by the Windhoek Supreme Court only hours before the march was due to start. Smear pamphlets distorting the purpose of the event were distributed and at one point a group of MPC supporters beat up a photographer and attempted to block the progress of the procession. (Nam 30.5.86, 6.6.86; WA 2.6.86)

Two weeks later thousands of Namibians

were drawn to rallies to commemorate the tenth anniversary of the uprisings which began in Soweto, South Africa. Meetings addressed by SWAPO and other signatories to the Ai-Gams Declaration were held in Katutura and the southern towns of Keetmanshoop and Karasburg. A thousand-strong meeting, jointly organised by SWAPO and the Damara Council, was also held in western Namibia at Arandis. This was the first large-scale rally in the area since the 1970s, when bans were imposed on SWAPO meetings and the leadership inside the country was arrested. (WA 16.6.86; Nam 20.6.86)

In subsequent weeks further large Ai-Gams rallies, addressed by SWAPO leaders, were held in Windhoek and Tsumeb. A representative of the MPC administration, Dr Lukas de Vries, accused one of the most significant of the Ai-Gams signatories, the Council of Churches, of being a 'diabolical' front for SWAPO. The liberation movement, he stated, had engaged in a 'brutal blasphemy' by using religious occasions and the churches to spread its 'propaganda'. He issued a threat to the Council of Churches, saying that it 'should not be surprised if it gets the same treatment as SWAPO'. (WA 5/26/30.6.86)

'TOWARDS AN EQUAL EDUCATION'

Against a background of continuing conflict in Namibian schools and educational institutions, the second annual conference of the Namibia National Students' Organisation (NANSO) was held in early July under banners proclaiming 'Towards an Equal Education' and 'Relevant Education for All'. Over 200 delegates attended, representing 14 secondary schools in Namibia as well as Namibian students studying at universities in other Southern African countries. (WA 2.7.86; Nam 4.7.86)

The congress reaffirmed the organisation's commitment to the Ai-Gams declaration and to campaigning for the implementation of Resolution 435. It demanded the introduction of democratic Student Representative Councils to replace the existing prefect system at secondary schools and the use of English as the medium of instruction in Namibian schools instead of Afrikaans. Plans were drawn up to involve pupils at Namibian primary schools in the organisation, and to unite Namibian students 'from the Caprivi to the Cape'. (WA 2.7.86; Nam 11.7.86)

The NANSO congress condemned the detention of several students from the Augustineum college, after alleged incidents of arson

following boycotts and clashes with police. (See *FOCUS 65* pp.1-2)

The NANSO conference ended with a public rally in Katutura, which at one stage was surrounded by police in Casspir armoured personnel carriers. The NANSO president, Paul Kalenga, told the crowd: 'We have had enough of our schools being used as recruitment centres for a colonial army, we have had enough of indoctrination, false propaganda, brainwashing and injustices in our education, we have had enough of principals and teachers who are being used... to sow the seeds of racism, hatred and exploitation.' (Nam 11.7.86)

MILITARY BASES ATTACKED

The public mobilisation throughout Namibia in support of the liberation struggle has been accompanied by an intensification in the armed struggle. An offensive by guerrillas of the Peoples' Liberation Army of Namibia (PLAN) was kept up throughout the first half of the year. (See *FOCUS 65* p.2)

Several major PLAN operations took place during May and June. According to a statement issued by SWAPO, on 23 May PLAN fighters attacked and destroyed a South African military base at Okahao in the Ongandjera area of northern Namibia. It was also reported that two days earlier a C-160 military transport aircraft had been shot down by PLAN anti-aircraft rockets in the northern war zone. This was the third South African aircraft brought down in less than a month, as two DC3 aircraft had been downed previously. (BBC 31.5.86, 3.6.86)

On 22 June PLAN mounted a rocket attack on the garrison town of Oshakati, one of the largest military bases in the war zone. Despite a clampdown on information about the operation, it is evident that considerable damage was done to the base. At the end of June attacks were carried out on the Eenhana and Nkongo bases, which military spokesmen dismissed as 'totally unsuccessful'. SWAPO, however, stated that the surprise night attacks had led to many deaths. (WA 23.6.86, 4.7.86; Star 24.6.86; WO 28.6.86; BBC 5.7.86; S Star 6.7.86)

A number of PLAN operations cut power and water supplies to northern towns and destroyed communications. Ruacana, Oshikuku, Oshakati and Ondangua were all affected at various times, and at the end of June a sabotage operation was carried out against the Ruacana hydroelectric station. Railway lines to Windhoek were also sabotaged. (MS 25/27.6.86; BBC 26.6.86; WO 28.6.86)



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Sources and abbreviations: BBC - British Broadcasting Corporation Survey of World Broadcasts; CH - Cape Herald; 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; ST - Sunday Times, Johannesburg; Star - Star, Johannesburg; Tel - Daily Telegraph, London; T - Times, London; WA - Windhoek Advertiser, Namibia; WM - Weekly Mail, Johannesburg; WO - Windhoek Observer, Namibia.