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focus

ON POLITICAL REPRESSION IN SOUTHERN AFRICA

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PRISON CONDITIONS WORSE

The conditions in which Nelson Mandela and other political prisoners are being held are reported to have seriously deteriorated. The information was made public during May at a hearing in London of the UN Ad Hoc Working Group on Human Rights. It has caused concern for the welfare of Mandela and other political prisoners.

This development has illustrated, as have others reported in previous issues of *Focus*, that improvements in prison conditions for political prisoners cannot be assumed to be permanent. In particular, on a number of occasions when prisoners have been moved from one prison to another they have lost rights gained through their own actions or outside pressure (see *FOCUS 44 p.11*).

In April 1982 Nelson Mandela and a number of others were moved from Robben Island, where they had been since 1964, to Pollsmoor Prison near Retreat, Cape Town. There was speculation about the reason for the move, but no clear information (*FOCUS 41 p.9*).

During a visit by Winnie Mandela in March this year, Nelson Mandela told her 'It is now clear that we were transferred for the purpose of further punishment and harassment.'

This information was contained in a letter from Winnie Mandela to the writer Mary Benson, who made it public to the UN Working Group. In her statement to the Working Group, Mary Benson recalled the long struggle to improve conditions on Robben Island:

For years Mr Mandela was among those who laboured in the lime quarry, crushed stones, repaired roads, collected seaweed from the sea and beaches. The terrible conditions through those years are on record in United Nations files. Meanwhile he and the other political prisoners continually protested, there were hunger strikes and petitions, and this stubborn activity, along with inter-

national pressure, gradually achieved reforms. Then, a few years ago, at least for these older, senior men, hard labour was ended. They spent a good deal of time out of doors. They had exercise and sport. They could study.

Those who were moved with Nelson Mandela included Walter SISULU, Raymond MHLABA and Andrew MLANGENI, also serving life sentences. It was generally assumed that they would all be held together at Pollsmoor. This turned out to be a false assumption, as Mary Benson explained:

For men serving life sentences, comradeship is crucially important. Mandela, Walter Sisulu and Ahmed Kathrada, for instance, had worked together in the struggle for liberation since the 1940s. On the island they and the others in the segregated section [for political prisoners serving life sentences] had a communal life. But now, it seems, the South African authorities have deprived these men of this cherished comradeship. Mrs Mandela writes of 'the cruelty' of wrenching her husband 'from friends he had lived with for the past twenty years'.

In several other respects the conditions have worsened. Although prison visits are monitored, Nelson Mandela managed to tell Winnie Mandela about the conditions in which he and five other prisoners were held at Pollsmoor. In doing so he risked breaking prison regulations, as she has risked infringing the Prisons Act. But, according to Mary Benson, Winnie Mandela said in her letter that 'when it became obvious that conditions were deteriorating terribly' and the Officer Commanding refused to receive their complaints, Mandela's cell-mates decided that he should brief her, with the object of conveying the information to 'relevant people and the Press'. Other points in the statement included these:

- On Robben Island each man had a cell. In Pollsmoor Mandela is confined in a cell with five others (unnamed). They are isolated from other prisoners, whereas on the Island they could move freely in their section.
- Nelson Mandela said there should be an

urgent medical inspection, as there is a hazard to health caused by flooding when it rains.

- Whereas the prisoners on the Island had sports, this is no longer so. Exercise in general is extremely restricted. It appears that they have not been allowed out of doors for a year (T 24.5.83).

In concluding her statement, Mary Benson urged the UN Working Group to do all they could to help improve the conditions, and gave them the address of the Officer Commanding, of Pollsmoor Maximum Security Prison as PBX4, Tokai, 7966 Cape, South Africa.

In this issue:—

SOUTH AFRICA

- *Forced Removals Continue* p. 2
- *Conditions in Resettlement Camps* p. 2
- *Detentions* p. 3
- *Political Trials* pp. 4–5
- *Three Guerillas Hanged* p. 6
- *Pass Laws* p. 6
- *Bans* p. 6
- *Review State Witnesses in Political Trials* p. 7
- *Mozambique Strengthens Defences* p. 12

NAMIBIA

- *Mwaala Found Guilty* p. 8
- *Clampdown in Kavango* p. 9
- *Prisoner's Mother Speaks* p. 10
- *Appeal from Kakuva Family* p. 10
- *Kassinga Detainees* p. 11

south africa

FORCED REMOVALS CONTINUE

POLICE SHOOT LEADER OF COMMUNITY RESISTING RELOCATION

Two events during the first part of 1983 focussed attention on the continuing programme of enforced relocation of black people in South Africa.

In April a community leader, trying to address a meeting of people resisting the uprooting of their community, was shot dead by a policeman.

And during March, April and May a prolonged drought affecting many parts of South Africa brought great suffering to people in the bantustans, particularly in some of the resettlement camps where there are very high levels of unemployment, poverty and malnutrition (*see below*). These were the most severely affected areas in the country.

Contrary to assurances given by Ministers during February, actions by the authorities made it clear that the programme of enforced relocation of the African population will continue.

Saul MKHIZE was shot dead on 2 April while trying to address a meeting of people of the village of Driefontein. He was the elected Chairman of the Council of Directors of Driefontein, which had been coordinating the resistance to the removals.

The meeting had been called in the grounds

of a school to discuss the removal with which the community of 5,000 people is threatened. Two policemen arrived and tried to stop the meeting, saying that it was illegal. In the face of protests the police threw teargas and then left in a van. Outside the gates of the school grounds the van stopped. One of the policemen got out and shot into the school ground, killing Mkhize (*Star/DD/RDM 4.4.83; S.Exp 10.4.83*).

Although the South African Police said that the policeman had shot in self-defence, eye-witnesses described the meeting as peaceful and said that the police were in no danger (*CT 5.4.83; RDM 9.4.83*).

The funeral was attended by 3,000 mourners, mainly from Soweto and other parts of the Witwatersrand. Representatives from many organisations were present.

The situation of the Driefontein community illustrates several aspects of the policies of enforced relocation.

The community lives on land it has owned since the first decade of this century, when it was bought from a white farmer, along with two adjacent farms. The African occupants of all three areas of land have been told by the government that they must move. In line with apartheid policies, the communities are to be broken up and people resettled in different parts of the country according to the language they speak: people who speak Zulu are to be sent to Natal and put on land due to become part of the KwaZulu bantustan, while those who speak Swazi are to be put in the KwaNcwane bantustan.

Of those living in Driefontein, about 300 own land, and small portions are leased to tenants who cultivate it. Only those who own about 40 acres or more will be allowed to

claim land 'of equal agricultural and pastoral value' when they are relocated. The rest will join the very large numbers of people who have been deprived of access to land through relocation.

ASSURANCES

The response to Saul Mkhize's death, both at his funeral and in the many protests made by organisations throughout the country, was indicative of the resistance to relocation. Nevertheless the intention of the regime to continue the programme has been made clear.

In February a number of statements were made by Ministers implying that enforced relocation of population was to be discontinued. It was suggested that instead there was to be a new policy characterised by 'compassion and due respect for human dignity' in which people would be removed only 'in their own interests', 'where there is no alternative'. The Minister of Cooperation and Development said that the government 'will do everything possible' to avoid removals 'as far as is practicable and possible' (*S.Trib 20.2.83*).

However, the Association for Rural Advancement (AFRA) responded with a statement saying that there was no evidence of change: 'To date there has been no fundamental reversal in policy, merely delays, confusion and concealment in its implementation'.

The statement continued saying that the first part of 1983 provided mounting evidence of the authorities' determination to proceed with black spot removals and to clamp down more tightly on the presence of African residents on white-owned and Indian-owned land (*AFRA Report 19, February 1983*).

CONDITIONS IN RESETTLEMENT CAMPS

Unemployment, poverty and malnutrition have for years been at high levels in the bantustans and resettlement camps created as a result of the apartheid programme of relocation and the pass laws. The prolonged drought in South Africa has meant even greater deprivation for the people living in these greatly overpopulated areas.

Dr Allie Moosa, Professor of Paediatrics at King Edward VIII Hospital in Durban estimated that about 30,000 children, mainly Africans, die of malnutrition every year in South Africa, and predicted that this number would increase as a result of the drought. The South African Council of Churches' Director of Development, speaking of conditions in the resettlement camps, said that child mortality rates in the camps were 'staggering' and described the poverty among black people in South Africa as 'political poverty' created by apartheid policies (*GN 14.4.83; CT 25.4.83; see also Removals and Apartheid, FOCUS Briefing Paper No. 5, July 1982*).

- Overcrowding due to the systematic expulsion of different communities or segments of communities to specified areas has led to rapid deterioration of fertile farming land so that it is impossible to produce enough food for the inhabitants. The relocation of 50,000 people to three camps in the north of the Ciskei bantustan, at Zwelendinga, Thornhill and Sada, has completely devastated what was once prime agricultural land, and the camps are situated miles from any town or village where employment may be sought. Infant mortality rates due to undernourishment are high (*Star 19.2.83*).

- The people of Driefontein (*see above*) at present grow enough in a normal year not only to feed themselves but also to sell a surplus to neighbouring towns. The government's plans to move them to the KwaZulu and KaNgwane bantustans will, if implemented, further contribute to the conditions of overpopulation in these areas, reducing the camps' inhabitants to poverty and some to starvation (*New Statesman 18.2.83*).

- Inhabitants of the Onverwacht resettlement camp in the Orange Free State have suffered from epidemics and disease since the camp was established in 1979. Official figures reveal that over 500 people died of typhoid in that year, and the major cause of the more than 4,000 deaths at the camp so far has been malnutrition.

The majority of these were children under five. Unofficial estimates put the population of Onverwacht at 300,000, (officially it is 200,000) and it is constantly growing. In particular with the onset of the drought the growth accelerated as work ran out for increasing numbers of Africans on white farms. But the nearest employment available to people at Onverwacht is 65 km away at Bloemfontein, where women are forced to seek domestic work: most of the men are migrant workers in mines to the north (*Star 4.5.83; ST 22.5.83*).

- The majority of resettlement camps are in the bantustan areas which are already overpopulated and faring worst from the drought. In each of the Gazankulu, Transkei and Ciskei bantustans some 300,000 people are suffering from malnutrition, according to the South African Council of Churches' Director of Development, Rev Sol Jacob. Research conducted by authorities in the KwaZulu bantustan among people relocated there revealed that resettlement was threatening the stability of rural areas as people flowed in to compete for already meagre resources. A resettlement camp in KaNgwane was one of the first places in South Africa to be struck by cholera, which in the last few years has affected several parts of the country (*New Statesman 18.2.83; ST 10.4.83; MS 24.5.83*).

DETENTIONS

While there have been few reports recently of detentions except in the Eastern Cape, renewed concern about the health of detainees was raised with the news that another detainee had been admitted for psychiatric treatment.

In April it was reported that Modika TSATSA was being treated in the psychiatric ward of a Johannesburg hospital. Tsatsa has been held in custody since December 1979 and since March 1982 under the provision allowing preventive detention (see *FOCUS 43 p.6*).

Tsatsa's family visited him on Easter Monday and his father told the press of his very poorly condition: he walked bent over, like an old man; his hands shook so much he could not hold anything and 'his eyes were full of pain, with a wild look'. Lawyers for the family made urgent representations to the Minister of Law and Order, requesting Tsatsa's release. They reported that doctors had refused to supply them with Tsatsa's medical reports. On 16 May a spokesman for the Minister said Tsatsa was being treated successfully for 'manic depressive illness' and had been returned to detention (*FOCUS 43 p.6*; *RDM 6.4.83*; *S 2.5.83, 11.5.83, 16.5.83*).

Tsatsa and David NTOMBELA, are both detained under Section 28.

In an answer in Parliament on 30 March the Minister of Law and Order reported that three people were currently detained under Section 28. The three had been held for 366, 330 and 130 days respectively. The name of the third person detained has not been reported in the press (*Star 6.1.83*; *Debates 30.3.83*).

CISKEI BANTUSTAN

Police continued to detain trade unionists, particularly members of the African Food and Canning Workers Union (AFCWU) following a strike at the Eastern Cape Agricultural Co-operative Creamery. In addition, further evidence was provided of the close co-operation which exists between the regular South African police and the Ciskei Central Intelligence Services.

In two instances trade unionists arrested outside the boundaries of the Ciskei bantustan were reportedly handed over to the CCIS forces and then detained in the bantustan. Dlaki VANI and Linda NGODEKA, officials of the AFCWU, were taken from their homes in Mlungisi, near Queenstown, after the police had surrounded their houses. No more was reported about Ngodeka. However, the Minister of Law and Order told Parliament on 13 May that Vani had been handed over to the Ciskei police 'since he was a Ciskei citizen'. Ten days after Dlaki had been apprehended no charges had been laid, although the Minister said he had been arrested in connection with an alleged offence committed 'within Ciskei and South African jurisdiction' which was being jointly investigated.

Another AFCWU trade unionist, Tandi MADIKANE, was also believed to be detained in the Ciskei. Madikane faced charges under the Intimidation Act following the strike in March. These charges were withdrawn but on 26 April he was one of a group of six workers arrested. They were due to appear in court on 27 April.

No reports appeared until May when it was said that he was detained in the Ciskei bantustan. The Minister of Law and Order did not confirm that Madikane had been handed over but said such an exchange was possible in terms of the normal process of law and in view of the good relations existing between the two police forces (*FOCUS 46 p.7*; *RDM 27.4.83, 12/14.5.83*; *S 5.5.83*; *CT 6.5.83*).

ARMED STRUGGLE

In early May the Minister of Law and Order announced that three alleged guerillas had been detained at a roadblock in April.

On 4 May police shot dead three men at a roadblock near the Botswana border. They claimed that the men were in possession of arms and ammunition and that two of them were highly trained ANC guerillas (*BBC 2.5.83*; *RDM 7.5.83*).

DIPALE INQUEST

On 1 June an inquest in the Johannesburg magistrates court found that no-one was criminally responsible for the death of Ernest Moabi DIPALE who died in detention in August 1982. The hearing lasted just a few hours (*FOCUS 43 p.7, T 2.6.83*).

RELEASES

• Mzwandile MSOKI was released from detention in the Ciskei bantustan on 12 April and charged with possessing banned literature (*FOCUS 45 p. 3*; *DD 13.4.83*).

DETAINEES

Additional to previous FOCUS lists

Approx. date	Place	Name (age)	Details (where known)
24.2.83	Ciskei	Vuyisile MATI	COSAS member. Also det. Dec '82. NSA
1.3.83	Ciskei	Monwabisi M MNIKINA	Charged 30.3.83. NSA
1.3.83	Ciskei	Thembinkosi W MATUTU	Charged 30.3.83. NSA
10.3.83	Ciskei	Vuyani CAMAGU	NSA
10.3.83	Ciskei	Sicelo NDEVU	NSA
10.3.83	Ciskei	Meintjies MALAHLA	Police searched house. NSA
16.3.83	Ciskei	Khululekile JACOBS	Probably listed as unnamed in FOCUS 46. NSA
16.3.83	Ciskei	Cecilia BOTTOMAN	
16.3.83	Ciskei	Mlulami XOFA	
14.4.83	Ciskei	Ayanda MAGENGELELE	Member AFCWU, shop steward
14.4.83	Ciskei	Nkosiyohlanga MKHONJWA	AFCWU member
Mid-April	—	3 alleged guerillas	At roadblock while allegedly en route from Maputo to Maseru. ISA
3.5.83	Ciskei	Dlaki VANI	Official AFCWU. NSA
3.5.83	—	Linda NGODEKA	Member AFCWU
Rep. May '83	Ciskei	Thandi MADIKANE	Member AFCWU. NSA
9.5.83	Port Elizabeth	Mr TYUTYU	Former Robben Island prisoner from Kwazakele
9.5.83	Port Elizabeth	Doris TYUTYU	Wife and
9.5.83	Port Elizabeth	Nokuzola TYUTYU	daughter of above
10.5.83	Port Elizabeth	Tuli BOBO	From New Brighton
10.5.83	Port Elizabeth	Sipho HINA	Former Robben Island prisoner from New Brighton. Det 1982
Rep. 14.5.83	Eastern Cape	5 unnamed men & 1 woman	Alleged involvement in sabotage attacks. ISA
20.5.83	Ciskei	Sydney MUFAMADI	Gen. Sec. GAWU. Also det. March 1983. NSA
20.5.83	Ciskei	Monde MDITSHWA	Nat. Org. GAWU. Also det. 1980. NSA
24.5.83	Soweto	Pule PULE	Exec. Azanian Peoples Organisation
25.5.83	Zeerust	Victor Thebe SIFORA	Bophuthatswana opposition politician. ISA
25.5.83	Bophuthatswana	Stephens SIBANDE	Opposition politician. Bophuthatswana ISA.
End May	Eastern Cape	6 unnamed men & 1 unnamed woman	Alleged arms caches and sabotage

ABBREVIATIONS

Organisations

AFCWU	African Food & Canning Workers Union
COSAS	Congress of South African Students
GAWU	General and Allied Workers Union

Laws

ISA	Section 29 of the Internal Security Act
NSA	National Security Act (Ciskei)

POLITICAL TRIALS

Between 11 March and 19 May ten people were sentenced in five political trials to jail terms totalling 45 years and ranging from two and a half years to 15 years. The trials involved people charged with treason, attempting to leave the country for military training, acting as couriers for the ANC and possessing banned literature.

CONVICTIONS AND ACQUITTALS

OSCAR MPETHA AND OTHERS

Judgement in the marathon trial of Oscar MPETHA (73) and 17 others was given on 6 June in the Cape Supreme Court. Mpetha was found guilty of 'terrorist' activities but acquitted of murder charges. Sentence has still to be passed.

The 225-day trial was the second longest hearing in South African legal history. The longest was the Treason Trial which lasted from 1956 to 1961 in which Nelson Mandela and 155 were acquitted of attempting to overthrow the state.

More than 100 witnesses testified in the Mpetha trial, which began on 3 March 1981. The court record covers more than 10,000 pages.

Mpetha and the others pleaded not guilty to the charges of 'Terrorism' and two counts of murder. One of the original 19 accused, Lawrence LEROTHOLI, was discharged because of lack of evidence in September last year.

The State alleges that the accused committed or encouraged others to commit 'terrorist' activities in August 1980. The murder charges follow the deaths of two motorists during unrest near Crossroads in 1980. The cars were overturned and set alight at a barricade (T 7.6.83; CT 6.5.83; see past issues of FOCUS).

KHAYA SKWEYIYA

An ANC guerilla whose alleged mission was to destroy a fuel pumping station in KwaZulu was found guilty of treason and assault and sentenced in the Pietermaritzburg Supreme Court on 19 May to an effective 15 years imprisonment.

Khaya SKWEYIYA (21) was arrested in October last year after being shot by the police. A man named as a co-conspirator in the indictment, Lucky Ntsele, died of bullet wounds during a shootout prior to Skweyiya's arrest.

The charges against Skweyiya were 12 counts of treason, 'Terrorism', participation in 'terrorist' activities, unlawful possession of arms, ammunition, grenades and explosives, and murder and attempted murder. A two year sentence for assault with intent to commit grievous bodily harm runs concurrently with the sentence for treason (CT 10.5.83; S 7/9/20.5.83).

NTSATHA AND PETER

Nomakephu Jane NTSATHA (25), the mother of a two year old child, and Mncekeleli Lawrence PETER (22), were sentenced to five years and three years imprisonment respectively in the Zwelitsha Magistrates Court on 22 April.

Nsatha was sentenced to three years for two charges involving membership, recruiting and being involved in the activities of the ANC, three months (or R200) for being in possession of and distributing banned publications and five years for assisting someone to undergo military training. The first two sentences run concurrently with the third.

A large number of political trials have commenced in the three months since the beginning of February. Most of these involve people who are alleged to have engaged in activities connected with the African National Congress. Five trials involved charges of 'Terrorism'. Others involve charges of murder, attempted

murder and singing of 'revolutionary songs'.

The Oscar Mpetha trial which began in March 1981 has now ended. It was the second longest trial in South African legal history. Some of the accused in this trial were minors when the trial commenced. One person was acquitted during the trial.

Peter was sentenced for four charges involving possession and distribution of banned literature, membership, and being involved in the activities of the ANC.

An appeal has been lodged against the sentences (DD 22/23.4.83; see FOCUS 46 p.6, 44 p.6).

REJOICE MAKWELE

A man arrested at the South African border en route to undergo military training outside South Africa was sentenced in the Johannesburg Regional Magistrates Court on 11 April to seven years imprisonment.

Rejoice MAKWELE (24) pleaded guilty to the charge under the Terrorism Act (Cit 12.4.83).

LAZARUS MOHAU MMOLEDI

A man who possessed a tape with a recording of a speech by the president of the ANC was jailed for four years in the Johannesburg Regional Magistrates Court on 11 March.

Lazarus Mohau MMOLEDI (27) was charged with furthering the aims of the ANC by possessing and playing the tape. Bail of R2,000 was granted pending appeal (Work in Progress, No. 26; see FOCUS 46 p.6).

MAPEKULA, MOKONE AND NKOSI

Three members of the Congress of South African Students (COSAS) from the Springs township of KwaThema, Vulindlela MAPEKULA (22), Andrew MOKONE (19) and Mziwandile NKOSI (21), were sentenced in the Springs Regional Court on 25 March to two (Mokone) and three year terms of imprisonment.

The accused faced charges of taking part in ANC activities. The State alleged that they conveyed messages and information from the ANC in Botswana to South Africa; formed an ANC cell; carried ANC literature into South Africa and distributed it; and received money from the ANC (Work in Progress No. 26; see FOCUS 46 p.6).

THLOLOE AND OTHERS

The former assistant news editor of the *Sowetan* newspaper, Joe Nong THLOLOE (40), and three others, Siphon Moffat NGCOBO (28), Nhlanguiso SIBANDA (26) and Steven Siphon MZOLO (26), were sentenced in the Johannesburg Regional Magistrates Court on 20 April to a total of 11 years imprisonment.

Thloloe and Ngcobo were each jailed for two and a half years for contravening the Terrorism Act; Mzolo and Sibanda were jailed for three years under the same Act.

At a previous hearing the four changed their plea of not guilty to guilty of taking part in the activities of the Pan-Africanist Congress between February 1981 and June 1982. They were convicted on charges of collecting and possessing documents of the PAC and the Azanian National Youth Unity.

Five others who were charged with the four sentenced were acquitted. They are Harrison Thembinkosi NOGQEKLE (26), Veli Truman MNGUNI (33), Mfana MTSHALI (18), Shadrack RAMPETE (22) and Phillip DLAMINI (30). Dlamini was not released as he is serving an 18-month jail term for refusing to testify in the Keagile trial (see FOCUS 45 p.4).

The four who were sentenced have applied for bail pending their appeal (S 19/21/22.4.83; RDM 21.4.83).

CEDRIC MAYSON

When the trial of Cedric MAYSON was due to recommence in the Pretoria Supreme Court on 18 April, the only trace of him was a long letter of apology written by him and addressed to the judge. The letter informed the judge that Mayson had left the country and fled to the United Kingdom.

Mayson (55) was facing charges of high treason, alternative charges under the Terrorism and Internal Security Acts and of furthering the aims of a banned organisation. He was released on R1,000 bail on 18 February after having been in detention since November 1981 (CT 19.2.83; CT/S 19.4.83; see FOCUS 46 p.6).

SITHOLE AND YOUTH

Two people have been sentenced to a fine and cuts in the first case under the new Demonstrations in or near Court Buildings Prohibition Act.

Njengabantu SITHOLE (24) was fined R500 (or nine months imprisonment) and a 17-year-old youth was sentenced to five cuts in the Pietermaritzburg Magistrates Court on 24 February. They were found by the court to have 'demonstrated' outside the Pietermaritzburg Supreme Court in September last year (DN 25.2.83).

ALLEN MARSDEN

A final-year University of Cape Town student, Allen Charles MARSDEN (20), was fined R1,000 (or 12 months imprisonment) for painting political slogans.

Marsden was found guilty in the Wynberg Magistrates Court on 30 March. Of the sentence imposed, R500 (or six months) was suspended for three years. In addition, he was sentenced to five months, suspended for four years, for possessing a banned ANC publication. The charges connected with the slogan painting were for malicious damage to property. He was also ordered to pay damages to the property owners (CT 30.3.83).

NKOSENYE NDLOVU

In the previous issue of FOCUS it was reported that judgement in the trial of Nkosenye NDLOVU and a 17-year-old youth was given on 10 December 1982 and that the youth was acquitted and no details of the judgement relating to Ndlovu were known.

It has now been confirmed that Ndlovu was also acquitted on the same date, in the Durban Regional Magistrates Court (see *FOCUS* 46 p.6, 44 p.6).

CHARLES AND RADEBE

Two musicians, Joseph CHARLES (24) and Rufus RADEBE (19), were both sentenced to effective four year prison terms for singing 'revolutionary songs'. They appeared in the Johannesburg Regional Court on 2 June on charges of furthering the aims of the ANC.

It was alleged that the two chanted ANC

slogans and sang ANC songs at a music festival in Roodepoort on 12 February. They both pleaded not guilty. They were sentenced to six years jail, two of which were conditionally suspended for five years (S 20.5.83; *RDM* 3.6.83).

NOMVALO, SIBASA AND XOLELISWE

Three people who were acquitted on charges of attempting to leave the country to receive military training were found not guilty of 'Terrorism' in the Ladybrand Regional Magistrates Court on 15 March.

Simon Cyprian NOMVALO, David CEBISA and George XOLELISWE were charged with contravening section 54 of the Internal Security Act. They pleaded not guilty.

The State alleged that they conspired with others to leave South Africa for Lesotho to receive ANC military training. Seven others who were arrested with them appeared as State witnesses. The evidence they gave was so contradictory it led to the acquittal verdict (*SASPU National*, May 1983).

CONTINUING TRIALS

DUNA AND OTHERS

Horrific details of torture have been revealed in the Terrorism Act trial taking place at Zwelitsha in the Ciskei bantustan area.

William DUNA (31), Jeffrey Bayi KEYE (52), Dumisani MANINJWA (31) and Luyanda Patrick MAYEKISO (23) are appearing in the Ciskei Supreme Court on charges of taking part in 'terrorist' activities, recruiting people for military training, being members of the ANC and being in possession of and distributing banned publications. They have pleaded not guilty on all counts.

In a trial-within-a-trial to determine the admissibility of statements made by the accused, they, as well as other witnesses, gave evidence of how they were tortured. Duna explained how at one time a tube was placed into his anus and he felt warm water being pumped into his stomach. The tube was removed and immediately forced into his mouth and the force resulted in a tooth being broken. Maninjwa explained how he had been hit with a straightened wire hanger by security police who forced him to write in his statement how he had received military training in Lesotho. Mayekiso explained how he was beaten and kicked in his private parts. At one stage his head was covered with a motorcar inner tube causing him to lose consciousness.

Thozamile GQWETA, the president of the South African Allied Workers Union, gave evidence for the defence. He told how he was suspended by handcuffs from window bars and given electric shocks when he was in detention. He was stripped naked and then drenched with water. He was then ordered to squat before a fan to dry himself. He shivered with cold and when dry he was drenched again.

The trial was postponed on 24 March to 23 May (DD 1/2/3/4/5/24/25.3.83; *RDM* 23.3.83; see *FOCUS* 45 p.4, 44 p.6, 43 p.5, 42 p.3).

LUBISI, MANANA AND MASHIGO

Three ANC members, serving life sentences for conviction in 1980 on charges of high treason, were sentenced in the Pretoria Supreme Court on 21 May to a further 15 years imprisonment for attempted murder and robbery with aggravating circumstance.

Ncimbithi Johnson LUBISI (30), Naphtali MANANA (26) and Petrus Tsepo MASHIGO (22) were sentenced to death on 26 November 1980 for their part in the guerilla attack on the Soekmekaar police station in January 1980. Their death sentences were commuted to life imprisonment in June last year after worldwide appeals for clemency to the South African government.

The defence at this new trial described how the three had been held in the death cells for 19 months and had suffered intense mental agony. They were held in isolation and had been allowed five to ten minutes exercise per day. They had heard the screams of people being taken manacled to the gallows.

The new trial was connected with the Soekmekaar attack. A sentence of 10 years

imprisonment was imposed for attempting to kill a police constable at the police station and five years for stealing a light delivery van for use in the attack (*RDM* 21.5.83; see *FOCUS* 32 p.8).

MOTLHABAKWE AND OTHERS

The Kimberley trial of five students reported in *FOCUS* 40 p. 4 (May–June 1982) is still in progress in the Kimberley Regional Court.

The trial of the five, Sello Neville MOTLHABAKWE (20), Johannes KERS (21), Eugene MOKGOASI (22), Nelco HLATSWAYO (22) and Ben FANI (23), is considered as probably the longest lasting trial in South African regional court history. The charges relate to events that allegedly occurred during the school boycotts in Kimberley in September 1980. The trial began in April 1981 and has proceeded with long adjournments and postponements. By the beginning of May the trial had cost the defence at least R284,000. The evidence which had accumulated totalled 11,104 pages contained in 140 volumes. Judgement is due to start on 4 July (S 13.4.83, 6.5.83; *Star* 7.5.83; see *FOCUS* 40 p.4, 36 p.8, 35 p.4. See also *REVIEW: STATE WITNESSES* in this issue).

MOKABA, MAAKE AND NHLAPO

The trial of three former University of the North students, Peter Ramoshoane MOKABA (24), Jerome Joseph MAAKE (20) and Portia Makhosazana NHLAPO (24), continued in the Pietersburg Regional Court on 27 April. They face 32 charges under the Internal Security and Terrorism Acts.

It is alleged that Mokaba participated in the activities of the ANC by recruiting people between May 1980 and June 1982.

No evidence was led and the case was provisionally postponed to 6 May (*RDM* 28.4.83; *SASPU National*, May 1983; see *FOCUS* 46 p.7).

SIPHIWE MAKHATHINI

Siphiwe Wilfred MAKHATHINI (26) was committed to the Supreme Court for a summary trial on 18 charges under the Terrorism and 'Sabotage' Acts when he appeared in the Durban Magistrates Court on 12 May.

It is alleged that he left South Africa in 1977 and received military training before returning to South Africa last year. He was arrested near Piet Retief on 16 September 1982.

The State also alleges that during April and May last year he sabotaged the water pipeline at the Umlazi Canal, a pipeline at Chesterville and the Ilco home centre in Durban (S 13.5.83).

MNIKINA AND MATUTU

Two men, Monwabisi MNIKINA and Thembinkosi MATUTU, appeared in the Mdantsane Magistrates Court on 30 March on a charge of 'Terrorism' under the Ciskei National Security Act and an alternative charge under the same Act. They were not asked to plead and no evidence was led. They were remanded

in custody and were due to reappear on 16 May (DD 31.3.83).

MALISELA MOLOISE

Malisela Benjamin MOLOISE (26) who is alleged to have murdered a security policeman on 7 November last year appeared in the Pretoria Supreme Court on 4 May.

Molose is alleged to have murdered Detective Warrant Officer Philipus Selepe, a security policeman who gave evidence for the State in the trial of three ANC guerillas who were subsequently sentenced to death (S 26.4.83).

HEADLEY KING

A Cape civic organisation member, Headley Moses KING (26), appeared in the Paarl Regional Court on 17 and 18 May on charges under the Internal Security Act.

King is charged with being a member of the ANC, with having attended ANC meetings and studied ANC documents. He earlier pleaded not guilty to the charges. The hearing was adjourned to 1 August for judgement (CT 18/19.5.83; *FOCUS* 46 p. 8–9).

OTHER TRIALS

- Eleven mineworkers who took part in a strike at an Eastern Transvaal gold mine in April last year were jailed for a total of 27 years – half of which was suspended – when they appeared in the Evander Magistrates Court on 14 March.

They were among 29 miners arrested after a strike at the Gencor Winkelhaak mine near Evander and charged with public violence. Thirteen of the miners had charges withdrawn, one man was in hospital and four did not appear. Five received three year jail terms, half suspended for five years. Five received two year terms, half suspended for five years and one man received a two-year term with nine months suspended (DD 15.3.83; see *FOCUS* 45 p.5, 43 p.3).

- Five miners appeared in a Welkom court on 12 April on charges of public violence following a protest by nearly 700 miners who refused to go underground after 16 colleagues died in a methane gas explosion four days previously. The accident occurred at the Besia uranium mine near Welkom (DD 12.4.83).

- The trial of two people, Terry LUCAS (22) and Michael ABRAMSE (23), charged with possessing banned publications was adjourned to 17 June on 19 April in the Cape Town Regional Magistrates Court. The trial could not continue because two police witnesses failed to appear. A warrant for their arrest was issued.

Abramse and Lucas are charged under the Internal Security Act and the Publications Act. Bail of R100 was extended.

- Diliza Benedict MATSHOBA (30), a political science student and part-time journalist was fined R200 in the Johannesburg Magistrates Court on 26 April after being found in possession of a banned publication (*RDM* 26.4.83).

THREE GUERILLAS HANGED

At dawn on 9 June 1983 Simon MOGOERANE (23), Jerry MOSOLOLI (25) and Marcus MOTAUNG (27) were hanged in Pretoria. In spite of a flood of eleventh-hour appeals for clemency from all over the world, including a unanimous appeal by the UN Security Council, the government decided that the death sentences imposed on the three ANC combatants in August 1982 should be carried out.

In a statement made after the executions the ANC said that the men were prisoners of war and that 'the

example and sacrifice of the three men would serve as a call to battle'.

The three had been executed for participating in armed actions which included attacks on three police stations in which four policemen died.

After their conviction they petitioned the State President for clemency. The rejection of the petition was announced on 6 June.

At the same time death sentences on another three ANC guerillas were commuted by the State President: they were Antony TSOTSOBE (27), Johannes SHABANGU (27) and David MOISE (23). The armed actions they were involved in included the sabotage of the Sasol oil installation in June 1980.

Within hours of the execution memorial services were held throughout South Africa and in many other countries.

The spirit of resistance and widespread support for the three, evident in many ways, was expressed in the words of Sarah Mosololi, mother of Jerry Mosololi, shortly before his execution; 'Go well, my son, I love you. I am proud of you because you are to die for your people. We'll meet you where you are going. You must know that the struggle will not end even after your death.'

(Sources: *BBC World Service 9.6.83; T/MS/Tel/GN 9.6.83*. Details of the trials are given in *FOCUS 35-37 and 41-44*).

PASS LAWS

During the first half of 1983 the government continued attempting to restrict the number of Africans staying in the urban areas outside the bantustans, while the controversial Orderly Movement and Settlement of Black Persons Bill remained under consideration by a parliamentary select committee. The Administration Boards, which enforce the 'influx control' laws in the towns, have continued to oppose in the courts the granting of permanent urban residence to migrant workers in a series of court cases, despite verdicts that have been in contradiction to their policies (see *FOCUS 45 p. 1*).

In each of three cases, the most recent of which was concluded in May this year, a contract worker born in a bantustan area who had worked for one employer for ten years continuously, was granted by the court the right to live permanently in the town where he worked, in terms of Section 10(1)(b) of the *Black (Urban Areas) Act*.

In May the Appeal Court dismissed an appeal by the East Rand Administration Board against a verdict passed in 1981 granting permanent urban residence to Mehlole RIKHOTO. In the Cape, a contract worker also won his case in court in 1981, but these verdicts have failed to create an effective precedent for the tens of thousands of other workers born in the bantustan areas and working in towns designated 'white' (*T 31.5.83*).

The Administration Boards' refusal to regard work on an annual contract basis as continuous employment is in line with a regulation to that effect introduced in 1968. It also accords with the stringent requirements contained in the Orderly Movement and Settlement of Black Persons Bill, a number of which have already been implemented administratively, although a decision has yet to be made on enactment of the Bill itself (*CT 22/23.4.83; S 25.4.83; FM 29.4.83; see FOCUS 45 p. 1*).

CONTROLS ON COLOURED WORKERS

In a significant innovation controls similar to pass laws on Africans have been applied to Coloured workseekers in parts of the country. In November 1982 the government introduced legislation under the *Illegal Squatting Act of 1951* to restrict the entry of Coloured workseekers into parts of the

Northern and Western Cape. Employers in the areas concerned can now take on Coloured workers from outside these areas only if the Department of Community Development is satisfied that 'proper housing' is available for them (*CT 8.12.82; Grassroots, January 1983*).

NEW STRUCTURES

Reports tabled in Parliament in April indicated that the government is preparing legislation to transfer the responsibility for enforcement of 'influx control' laws from the Department of Co-operation and Development, under which the administration boards operate, to the Department of Internal Affairs.

Evidence given to the Select Committee on the Constitution which is examining the Orderly Movement and Settlement of Black Persons Bill and the proposed Black Communities Development Bill, revealed the government's intention of using the immigration laws instead of the pass laws to prosecute Africans staying outside the so-called 'independent' bantustans. Africans born in these bantustans would thus be classified as foreigners, so that when all bantustans became 'independent' the remainder of the country would be predominantly 'white'. In addition, the draft Orderly Movement and Settlement of Black Persons Bill contains provisions for the creation of passport control officers to enforce the Admission of Persons to the Republic Regulation Act 'with respect to a black person'. These developments recall the events of August 1981, when 2,000 'squatters' at Nyanga in the Cape were deported to the Transkei bantustan as illegal immigrants (*CT 16.4.83; ST (Jbg) 17.4.83; FM 15/22.4.83*).

NEW CAPE TOWNSHIP

Apparently in preparation to relocate African township dwellers and 'squatters' from the Cape Town area, a new African township is to be built on a 9,000 acre site 25 miles outside Cape Town, the government announced in May. The virtual freeze on house-building for Africans in the Cape Peninsula over the last decade led to massive overcrowding in the three townships for Africans just outside Cape Town, forcing thousands to build makeshift shelters on neighbouring sites. (see *FOCUS 46 p. 9*).

It appears that the government intends to move about 1,000 'squatters' to the new township in June. The more than 150,000 Africans living in the present three townships will also be expected to move out. It is not known, however, whether any of the 72,000 black people living illegally in Cape Town will be allocated places in the new township (*GN 28.5.83*).

INCREASED ARRESTS

Administration boards and the police have continued over the last three years to arrest increasing numbers of Africans for pass law offences. Over 200,000 were arrested in 1982, a 27 per cent increase over 1981.

	Police	Administration Board	Total
1980	81,050	77,305	158,335
1981	73,691	88,333	162,024
1982	93,376	112,646	206,022

(Sources: *Debates 26.2.81, 28.8.82, 17.3.82, 22.2.83; RDM 26.2.81, 10.3.82*).

BANS

Since January the banning orders on seven people have expired, four of whom have gone into exile.

- The five-year banning orders on two ANC members, Kisten MOONSAMY and Govind-samy MUNSAMY (also known as George NAICKER), expired in February (*CH 26.3.83; FOCUS 15 p.5*).
- The five-year ban on Ntsizi Elijah MOREMI, a former community worker with the banned Christian Institute, also expired in February (*FOCUS 16 p.14*).
- The ban on Clive NETTLETON, which specifically prevented him from continuing in employment with the South African Council for Higher Education (SACHED), expired in February after five years (*FOCUS 17 p. 7*).
- The banning orders on three former members of the Soweto Teachers' Action Committee (STAC) have expired: they are Ramodiego Lucas NGAKANE, banned in May 1978; Michael Matthew JORDAAN, also a former member of the Black People's Convention who was banned in May 1978; and Curtis NKONDO, first president of the Azanian People's Organisation, who was banned for three years in May 1980 (*FOCUS 15 p.6, 17 p.7; S 25.5.83*).

Munsamy, Moremi, Nettleton and Ngakane now live in exile.

BANISHMENT LIFTED

The banishment order imposed on C P VANDA by authorities in the Transkei bantustan in June 1982 was lifted this March. Vanda, who was the Town Clerk of Butterworth at the time of his banishment to his family home in the Nqamakwe district, was allowed to return to Butterworth, but not to work there (*DD 16.3.83; see FOCUS 42 p.6*).

REVIEW: STATE WITNESSES IN POLITICAL TRIALS

State witnesses play a key role in the South African legal process. They are used to lend respectability to the regime's repression of resistance by means of the law. Recent trials in which state witnesses have refused to cooperate highlight one aspect of the struggle in the courts between apartheid and its opponents.

This review covers the period since the beginning of 1982.

For as long as South Africa has been holding political trials the state has found difficulty in persuading people to testify against defendants. Since 1965 provision has been made to partially solve this by physically detaining witnesses in police custody. At present, Section 31 of the *Internal Security Act (74 of 1982)* allows potential witnesses to be detained for the duration of a trial provided only that charges have been laid within six months of the date of detention. This can be a lengthy period when some trials last for months, if not years. Two current trials (MPETHA AND OTHERS, MOTLHABAKWE AND OTHERS) which began in 1981 have lasted for over two years.

In fact, the period may be extended even further. It is common for people to be detained for interrogation and only transferred to the potential witness clause when a trial is imminent.

For example, on 28 May 1982 Mampe Cynthia NTSHINGWA, a 16 year old school student, was detained. After almost six months in custody, she was re-detained under Section 31 in connection with the trial of THLOLOE AND OTHERS. She was eventually released on 20 April 1983 after almost a year's detention and without having been called as a witness.

In another case 15 schoolchildren continued to be detained even though the prosecution in the trial for which they were being held had closed its case and therefore could not call them (see *FOCUS 42 p.4*).

The official figures for detained witnesses are inadequate insofar as they do not take account of such practices (see *Box*).

WITNESSES DETAINED

In a Parliamentary answer on 30 March the Minister of Law and Order stated that ten people were detained as potential witnesses under Section 31 of the *Internal Security Act*. All ten had been detained for longer than three months: two for 119 days; 4 for 132 days; 4 for 168 days (*Debates 30.3.83*).

Government assertions that the primary purpose of such detention is to protect witnesses are contradicted by the conditions in which detainees are held. Evidence in court indicates there is little difference between the treatment of potential witnesses and potential defendants. Both are kept in solitary confinement, deprived of legal advice and interrogated, often brutally, to obtain statements which can later be used in court. Dean Simon FARISANI suffered torture in the Venda bantustan while detained as a potential witness (*FOCUS 39 p.9, 42 p.5*).

Initially the state itself may not have decided who is to be in the witness box and who in the dock. Even once the decision has been made the detainees may be kept in ignorance of their true status, as a further method of coercion. Likewise, defendants may be deluded

into believing they are to be state witnesses to extract incriminating statements from them. Some state witnesses deny even knowing the accused. Others are 'warned' as accomplices. They know that if they testify satisfactorily

REFUSAL TO TESTIFY

During August 1982 the Treason trial of MAQUBELA and OTHERS was interrupted by six state witnesses who refused to testify. Five of these were subsequently sentenced to periods of between three and five years imprisonment. They had all been detained in solitary confinement for over eight months before being called to give evidence.

- Luyanda MPAHLWA told the court his conscience prevented him from testifying against 'people who are in the struggling class and who are all oppressed by the nationalist government' (*S 10.8.82*).

- Litha JOLOBE disowned the statement which he had made after being assaulted. 'Most of my people in South Africa are in great difficulties. If I give evidence it will bring no change to the difficulties . . . I am expected to partake in the trial of these people giving evidence whereas I had no say in making the laws under which these people are appearing in court. The laws were made by the minority of the people in South Africa.' (*S 4.8.82; DN 4.8.82*).

they will be granted indemnity from prosecution.

Prolonged solitary confinement induces a relationship of dependency in detainees whose only human contact is with their jailers. Potential state witnesses are 'rewarded' for their statements — one schoolgirl was brought chocolates and taken to a barbecue. However, if they waver in a decision to testify, such privileges are replaced by assault and torture.

Considerable doubts have been cast by psychiatrists and others on the validity of statements made after long periods spent in solitary confinement. Most of this material refers to statements made by defendants but is equally applicable to state witnesses. People in solitary confinement become disoriented and depressed and will say almost anything which is suggested to them. Witnesses have admitted becoming confused after long periods in detention.

ISOLATION

The policy of isolating the witness is sustained even once the court is in session. The evidence of most state witnesses is heard *in camera*. The public gallery is cleared and the press is told not to report anything which would reveal the identity of the witness. In extreme cases neither may the nature of the evidence be reported. This secrecy is said by the state to be at the request and for the protection of the witnesses. However, people detained as witnesses are known to their immediate community, and will have to return there at the end of the trial. Its purpose must be to intensify the pressure on the witness to give the desired evidence. State witnesses called in the trial of NONDULA AND MSANA specifically contradicted the evidence of the security police by denying they had ever requested *in camera* proceedings.

Further doubts are cast on the quality of the witnesses' evidence because of the frequent allegations in court of undue influence exerted

by the security police. Witnesses allege that they have been told what to say and the police are present in court while evidence is given. Afterwards many return to detention cells. Perhaps the most blatant example of the influence of the Security Police extending into the courtroom arose in the trial of MOTLHABAKWE AND OTHERS. A former detainee who had been held for almost 18 months but was never called by the state, testified for the defence. He told the court of a Christmas Eve barbecue hosted by the security police. Guests included four witnesses who had already testified, two prospective witnesses, the head of the Kimberley security police and the chief state counsel in the trial. The witness was subsequently charged with perjury.

Certain recent court rulings have questioned the reliability of state witnesses' evidence. However, in many more cases such evidence is accepted and leads to convictions. The trial of RADEBE AND OTHERS ended in Kempton Park in April with the acquittal of the four accused. The magistrate found that the security police had forced state witnesses to give false evidence. One witness was rebuked in court when he admitted having been taught his evidence by the police.

During 1982 two Robben Island prisoners won an appeal two years after conviction on the grounds that the evidence against them was tainted, suspect and unreliable. Thirteen state witnesses had testified that their statements had been procured by threats of assault and indefinite detention (see *MTHEMBU AND SIBISI*).

RESISTANCE

Resistance by state witnesses to security police pressure is not a new phenomenon in political trials. However, the frequency with which people refused to testify and the number of witnesses involved was very marked in the period under review. The state deals with recalcitrant witnesses in two ways. If they refuse to testify they can be charged and face sentences of up to five years. If they do testify but their evidence differs from their earlier statements, they are liable to be charged with perjury. In 15 trials during 1982 and early 1983 at least 41 people refused to testify or were charged with perjury following their evidence.

Three trials in particular focussed attention on state witnesses. In the trial of SEATLHOLO AND LOATE ten witnesses refused to testify, of whom eight are known to have been sentenced to periods of between nine months and five years imprisonment. Two witnesses were also then charged with further political offences. The Pietermaritzburg Treason Trial in 1982 was another case in which a number of witnesses rebelled (see *Box*).

At a trial in the Ciskei bantustan in September 1982 the defendants (NONDULA AND MSANA) were acquitted after the State's case collapsed. None of the witnesses would take the oath although some of them affirmed and gave evidence alleging assault and intimidation and denying facts in the statements they had previously made. At least three of the witnesses said they did not know the accused and that they had been assaulted by the police to induce them to make statements.

Figures for imprisoned recalcitrant witnesses may be underestimated. At least one witness was sentenced, undefended, at a court hearing in advance of the trial at which he had refused to testify (see Appeal of Job MOLAHLOE in *FOCUS 42 p.3*).

namibia

POLITICAL TRIALS

MWAALA FOUND GUILTY-21 YEARS

A verdict of 'guilty' on all three charges was passed in the Windhoek Supreme Court on 16 May 1983 in the trial of Angula MWAALA (variously spelt 'Mawaala' and 'Muawala'), a SWAPO combatant accused of murder, robbery with aggravating circumstances, and of taking part in terrorist activities in terms of the Terrorism Act. He was later sentenced to 21 years imprisonment (11 suspended).

The trial had been adjourned to 23 May to enable defence counsel to lead medical evidence in a dispute over Mwaala's age. The State claimed that Mwaala was 24 years of age, while the defence put his age at 22. Mwaala's defence counsel was also due to give mitigating evidence at the resumption of the trial (WA 16/17/18.5.83; FOCUS 46 p.4).

The trial opened in the Windhoek Supreme Court on 20 April 1983. An application was made by the state prosecution in terms of the Criminal Procedure Act, for the proceedings to be held *in camera* to protect witnesses against possible revenge. This was opposed by Mwaala's defence counsel who argued that the court case was of public interest. The Presiding Judge ruled that the court had to accept that the State had evidence that the lives of witnesses could be endangered if they were identified. The public was consequently excluded from further hearings, though the media was allowed to attend provided that no details were published that could identify witnesses. As a result of the ruling, no names or places connected with events leading to the trial have been published in the press (WA 21.4.83).

Mwaala was accused of killing a farm worker on a farm in northern Namibia on 16 July 1982, of having robbed the farm worker of personal possessions, and of having carried explosives, ammunition and firearms to carry out 'terrorist activities'. The killing of Simon Kariseb Shikongo, the farm worker, was alleged to have been carried out in revenge for the death of a SWAPO guerilla, killed by Shikongo on an earlier occasion. Mwaala pleaded not guilty to all the charges.

In the course of the trial, a number of witnesses were called by the prosecution, and Mwaala himself gave evidence in his own defence.

Both Shikongo's employer, a white farmer, and Shikongo's wife testified that he had been a member of the SWA Territory Force, and had been issued with a SWATF uniform and an automatic sub-machine gun (WA 21.4.83). This was denied in court by a high ranking army officer, who said that Shikongo had had the use of a security force weapon but had not been a security force member. The officer said that in dangerous areas the security force gave people weapons for their own protection (WA 28.4.83).

According to the white farmer's evidence, Shikongo had shot a SWAPO guerilla who had arrived at the farm on 28 April 1982 asking

for food. This, the farmer said, was contrary to his instructions, which were that farm workers should provide SWAPO guerillas with food and shelter when asked, and then report their presence to their employer. The farmer added that farm labourers who aided 'terrorists' but then remained silent were considered hostile by white farmers. In reply to his question why he had killed the SWAPO guerilla, Shikongo had reportedly said that he was scared the 'terrorist' would discover that he was a member of SWATF, the farmer said. Shikongo collected a reward of R2,000 from the authorities for the killing (WA 22.4.83; WO 23.4.83).

During May, three SWAPO guerillas visited the farm looking for Shikongo while he was out, the court heard. After this incident, Shikongo was moved to the main homestead for protection. The farmer said Shikongo was executed on 16 July while doing a routine inspection at an outpost. He was armed when he was bayoneted to death.

Mwaala was captured shortly afterwards by two farm workers on another farm, where he had arrived in civilian clothes. During his journey he and another guerilla had an encounter with a SA police unit, and in the exchange of fire, Mwaala's companion was killed, having first hurled a hand grenade at the police. Mwaala himself was injured.

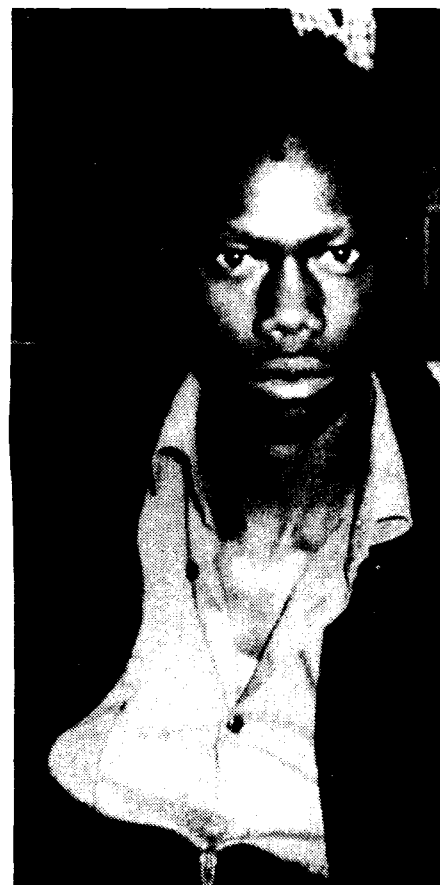
One of the farm workers involved in capturing Mwaala described the guerilla's arrival on the farm where he worked. According to his evidence, Mwaala identified himself as a SWAPO guerilla, and told several farm workers that his comrade had killed a worker on another farm who had betrayed a SWAPO guerilla. One of the farm labourers called the owner of the property, who summoned members of the armed forces to arrest Mwaala. One of the farm labourers who helped to arrest Mwaala told the court that he had received a R500 reward (WA 27.4.83).

Giving evidence in his own defence, Mwaala described his family background and early experiences as a farm worker, and his experience as a member of SWAPO, his training period as a combatant, as well as actions he had engaged in prior to his capture. He arrived in Angola in June 1980, together with a group of about 40 other civilians who were escorted by SWAPO guerillas. He underwent military training in various SWAPO training camps, and returned to carry out armed action in the Ovambo area. On one occasion, his group made contact with a unit of Koevoet disguised in SWAPO uniforms.

Mwaala described in detail the training and instruction he received in SWAPO training camps, and the command structure under which he operated. He told the court SWAPO fighters were instructed not to kill anyone who did not harm them, and to identify themselves to civilians as SWAPO soldiers and freedom fighters (see FOCUS Briefing Paper No. 8 for an account of Mwaala's background and his activities as a PLAN combatant). He gave an account of his guerilla unit's activities during the early part of 1982, and how, on hearing about the killing of one of their comrades on a farm, three of his group decided to take revenge. Mwaala reiterated that it was

his companion, Shivate, who killed the farm worker Shikongo (WO 7.5.83).

On passing a verdict of guilty, the judge said he was satisfied that Mwaala and Shivate (also spelt Shighweda) went to a cattle post with the aim of killing the farm worker, and that Mwaala knew that Shivate intended killing Shikongo. As an accomplice, Mwaala was found to be responsible for the murder of the farm worker and of robbing him of a watch, shoes, and a pocket knife (WA 17.5.83).



Angula Mwaala

HUNGER STRIKE

Two of the three SWAPO combatants serving prison sentences after their trial under the Terrorism Act in 1982 went on hunger strike for eight days, from 3 to 11 March 1983. Malambo, who is serving an 11 year sentence, and Sagarias, sentenced to nine years, were reported to have refused food in protest at being kept apart from one another in Windhoek Central Prison. Allegations that they were being kept in solitary confinement in the death cells was denied by the Commissioner of Prisons, who claimed that they were kept apart for 'disciplinary reasons', and that this had not changed as a result of their hunger strike. Jason, the third SWAPO guerilla who is serving a nine year sentence, did not apparently participate in the protest (WO 10.3.83; FOCUS 40 p.8, 41 pp.1, 4).

CLAMPDOWN IN KAVANGO

Three civilians were reported to have died, a number of others detained and allegedly assaulted and many villagers apparently forced to flee from their homes in the Western Kavango region as a result of South African military operations against SWAPO guerillas in the area. A military inquiry into these events was launched and the findings made public in early May.

Residents in the area told reporters that security arrangements were being stiffened as the SADF attempted to clamp down on the movement of SWAPO guerillas. The Kavango region has been subjected to intense South African military and police operations since late 1982, when a large number of people were detained and two detainees were reportedly beaten to death (*FOCUS 45 pp.8-9; WA 29.4/6.5.83*).

Four men were reported to have been detained on 8 April, and were being held for questioning under Proclamation AG9, according to a security police spokesman. They are Gideon NESTER (29), an assistant accountant of the Kavango government service in Rundu, Pendi DESERISTINUS (40), a nursing assistant at the Rundu hospital, Gosberth SIKERETHE (38), a clerk at the state corporation ENOK, and Rudolph NANKEMA (27) (also given as MUKUWE) of Rupara village. Nine others, who had been arrested in early March 1983, were reported to have been released on 22 March. Their names were not given (*WA 25.4.83*).

Further arrests were made on 20 April at a house at Mpanda village. Three villagers, Veikko RUPASA, Jonas SITUMBI, and Gideon Asser LIKUWA, were held for questioning and were later released. They told reporters that they were blindfolded and assaulted during interrogation.

On the same day, Asser LIKUWA (50) of Mpanda village, the father of Gideon Likuwa, was killed by security forces in what was described as an 'accident'. According to a security force spokesman, Likuwa was 'mistaken for an insurgent' when he jumped up from a thicket in between a security force patrol and SWAPO guerillas. No explanation was given about the deaths of two other civilians, Sulevi HAINGURA (27), a teacher at Nge village, and Tjau MUSIMBA (45), a school principal at Nkandi village.

Local sources quoted in a Namibian newspaper reported that after Likuwa's death, members of the security forces visited his home and questioned the residents about the presence of SWAPO guerillas and about footprints discovered in the area.

During the funeral of Sulevi Haingura, a group of uniformed men reportedly arrived, displaying the body of a man they claimed was responsible for Haingura's death.

Civilians in the area were reported to have fled their homes after these incidents, seeking sanctuary further north near the Kubango river. The primary school at Mpanda was apparently deserted, and a local official of the Department of Education expressed his concern about the dangers facing teachers at village schools in the area (*WA 29.4.83*).

MILITARY INQUIRY

A second military inquiry into allegations of atrocities and maltreatment of civilians by members of the security forces was announced

by the authorities in early May. This followed an earlier inquiry launched in late 1982, which was to investigate similar allegations. The findings of the first inquiry had not been made public by the end of May (*FOCUS 46 p.2*).

The second investigation, headed by Brigadier de Wet Roos, was completed within a week. Its findings largely vindicated the security forces and absolved the military and police from any responsibility for brutal or inhuman treatment of detainees. In his report, Brigadier Roos repeated earlier claims that Asser Likuwa's death was an 'accident', and asserted that Likuwa's family and the Kavango administration accepted this version as 'satisfactory'. The deaths of Haingura and Musimba had not been dealt with by the inquiry; they are reportedly being investigated separately by the police.

Referring to allegations of assault made by the three villagers detained on 20 April, Roos admitted that security force members blindfolded detainees during questioning and often resorted to 'manhandling' to obtain admissions from people believed to know about the movement of SWAPO guerillas in their area. He claimed that two of the detainees, Rupasa and Situmbi, told the Board of Inquiry that they were manhandled but were not seriously injured. The third, Gideon Asser Likuwa, allegedly told the inquiry that he had not been physically maltreated. According to Roos, the detainees admitted sighting tracks of guerillas near their homes after initially denying this.

A fourth man, Johannes KASAMBA, a nursing assistant, was also arrested during the military operations in the area. He allegedly admitted having given treatment to a wounded SWAPO combatant the night before his detention. During questioning, he reportedly admitted that nine guerillas had visited a clinic in Kakuhu village where he was working and

asked for aid to one who was wounded in the foot (*WA 10.5.83*).

FLIGHT 'VOLUNTARY'

Brigadier Roos claimed that villagers had not been forced to flee from their homes as a result of military operations, but had in fact left voluntarily, to be closer to roads and military bases. An allegation that a missionary had been prevented from visiting his congregation in Western Kavango was found by the inquiry to be based on a 'misunderstanding'. He had been prevented from entering a specific area 'for his own safety', Roos claimed (*ibid*).

MURDER DOCKETS

The Attorney General in Namibia, Don Brunette, received two murder dockets from the police in early May, following investigations into the deaths of Jonah Hamukwaya and Kadumu Katanga in November 1982. The two men died, in separate incidents, shortly after being arrested by members of Koevoet in the Kavango region. The Attorney General said a decision would soon be taken on the dockets, which contain allegations of police assault (*FOCUS 44 p.2; GN 7.5.83*).

AG SUED FOR DAMAGES

Twenty Namibian citizens have served summonses on the Administrator General, claiming damages amounting to R420,000 for alleged assaults by members of the South African security forces. The plaintiffs include relatives of the two men who died in police custody in November 1982, as well as civilians detained in the Kavango and Ovambo regions during that period. The summonses were issued on 15 April under sections of the Defence Act and the Police Act. The Administrator General was given 30 days to respond; the matter was then due to go to the Supreme Court (*WO/WA 19.4.83*).

ANGOLA: SA TROOP MOVEMENTS

There are 5,000 South African soldiers in Angola, occupying the towns of Kahama and Kassinga and controlling an airfield from which raids are launched deep into Angolan territory, an Algerian diplomat told a press conference in Paris in April. Mohamed Sahoun was the head of a UN delegation which had just visited five Frontline States, assessing the impact of South African aggression. Sahoun, who was attending a UN conference on Namibia, said the Angolan government had informed his delegation that South African and UNITA military actions had resulted in the deaths of about 10,000 people between 1975 and 1982 (*WA 27.4.83*).

The Angolan Ministry of Defence warned in

late April of suspicious movements and build up of troops in Namibe province involving the South African forces occupying parts of southern Angola. The South African airforce had doubled its reconnaissance flights, using at least 21 planes. Nine SA aircraft had carried out a survey of the training camp of FAPLA's Second Brigade (*BBC 27.4.83*).

On 25 April, South African planes bombed Cuvelai in Cunene Province, wounding one person, and the Comucando area in Huila Province, wounding three, the Angolan news agency ANGOP reported. In the last days of April, SA aircraft penetrated more than 250 km into Angolan territory (*BBC 13.5.83*).

MISSION WORKER INJURED

A former worker at the Catholic mission in Windhoek, Thomas SAGARIAS, was seriously injured during a police raid on the mission hostel and had to have his right kidney removed. Sagarias, who had worked for the mission as a gardener, told the *Windhoek Advertiser* that he was kicked by a member of the police. He was discovered lying, semi-conscious, on the stairs at the hostel and was rushed to hospital with a ruptured kidney and other injuries. Sagarias also told the newspaper that he was summarily dismissed from his job.

The incident allegedly took place when police searched the mission premises for 'il-

legal residents', and Sagarias was asked to accompany a police officer to the workers' quarters to identify those who were employees. According to Sagarias, he was tripped and kicked by the police officer on the way to the workers' quarters. Both the police officer and Sagarias' employer who accompanied them denied that the incident took place (*WA 21.4.83; FOCUS 46 p.3*).

RELEASES

The eight men arrested during the police raid on the Catholic mission were reported to have been released uncharged (*Amnesty International 18.4.83; FOCUS 46 p.3*).

PRISONER'S MOTHER SPEAKS

The mother of Ida JIMMY, the only Namibian woman known to be serving a prison term on political charges, has confirmed that her daughter is still held in Windhoek central prison. The two women have been able to meet, but communication between them has been severely hampered by the prison requirement that they must speak in Afrikaans. Jimmy has some health problems, but is managing to study for her matriculation.

Until now, Ida Jimmy's whereabouts was unknown. She was known to be in Windhoek central prison at the end of 1980 following her conviction and sentencing to seven years imprisonment for calling for support for the liberation struggle, but it was believed that she might be removed to Kroonstad prison in South Africa following the outcome of her appeal (see *FOCUS* 33 p.9). No further information became available until February this year when the following interview was recorded with Jimmy's mother in Luderitz:

'The authorities allow me to go and visit my daughter (Ida Jimmy) twice a year. I am now getting assistance from the International Red Cross office in Windhoek with the cost of the train fare from here to Windhoek, because my husband cannot find work.

'When I visit Ida we have strict instructions from the prison authorities to speak only in Afrikaans. We are not allowed to say anything at all in our own language which is Nama. This makes it very difficult for us to communicate. My Afrikaans is not very good and I cannot express myself well in that language. There is always a prison guard with us watching everything when we are together. It is really only possible to say: 'Hello, how are you?' and nothing else.

'My daughter tells me that she is suffering from high blood pressure and that her legs

often swell up. She looks quite well. Even if she is being treated badly she cannot tell me because every word we say is being listened to by the prison authorities. Anyway she always tries to tell me that everything is alright because she knows that I am old and not so healthy myself and she does not want to worry me.

'Ida is being kept in Windhoek central prison. I don't know exactly which part of it, but when I visit her I have to go through the main entrance and turn left through many locked doors. I think she is kept in a sort of wing of the prison.

'In August last year (1982) Ida's son, who was born in prison and had been with her there, was sent to me to look after. He was in good condition when he arrived and seemed to have been well looked after. My daughter's other children are also with me. They are now aged five, eight and thirteen years. The youngest boy is only two years old. Two of the children are at school here in Luderitz.

'I am 63 years old myself. I cannot go out to work because of my health. It is very difficult for me to feed and clothe myself and the children. My husband has just been dismissed from his job. He was working for the same company for 38 years. One day he did not go to work because he thought that it was Sunday when it was Monday. When he turned up the next day they just told him to leave. Since then he has been unable to find another job.

'My first daughter passed away some time ago leaving four children. Two of them are living in Windhoek because they are working and I have just sent another to join them. One is still with me here.

'Like Ida I also suffer with high blood pressure and swollen feet which makes it very difficult for me to even walk. The Council of Churches (CCN) in Windhoek gives me an allowance of R40 per month. They have also made arrangements with a shop here in Luderitz to give me R30 worth of food and goods per month. This helps a lot, but it is still not

enough to feed and clothe all the children as well as pay for them to go to school etc. It would really be a great help if people living outside Namibia could send me some old clothes and things to me. I shall give you my postal address.

'Ida was sentenced on 17 December 1981.* She has five more years of her sentence to serve. She was given seven years in October 1980. I have no direct contact or communication with the Red Cross office in Windhoek. I just go there to collect my train fares when I visit my daughter. Any member of Ida's family is allowed to visit her in prison if they apply to the Red Cross. So far it is only me who has been. Last year I also took Ida's children with me to see their mother.

'Somebody in the Welfare Department of the Council of Churches has been trying to get Ida out on parole, but so far they have not had any luck. I don't know if they are still trying. The prison authorities do not want to release Ida even for a day so that she can see her children.

'I do write letters to Ida and she replies to them. She tells me that my letters reach her. Often there are large chunks of our letters blanked out. The prison authorities obviously do not like us mentioning certain things.

'Ida tells me that when she is sick they give her good medical treatment in prison. I cannot tell if she just says this to stop me worrying about her. Once when I went to visit her she started to cry a lot. I told her that everything is in the hands of the Lord and one day she will come home to freedom. She does try to keep herself busy in the prison. At the moment she is studying for her matriculation. Ida also tells me that she is allowed to mix with the other women in the prison and that she has made some friends' (unpublished interview in IDAF files).

*Possibly a reference to the outcome of Jimmy's appeal.

APPEAL FROM KAKUVA FAMILY

The leading of evidence in the inquiry into the disappearance of missing detainee Johannes KAKUVA came to an end in May, in what has become one of the most protracted and expensive court cases in Namibia's history. From 17 May, Justice Chris Mouton was due to hear argument from the parties, after which he was expected to reserve judgement (*WO* 14.5.83). Meanwhile, a message from relatives of the missing man has become available, in which they appeal for the widest possible publicity abroad for the case.

Johannes Kakuva, a stock farmer in Kaokoland, disappeared after being arrested in August 1980 in the village of Okavare. He was taken for questioning by the police together with 24 other male detainees. Nothing was ever heard of him again, and his family eventually applied for a presumption of his death. While the police maintained that Kakuva had either absconded to join SWAPO after agreeing to act as a police informer, or had been killed by SWAPO guerillas, other evidence pointed to the conclusion that he had died in police custody as a result of beating and torture. The testimony of witnesses in the ensuing court hearing ran to more than 3,000 typed folio pages (see *FOCUS* 46 pp.3-4, 39 p.2).

The three month court hearing generated considerable information on the circumstances

in which suspects are arrested and detained in northern Namibia, and the methods used by the armed forces to destroy the infrastructure of civilian support for SWAPO combatants, as well as evidence on the fate of Johannes Kakuva himself (see *FOCUS* op cit for the latter).

'NORMAL PROCEDURES'

In sworn affidavits, the police described what they referred to as the 'normal' procedure followed in detaining and questioning villagers about alleged aid to SWAPO's armed wing. It became clear during the hearing that the South African armed forces were extremely concerned about the turn of events in the Kaoko region, particularly the growing support enjoyed by SWAPO guerillas. Brigadier J V van der Merwe, the head of the security police in Namibia, told the court that guerillas operating in the Ovambo-speaking region 'had such a network of helpers . . . that at one stage it was virtually impossible to cope with the situation'. In Kaokoland, he went on, 'SWAPO attempted to create the same conditions and his Branch had been geared to curb this sort of thing as far as possible' (*WO* 7.5.83).

Since the beginning of 1980, the Brigadier said, SWAPO had been stepping up its guerilla activities in the Kaoko region, including distributing 'propaganda documents' to local people. In May, discussions had been held between the security police, the SADF and the SAP at which it had been decided to take

'drastic steps' to 'get the conditions in Kaokoland under control'. These included printing pamphlets to counter SWAPO's own publicity material, and offering rewards of R2,000, or ten head of cattle, for information which could lead to the arrest or death of an insurgent (*WO* 7.5.83).

It was 'imperative' that 'those people co-operating with the infiltrators be removed from the community' and it was in this context that Kakuva and his fellow detainees had been arrested. It was also 'imperative', and normal practice, for such detainees to be blindfolded so that they would not know each other's identity, the Brigadier said. (Descriptions of the rooms and buildings in which detainees were held in Opuwo had been given to the court earlier in the hearing - see *FOCUS* 46 p.4).

The Brigadier revealed, *inter alia*, that no cell registers were kept on detainees by the security police, in contrast to ordinary police practice. Instead, information was placed in secret files, each of which contained an investigation diary (*WA* 4.5.83; *WO* 7.5.83). An application by the defence to have these secret documents released for inspection by the court was refused on the grounds that state security would be endangered (*WA* 20.4.83).

Earlier in the hearing, Captain Pat King, a senior officer of the security police, had also testified to the lack of co-operation between local people and the security forces in the

continued on p.11

KASSINGA DETAINEES-RED CROSS CALLS FOR PRISONER OF WAR STATUS

The International Red Cross is anxious to see that the Kassinga detainees are given prisoner-of-war status. This was stressed by a representative of the Red Cross in Windhoek, who said that the work of his organisation was severely hampered by the fact that the Kassinga detainees are not protected by the Geneva Conventions. He called for as much international pressure as possible to achieve this.

The Red Cross representative, relatives of the detainees, and clergymen all said in interviews in early 1983 that the conditions of the Kassinga detainees had improved (*unpublished report of interviews in IDAF files*).

DETAINEES DISPERSED

Conflicting figures were given by clergymen and relatives about the number of detainees held at present at the Hardap Dam detention camp. One woman who visited the camp in autumn 1982 was told by her detained relative that there were approximately 90 men and 35 women at the camp. Of these, only five of the men were not captured at Kassinga. A clergyman estimated the number of detainees at between 150 and 200. An unknown number have been released, but newly detained persons are apparently transferred to Hardap Dam. The camp commandant reportedly told one person that 'there are a lot more coming than going'. These include Angolan soldiers captured during South African attacks into Angola, and captured SWAPO combatants.

It became clear from accounts of visiting relatives that not all those captured at Kassinga are being held at Hardap Dam; some are thought to be held at Osire military camp believed to be located near Hochfeld. Some of the SWAPO guerillas captured during armed clashes are also thought to be held at Osire. Conditions at Osire are believed to be worse than at Hardap Dam.

According to a Red Cross spokesman, those arrested by the military are thought to be sent to Mariental, while those arrested by the security police are sent elsewhere. While not being in a position to give details about Red Cross activities, the local representative confirmed that there had been 'great improvements in the conditions at Hardap Dam in recent months', and that the Red Cross had been allowed to visit some of the other camps where Kassinga detainees are being held. He was not able to comment on conditions in these other camps, nor on their exact location or the number of people held there.

IMPROVEMENTS

The majority of detainees at Hardap Dam are between 20 and 30 years old. Those seen by the people interviewed are reported to be in good physical condition. A doctor apparently conducts regular medical checkups, and those in need of X-rays are taken to the Roman Catholic mission hospital at Mariental. Some of the detainees seen by visitors are physically disabled or handicapped (there have been persistent reports in the past of ill-treatment and mutilation of the detainees (*FOCUS 32 p.3*)). Those who lost an arm or leg are reported to have been fitted recently with artificial limbs.

There appears to have been some relaxation in the administrative and disciplinary rules at the camp, believed to be due to a change in the camp commandant. As a result of these changes, the detainees have been given some minor 'privileges', such as a plot of land on which to grow mealies. Some of the women have been able to make new clothes from materials provided by relatives. Regular church services are taking place, attended by an increasing number of detainees regardless of their denomination.

OUTSIDE CONTACTS

All the detainees are extremely anxious that their relatives should be informed of their whereabouts and be asked to visit. The camp authorities apparently claim to have informed all those in detention that their relatives may visit them provided they apply through the Red Cross office in Windhoek, which pays the cost of travel for the relatives. A number of visits have apparently taken place, including one involving 40 relatives in January 1983 who were brought by the Red Cross in a bus. Most of them are believed to have come from the north of Namibia. Nevertheless, the impression gained was that there are a large number of detainees who have had no visits and desperately long for them. Detainees are permitted to correspond with relatives and friends. All mail is strictly censored by the camp authorities.

A number of the detainees are enrolled in correspondence courses at South African educational institutions. Many others are apparently keen to study, but lack the financial resources to cover the cost of such courses, books and other materials.

Despite the reported improvement of some aspects of the detainees' condition at Hardap Dam, security remains tight. Certain sections in the camp are completely closed off, and separated from the others by locked gates or doors. Only soldiers have access to these sections. It is not known how many detainees are kept there.

CAPTURED COMBATANTS

Two PLAN combatants captured by the South African security forces were presented to the press during a SWATF briefing on the military situation in April 1983.

Nestor HEITA (29) was captured on 14 October 1982 inside Angola during a South African incursion. He and two other guerillas clashed with a South African unit using armoured cars, and Heita lost a leg as a result of the fighting. He told the press about his military training abroad, and armed actions inside Namibia (*WO 30.4.83*). Timotheus PETRUS (26) was captured on 14 February 1983 in the northern farming district of Kamanjab during PLAN's military offensive (*WA 26.4.83*).

KAKUVA INQUIRY

continued from p.10

Kaoko region. Captain King had commanded investigations in the area following the first infiltrations by SWAPO guerillas, and was responsible for the handling and questioning of Kakuva, following his arrest. He emphasised that 'at no stage' did the local inhabitants of the region 'come to the Police of their own accord to report the presence of the infiltrators'. On arriving at Okavare King had asked local people to help him in tracing a guerilla group. 'The inhabitants flatly told me that they would not do it', he told the court (*WO 23.4.83*).

INTERVIEW WITH RELATIVES

In an interview given in March, members of Johannes Kakuva's family said that their 'deepest wish' was that the case should be 'widely publicised, if possible outside Namibia as well as inside'. 'We hope that you will do

something to help us', they continued. 'We want the world to know what the South Africans are doing to our people.'

Johannes Kakuva's wife, aged 38, said that she had nine children and four grandchildren. All were living with her except five who were away at school in Tsumeb. None of the children were earning any money and the family's income had been seriously reduced due to the death of most of its cattle in the drought. 'It is impossible for us to survive', Ms Kakuva said. She and her children were now totally dependent on help from her husband's brother and other relatives. On top of this, 'I live in constant fear that if the evidence goes in our favour we will suffer repercussions from the police. There is nothing we can do. I hope that justice is brought to bear on those who deserve it' (*unpublished interview in IDAF files*).

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MOZAMBIQUE-DEFENCES BEING STRENGTHENED

The behaviour of the South African Air Force during its 23 May strafing raid on the Maputo suburb of Matola suggests that the South Africans met with more determined and damaging resistance from the ground than they had anticipated. The Mozambique Minister of Agriculture, in particular, contrasted their tactics with those of the South African commandos who, in January 1981, had encountered little opposition when they drove into Matola in trucks to attack a number of houses.

The 23 May attack, which began at 7.22 am local time, was carried out by eight South African Impala fighter bombers and six Mirage fighter jets. The South African Minister of Defence General Magnus Malan described the raid as a retaliatory attack following a car bomb explosion outside air force and military intelligence headquarters in Pretoria three days earlier (Friday 20 May).

The raid on Matola, launched at the height of Maputo's morning rush-hour, lasted only three minutes, due, in the Mozambican view, to prompt retaliatory fire from Mozambican anti-aircraft batteries and other defence units. Six people were killed and 40 injured, mainly by air-to-ground anti-personnel fragmentation rockets and machine gunfire.

According to General Malan the raid was directed at five African National Congress military 'bases', including two 'headquarters' responsible for directing guerilla actions in the Transvaal, a 'command post', a guerilla training centre and a 'logistical headquarters' and supply point. A missile site of the Mozambique Armed Forces which had 'provided protection' for the ANC installations, was also 'neutralised', the General said (WA 23.5.83). All these installations were apparently located amidst tree-lined residential suburbs and the predominantly industrial and trading centre of Matola.

The SADF maintained that 30 to 40 ANC guerillas had been stationed at each of the five bases and that 'scores' were killed in the attack (T 24.5.83).

According to the Mozambican authorities, the attacking squadron fired at least 120 rockets and thousands of rounds of machine gun ammunition at four main targets, namely:

- the Somopal jam and fruit juice factory in Matola, where three workers were killed — attacked by two Impalas. The factory creche

was also strafed, but the children were outside at the time

- the Fomento and Liberdade residential areas — attacked by four Impalas
- the bridge over the Matola river, linking Maputo to the South African and Swaziland frontiers — bombed by two Mirages which, after failing to hit the bridge, flew on to attack the electricity sub-station at Infulene. Two pylons were knocked down, causing local power cuts
- attempted attack on the Petromoc state-owned oil refinery by the remaining two Impalas, where the South Africans were forced back to a higher altitude by answering ground fire. The planes were also fired on by a garrison of the Mozambique Armed Forces (FPLM) stationed at the Radio Mozambique transmitters in Matola.

Foreign correspondents and diplomats who were taken on a tour of the affected areas by the Mozambique authorities tended to confirm this account of events. The British ambassador to Mozambique stated that he could only conclude that 'the targets hit are civilian' (ST (Lon) 28.5.83). Further evidence is provided by a video film of the area taken shortly after the attack and including interviews with survivors (IDAF film library).

The other four Mirages flew at a higher altitude to protect the rest of the squadron. At 7.25 am the planes left in a north westerly direction, heading for the Hoedspruit air base in the Transvaal, about 250 km from Matola. They had apparently approached from the south, possibly from a base in Natal (AIM reports 23-28.5.83; Noticias 24.5.83).

Tape recordings made by the control tower of the Maputo International Airport indicated that a formal 'warning' from the South Africans of the impending raid had actually been transmitted at 7.35 am, 10 minutes after the attack ended (GN 28.5.83).

Speaking to employees of the Somopal factory on 25 May, the Mozambican Minister of Agriculture, Sergio Vieira, pointed to the differences between the latest raid and the commando attack on Matola of January 1981. At that time, the raiders came in trucks and had entered and left Mozambique without meeting any resistance. In 1983, by contrast, the South Africans opted to attack from the air, and their planes 'could only fly over their target once. Everyone here, the army, the anti-aircraft batteries, the militia opened fire'.

The Minister added that the SAAF had really intended to destroy both the Somopal factory and the Matola river bridge, and to

attack the Petromoc oil refinery and a cement factory, but had failed (AIM 25.5.83).

The air bombardment has been linked by the Mozambique government with attempts earlier this year to sabotage the opening of the Fourth Frelimo Congress in Maputo on 26 April. President Samora Machel told a mass rally in the capital's Independence Square on 21 May that 'the enemy' had sent spies into Mozambique to stir up division and discontent and had intended to sabotage and blockade roads, bridges, airports and harbours to prevent delegates, guests and supplies from reaching the congress (BBC 24.5.83; AIM 25.5.83).

Prior to the congress, the Mozambique news agency AIM reported increasing cross-border infiltration by South African agents, coinciding with heavy troop movements on the South African side. A group of saboteurs in civilian clothing who infiltrated into Namaacha district on 19 April, were intercepted by the Mozambique defence forces. Their abandoned bags were found to contain equipment for making time bombs and forged documents and identity cards (AIM 24.4.83).

On 30 May, a South African aircraft was shot down by Mozambican anti-aircraft defence batteries when it flew low over the Moamba area of Maputo province, Machava, Catembe and Maputo bay, including the site of the previous week's raid. The aircraft fell into the sea and could not immediately be located. No survivors were found. The Mozambique authorities later reported that the plane was a pilotless reconnaissance plane, or drone, of a type manufactured in Durban under Israeli patent. It was equipped with a French-mode cine camera and had possibly been controlled by a second aircraft, defected following it inside Mozambican airspace but which turned away southwards after the drone was shot down. The South African newspaper *Die Vaderland* reported that the drone had belonged to South African military intelligence (BBC/GN 1.6.83; T 2.6.83; GN 3683).

The period since South African aggression against Mozambique was last featured in FOCUS (No 39, March-April 1982) has seen an increasing number of border incursions, air-space violations and other open attacks by the South African armed forces, large scale sabotage of economic installations and transport links, and a sustained escalation in the activities of the Mozambique National Resistance Movement (MNR) surrogate forces ('Chronology of South African aggression against the front line and neighbouring states 1982' IDAF March 1983, and Briefing, Paper No. 7 South African Aggression).

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