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NATIONWIDE PROTESTS ANTI-APARTHEID GROUPS DEFY RESTRICTIONS

Anti-apartheid forces in South Africa have moved towards greater unity in response to the effective banning of 17 organisations in February, and the harsh restrictions imposed on the Congress of South African Trade Unions (COSATU). Organisations also mobilised to oppose further restrictive legislation being prepared by the government.

The February restrictions prohibited the United Democratic Front, the largest anti-apartheid grouping, and other major opposition groups from 'performing any activities or acts whatsoever'. COSATU was prohibited from carrying out political activities. (See *FOCUS* 76 pp 1-2)

After February, many of the activities of the restricted organisations were taken on by other groups, and campaigns continued in different ways. The campaign against death sentences arising out of the popular protests of 1984-86 continued under a Save the Patriots Committee, while a 'Let Mbeki Speak' campaign was directed against the restrictions imposed on ANC leader Govan Mbeki. New organisations have been set up, and restricted organisations which have operated at a semi-underground level, like the million-strong South African Youth Congress (SAYCO), continued their activities. (Star 4.3.88)

OPPOSITION

Churches and other religious organisations, which were not directly affected by the clamp-down, pledged to continue the work of the restricted organisations, and religious leaders organised and led protest marches and church services. At an emergency convocation at the end of May, 200 religious leaders representing over 30 South African churches and other organisations agreed on a plan of action. It included support for a three-day protest in June, initiated by COSATU, and campaigns for the

release of detainees. (CT/Tel 14.3.88; GN 1.6.88)

Women's groups affiliated to the UDF, which were not restricted, played a prominent role in protests. Early in March 500 supporters of the Federation of Transvaal Women marched on the Chamber of Mines and the British Consulate in Johannesburg, before they were dispersed by police. There were also mass protests at university campuses. (EPH 4.3.88; Star 10.3.88; WM 11.3.88)

By the end of March at least four of the affected organisations had applied to the Supreme Court for the restrictions to be lifted and others were intending to follow suit. (DN 14.3.88)

The biggest protests were on 21 March, the anniversary of the 1960 Sharpeville massacre and the killings at Langa, Uitenhage in 1985. Those UDF affiliates which were not restricted, and other organisations, called for a national day of protest against the restrictions. Although the call could not legally be made, underground pamphlets were circulated calling for a one-day stay-away from work and the message was also passed by word of mouth.

An estimated one million workers went on strike, and pupils and students stayed away from classes in many areas. Commemorative meetings and services were held around the country in a demonstration of united action. Police reported an 80 per cent stay-away in the Eastern Cape and Johannesburg, and 60 per cent in Durban. (WM 18.3.88; DN/S 21.3.88; EPH 22.3.88)

A special COSATU congress was held in mid-May to draw up plans to oppose the restrictions as well as the Labour Relations Amendment Bill which is presently before parliament. This will severely restrict the right to strike, prohibit consumer boycotts and expose unions to damages claims from labour actions. The 1,400 delegates decided on three days of protest starting on 6 June. They called for a conference of 'a broad range of anti-apartheid organisations', which would include the smaller

National Council of Trade Unions (NACTU). NACTU, which had recently met with the ANC in Lusaka, also called on its supporters to participate in the three days of protest in June. (SS 18.5.88; WM 20.5.88; BBC 25.5.88)

Nationwide protests were also being planned against the Promotion of Orderly Internal Politics Bill which will prevent organisations from receiving foreign funding unless they can show that it is not being used for 'political purposes'. Religious leaders have taken a leading role in this campaign, in particular calling on Western governments to pressurise Pretoria through sanctions. In response to pressures, the government was in late May reported to be considering revisions to the bill. (FT 2.3.88; NN/South 10.3.88)

In this issue:

SOUTH AFRICA

- New Boycotts p.2
- Constitution: Focus Shifts p.2
- Political Trials p.3
- Covert SADF Campaign p.5
- Media Censorship Tightens p.5
- Detentions p.6
- Strains on Legal System p.8
- More Prisons p.8

NAMIBIA

- Pretoria Tightens Grip p.9
- Education Detentions p.10
- Mineworkers Union Grows p.10
- Kassinga Remembered p.11

SOUTHERN AFRICA

- SADF Defeat in Angola p.11
- Assassinations and Raids p.12

South africa

NEW BOYCOTTS IN SCHOOLS PUPILS REORGANISE

Widespread school boycotts in the Western Cape and in the Transvaal, as well as more isolated educational protests in other areas, occurred during the first half of 1988. Most of the protests took place after the February clampdown which severely restricted the activities of five youth organisations. (DD 22.3.88; FOCUS 76 pp.1-2)

Although student and pupil organisations largely escaped government restrictions on their activities, they have felt the effect of repressive action. This was acknowledged by the National Students' Co-ordinating Congress (NASCOC) at its conference in February. NASCOC was set up as an interim co-ordinating committee in October 1986 when the Congress of South African Students (COSAS) failed to get its banning lifted through the courts.

Speakers at the NASCOC conference highlighted the need to rebuild structures and to train a new generation of leaders since 'half the student leadership [had] been forced into exile, expelled from schools, detained or completed studies'. A significant development to emerge

from the conference was that for the first time since the banning of COSAS in August 1985, school pupils felt sufficiently organised to consider launching a new national body. (Star 15.2.88)

An indication of the level of organisation amongst students has been the number and the strength of school boycotts. Protests centred largely on the effect of the State of Emergency on education, although students also mobilised around broader issues, such as the Sharpeville Six and the February clampdown. Among the grievances articulated were:

- The detention of both students and teachers. (South 18.2.88; S 29.4.88)
- The presence of the police on school premises. This was aggravated in April when police forced their way into school premises in Mitchells Plain and used teargas to break up a rally in support of the Sharpeville Six. (Cit 20/30.4.88)
- Admission procedures, including refusal to re-admit ex-detainees and the compulsory signing of undertakings of good behaviour by parents and pupils. Students also demanded the registration of some 1,500 pupils who were refused entry for 1988 because of alleged late registration. Linked to this is a demand for the abolition of the identity card system. With all students required to carry an identity card many regard both the complicated registration

procedures and the card system as tactics designed to prevent student leaders and ex-detainees completing their education. (WM 15.1.88; Star 18.1.88; SS 4.4.88)

- The chronic lack of facilities. In addition pupils have been asked to pay increased fees to cover the cost of damage to school premises. (CP 17.1.88)

- The suspension of teachers for politically related reasons. (WM 15.4.88)

Unlike the prolonged boycotts of 1985-86, student groups are now calling limited stay-aways. For example, a one-day boycott protesting about the shortage of textbooks, the presence of police and the suspension of teachers, called by the Western Cape Students' Congress in April, was answered by 90,000 students (90 per cent of students in the region). In May six Diepkloof schools were closed for two days when a class boycott was called following the detention of a number of pupils. (South 4.5.88; WM 13.5.88)

Another notable feature of the student protests has been the involvement of teachers who have both initiated militant action and responded to calls made by their students. Activists commented that this kind of solidarity would strengthen educational protests and make it more difficult for the government to bring them to an end. (SS 4.4.88)

CONSTITUTION: FOCUS SHIFTS TO REGIONS

Proposals outlined by President Botha in April marked the beginning of a new phase in the attempt to impose a constitutional scheme which would incorporate the African majority without jeopardising white political power. They reflected a decision to focus on regional elections and the creation of new regional authorities as ways of involving people prepared to participate in the proposed National Council on terms acceptable to the government.

The breadth of opposition to the regime's plans and the extent of its lack of legitimacy had become clear by March. By then even the heads of non-'independent' bantustans had all refused to participate in the National Council, intended as a 'negotiating forum' for African political rights. Objection to the fragmenting of South African society into separate groups in order to maintain white political power was widely expressed by those refusing to participate. Calls were also made for the release of political prisoners, unbanning of political organisations and lifting of restrictions on political activity. (Star 20.2.88; SS 23.3.88; FM 25.3.88; South 31.3.88)

By March ministers were complaining of lack of support for the council, alleging ANC influence as a primary factor. They indicated that the government might establish the council even if no-one was prepared to support it, and that elections for representatives of Africans

outside the bantustans would allow them to identify people to negotiate with. Proposals for elections, first made in August last year, have been accompanied by indications that the government is not concerned about the level of participation of voters as long as candidates come forward. (FOCUS 73 p.5; FM 25.3.88; S Trib 28.3.88, 3.4.88)

It was in this context that, on 21 April, President Botha outlined constitutional proposals relating to African political rights (see Box). They were mainly tentative and vague, the most immediate and concrete ones concerning Africans outside the bantustans.

The proposed regional elections and creation of elected regional authorities would be in line with the decision, taken in late 1984, that Africans permanently outside the bantustans should be treated as a separate group for constitutional purposes. The regional authorities would be on the same level as non-'independent' bantustans. The move is also consistent with the long-term intention to establish a 'confederal' constitution in which the constituent elements are defined in terms of the apartheid notions of population groups. (IDAF Briefing Paper No.16, May 1985)

The government was said to be hoping that legislation establishing the National Council would be approved by the White, Indian and Coloured houses of Parliament in June, allowing delimitation of regional constituencies in time for elections in 1989. (Star 22.4.88)

Responses to the proposals by opponents of apartheid were uniformly hostile, and similar to those meeting the earlier proposals for the National Council. The fact that the proposals con-

firmed the exclusion of the African majority from parliament was later emphasised by Botha. (Star 22/27.28.4.88; BBC/S 22.4.88; South 28.4.88; DD/GN 29.4.88; Ind. 5.5.88)

NEW PROPOSALS

New subordinate structures for Africans outside the bantustans were proposed, and slight changes to the central system.

Regional elections would soon be held to identify 'representatives' of Africans outside the bantustans to participate in the **National Council**. There would be new **regional authorities**, probably nine, with responsibility for 'Own Affairs', elected by Africans outside the bantustans.

African representation at higher levels would be drawn from these bodies and non-'independent' bantustans. This would include the nominations described below as well as participation in a new '**policy-making body**' chaired by the President and consisting mainly of members of the White, Indian and Coloured houses of Parliament.

Changes at the centre might include the nomination by the State President of Africans to the **Electoral College** which chooses the President; the **President's Council**; and the **Cabinet** which will be chaired by an appointed **Prime Minister**. Any African member would come from outside parliament. These bodies are, and would remain, under the control of the white minority.

COMBATANTS CONDEMNED

With the death sentences passed on two combatants of Umkhonto we Sizwe in May, the number of people facing execution for convictions arising out of political protest rose to at least 59. Fifty-five were held in Pretoria Central Prison where they represented over one fifth of those on Death Row (reported to be 273 in April). At least four more political offenders awaited execution in bantustan prisons.

MNCUBE AND NONDULA

Mthethleli Zephania MNCUBE (27) and Mzondeleli Euclid NONDULA (24) were sentenced to death in the Supreme Court in Messina on 4 May for their participation in the ANC's armed struggle. They had faced some 40 charges including murder and attempted murder, and various contraventions of the Internal Security and Arms and Ammunition Acts. Most of the murder charges arose from landmine explosions in the Messina area of the northern Transvaal in late 1985.

Although charged jointly, Mncube and Nondula had not acted together, nor met before the trial. Mncube spoke eloquently of his role as an MK soldier and his demand for prisoner-of-war status. However, both men denied involvement in the landmine explosions featured in the indictment and Mncube was acquitted on one murder charge. The men were detained between December 1986 and January 1987: the state alleged they left South Africa after laying landmines and were picked up a year later when returning to carry out another mission.

All the explosions occurred within the Soutpansberg Military Area. A commandant in the South African Defence Force (SADF) denied that Soutpansberg was an 'operational' area, claiming the police, and not the army, remained in ultimate control. Evidence was given by people who had survived the explosions, including two farmers who each lost three family members in an explosion on 15 December 1985. A newspaper report at the time described the families as travelling 'without military clearance'. It was also stated that local farmers were all incorporated into commando or other military structures. During evidence about Mncube's capture it was established that one of his companions was shot dead by a Messina farmer participating in a military search of the area.

Two witnesses gave evidence under assumed names and *in camera*. One, whom the state sought unsuccessfully to be allowed to give evidence masked with a balaclava, was described as a 'rehabilitated' member of the ANC now working for the South African Police. He alleged he knew both the accused from ANC training camps in Angola. The second man, who also identified the men, was said to have surrendered to the police but was reportedly detained as a state witness under Section 31 of the Internal Security Act. The accused's defence lawyer totally denied that he knew the accused or that they knew him.

Mncube was first captured on 26 December 1986 in an operation which left four of his companions dead. The corpses of three were thrown on top of him in the back of a police truck and he was driven to Messina. The group's weapons were also left in the truck. Although blindfolded, he managed to release his wrists which had been tied together and, in

order to escape, shot into the driving cab. The two policemen escorting him were fatally wounded.

Eight days later, Mncube was recaptured, having spent that time with virtually no food or water, in temperatures of 33 degrees centigrade. Farmers who saw him told reporters he was in 'a terrible state.' His defence lawyers charged that he was brutally assaulted, humiliated and refused water. A Pietersburg doctor who was doing his military service with the SADF and was asked to examine Mncube said he saw his 'primary responsibility' as being to decide whether Mncube could withstand further interrogation.

Mncube's lawyer detailed a number of assaults on his client, in the worst of which a policeman trampled repeatedly on Mncube's stomach, as he lay on the ground chained and handcuffed, until he soiled himself and lost consciousness for about a minute. Mncube was then made to sit on a chair, dirtying it in the process. He was ordered to lick his faeces off the chair before being allowed water.

If I am a murderer then members of the South African Defence Force who have raided the ANC in other countries also have to be brought to court. *Mthethleli Mncube*

Nondula was detained at a roadblock by a Bophuthatswana bantustan military unit on 2 January 1987 and was later handed over to the South African Security Branch. The evidence against him came primarily from a statement he made to a magistrate on 8 January, and the defence challenged its admissibility. Nondula spoke of being held naked, chained and blindfolded in a prison cell, deprived of water and toilet facilities. He was assaulted and interrogated at great length, only making the statement out of fear. Psychological evidence was led in support of this but Justice J P O de Villiers ruled the statement admissible.

Evidence linking Nondula and Mncube to the landmines was very weak, relying on pictures allegedly showing them 'pointing out' the sites of the various explosions. Nondula said that a local white farmer accompanied him and the investigating team to help identify the places. For Mncube, it was argued that he was unfamiliar with the area - as proved by his inability to find and cross the nearby Zimbabwe border after his escape - and so could not have pointed out sites so accurately a year after seeing them.

After the men's conviction a number of defence witnesses spoke in mitigation - including Professor Fatima Meer on the men's background, Professor John Dugard on their right to prisoner-of-war status and Rev. Frank Chikane of the South African Council of Churches. Mncube addressed the court twice. He spoke of military discipline under the ANC and how when his unit encountered civilians on 26 December 1986, while on a mission to reconnoitre the SADF, they were instructed by their commander not to shoot. Both men had been politicised from an early age - Mncube had seen two of his friends killed by police during the Soweto uprising; Nondula, who left the country in 1981, narrowly escaped with his life when the SADF invaded Lesotho in December 1982 killing 42 people - refugees and Lesotho nationals.

In sentencing, Justice de Villiers differed from recent cases where death sentences have only been passed for convictions of murder. Both Mncube and Nondula also received one sentence of death each for 'terrorism'. Mncube

received three other death sentences - for the death of the two policemen and a man killed by a landmine explosion in November 1985. Nondula received six other death sentences for the civilians killed in December 1985. Both also received 25-year prison terms. (*S/Star/DD/WM August '87-May '88*)

SHARPEVILLE SIX

In the Pretoria Supreme Court on 13 June Justice Human rejected an application for the re-opening of the trial of the Sharpeville Six and ruled that only the State President had the power to do this. They were granted a further stay of execution until 19 July to petition the Chief Justice for leave to appeal against his decision. (*FOCUS 76 p.4; GN/S 14.6.88*)

NEW DEATH SENTENCES

Four more names of people sentenced to death have become known, but with almost no other details. 'CLIFFORD' and 'REUBEN' were sentenced in Nelspruit in November 1987 for the murder of a suspected police informer. In March Rodney MOLOI (24) and Stanford LEBEPE (24), from Tembisa, were sentenced for allegedly killing a police informer. (*WM 25.3.88; Human Rights Update, April 1988*)

In the third trial involving Gilindoda GXEKWA (25) of the Uitenhage Youth Congress, he and three others were sentenced to death for the alleged killing of a police informer. It was Gxekwa's third death sentence and the second for co-accused Vuyani Petrus JACOBS (21). (*FOCUS 76 p.4*) Seventeen Uitenhage youths were charged with the murder: one absconded, six were acquitted, six were convicted of public violence only, while Mthethleli LUCAS (24) and Tozamide MOOI (27) were also sentenced to death.

The case arose from the death in October 1985 of a former comrade of the accused, Thozamile Dondashe, whom they believed was acting as a police informer. He had obtained guns 'from the Boers' and they were anxious to find where he had hidden them. Dondashe was taken from his home by a crowd and was found dead the next day.

Those convicted of public violence only, were found to have participated in the attack on Dondashe's house to demand his attendance at a meeting but that this took place before any decision to kill him had been formulated. The defence argued that no such decision was ever made in advance of the killing, which occurred in a 'group environment' and against a background of severe unrest in the area between 1984 and 1986.

Philip KINIKINI (22), who was sentenced to two and a half year's imprisonment, had himself had a brother burnt to death in March 1985. Tembile MATANA (28) and Siphon NXELE (21) received three years, Morris MICHAEL (20) got two years and Njamana KINIKINI and Fumaneke BOYCE (both 18 years) received 18 months' imprisonment each. All the accused had already been in custody for two years.

It was acknowledged by the court that none of the four sentenced to death had administered the fatal blow but Justice Van Rensburg said this did not 'render their actions less morally reprehensible'. Gxekwa and Jacobs were apparently convicted on the basis of statements they had made and Mooi and Lucas on the grounds of common purpose in that they had 'actively associated with the people who had put Dondashe to death'. (*S Trib 28.2.88; EPH 1/3/24/26/29/30/31.3.88; S Star/S Trib 6.3.88; DD 29/30/31.3.88*)

COMPLETED TRIALS

MATABESE AND OTHERS

A trial in the Ciskei bantustan court resulted in March in the imprisonment of three defendants in spite of contradictory state evidence and details of assault on both witnesses and accused.

Two of those charged, Mzwandile MAMPUNYE (36) and Mlamli Newell FAKU (41), were prominent community activists and former members of the Mdantsane Committee of 10, a body first set up in 1983 to organise a boycott of Ciskei Transport Corporation buses. Also charged were Xolile MATABESE (29) and Xolani NGUDLE (22).

The state alleged that Matabese was a member of the ANC's armed wing MK and that Mampunye had arranged accommodation for him. All four were charged under Ciskei's National Security Act with 'terrorism', alternatively taking part in the activities of the ANC. Ngudle and Faku were charged with possession of a limpet mine and firearm, but no evidence was led against Faku and at the end of the defence's case he was acquitted.

In a 'trial within a trial' Matabese, Mampunye and Ngudle all gave evidence of torture and assault. The men were seen by neither a doctor nor a magistrate until long after the assaults and Mampunye graphically explained the difficulty detainees faced in that the only people to whom they could report their injuries might inform their assailants. The doctor, an expatriate working on contract at a local hospital, said he was 'not concerned about . . . maltreatment' (of the detainees) but 'about his contract' which he hoped 'might be extended'. The presiding magistrate ruled Mampunye's statement inadmissible.

Police witnesses contradicted each other in details of their story and the defence accused two of them of fabricating evidence. The limpet-mine allegedly found when Ngudle was detained was said to have been destroyed rather than retained as evidence.

Two state witnesses also gave evidence of torture, namely Zamile CALATA (29) and Nomalizo Miriam SIYO. Another witness 'Miss X', allegedly a trained ANC combatant arrested in February 1986, said she was now working for the police 'because she wanted money.' She claimed Matabese was once a guard at an ANC armoury in Angola.

In spite of the weak case against the accused Matabese and Ngudle were both convicted of 'terrorism', plus membership of a banned organisation and possession of arms respectively. Mampunye was found guilty of harbouring a 'terrorist' and taking part in ANC activities. Matabese was given 12 years, Ngudle seven years and Mampunye two years. (*Star/ DD Sept 87-March 88*)

TSHIKA AND OTHERS

Three combatants of Umkhonto we Sizwe (MK) were convicted in the Pietermaritzburg Supreme Court in March for carrying out a number of attacks in Natal during 1985 and 1986. Thuso TSHIKA (24), Mtunzi Basil Thabane SITHOLE (25) and Thembinkosi Patrick NKOSI (20), originally appeared with Abraham Zwelinjani MATHE (33). After proceedings were adjourned in November 1987 press reports made no mention of Mathe, who had been charged with recruiting and harbouring guerrillas.

Tshika was charged with carrying out three actions with unnamed accomplices: simultaneous limpet mine blasts at a number of shops in Durban's West Street; an attack on a post office in Mobeni, Durban, which excluded African customers and, in response to the raid by the South African Defence Force on Lesotho

in December 1985, a limpet mine attack on a van. Tshika and Nkosi together attacked Osizweni police station in October 1986, injuring a bantustan policeman. Nkosi also bombed Glencoe railway station in September 1986 and the Newcastle Magistrates' Court two months later. Sithole was found responsible for a bomb blast at the Game Shopping Centre in Newcastle in November 1986. No deaths resulted from any of the incidents.

Defence for the three argued their right to be treated as prisoners-of-war but this was rejected by Justice Broome, concurring with Justice Conradie's judgment in the trial last November of Mxolisi Petane. (*FOCUS 75 p.6*) After conviction, evidence in mitigation was given by a psychiatrist who had interviewed the men. He described their politicisation through repression and how they turned to armed struggle as a last resort.

On 30 March Nkosi was sentenced to 16 years, Tshika to 15 years and Sithole to nine years. (*DN/Star/NN/CP/S/ July '87-April '88*)

WEBSTER

Gordon Webster (24) was sentenced to an effective 25 years' imprisonment on 2 May after being convicted on 14 counts including murder, attempted murder and 'terrorism' under the Internal Security Act. Justice McCreath, sitting with two assessors in the Pietermaritzburg Supreme Court, found there were extenuating circumstances relating to the conviction on the murder charge, thus avoiding a mandatory death sentence.

The main charges arose from attacks on electricity sub-stations and transformers in early 1986, one of which killed a senior police colonel. Webster left South Africa in September 1984 while a student at Bechet Teacher Training College in Durban. He returned a year later, having undergone military training with the ANC. Webster was captured at the end of April 1986 with Bheki NGUBANE. Ngubane was shot dead by police and Webster severely injured. At this time Webster was seeking to infiltrate the police and had been accepted at the SAP Training College. After his capture, he was held under armed guard in hospital, from where he was rescued by Robert McBride and others who smuggled him out of the country. McBride was subsequently convicted of murder for a car bomb attack in Durban and sentenced to death. Webster gave evidence in London for submission at the trial. (*FOCUS 70 p.6, 71 p.6*)

In September 1987 Webster was detained at a roadblock in the Bophuthatswana bantustan, allegedly after crossing the border from Botswana. He was brought to trial in March. As well as the 1986 explosions the state sought to prove a conspiracy by the ANC to kidnap Justice Shearer and five senior police officers and hold them hostage for McBride's release. Three unidentified former colleagues of Webster's gave state evidence.

On 11 April Webster's defence submitted a statement which included a number of admissions. He admitted placing the limpet mine which killed Colonel Welman, but denied he intended to kill him. Welman was investigating an explosion at Chamberlain Road sub-station when a second explosion occurred. He died of his wounds some weeks later. Webster said he had expected the two mines to detonate simultaneously.

Webster was convicted on all counts on 20 April - the judge ruling that his knowledge of explosives was sufficiently expert for him to have foreseen a delayed explosion.

While testifying in his own mitigation Gordon Webster denied the evidence he had

given in support of McBride. On 2 May Webster was sentenced to a total of 25-years. (*DN/DD/Star/S/South/CP/NN/WM/S.Trib March-May 1988*)

ZULU AND OTHERS

Events in the Eastern Transvaal town of Witbank were recalled in a trial in the Bethal Regional Court which ended in April with the imprisonment of 12 youth and community activists and new charges pending against a further six.

The charges, ranging from 'terrorism' and subversion, both under the Internal Security Act, to public violence and attempted murder, arose from school and consumer boycotts between July 1985 and July 1986. Most of the defendants were members of the Witbank Youth Congress (WYCO), the Witbank Parents Education Co-ordinating Committee (WPCC) or the Unemployed People's Congress (UPCO). They were alleged to have challenged the authority of the SADF, the Department of Education and Training (DET), Regional Service Councils, the Kwaguga Town Council and the courts. They were said to have formed alternative structures, in particular 'street committees', headed by 'street captains', and disciplinary committees which held People's Courts. The attempted murder charges seemed to relate to assaults on people, allegedly as a result of people's court decisions. At the end of the prosecution's case, six men (unnamed in press reports) were discharged and remanded to face separate charges of murder.

The accused denied all the charges, stating that organisations such as WYCO and the WPCC were set up in response to turmoil in the community.

They were said to have conspired with organisations such as the UDF, the National Union of Mineworkers (NUM), the Detainees Support Committee (Descom) and the Soweto Parents Crisis Committee and individuals including Rev. Smangalisso Mkhathswa and Zwelakhe Sisulu. The first accused was Clement Dumisani ZULU (29), assistant personnel officer at Landau Mine and branch chair and regional treasurer of the NUM. He was sentenced to seven years. Another accused, Sam MKHABELA, was subsequently acquitted - a journalism student at Rhodes University, he was charged in 1987 with Mkhathswa for unlawful possession of a firearm and banned publications. Charges against him in that case were withdrawn in November.

The state relied heavily on *in camera* evidence by alleged accomplices. However, at least six of these refused to testify and were sentenced to two years' imprisonment each.

At the conclusion of the trial 12 accused, including two youths of 14 years and 17 years respectively, were acquitted on all charges while twelve others were convicted of 'terrorism' and acquitted on the other counts. In addition to Zulu five others were sentenced to seven years' imprisonment: Jerry LENTSOANE (37), the president of UPCO; Abram SEBOPELA (24), its secretary; Vusi KHOZA (23), an UPCO member; Sipho SIBOZA (23), an executive member of WYCO, and Peter MNISI (26) a student at the University of the Witwatersrand. Four school students were sentenced: Lazarus CHIWAYO (20), a member of the WYCO executive, to four years; Stanley PHANLAMOH-LAKE (18), a WYCO member, to three years; David MALOMA (21) to four years, and Gloria TWALA (18), WYCO's assistant secretary, to one year. Bennet NKOSI (30) and Mpini Moses MOKOENA (22), the latter a member of UPCO, were each sentenced to four years. (*WM 17.7.87, 8.4.88; DN 17.11.87; Star 17/21/28.8.87, 29/30.3.88; 4.4.88*)

COVERT SADF CAMPAIGN EXPOSED

In March, Ivan TOMS (35), a Cape Town doctor, was sentenced under the Defence Act in the Wynberg Regional Court to one year and nine months' imprisonment, for refusing to serve in the South African Defence Force (SADF). His refusal is part of a rising level of opposition to compulsory military service. Recent government tactics against opponents of conscription have included the covert dissemination of propaganda discrediting the main organisation opposed to conscription, the End Conscription Campaign (ECC).

Opposition to conscription was given impetus by the SADF occupation of townships after October 1984. Thousands of conscripts have failed to report for service in each year since 1984, while others have emigrated. In August 1987 a group of 23 conscripts in Cape Town collectively announced that they would refuse service in the SADF because of its role in defending apartheid. Toms is the first of this group to be charged and sentenced. He took the decision not to fight in the SADF after treating victims of police attacks on residents of Crossroads squatter settlement, where he worked in a clinic. (FOCUS 66 p.2)

IVAN TOMS

Toms was the second person to be convicted for refusing to serve in the SADF on political grounds since an amendment to the Defence Act in March 1983. The amendment had opened the way for some religious and pacifist

objectors to perform alternative service, but increased the maximum penalties for political and non-pacifist objectors from two to six years' imprisonment.

Evidence in mitigation of sentence on Toms included details of 690 atrocities carried out by the SADF in Namibia between 1982 and February 1988. Professor John Dugard of the Centre for Applied Legal Studies at the University of the Witwatersrand, said that conscripts serving in the SADF were guilty of breaching international law. They were, he said, faced with a choice between obeying domestic or international law. (Star 20.2.88, 6.3.88; WM 4.3.88; Nam 11.3.88)

Toms's sentence was the maximum asked for by the prosecution, calculated (as stipulated in the Defence Act) at one-and-a-half times the 420 days of service he still owed to the SADF in the form of 'camps' - periods of service additional to his basic training which he has already served.

SADF 'DIRTY TRICKS'

Before and during his trial, Toms was the target of an anonymous smear campaign during 1986 and 1987. The ECC has been the target of a similar, longer campaign. In January it was revealed that posters and other anti-ECC materials emanated from a special counter-propaganda unit which had been established within the SADF to discredit the ECC. These revelations followed the arrest in December of three national servicemen based at the Western Province Command of the SADF in Cape Town. The three, Corporal Desmond THOMPSON (20), Private Peter PLUDDMAN (25) and Scout Heinrich MONNIG (23) appeared before a military court in Cape Town in January

charged under the Protection of Information Act read with Section 18 (1) of the Riotous Assemblies Act, and alternatively the Defence Act.

The servicemen were accused of passing to the ECC secret military documents exposing the existence of the counter-propaganda unit, to the detriment of the SADF. (WM 15.1.88)

Further details of the charges were not disclosed, because the trial took place *in camera*, at the request of the SADF. In February the three were found not guilty of disseminating information to unauthorised persons, but guilty of conspiring to do so, and sentenced to 18 months imprisonment in military detention barracks.

In March, on the day they were due to begin their sentences, their lawyers brought an urgent application to the Cape Supreme Court for a stay of sentence, pending their intended application for review of the sentences. From their supporting affidavits, it was revealed that a unit known as the K52 Intelligence Section had been set up within the SADF's information section - Communication Operatives (Comm Ops) - engaged specifically in secret projects to discredit the ECC. The unit manufactured posters, pamphlets and T-shirts discrediting the ECC. It had also arranged for large numbers of anti-ECC smear pamphlets to be dropped from a helicopter over an ECC fete and certain suburbs of Cape Town in 1987. (South 10.3.88; WM 11.3.88; S Star 13.3.88)

Lawyers stated that in their application for a review they would argue that the information concerned did not constitute protected information, as contemplated by the Defence Act, nor were the clandestine operations conducted against the ECC authorised by the Defence Act. The court granted a stay of sentence. (South 10.3.88)

MEDIA CENSORSHIP TIGHTENS

By May the four-stage censorship procedure set up by emergency regulations in August last year, and tightened in January, had affected fourteen publications. In May *South* became the second newspaper to be temporarily closed following the closure of *New Nation* in March. (FOCUS 74 p.2, 76 p.1)

Since an amendment to the emergency regulations in January, the Minister of Home Affairs no longer has to indicate what form of action is being considered against a publication, or to disclose any grounds for such action. Publishers only receive a list of items under investigation and 'an indication why each item is being taken into account'. (Cit/Star 23.1.88; Human Right Update (HRU) April 88)

CENSORSHIP

In May the Rand Supreme Court upheld the temporary closure of *New Nation* imposed for two months on 22 March, ruling that the emergency is subject to political control rather than legal judgment. Lawyers for *New Nation* said they would be appealing. (FOCUS 76 p.1; FM 13.5.88)

On 9 May *South*, a Cape Town community weekly, was closed until 10 June. This followed warnings against it in the *Government Gazette* in December 1987 and April 1988 for publishing 'subversive propaganda'. *Work in Progress*, a bi-monthly journal, received a similar warning in March. *Saamstaan*, a six-weekly community newspaper based in Oudtshoorn, and *Grassroots*, a community monthly from Cape Town, were issued with gazette warnings on 15 April. A warning in the same gazette made *Out of Step*, the End Conscription Campaign's publication, the first publication of a political or-

ganisation to be warned. A gazette warning was issued to the *Weekly Mail* on 26 April and to *New Era* an anti-apartheid political journal on 3 June. (Star 23.3.88, 27.4.88; S 7.4.88; GN/MS 10.5.88; BBC 11.5.88; WM 13/19.5.88; GN 4.6.88)

It was reported in April that *COSATU News* and *Azanian Focus* had reached the second stage, with requests from the Minister to submit representations. By 21 April the National Council of Trade Unions (NACTU) had ignored three requests to submit its newsletter - *Iz-wilethu*. Since October 1987 the South African Council of Churches (SACC) has refused to submit copies of its journal - *Ecunews*. The Minister responded in April by informing SACC that it had contravened emergency regulation 7B(4) which would render them liable to a fine of R500. The *Sowetan* has received a 'list' of items which the Minister found objectionable. The government media monitoring group has referred the *Natal Witness* to police investigation for publishing a 'subversive statement' about military conscription. (WM 4.3.88; HRU, April 88; South 1/Star 21.4.88; WM 22.4.88; Star 10.5.88)

HARASSMENT

Protests and petitions from groups in South Africa and abroad condemning the government clampdown on the media culminated on 23 May in the launch of the 'Save the Press Campaign' in Cape Town. Representatives of 45 media-related groups called for the 'immediate and unconditional unbanning of all media'. They demanded the right to 'procure and disseminate information in accordance with the "principles of our discipline" without state in-

tervention and harassment'. (BBC 25.5.88)

Other measures have been used to constrain news reporting. On 8 March police briefly held nine television cameramen, confiscated film and, according to Mike Willis, chief of the *World Television News* bureau, 'manhandled' a soundman 'whilst taking him to the van'. The incident occurred as demonstrators, protesting against the Labour Relations Amendment Bill and the clampdown on anti-apartheid organisations, peacefully dispersed from the Chamber of Mines in Johannesburg. (S/C 9.3.88; BBC 10.3.88)

On 30 March a driver with the *Weekly Mail*, who was detained on 20 March, was still in detention. On 5 February Kgalade KEKANE, the Northern Transvaal organiser of the Media Workers Association of South Africa (MWASA) was detained under emergency regulations. Documents, negatives and communications equipment were stolen from the offices of the Port Elizabeth News Agency (PEN) in May. (Star 15.2.88; Ind 30.3.88; WM 13/19.5.88)

Since its establishment in 1983, *Saamstaan* has been subject to severe harassment: its offices have been petrol bombed three times, 12,000 copies of the paper have disappeared, and workers have received abusive calls. A reporter Patrick NYUKA was shot by police and charged with public violence whilst covering a reception for two political prisoners released last year. It was reported in May 1988 that a *Saamstaan* journalist, Mbulelo GROOTBOOM, was charged with making a 'subversive statement' and was asked to be a state witness in connection with statements made at a service for four local activists. (ST 24.4.88; WM 13/19.5.88)

DETENTIONS

By 12 June 1986 emergency powers to detain people without trial had been in force continuously for two years. Several of the reports on this page focus on the use of these powers.

In the period between the declaration of a State of Emergency on 12 June 1986 and 30 April 1988, 49 detainees, many of them held under emergency regulations, filed 24 court applications alleging torture and assault and seeking court orders restraining police from engaging in similar actions. Evidence in support of the applications has been consistent with that revealed in cases reported in previous issues of *FOCUS*.

On 23 May, 24 detainees held in Protea police station sought a court interdict restraining police from assaulting them. Emergency regulations prohibit the publication of evidence submitted to the court until the action is completed. Abbey LEKOALISOE, the main complainant, was admitted to a Johannesburg hospital to be examined by independent doctors as agreed by legal representatives of the two parties. Police, through their counsel, undertook not to unlawfully assault another of the detainees, Samson Seleke MOKGOETSI, until the case was concluded by the court. Various independent bodies and lawyers testified to the ill-treatment of those detained. (See *FOCUS* 73 pp.6,11, 74 p.4, 75 p.4; *Star* 24.5.88)

DETAINEES' BID FOR FREEDOM

During the period of their incarceration, detainees have made legal and other efforts to secure their freedom. Between June 1986 and April 1988 at least 59 court applications were made involving 182 emergency detainees contesting their continued detention. In some cases detainees petitioned the Minister of Law and Order demanding their release. The government's Board of Review considered 154 cases while at least 71 detainees made representations to the Minister. None of these actions resulted in release. (*WM* 19.2.88; *NN* 10.3.88; *S* *Star* 24.3.88)

Clause 3(1) of the emergency regulations provides for the detention without trial of a person considered 'a threat to the maintenance of public safety and order'; or one who 'delays the termination of the State of Emergency'.

In response to challenges by detainees either through the courts or through their lawyers, the State has generally provided similar kinds of reasons for detention. Membership of a legal organisation considered 'subversive' by the government, such as the National Education Crisis Committee (NECC), has been given as one such reason. Association with so-called alternative structures like 'street committees' and 'people's courts' has been another. In some cases the government has been unable to substantiate its allegations as in the case of Zwelakhe SISULU whom the Minister of Law and Order claimed was an executive committee member of the NECC but whose lawyers proved he was not.

Although the state gives such reasons for detaining large numbers of people, few detainees are charged and brought to court. According to government sources 1024 detainees had been charged since June 1986. This represents less than 8 per cent of detainees. In 1987 only 3.6 per cent of the detainees were charged and 1.2 per cent convicted of any

charges, according to David Webster of the University of the Witwatersrand. Emergency detentions appear to be used to deny anti-apartheid groups their effective leadership as the example of the Eastern Cape region shows. (*Star* 26.1.88; *Human Rights Update (HRU)*, April 1988; *Nam/Star* 29.4.88)

EASTERN CAPE LEADERS DETAINED

Although emergency detentions have affected most parts of the country, they focussed with particular intensity on certain areas. In the period covering the first 18 months after June 1986, 36 per cent of all those known to have been detained came from the Eastern Cape. In this region, as in others, emergency detentions were combined with other forms of repression to undermine organised opposition. The selection of those detained bears this out.

Dennis NEER, Congress of South African Trade Unions' Secretary for the Eastern Cape, had by June this year been in detention for two years. He was reported to have been tortured. In addition almost the entire regional leadership of the NECC was detained, following the national pattern. Although most South African Youth Congress leaders until recently escaped detention the leadership of the SAYCO - affiliated Eastern Cape Youth Congress (ECAYCO) was almost entirely swept into detention by the end of last year. (See *LIST*; *Evening Post* 23.12.87; *WM* 24.12.87; *S* 24.2.88)

These repressive actions followed successful campaigns in the region. In early 1986, 27 out of the local 45 councils in the Eastern Cape could not operate after 173 councillors resigned in the face of popular opposition to the councils. During 1986 stay-aways in the Eastern Cape, such as one on May Day and on 14 July in protest at the State of Emergency, received almost 100 per cent support. Consumer boycotts organised in protest at the 1985

State of Emergency resulted in the bankruptcy of a number of white-owned businesses. Although the region had been deprived of its known top leadership, the scale of the response to the rally to welcome Govan Mbeki in November last year, and the extended rent boycotts, indicate the capacity in the region to organise resistance. (*FOCUS* 64 p.2, 66 p.3; *WM* 24.12.87, 19.2.88)

WOMEN IN DETENTION

Three thousand women were detained in the first 18 months of the Emergency. Provisions for women held in detention often proved inadequate for their special needs. In a recent publication *The Women's Place Is In The Struggle, Not Behind Bars*, women testified that they were denied sanitary towels during menstruation.

In other instances women were detained during their pregnancy as in the case of Daisy MATLOU. (See *LIST*) She was given no special diet or proper medical attention. Deborah MARAKALLA (23) was also pregnant when detained on 7 July 1986. At the time when she was due to give birth, she was alone in a cell and cried in vain for help. The baby died before help came. She also had one of her fallopian tubes removed while in detention. Marakalla has since been released and served with orders restricting her movements and participation in political activities. She will no longer be able to continue her work at the Tembisa Black Sash office. She was also a member of the Tembisa branch of the Detainees' Parents Support Committee. (*Human Rights Update (HRU)*, April 1988; *Star* 15/16.2.88; *S* 10.3.88; *NN* 17.3.88)

YOUTH LEADER TORTURED

Peter MOKABA, the President of SAYCO, was reportedly tortured soon after his detention under Section 29 of the Internal Security Act on 21 March 1988. According to an affidavit by his sister Mapula Mokaba, Mokaba informed his mother who briefly saw him in leg irons at Pietersburg police station, that he was chained to a chair, then beaten, deprived of sleep and denied water and access to a toilet. A former detainee reported having seen Mokaba in police custody badly assaulted and covered in mud. He was said to be suffering from back-ache, kidney problems and pains in his stomach. (*S* 6.4.88; *Star* 21.4.88)

Mokaba's sister sought an injunction prohibiting the police from further assaulting and threatening her brother. Police told the court that they only used 'necessary force' during Mokaba's arrest and denied assaulting him subsequently. He was allegedly hit twice on the head with a revolver and butted three times in the side with a R1 rifle. Mokaba's mother Priscilla MOKABA was detained under Emergency Regulations soon after disclosing the news of her son's condition. This meant that she was unable to testify in court. Although Mapula Mokaba's allegations were consistent with the statement by Mokaba to the visiting chief magistrate and district surgeon, the judge dismissed her evidence as hearsay. His lawyers were considering an appeal. (*South* 21.4.88; *Star* 25.4.88; *SS* 27.4.88)

Lawyers have been told by investigating officers that Mokaba might be charged. Although police often respond in this way when pressured to release detainees, without prosecutions necessarily following, fears of such a trial were increased by the number of detentions of SAYCO affiliate members in the Transvaal in particular. (See *LIST*; *SS* 27.4.88)

TWO YEARS OF EMERGENCY DETENTIONS

Unless otherwise indicated the following statistics are derived from independent monitoring groups.

- By June 1988 over 30,000 people had been detained under emergency regulations since the declaration of the State of Emergency in June 1986.
- At least 1,000 emergency detainees had been held for two years.
- Over 75 per cent of those detained were UDF members, 50 per cent of whom were officials.
- A quarter of those detained were trade unionists and workers.
- At least 3,000 people were in detention in April, 1,750 of whom were believed to have been detained since the beginning of 1988.
- Approximately 300 of those in detention in April were children under the age of 18. Between January 1987 and February 1988 at least 84 juvenile detainees were hospitalised, according to government figures.
- Between June 1986 and April 1988, nearly 1,000 detainees were involved in 15 known hunger strikes in seven different prisons protesting over a number of issues.

(*WM* 19.2.88, 29.4.88; *S* 8/18.4.88; *NN* 10.3.88; *South* 28.4.88)

DETAINEES — Additional to previous FOCUS lists

Date	Place	Name (Age)	Details (where known)
2.11.87	Johannesburg	DHLIWAYO, Nomsa	ISA 29
4.11.87	Soweto	NGUBENE, George	ISA 29
6.11.87	Vryburg	MAAPE, David T	ISA 29. Huhudi YCO. Detained by Bophuthatswana police
7.11.87	Bloemfontein	MAKHUBALO, Joel M	ISA 29
7.11.87	Bloemfontein	MOTSABI, Jane T	ISA 29
7.11.87	Bloemfontein	NTAMO, Henry M	ISA 29
7.11.87	Bloemfontein	NZEKANAE, Mbaleki	ISA 29
7.11.87	Bloemfontein	SEKHOANE, Kaizer	ISA 29
7.11.87	Bloemfontein	SETILO, Keneile M	ISA 29
15.11.87	Stilfontein	LEHLOENYA, Sepere	ISA 29
15.11.87	Soweto	MABASO, Humphrey T	ISA 29. Allegedly escaped 25.12.87
15.11.87	Johannesburg	MORU, Samdson	ISA 29
15.11.87	Durban	MSELEKU, Ida	ISA 29
15.11.87	Empangeni	NHLEKO, Nathi	ISA 29. TGWU
15.11.87	Kwa Thema	REAMMEGO, Amos P	ISA 29. Kwa Thema Students Congress
16.11.87	Kwa Thema	KGASI, Nicholas	ISA 29
21.11.87	Grahamstown	PAPIYANA, Chule	ISA 29. SANSCO. President, Rhodes University BSM
22.11.87	Soweto	MANGE, J	ISA 29
23.11.87	Alice	MAKHAWULA, Shepherd	ISA 29. UDF
23.11.87	Soweto	MAROGA, Tshepiso J	ISA 29. Soweto Students Congress
23.11.87	Soweto	QUBEKA, Nelson	ISA 29. SACC Employee
24.11.87	Emdeni	PULE, Phanuel	ISA 29. Soweto Youth Congress
24.11.87	Durban	SIBIYA, Derrick	ISA 29
25.11.87	Kwa Thema	NKABINDE, Andries	ISA 29. Kwa Thema Students Congress
6.12.87	Vryburg	AFRIKA, Ephraim	ISA 29. Huhudi Youth Congress
6.12.87	Vryburg	KRUTSE, Khotso	ISA. Detainees Support Committee. UDF
6.12.87	Vryburg	SEABA, Kenneth	ISA 29. UDF
13.12.87	Soweto	MAZIA, Clifford L	ISA
15.12.87	Howick	NGCOBO, Bheki	ISA 29. Transferred from Emergency detention
28.12.87	Port Elizabeth	FANI, Boyce	ISA 29. TGWU (P.E Branch) Chairperson
1.1.88	Zeerust	MSEKETO, Mzoxolo	ISA 29
1.1.88	Zeerust	JAXA, Xolile	ISA 29
14.1.88	Soweto	NDABO, Menzi Gideon	ISA 29. Soweto Youth Congress
15.1.88	Pretoria	MOGASHOA, Khalapha	ISA 29
15.1.88	Cape Town	MPEDI, Mabuta	ISA 29. Cape Youth Congress
26.1.88		RAMATO, Gibson	ISA 29
4.2.88	Port Elizabeth	JOJO, Michael	ISA 29
4.2.88	Port Elizabeth	MABUTA, Eric	ISA 29
7.2.88	Soweto	NHLAPO, Moffat	ISA 29
22.2.88	Transkei	TOKWE, Richard	TPSA
24.2.88	Transkei	NYEKE, Samson	TPSA
25.2.88	Transkei	ZWENI, Ngaze	TPSA
8.3.88	Lichtenburg	Three unnamed people	ISA 29. Police roadblock. Alleged guerrilla, two supporters
Rep.14.3.88	Kopfontein	Four unnamed people	ISA 29. 2 alleged guerrillas, 2 supporters. Weapons found
Rep.21.3.88		Unnamed,	ISA 29. 2 alleged guerrillas and number of supporters
28.3.88	Pietersburg	MATLOU, Daisy	ISA 29. Pregnant
29.3.88	Port Elizabeth	HLEBO, Michael	ISA 29
Rep.5.5.88	Gqumashe Village	HELA, Sicelo (23)	CNSA
8.5.88	Broederstroom	DE LANGE, Damian	ISA 29. Allegedly ANC members. Weapons found
8.5.88	Broederstroom	ROBERTSON, Ian Hugh (36)	
8.5.88	Broederstroom	WESTCOTT, Susan Catherine (34)	
8.5.88	Broederstroom	LUGG, Hugh Murdoch (30)	

LONG-TERM EMERGENCY DETAINEES

Listed below are some of those who by May this year had been in detention under emergency regulations for almost two years – they were detained in June and July 1986, in the first weeks of the State of Emergency imposed on 12 June 1986

Name (Age)	Details, where known	Name (Age)	Details, where known
DUZE, Themba	MACWUSA Executive	NDUBE, Newabo	NECC Port Elizabeth Chair
DAMONS, Gareth	Lost court application for release	NKWINTI, Gugile	UDF Executive
FAZZIE, Henry	PEBCO Chair	NZOTOYI, Michael	PEBCO Executive
FUZILE, Jackson Mxolisi	Lost court application for release	NEER, Dennis	COSATU E Cape Secretary
GCINA, Ivy	PE Women's Organisation President	NGOYI, Edgar	UDF E Cape President
HLATSHWAYO, Constance (26)	Alexandra Women's Organisation Sec.	NTIYANE, Andile	From Duncan Village
JACK, Mkhuzeli	PE Consumer Boycott Cttee Spokesman	NGOBO, Chris (25)	SANSCO General Secretary
JACOBS, Whitey (26)	Cape YCO	NKWENTSHE, Winston	From Keiskammahoek
JOOSTE, Godfrey	Priest	ODOLO, Mpumelelo	Port Elizabeth YCO Executive
KOBESE, Fikile	Uitenhage Residents Congress Pres.	OSTERIDGE, Brian	Lost court application for release
LAMANI, Tango	UDF Executive	RENSBURG, Ihron (28)	NECC
MANGCOTYWA, Mzimasi	SAYCO Vice President	SIZANI, Stone	NECC Port Elizabeth Publicity Sec.
MANUEL, Trevor (32)	UDF	SCOTT, Mpho	NECC Regional Co-ordinator
MALGAS, Ernest	UDF Executive, PEBCO	SUTTNER, Raymond	From Johannesburg
MOKOENA, Mogopodi (24)	SANSCO Executive	SITHOLE, Jabulani	NECC Committee
MOTSHABI, Calaeb (66)	UDF. From Bloemfontein	SOKUTU, Brian (25)	Journalist from Port Elizabeth
MHAMHE, Prince	From King Williams Town	XHEGO, Michael	Port Elizabeth YCO Executive
MATHOLE, Paul (18)	Lebowakgomo Youth Congress Pres.	GCWABAZA, Ndaba	NECC Regional Chairperson

ABBREVIATIONS

Laws: CNSA – Ciskei National Security Act; ISA – Internal Security Act; TPSA – Transkei Public Security Act *Organisations:* DESCOM – Detainees Support Committee; MACWUSA – Motor Assembly and Components Workers Union of South Africa; NECC – National Education Crisis Committee; PEBCO – Port Elizabeth Black Civic Organisation; SANSCO – South African National Students' Congress; SAYCO – South African Youth Congress; TGWU – Transport and General Workers' Union; UDF – United Democratic Front; YCO – Youth Congress.

POLITICAL TRIALS PUT STRAIN ON SYSTEM

Recent reports indicate that the South African courts are finding it difficult to cope with the large increase in the number of politically related trials. In March the Attorney-General for the Eastern Cape, the province apparently under the most strain, attributed the large backlog of trials in the area mainly to the 1985-86 unrest in the region. Most of these cases involve capital charges requiring to be heard by a Supreme Court judge rather than a magistrate. Whilst press coverage has centred on the Eastern Cape, there are indications that other areas have also experienced difficulties. (EPH 19.3.88)

Many trials before the courts in May arose out of incidents as far back as 1985. A large proportion of defendants in these cases were not granted bail and consequently spent long periods in custody even if finally acquitted or discharged. In some cases even where bail has been granted, this has not guaranteed freedom for defendants. In the case of Madoda JACOBS, reported in the last issue of *FOCUS*, he was charged with murder in February 1985, granted bail and eventually acquitted in February this year. However, in 1986 while on bail, he was detained under the emergency regulations and spent the two years immediately prior to the trial in detention. (BBC 22.3.88; *FOCUS*

77 p.5)

The fact that awaiting-trial prisoners frequently spend lengthy periods in custody before their case is heard does not necessarily mean that their lawyers have either access to their clients or adequate information to prepare a defence. Defence lawyers are therefore themselves sometimes compelled to ask for a further adjournment when the cases come to trial.

The increase in the number of trials has also placed space in the court buildings at a premium. In East London, two rooms in the magistrates' court building which were used for psychiatric services were requisitioned in April for use as courts. (DD 13.4.88)

The government has earmarked funding for the construction of new courts and related premises. In March the Minister of Public Works announced the building of a new Supreme Court in Port Elizabeth at an estimated cost of R15 million. At the same time he announced a number of plans for new police buildings, including, for example, a new police station and court accommodation at Addo. (EPH 22.3.88; see *PRISONS* below)

Efforts to reduce the backlog in the Eastern Cape began last year with the seating of another criminal court in Grahamstown. This did not prove sufficiently effective, with the result that a number of courts in the region were forced to sit through the recess this July. In other areas the increase in the number of political trials, in particular those relating to incidents of armed resistance, has been reflected in the number of Special Supreme Court sittings (eg in Messina, see *MK COMBATANTS CON-*

DEMNE). Special sittings for trials, which would normally be handled by the regular Circuit Court sittings, are held partly because the possible length of the cases would disrupt the Circuit Court rolls. But they also mean that cases are tried in areas where alleged incidents took place. In the Messina trial defence lawyers attempted unsuccessfully to have the trial heard elsewhere because of prejudice against their clients. (DN 23.7.87; DD 30.7.87; EPH 19.3.88; *FOCUS* 73 p.8)

One effect of increasing the number of court sittings has been to place extra demands on court personnel, especially judges. The government has responded to this by making a number of appointments to the bench. In March four additional judges were appointed to the Eastern Cape Division. One appointment was that of a permanent judge, bringing the number of permanent judges on the province's roll to ten. A further three acting judges were appointed in a temporary capacity for the last term, one of whom remained until the present term. (CT 26.2.88; DD 5.3.88; EPH 19.3.88)

Finally, legislation has been enacted in the effort to reduce the backlog. In October 1987, Section 21 of the Supreme Court Act, 1959, was amended. Applications for leave to appeal which were formerly heard by three judges are now heard by two. (Act No. 100 1987) This measure, presumably to facilitate the faster processing of such applications comes at a time when the large number of death sentences passed on political prisoners has led to an increase in the number of appeals.

MORE PRISONS FOR OPPONENTS OF APARTHEID

More prisons are being built as a result of an expansion programme initiated by the government during 1987 and 1988. Reports indicated the development of 'special facilities' for the increasing number of child prisoners and detainees.

According to the Minister of Justice, Kobie Coetsee, South African prisons have a capacity for 84,802 inmates. However, at the end of March there were 89,000 sentenced and 21,000 awaiting-trial prisoners. In addition according to a statement by the Minister of Law and Order in February 1988, the 'daily average' of people held in police cells numbered 14,917. These figures and those below exclude prisoners and prison facilities in the 'independent' bantustans of Transkei, Ciskei, Bophuthatswana and Venda. (Star 23.2.88; WM 13.5.88)

An increase in expenditure on prisons was seen in the budgets of both the Department of Prisons, and Public Works and Land Affairs. The Department of Prisons was allocated R630.4m in the March 1988 budget, an increase of R140.8m. In the Eastern Cape, a region where trials of opponents of the government have been particularly numerous, out of a total budget of R10.8m for building projects the Department of Public Works designated R7.4m for construction and 'improvement' of prisons in the region. Of this, R6.1m was allocated towards a prison in Cradock with an estimated total cost of R14.6m. Plans for another new prison, in Queenstown, were announced by the Department of Prisons in January 1988. Although full details of developments in the bantustans are not available, in October 1987 it was reported that a new maximum security prison, costing R14m, was being built at Umtata in the Transkei bantustan. (SA Barometer 19.6.87; DD 26.6.87; 9.10.87; 9.1.88; 23.3.88; EPH 11.3.88; S 17.3.88; See *BUDGET FOR REPRESSION*).

Government figures released in 1987 and 1988, although not always clear regarding the specific age range referred to, indicated an increase in the number of young people in custody. In January 1986 there were 2,016 'youngsters' awaiting-trial and 3,036 sentenced prisoners. This compares with over 2,700 'teenagers' in prison awaiting trial and over 4,700 sentenced prisoners 'ranging in age from under 15 to 19 years' at the end of 1987. Juveniles held awaiting-trial in police cells between 1983-1986 numbered 170,000. In 1986, juveniles held in these conditions numbered 58,962 and in May this year the number reported was 63,360 'aged 17 or under'. (FOCUS 66 p.8; Star 4.4.87; IDAF, 1988, *Apartheid's Violence Against Children*; BBC 23.3.88; WM 29.4.88).

CHILDREN: 'SPECIAL FACILITIES'

At least two special facilities for juvenile prisoners have been opened. On 1 April 1986 a facility was opened at Leeuwkop Prison near Johannesburg. In September 1987, Parliament was informed of a second juvenile facility in operation at Pollsmoor Prison in Cape Town. (Debates 3.8.87; CT 9.9.87; Star 14.2.88).

Some indication of the nature of 'programmes' pursued at these facilities, which are described as 'rehabilitation', is available. In 1986, the Deputy Minister of Education described Leeuwkop as part of a 'top priority programme' to provide 'effective treatment' for those juveniles who were not 'hardened criminals' and 'more receptive to influence and change than the adult transgressor' in order to 're-integrate them with society.' This policy is being developed at a time when increasing numbers of youths have been sentenced for their part in political protest. (Star 14.2.86)

Special provision appears to be planned for

young detainees as well as convicted prisoners. On 19 June 1987 R Meyer, the Deputy Minister of Law and Order, stated on radio that 'black youths who had been involved in revolutionary activities were being given special attention at rehabilitation centres'. In August 1987 Parliament was informed of 'additional facilities' which were being 'planned by the state in respect to juveniles and children'. These statements were substantiated by reports in August 1987 which indicated that the government had plans to construct a maximum security 'rehabilitation' centre for child detainees under 18 years old near Stutterheim. The centre, said to be costing R1.7m, was designed to cater for 72 children. (BBC 23.6.87; Debates 3.8.87; NN 6.8.87)

BUDGET FOR REPRESSION: 1988

Funding for the Department of Defence was increased by more than 20 per cent in the South African state budget announced in March. Defence was the second largest item in the budget (after the Department of Finance) - R8.19 billion. A further R1.79 billion was allocated to the police, a 12 per cent increase. Real expenditure will be even higher as money for police and military forces is also drawn from other departments.

Some of this additional expenditure was reflected in a figure of R12.15 billion given by the government as the total allocated for 'protection services'. This is the first time such a total has been given. Projected military expenditure was given as R8.56 billion, police R2.12 billion and expenditure on Prisons and Justice R1.13 billion. This total amounts to just under a quarter of projected state expenditure.

namibia

PRETORIA TIGHTENS GRIP

New powers were given to the South African Administrator-General in Namibia, Louis Pienaar, after a visit to Windhoek in early April by P W Botha and top South African officials. The move was a further indication that Pretoria will re-establish direct rule over the territory if the Multi-Party Conference (MPC) administration, which was installed by South Africa, does not do as it is told. It also provided a clear indication that the regime is preparing to crack down on SWAPO and the media.

The South African delegation, consisting of P W Botha, the Ministers of Foreign Affairs, Finance, Education and Defence and the commander of the South West Africa Territory Force, talked briefly with representatives of the MPC administration. They also met with the head of the Ovambo bantustan administration, Peter Kalangula, who has refused to participate in the MPC. After the meetings, Botha issued a press statement declaring that he would empower the Administrator-General to:

- Dissolve elected authorities in Namibia so that elections could be held;
- Refer verdicts of the Supreme Court of South West Africa to the South African Appeal Court;
- Veto attempts by the MPC to abolish any existing authorities. (WA 9.4.88)

These measures stripped the MPC of many of its already limited powers and effectively prevented it from implementing one of the main objectives of the majority of parties in the central administration: abolishing the bantustan or second-tier authorities and replacing them with regional bodies.

THREATS AGAINST MEDIA

While demoting the MPC, Botha announced that the South African authorities would take 'suitable steps' against the media which advanced 'subversion and terrorism'. This was widely interpreted as a threat against *The Namibian*, a weekly newspaper which has exposed South African military atrocities. Shortly afterwards, the police and army lodged complaints against *The Namibian* with the South African Media Council, which controls South African and Namibian newspapers. In addition, the editor and a staff member of the paper were subpoenaed to give evidence before a military Board of Inquiry on 20 May. The nature of the inquiry was not disclosed other than that it was 'classified secret or confidential'. There was a widespread belief in Namibia that the authorities would introduce a system similar to that in force in South Africa, whereby opposition publications would be issued with warnings and then closed down. (WA 28.4.88; Nam 29.4.88)

SWAPO

Botha also said that 'effective and suitable' action would be taken against organisations 'which use violence in order to advance their political aims' - a reference to SWAPO. There

were indications that this would take the form of a system of registration for political parties in which they would be required to eschew violence. This might lead to the banning of SWAPO, which is engaged in an armed struggle. The regime has hitherto steered away from directly banning SWAPO. (Nam 22.4.88; SS 27.4.88)

If SWAPO is not prepared to condemn violence, then they will not be a legal party, and they will therefore ban themselves.

Representative of the MPC administration

MPC CRISIS

The new powers of the Administrator-General are aimed at reasserting apartheid principles in the administration of Namibia and ending a long argument in the MPC over the future of the second-tier administrations.

The seven political groups forming the MPC were installed as a 'transitional government' by the South African regime in June 1985, and granted some powers of administration over Namibia. A Constitutional Council was established to draw up an 'independence' constitution: the objective was to undercut the UN plan for independence which Pretoria has obstructed for ten years.

By the end of 1986 the MPC had split into two factions and reached an impasse in its constitutional plans. Five parties favouring the abolition of the segregated second-tier and bantustan administrations published a draft constitution which would have done away with these structures. They saw this as essential to the credibility of the administration. On the other hand, the white National Party and the Rehoboth Free Democratic Party published an alternative draft, entrenching the segregated second-tier administrations.

In June last year the South African government publicly rejected the majority constitution and called for elections to the second-tier administrations. This was opposed by the MPC majority on the grounds that it would entrench the segregated structures. The question of the legality of the second-tier authorities was referred by the MPC to the Windhoek Supreme Court, to ascertain whether they violated a Bill of Rights introduced when the MPC was set up. (IDAF Briefing Paper 22 p.6; FOCUS 72 p.10)

The issue was further complicated when the second-tier Administration for Whites declared that it would hold an election, against the wishes of the MPC majority in the central administration. Registration of voters began, but the MPC refused to dissolve the white body to allow the elections to take place. (WA 24.2.88)

In March this year the Supreme Court advised that the second-tier structures violated the MPC's Bill of Rights. The judges pointed out that the system entrenched discrimination and that the Administration for Whites had funds which were almost double those of all the other ten second-tier authorities combined. Furthermore the administration controlled 'a vast number' of schools, hospitals and other assets which were reserved for the exclusive

use of whites. However, the court concluded that 'further action, if any' was the responsibility of the MPC authorities. (WA 8.3.88; SS 9.3.88)

The court's findings were strongly criticised by the Administrator-General, Louis Pienaar. He said it was 'totally unacceptable' to Pretoria that the 'ethnic' or apartheid basis of authority in the territory should be undermined. (WA 23.3.88)

DIRECT CONTROL

The MPC majority was clearly taken aback by the sweeping powers promised by Botha to the Administrator-General, which would allow him at one stroke to negate political and legal efforts to abolish the second-tier authorities. Their credibility all but destroyed, they threatened to resign, but were told by Pienaar that they would be consulted before the promised powers were granted to him. A week later the measures were promulgated by proclamation in the South African government gazette, without consultation. The MPC authorities were then given pay rises of over 50 per cent. (Nam 22.4.88)

South Africa should do away with the interim government, as it neither has the support of the majority of the people nor democratic backing... What we demand is the implementation of Resolution 435 of the Security Council of the United Nations. This is the route to peace, and peace is what we want more than anything. We want justice rather than injustice. We desire and demand our freedom and independence.

Dr Abisai Shejvali, General Secretary of the Council of Churches in Namibia

The MPC administration, which has never had any substantial support in the territory, has been practically immobilised by these developments. Its hopes for Pretoria-backed 'independence' have been reduced to setting up a National Anthem Committee and a National Flag Committee. (WA 22.3.88)

The South African authorities could now act more directly against SWAPO and other forces campaigning for genuine independence under UN Resolution 435. Pretoria is also likely to try and bring some of the bantustan administrations into play, especially the Ovambo administration. It is possible that elections will be held for some of the second-tier authorities to strengthen the apartheid base of the administration.

During the course of these developments, the South African authorities have made it clear in statements that they have no intention of implementing UN Resolution 435. They are instead seeking to consolidate their direct authority over the territory and to impose an administration which is moulded in their image. The military presence at the talks is evidence that the army too is keen to reassert more direct control. This was underlined by the fact that the commander of the largely Namibian-manned South West Africa Territory Force, which the MPC has described as 'our national army', sat with the South African delegation. (Nam 15.4.88)

EDUCATION DETENTIONS

Education continued to be a main focus of resistance in Namibia during early 1988 with a school boycott in the north of the country involving 7,000 pupils by the end of May.

The boycott was aimed at the immediate removal of military bases from the vicinity of school premises. This has been a long-standing grievance because the armed forces, under constant attack from the People's Liberation Army of Namibia (PLAN), have increasingly based their camps close to schools hoping to make it difficult for PLAN combatants to attack, and in order to control pupils. (FOCUS 74 p.10, 76 p.9)

The boycott began on 17 March at Ponghosi Secondary School with some 700 students protesting about the nearby Ohangwena Koevoet base. During 1987 two students were killed and seven others seriously injured by mortars apparently fired from the base. Parents whole-heartedly supported the student body in its action. The community was in conflict with the local headmen, officials appointed by the regime, who had expressed their support for the occupying forces by encouraging five more bases to be built in the area.

As the boycott started soldiers from the Etale base were said to have arrested seven pupils named as K. KASHIDULIKA, Haimbodi WILLI-BARD, Kashimba OSCAR, Kashimba PAULUS, Haihambo TIMOTHEUS, N J H SAMUEL and N JASON. they were said to be still searching for H LAZARUS, N LAZARUS and H LAMECK.

Boycotts soon followed at Ongha Secondary School, near Ondangwa, and Ombalantu Secondary School. The latter was damaged on

12 April following a PLAN attack on the nearby Outapi base – two days later the one thousand students refused to start the new term. The next school affected was Eengedjo School, Ombalantu, where all the students, between five and six hundred in number, walked out. On 21 April the army liaison division in Windhoek reported that 60–100 schoolboys as well as teachers had been abducted from the school by PLAN guerrillas. Some were said to have escaped, and others taken to Angola. Local sources contradicted this story, saying that the military had abducted some 30 pupils and taken them across the border into Angola. They assumed this was done for 'propaganda' purposes, to make a case for maintaining military bases to 'protect the children'. Subsequently the names of a number of pupils and teachers

detained at the time became known. (See List) By early June there was no sign of any easing of the boycott. (Nam 18.3.88, 1/15/22/29.4.88, 13.5.88; WA 11/22.4.88; SS 27.4.88; South 4.5.88)

RELEASES

The following people whose detention was reported in FOCUS 76 were released from detention by May:

Ndefina ABRAHAM, Kandenga HERMAN, Julius KAPULA, Protasius LEVI, Albine MULYAU, Haili MWEETAKO, Daniel Israel NAMWANDI, Nathaniel Stephanus NDAT-YAPO, Andreas SHIVUTE, Shipingana SHIVUTE and Moses ERRKI (ERIKI) who was released and restricted to his home. (NCC 1.5.88)

DETAINEES — Additional to previous FOCUS lists

Date	Name (Age)	Details (where known)
12.3.88	Johannes NGHIKAKAMA	Assaulted and released
22.3.88	'Silas'	Whereabouts unknown
23.3.88	Silvanus PETRUS (23)	Shopkeeper from Iipumbu
11.4.88	Daniel David SHANNIKA	From Okahao
13.4.88	Armas SHINANA	Worker, Oshela Sec. School
14.4.88	Lehabian EYAMBO	{Teachers
14.4.88	Eliakim SHUUVENI	{from Oluteyi
15.4.88	Sakeus SHILONGO	Okahao ambulance driver
20.4.88	Haitwa FIKAMENI	{Students, Eengedjo
20.4.88	Aaron HAULOFOU	{Secondary School
20.4.88	Erasmus HENDJABA	{Teachers, Eengedjo
20.4.88	Salomon KANGHONO	{Secondary School
20.4.88	Paulus SHILULE	Assaulted and released
28.4.88	Oiva FRANS	Whereabouts unknown
28.4.88	'Johny'	

MUN GROWTH STRENGTHENS LABOUR MOVEMENT

After a year which saw the highest ever number of strikes and stoppages in Namibian industry, unions affiliated to the SWAPO-aligned National Union of Namibian Workers (NUNW) began 1988 by consolidating gains made in 1987, and seeking to win new membership. This was most marked in the mining sector, where the Mineworkers Union of Namibia (MUN) experienced strong and steady growth in support, and in the large attendance at rallies called by the NUNW to celebrate May Day. Continuing repressive action against the NUNW included the refusal of passports to union officials intending to go abroad.

MUN CONGRESS

In January the MUN held its second annual conference. Originally scheduled for November 1987, it was postponed because of the detention of key leaders, including Ben ULENGA, the general secretary. The union's membership had grown from the 3,000 miners represented at its launch in November 1986 to 9,000 signed-up members by January 1988 (over half the workforce in the sector). Its largest branch was at Consolidated Diamond Mines (CDM) with 4,600 members, followed by the Tsumeb Corporation Ltd and Rossing Uranium with 2,800 and 1,300 members respectively. (WA 18.1.88)

At the conference union officials reported back on developments over the previous year

and a new executive was elected. (FOCUS 61 p.11; WA 18/20.1.88; Nam 22.1.88)

The conference did not however adopt formal resolutions, because representatives felt that not enough mineworkers had been consulted on matters of policy. A second extra-ordinary conference was convened in February to debate and adopt resolutions committing the MUN to a comprehensive programme of shop-floor goals and a political policy. The union resolved to campaign for a minimum wage linked to the rate of inflation, a 40-hour working week and improvements to other benefits such as pensions. Delegates also formally committed the union to support the campaign for independence through the immediate implementation of UN Resolution 435, and to take 'political action to defend and advance the interests of its members'. (NN 18.2.88; Nam 19.2.88)

A 'LIVING WAGE'

The low wage levels on the mines and in other sectors of the economy seen against a background of rising transport, electricity and food prices, prompted the NUNW to launch a campaign for a living wage on May Day. It commits unions over the next year to seek wage rises commensurate with the basic needs of workers. Details of the campaign were announced at a series of May Day rallies – the largest to date – in Windhoek, Luderitz, Karasburg, Mariental, Keetmanshoop, Arandis, Swakopmund, Otjiwarongo, Otavi and Tsumeb. The Windhoek rally was attended by 6,000 people. (WO 23.1.88; Nam 22.4.88; 6.5.88)

Low wages were the cause of at least three strikes in the building and food sectors. In late February employees of Nico Bouers Contrac-

tors, a Windhoek construction company, raised grievances about pay. The employer summarily dismissed 15 workers and 21 other workers left the site in solidarity with them. The Metal and Allied Workers Union, affiliated to the NUNW, took legal advice on their behalf. (Nam 26.2.88)

In April, 36 workers were similarly dismissed from Danken Bricks, near Brakwater, in a dispute over a pay rise. (Nam 29.4.88)

In May there was a wage strike by 230 workers, members of the Namibian Food and Allied Workers Union (NAFAU) at the Hartlief Meat Factory in Windhoek, rejecting pay increases offered by management as too low. The workers demands were linked to the NUNW's 'Living Wage' Campaign and it was the first instance of a dispute arising from the campaign. Shortly after the strike began workers agreed to return to work while negotiations about higher increases took place between their committee, NAFAU and the employers (WA 4.5.88; Nam 6.5.88)

REPRESSION

As unions consolidated, the authorities refined their repression. Guest delegations representing overseas mining unions were refused visas to attend the MUN conference. Earlier, in January, the NUNW's treasurer Anton Lubowski was refused a passport for the fourth time, preventing him from attending a conference of the International Labour Organisation in Geneva. (Nam 8/22.1.88)

Jason Angula, SWAPO Secretary for Labour, who was detained in October last year, remained in custody at the end of May. He was reportedly held at the Osire interrogation centre under the Terrorism Act. (FOCUS 76 p. 10)

KASSINGA REMEMBERED

4 May 1988 marked the tenth anniversary of the attack by the South African Defence Force (SADF) on a Namibian refugee settlement at Kassinga in Angola which resulted in the death of at least 600 people.

According to independent sources, at least 147 men, 167 women and 298 children were killed in the raid. As many as 700 other people were wounded while at least 119 others were abducted. A force of nearly 400 troops and about 10 aircraft was used. (CT 3.5.88; NCC, South, WA 4.5.88)

STUDENTS MARCH

Various events were organised to commemorate Kassinga both inside Namibia and internationally. SWAPO issued a statement in which it called for an end to the bloodshed in Namibia and restated its commitment to a ceasefire. The statement maintained that the tenth anniversary of the Kassinga massacre was a 'sad reminder to the international community that it had failed to redress the Namibian plight'. (WA 5.5.88)

Commemorative events included a demonstration in Katutura and a number of religious services. They were occasions for political mobilisation as well as providing an oppor-

tunity to listen to the testimony of survivors. Widespread condemnation greeted the news that the South West Africa Territory Force (SWATF) had also commemorated the massacre as a major success for them.

About 6,000 schoolchildren in Katutura boycotted classes and marched through the streets with placards proclaiming 'We remember Kassinga'. They used the event to focus on the demand for Namibian independence and the withdrawal of the South African occupation forces from their country.

The students, who were later joined by local residents, were dispersed by police who fired rubber bullets and teargas canisters when the marchers were thought to be approaching the white areas and city centre. A number of people were injured. Gerson KOOPER (13) was allegedly grabbed by police and put in the back of a Casspir armoured vehicle where he was beaten and had teargas squirted into his face. The students later regrouped in the township and continued their march, singing freedom songs. Angered by the provocative actions of the police, they stoned a uniformed soldier who was walking past.

In another incident the bodyguard of Kuaima Riruako, an official of one of the leading parties in the Multi-Party Conference Administration, opened fire on students, seriously injuring Mafu DAVIS. Lazarus HEVITA, the

President of the Namibian National Students Organisation (NANSO) was detained and questioned for five hours about the demonstrations in Katutura. (Ind/CT 5.5.88; Nam 6/13.5.88)

In Windhoek a bomb blast caused minor damage to a railway bridge, presumably part of the protests in commemoration of the massacre. (Nam 6.5.88)

'NO' TO CONSCRIPTION

A number of organisations including NANSO and the End Conscription Campaign (ECC) in South Africa used the day to call for an end to the system of compulsory conscription for military service.

The religious wing of the ECC launched a special campaign against military conscription to mark the Kassinga Massacre. In that campaign the ECC demanded the withdrawal of the SADF from Angola, an end to the illegal occupation of Namibia and the implementation of UN Resolution 435. They also demanded that national service conscripts should be allowed to do non-military alternative service. At a commemoration service held in Johannesburg Frank Chikane, General Secretary of the South African Council of Churches, called on South Africa to end its illegal occupation of Namibia. (Nam 29.4.88, 6.5.88; GN 5.5.88)

SOUTH AFRICAN DEFEAT IN ANGOLA

South African forces failed to take the Angolan town of Cuito Cuanavale during a six month siege and by the beginning of May had been pushed back at least 70 kilometres east of the town. At the same time Angolan forces began to reestablish control of Cunene province to the west of Cuito Cuanavale, and Cuban forces which had previously been held in reserve were moved forward. The military setbacks, and strong international pressure, forced Pretoria to the negotiating table. (SS 4.4.88; Angop 10.5.88)

The fourth major South African assault on Cuito Cuanavale took place on 23 March. After a 15-hour artillery bombardment, seven South African infantry battalions, three mechanised columns and two tank battalions, supported by UNITA forces, advanced on Angolan defensive lines. The advancing force was trapped in a minefield and came under heavy Angolan fire, and was forced to retreat. Four tanks were captured by the Angolans - it was the first time since the Second World War that South African tanks had been used in combat. (FOCUS 76 p.12; Angop 12.4.88; SS 13.4.88)

In mid-April the South African Defence Force (SADF) for the first time released what it claimed were comprehensive details of its Angolan operations. It claimed that it had been withdrawing since 5 December last year, although it also documented a number of battles in January and February, claiming that it had 'achieved its goals' and denying that it ever intended to capture Cuito Cuanavale.

The SADF said it had lost 31 soldiers in the Angola invasion, but this did not tally with the figures released individually over the period, which totalled 57, and did not include any black troops, who have borne the brunt of the fighting. Angolan sources estimated that 242 SADF and South West Africa Territory Force members

Africans have also suffered extensive equipment losses, including combat aircraft which cannot be replaced because of the UN arms embargo. A decisive factor in South African military failures has been its loss of air superiority. (DN 19.4.88; WM 29.4.88)

While the SADF was being pushed back from Cuito Cuanavale, Angolan forces were driving a joint UNITA and South African force away from Cuemba on the Benguela railway in central Angola. According to some reports, the South Africans had hoped to take Cuemba and then push east to the town of Luena. There have been indications of disarray in UNITA ranks, with reports of the killing and imprisonment of officials opposed to the dictatorial policies of the UNITA leader, Jonas Savimbi, and his reliance on South Africa. (Angop 30.3.88; SS 11.5.88)

The Angolan counter-offensive involved considerable reinforcement by Cuban troops, which, for the first time, were moved south into the main war zones. New tanks and other weapons were also acquired by the Angolan army. (SS 4.4.88; CT 6.5.88)

Negotiations over several years have resulted in

a detailed proposal by the Angolan government for an end to the war in Angola, and the parallel independence of Namibia under UN Security Council Resolution 435. This flexible proposal involves a three-year period in which South African forces would leave Angola, South African and US support for UNITA would end, Cuban troops would withdraw north of the Benguela railway and then leave Angola, and Namibia would become independent under Resolution 435.

The Angolans are naturally keen to end the devastating South African attacks and to bring about an independent Namibia, and there has been strong Western pressure on South Africa to negotiate. Talks involving the United States and Cuba as well as South Africa and Angola were held in London early in May, and a further round involving only the South African and Angolan governments took place shortly afterwards in Brazzaville. A third meeting was planned.

The Angolan government stressed that South African agreement to the independence of Namibia was an essential condition of a negotiated settlement.

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ASSASSINATIONS AND RAIDS

In the first four months of 1988 members of the African National Congress (ANC) and other South African exiles were the targets of a number of military raids, assassinations and attempted assassinations carried out by the South African Defence Force (SADF) or unidentified agents, in incidents in neighbouring Southern African states and further afield.

In the past, such incidents have occurred mainly in the Frontline States, but with the assassination of the ANC's representative in France, Dulcie SEPTEMBER, in March, and earlier unsuccessful attempts on the ANC representative for Belgium and the Netherlands, attacks on opponents of apartheid living outside the country, were extended to Europe. (FOCUS 75 p.12)

Threats of such actions were contained in a speech by the Minister of Defence, Magnus Malan, in February when he said: 'Wherever the ANC is, we will eliminate it'. He also said that those doing the eliminating would not necessarily be 'formally acknowledged security forces'. (Work In Progress April/May 1988; SA Barometer 22.4.88)

SWAZILAND

In mid-January Sipho Eric NGEMA, a South African refugee living in Swaziland was gunned down in a restaurant by two unidentified men, bringing to at least 17, the number of people murdered or abducted from the country by suspected agents of the South African government since 1985. The gunmen escaped in a car later found abandoned. (FOCUS 72 p.12; Star/GN 15.1.88)

BOTSWANA

A similar assassination, again by unidentified gunmen, took place in Botswana at about the same time. The body of Jacob MOLOKWANE (19), a member of the ANC, was found near his car on the road north of Francistown. He had been shot several times. (MS 14.1.88)

In late March a unit of the SADF crossed the border and attacked a house in Thiring, a suburb of Gaborone. Three Botswana nationals, all women, and a South African refugee, identified by the Botswana authorities as Charles MOKOENA, were shot dead. Their bodies were set alight after the raid.

The South African government admitted responsibility for the raid. They claimed it was the result of a 'hot pursuit operation', following-up intelligence gathered when the SADF

killed three alleged ANC guerrillas in South Africa, close to the Botswana border three days earlier. They also claimed that the man killed at the Thiring house was not Mokoena, but Solomon MOLEFI, allegedly a regional commander of the ANC's armed wing and also known according to the police by several other names including Solly NALEDI. These claims were disputed by the Botswana government. Molefi's relatives in South Africa denied that the man in the police photograph said to be of the victim, was their son and brother. Residents of Thiring denied also that the man in the photograph was the person who had lived in the house. The family was quoted as saying they thought it possible that Molefi had died, but that he was killed in different circumstances and his body buried elsewhere.

In response to the controversy, the Minister of Defence announced that the names of people killed in cross-border raids would no longer be disclosed. (GN 29.3.88; Star 7.4.88; WM 8.4.88; S.Trib 10.4.88; S 11.4.88)

The raid into Botswana occurred as relations between South Africa and Botswana deteriorated: South Africa alleged that guerrillas were using the country as a 'transit route' from Zambia and Zimbabwe. (Tel 28.3.88)

ZAMBIA

In January the ANC office in Lusaka, Zambia, was the target of a bomb attack. A bomb placed close to the gate of the building exploded injuring four Zambian nationals. Members of the ANC's national executive committee who were in the building at the time were unhurt. (Star 20.1.88)

ZIMBABWE

Another major bomb attack took place in Bulawayo, Zimbabwe, in mid-January. The target was a house accommodating several ANC refugees. The house had been placed under police protection since the December 1986 trial of a Zimbabwe national accused of spying for South Africa and who, according to evidence led, had sketches of the house in his possession. On the day of the attack two cars drove into the grounds of the house. One containing explosives was parked alongside the building. Two people left the car and escaped in the second vehicle. Two other occupants of the car containing the bomb were, however, killed when it exploded prematurely. Three residents of the house were injured.

Six Zimbabwe nationals were later arrested in connection with the bombing and other similar attacks, and subsequently charged with

murder. The Zimbabwean Foreign Minister claimed that their trial would expose a South African-run sabotage network which was responsible for several bombings and assassinations over the previous seven years. By May 1988 the trial had not yet begun. (CT/NN 14.1.88; Star 14.2.88; Work In Progress 53, April/May 1988)

MOZAMBIQUE

In early April a prominent member of the ANC was the target of an attempted assassination in Mozambique. Albie SACHS (53), who lives in Mozambique working for the Ministry of Justice and as a lecturer in Law at Maputo University, was seriously injured in a car bomb explosion. His car, parked outside his flat in central Maputo was rigged with an explosive device, primed to explode when he unlocked the door. He lost his right arm and suffered other severe injuries. A passing motorist and a child, both Mozambican nationals, were also injured in the explosion. (GN/WM 8.4.88; Star 10.4.88)

EUROPE

Dulcie September (53) was the first ANC official to be assassinated in Europe. She was the organisation's representative to France and Switzerland and was shot dead at point-blank range while unlocking the door to her office. An unidentified assailant apparently lay in wait for her.

This was not the first attack on ANC offices in Europe. In 1982 the organisation's London office was bombed, as was its Stockholm office in both 1984 and 1986. In 1987 four men were charged in the British courts with conspiracy to kidnap 14 members of the ANC in London, but charges were dropped following an intervention by the Director for Public Prosecutions who had consulted with British intelligence (MI5).

In early 1987 an attempt was made on the life of the ANC representative to Belgium and the Netherlands, Godfrey MOTSEPE. Shots were fired at him through the window of his office. A second attack in March on the Brussels office also failed. Police defused a 17 kilogram bomb placed outside it.

Prior to her death, September had received death threats and had been followed, according to her colleagues. (S 29.3.88; Ind/DD 30.3.88; GN 2.4.88)

In late March the ANC office in London was warned by British Special Branch officers that 'right-wing organisations' were intending to attack the organisation and its officials. (Ind 31.3.88; S.Star 10.4.88)



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