



# SOUTHSCAN

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## ANGOLA AND ALLIES PUSHING S.AFRICANS BACK TO NAMIBIAN BORDER

London— Cuban, Angolan and SWAPO troops have moved deep into Angola's Cunene province and are now pushing South African forces back against the Namibian border.

The joint forces were ordered to move from their location near the 15th parallel on March 11 and to move in the direction of the Namibian border, a Cuban statement of May 2 says. The forces are now more than 200km south of the 15th parallel, on which the besieged town of Cuito Cuanavale lies.

At the same time liberation movement sources say that the southern part of Cunene province, which has long been dominated by a South African military presence, is again coming under Angolan control, a correspondent in London writes.

According to a Cuban report of May 2, reinforcements include mechanized infantry units, tanks, artillery and anti-aircraft defence teams, moved to Angola from Cuba.

The report for the first time mentions SWAPO troops as fighting alongside Cuban and Angolan forces.

SWAPO's PLAN army is numbered by the International Institute for Strategic Studies in London at 8,900 troops and is specialized in bushcraft.

The Cuban statement, taken from its armed forces publication, says the Cuban, Angolan and SWAPO combatants have defeated "for all practical purposes, the latest major South African escalation."

Reports that Cuba was moving reinforcements south have been circulating in Luanda as the attention of the world was focussed on Cuito Cuanavale, where the South Africans have been bombarding the town.

The tone of the Cuban announcements runs counter to the ready acceptance by South Africa and the US that there is a military stalemate in Angola.

Statements to this effect were made by South Africa's foreign minister Pik Botha on the eve of the London quadripartite talks this week, and by US undersecretary of state for African affairs Chester Crocker after the talks.

Crocker told journalists this week: "Military solutions have been tried and they don't work."

He said there were risks to the parties involved in "playing games of chicken with each other."

However, beyond stressing the apparent seriousness of the parties to the talks — Angola, Cuba, South Africa and the US — and their agreement to meet "within weeks" somewhere in Africa, nothing has emerged to indicate that the gaps between them are closing.

Crocker said that US aid for UNITA was not an element in the discussions: "Our relations with UNITA are not a bargaining chip in these talks."

Angola's foreign minister, Afonso Van Dunem 'Mbinda,' said afterwards that the ending of South African and US support for UNITA, and South African aggression against Angola was "a fundamental precondition" for movement.

He stressed the conditions for Cuban withdrawal laid down by the Angolan side in talks with the US over the last few months.

The reasons for the Angolans' involvement in talks are clear — it can only buttress their position as victims of outside aggression.

The reasons for the South Africans coming to London are less transparent — they are not ready to relinquish real control of Namibia, and Namibia stays a major element of the talks, despite Crocker's assertion that the Cuban factor was the "principal" issue.

To many observers in London and in South Africa it seems Pretoria is buying time, and seeking to extricate itself from a worsening military situation.

### ALERT! SAVIMBI TO COME TO USA

Jonas Savimbi, head of UNITA, is said to plan a visit to the USA at the end of May 1988. His schedule is unclear now but he will certainly do Washington and then head for the Southwest and Michigan and thereabouts. Be on the lookout.

Savimbi declared UNITA a 'government' in late March. If indeed he leaves his bastion in southwest Angola at this parlous time, he is desperate for more support and for 'recognition' from his die-hard American friends and anyone else.

## IN S.AFRICA, LONDON TALKS SEEM WAY TO BUY TIME

**Johannesburg**— With its military advantage in southern Angola slowly leaking away — and pressure mounting from its Western allies — Pretoria entered this week's London talks to win itself time, say sources in South Africa.

Although it would like to cut the steadily mounting cost of its occupation of southern Angola, it is not yet sufficiently desperate to accept a negotiated withdrawal, they say.

Such a withdrawal would leave Jonas Savimbi's badly-weakened UNITA forces wide open to destruction by the Angolan army, and, more importantly, South Africa's decade-old regional policy of on-site destabilization of Angola in tatters.

Both Pretoria's official descriptions of the London talks and the make-up of the South African delegation suggest that President PW Botha's government is playing for time, reports

*a Johannesburg correspondent.*

Since news of the talks broke last Friday South African government spokesmen have repeatedly downplayed their importance, while Botha himself interpreted South African participation as no more than a legitimate attempt by a regional power to get foreign forces (Cuban troops) out of the region.

His and other public statements suggest that the South African delegation has entered the talks with no intention of making any concessions.

In addition, while the Angolan and Cuban delegations are led by Cabinet ministers, South Africa's is headed by Foreign Affairs director-general Neil van Heerden.

Although Van Heerden is backed by SA Defence Force chief Jannie Geldenhuys (a fluent Portuguese-speaker from his service as military attaché in pre-independence Luanda), the omission of a Cabinet minister suggests that the South Africans are there to listen and report back, rather than to negotiate.

The effect of this will be to prolong the talks — a time-honored South African tactic which succeeded so well over Namibian independence that the issue has never really progressed past South Africa's 1978 in principle acceptance of the Western Contact Group's proposal for implementation of UN Security Council resolution 435.

And with fighting around Cuito Cuanavale reportedly halted while the talks are on, a lengthy process of consultation, reports back and negotiations may give South Africa some breathing space and throw up a potential solution to Pretoria's mounting problems.

Heavy fighting is expected to resume next month when the roads have dried out sufficiently to allow for rapid and substantial troop movements. Intensification of the fighting is likely to lead to further South African casualties — adding to the political cost to Botha's government, already facing widespread criticism from white South Africans over the mounting death toll.

Early this year Pretoria abandoned plans for an infantry assault on Cuito Cuanavale, say diplomatic sources in Cape Town, after estimating losses at 2,000 black troops — excluding UNITA losses — and 300 white South African

soldiers.

Instead they opted for an attack by South African armour — beaten back just 600 yards from the Angolan lines two months ago.

Since then the Cuito Cuanavale front has been in stalemate. Botha's government, however, remains acutely conscious of the demoralizing impact of the war on its white constituents.

Three weeks ago senior SADF officials gave a carefully laundered list of its losses in Angola since last May — claiming just 31 troops killed in action.

This contradicts Pretoria's own battle bulletins, which combine to give a total of 46 officially acknowledged deaths in Angola since last September when fighting flared around Mavinga and Cuito Cuanavale.

A second problem confronting Pretoria is mounting pressure from its Western allies — particularly the US — over its invasion of Angola. Diplomatic sources in Cape Town suggest that, in its efforts to end its term on the diplomatic high note of having "negotiated the Soviets and Cubans out of Southern Africa," the Reagan administration has cooled its enthusiasm for Savimbi's UNITA — not least because of Pretoria's linkage of UNITA's existence and its own presence in Angola, which in turn guarantees a continued Cuban presence.

With Chester Crocker in the chair at the London talks, and Washington eager for progress, any South African attempt to sabotage the talks — as it so successfully sabotaged progress on Namibian independence — Pretoria apparently has little space to manoeuvre — particularly so as it is already facing an unexpectedly tough sanctions package from the US Congress, and will need all the support it can get from the Reagan administration to soften the blow.

*South African radio interview with Pretoria's deputy director-general of foreign affairs:*

*Question:* 'You are saying that the reason that the Cubans and the Angolans are prepared to talk in London this week is because of the successes of UNITA, and yet UNITA will not be represented at these talks in London. Why so?'

*Answer:* 'That is true, but the original purpose of the talks was serious discussions with the MPLA about their present situation. This was the insistence and the demand of the United States, and we have accepted their invitation...because this is one of the channels with which we have been working, and the Americans obviously have an interest in seeing peace and stability in this part of the world. But the presence of UNITA will be there, just like Banquo's ghost was present at Hamlet's feast (sic!)'

Despite this, local sources say Botha and his generals do not believe they can give away too much without setting in motion a local variation of the domino theory.

They are already at odds with other parties to the talks over the presence of Namibia on the agenda.

An ongoing South African military role in Angola has been central to Pretoria's regional strategy (and, Botha's generals believe, to apartheid South

Africa's own survival) for just on a decade — the anniversary of its second major invasion was in fact commemorated on Wednesday.

As the delegations sat down for their second round of talks in London, thousands of Namibians were gathering in Katutura in Windhoek to commemorate the tenth anniversary of Cassinga Day, when South African troops hit a SWAPO refugee camp at Cassinga in southern Angola.

Security forces swarmed into Katutura to break up the commemoration marches.

The Cassinga massacre, coinciding with Botha's move upward from defence minister to prime minister, represented a marked shift in South African policy on Angola.

Since then South African troops have been more-or-less permanently active in Angola.

The need to keep Angola, the only potential economic and military rival in the region to South Africa, destabilized, has become entrenched as an essential component of Pretoria's regional policy.

A gracious bow-out by Pretoria is thus unlikely.

# Namibia remains key to Angolan breakthrough

THE GUARDIAN  
Saturday April 30 1988

Victoria Brittain

**B** RITISH-hosted peace talks next week on the war in Angola are set against the background of an eight-month offensive inside Angola by South African troops.

The regional conflict, including the battle for the independence of South African-occupied Namibia, has escalated to its most dangerous point since Angolan independence 12 years ago.

Although all sides are virtually desperate for a resolution of the conflict, sources close to the talks are extremely pessimistic that any breakthrough is in prospect.

However, the holding of the meeting of the high-level Angolan, Cuban, South African, and US delegations is a success for the diplomacy of Dr Chester Crocker, the US Assistant Secretary of State for Africa, who has long sought to get the four parties to come to the conference table.

European diplomacy, too, led by Britain and West Germany, has in recent months shifted towards trying to exchange the withdrawal of Cuban troops from Angola for a withdrawal of South Africa's forces from southern Angola, rather than an exchange on the basis of UN resolution 435, which rests on South Africa's withdrawal from Namibia and a subsequent Cuban withdrawal.

Significantly, the other parties to the regional conflict — the Namibian independence

movement, Swapo, and South Africa's allies, the Unita movement led by Dr Jonas Savimbi, have not yet been accorded even observer status at the London talks, though diplomatic sources say discussions on this issue are continuing.

For the first time the US is taking part in talks on the Angolan issue not as mediator, the role which Dr Crocker has assumed in a series of separate talks with Angola and South Africa over the past few years under his constructive engagement policy, but as a central protagonist in the war on the South African side through Washington's military aid to Unita. Military equipment from the US is being delivered regularly to Unita through Zairean territory.

The US has never had diplomatic relations with the MPLA Government in Luanda since independence, and early last year, after a visit to Washington by Dr Savimbi, the Reagan Administration provided £17 million worth of military aid to Unita, including Stinger missiles.

At the same time, South African defence forces, operating from military bases in northern Namibia in March 1987, began a major upgrading of their military infrastructure in the frontier region, including surfacing roads and building a pontoon bridge across the river into southern Angola.

The South African offensive inside Angola, which began last autumn, has involved 9,000 ground troops. The offensive appears stalled by Pretoria's

failure to take its major objective, the strategic air station of Cuito Cuanavale, which was the key to giving Unita a wide swathe of eastern Angola and a logistical capacity to hit infrastructure throughout the country.

Extremely heavy fighting in the area has been going on for the past few months and Cuban troops have taken a more central part than previously in their defence of Angolan lines.

In recent meetings between Angolan, Cuban, and US officials, a faster timetable for a Cuban withdrawal was put forward.

But the proposal depended upon the withdrawal of South African troops from Angola, the cessation of US and South African aid to Unita, and the implementation of UN Resolution 435 on Namibia, which entails the withdrawal of South African troops from there.

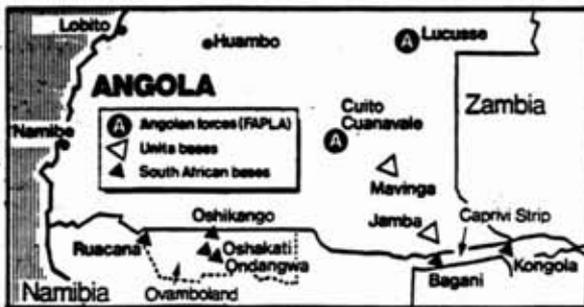
Those have been the sticking points in all negotiations with South Africa and there is little optimism that either the US or South Africa is really preparing to drop Dr Savimbi.

Last month, Dr Crocker was charged to put the Angolan-Cuban proposal to the South Africans. But no hint of concessions from the South African side has been received and within the last two weeks Pretoria has moved to tighten its administrative grip on Namibia.

Namibia's future is, in fact, the central issue in any resolution of the conflict, although the South Africans, the US, and their British hosts have chosen to marginalise it in next week's talks.

An earlier proposal by Angola's President Jose Eduardo dos Santos for a peace conference included Swapo as a fifth party. Diplomatic sources expected it to be held in the Cape Verde capital, Sal, where semi-secret negotiations on this issue have previously been conducted.

The choice of London was, according to the same sources, a way of changing the agenda virtually to drop Namibia and thereby persuade the South Africans to participate.



THE GUARDIAN  
Thursday May 5 1988

## Police fire on massacre anniversary march

David Beresford in Windhoek

**R**UBBER bullets and teargas were fired on students marching towards Windhoek from the outlying township of Katutura yesterday morning, in a demonstration marking the 10th anniversary of the Cassinga raid.

The march was one of a number of events commemorating the raid — considered a turning point in the southern African regional conflict — including church services and a display by the South African armed forces in the disputed territory.

The march was started by

about 400 schoolchildren, according to police, but had swollen to about 3,000 by the time it reached the police station outside Katutura where the security forces opened fire, scattering the crowd. No serious injuries were reported.

A small bomb also exploded on the main Windhoek railway line in what was seen as a symbolic action by Swapo, the Namibian liberation movement.

At a memorial service in Johannesburg for those killed in the Cassinga raid the general secretary of the Southern African Council of Churches, the Rev Frank Chikane, called on South Af-

rica to end its "illegal occupation" of the territory.

The South West African Territory Force (SWATF) put on a military parade at their Oshakati headquarters, presenting the Cassinga episode as a blow for peace in the region.

The circumstances of the 1978 raid are hotly disputed by South Africa and much of the rest of the world. According to Swapo, 582 people including 120 children, were killed at what was said to be a refugee camp 150 miles inside Angola.

In a statement this week SWATF gave its version of the raid, claiming the camp was a base for "nearly 2,500

heavily armed Swapo terrorists" attacked by 300 South African paratroopers with air support. The statement claimed that 600 terrorists were killed, as were 600 Cuban troops who attempted to intervene.

In retrospect, the raid was a pivotal event, marking the start of the present phase in South African regional policy under President PW Botha with its heavy reliance on military attacks to cower the country's hostile neighbours.

It is this priority given to military strategy which prompts scepticism as to whether South Africa particularly wants a peace settle-

ment in Angola at this week's London talks.

AP adds from Lisbon: Angolan troops have forced South African and Unita rebel forces to pull back from the strategic town of Cuito Cuanavale, under siege for four months, the official Angolan news agency reported yesterday.

Some 6,000 South African soldiers supported by long-range artillery, tanks and planes were said to have been besieging the town, 190 miles north of the border with Namibia. Government troops had now advanced 45 miles to the east of Cuito Cuanavale and its strategic landing strip.

Gwen Lister, editor of THE NAMIBIAN, and Mark Verbaan, a senior reporter for the Windhoek weekly, have been ordered to appear before a South African military tribunal on 20 May. They were not told the reasons; a South African Defence Force spokesman stated the tribunal was investigating 'a matter of secret or confidential nature'. THE NAMIBIAN steadily reports on SADF and other security units and on atrocities committed by these occupation forces. In April, South African State President P.W. Botha and an entourage including the defence minister, General Magnus Malan, foreign minister Pik Botha and others visited Windhoek. The president announced greater powers for his proconsul in the occupied country, administrator general Louis Pienaar, in calling for 'ethnic' elections and for cracking down on publications deemed to promote 'subversion and terrorism'.

OMUKWETU, the Lutheran Church newspaper in northern Namibia, is sure to be a target along with THE NAMIBIAN (South African newspapers like THE NEW NATION, SOUTH, and imminently THE WEEKLY MAIL feel the wrath of Pretoria, a regime working hard to cover its misdeeds). Its presses twice bombed in the past, OMUKWETU has twice risen from the ashes with the aid of the world Lutheran community. A recent issue reports on what is becoming a frequent occurrence in Namibia's northern war zone: an SADF armored vehicle parading through villages with the body of a slain SWAPO soldier lashed to its side. The church publication recounted how villagers near the Angola border had their faces rubbed in the dead man's blood by the South African troops.

#### MURDER INCORPORATED - INTERNATIONAL

On 29 March, Ms Dulcie September, representative in France of the African National Congress of South Africa, was shot dead as she entered her office in Paris. On 7 April, a car bomb in Maputo tore off one arm and almost killed Mr Albie Sachs, another South African in exile who was engaged in legal research for the ANC. Pretoria has long employed murder teams - in uniform and out, military, police, vigilantes, secret hit squads - to dispose of its opponents. In South Africa, members of the United Democratic Front and other freedom organizations are victims. No one is exempt - from children to church leaders. At present there is great anxiety for the safety of Archbishop Desmond Tutu, the Rev Dr Allan Boesak, the Rev Dr Frank Chikane and other prominent churchpeople.

Pretoria's hit squads also operate in South African-occupied Namibia: the dreaded Koevoet unit has free reign not only in the war zone but throughout the country. ANC officials and sympathizers of the independence movement have been attacked by gun, by bomb in Angola, Botswana, Lesotho, Mozambique, Swaziland, Zambia, Zimbabwe - those not killed outright have been severely mauled.

Pretoria's terror apparatus has reached farther afield - to European countries. In 1984, the ANC's office in London was bombed. Its Stockholm office was devastated by a bomb in 1986. Last autumn a kidnap/kill plot directed against high ANC officials was uncovered - almost inadvertently - in London. The Crown refused to prosecute. Other plots were disclosed in the British capital to break into both ANC offices and those of SWAPO of Namibia. In these instances Pretorian officials at the South African embassy in London were suddenly brought back home. In February this year, shots were fired through the window of the ANC's office in Brussels, barely missing the chief representative. Two days before Ms September's murder in Paris, a bomb was discovered and disarmed outside the same Brussels office.

Pretoria is casting aside all restraints in its war against opponents worldwide. Maputo, Maseru, Harare, Lubango, Lusaka, Stockholm, Brussels, Paris, London. When New York? When Washington? WRITE THE CHAIRMEN OF THE HOUSE and the SENATE INTELLIGENCE COMMITTEES. DEMAND CONGRESSIONAL INVESTIGATIONS AND PUBLIC DISCLOSURE OF THE SOUTH AFRICAN REGIME'S OPERATIVES AND AGENTS IN THE UNITED STATES.

Representative Lee H. Hamilton  
House of Representatives  
Washington, D.C. 20515

Senator David L. Boren  
U.S. Senate  
Washington, D.C. 20510

# South African 'murder squad' killing ANC envoys, says paper

By Stephen Robinson in Johannesburg

SOUTH AFRICA is operating a highly-trained team of assassins to eliminate African National Congress officials abroad, and it is known as "ZSquads Incorporated" after the American criminal organisation, Murder Incorporated, according to reports published in Johannesburg.

The Sunday Star newspaper, quoting unnamed Western intelligence sources, claimed yesterday that these hit squads operated under the control of South Africa's National Intelligence Service.

The service is responsible for domestic and foreign security policy. Its international operation is believed to be based in London.

The paper said that the ZSquads had practically unlimited funds and enormous operational autonomy.

One French security source was quoted as saying: "We believe NIS often uses its ZSquads without clearing their actions with the government first."

While the bizarre title, "ZSquads Incorporated", is a play on "Murder Incorporated", the reported South African operation is considered far more "professional" in its methods than America's gangster killers were.

According to the report, the assassination of Dulcie September, the ANC's Paris representative, who was buried at the weekend, has thrown new light on the shadowy ZSquads.

Six African National Congress officials have been murdered outside South Africa's borders this year. Last week Mr Albie Sachs, a South African-born ANC member, narrowly escaped assassination in Maputo.

He is still critically ill in hospital, having lost one of his arms when a booby-trap bomb exploded under his car.

Western intelligence sources claim that the ZSquads have a list of a further 20 ANC members whom they plan to eliminate.

The South African government has blamed an internal power struggle within the ANC high command for the recent spate of murders.

These claims are ridiculed by ANC spokesmen in Lusaka, and by observers in South Africa.

The South African Foreign Minister, Mr Pik Botha, has repeatedly denied his government's involvement in a "secret war" against the ANC abroad. But it is possible that he would not be informed even if Pretoria were directly responsible for the killings.

A striking feature of President P W Botha's 10 years in office has been the growing influence of the security forces on South African policy.

It is believed half of the members of the South African Cabinet were kept entirely in the dark about the banning of 17 anti-apartheid organisations earlier this year.

## Mitterrand hints at SA death role

Paris (Reuter) — French President François Mitterrand hinted yesterday that he believed South Africa was behind the murder of an African National Congress official in Paris but ruled out breaking off diplomatic ties with Pretoria.

Mr Mitterrand was asked whether he suspected the South African government was responsible for the death of Dulcie September, gunned down outside her office last Tuesday. "I have had my suspicions about the Pretoria regime for a long time. As for the murder of Dulcie September, I cannot confirm anything, even if my intuition tells me something about it," he said.

Mr Mitterrand condemned Pretoria's policy of apartheid as intolerable but said breaking off relations would not help South Africa's black population. Pretoria has denied any part in the killing.

## Guerrilla leaders fear 'hit squad'

by Peter Godwin  
Johannesburg

FEARS are growing within the African National Congress that the South African government has begun a new offensive aimed at liquidating ANC officials throughout the world.

The fears arose after the killing last Tuesday of Dulcie September, the ANC's chief representative in Paris, who was shot dead at close range with a silenced weapon in what French police say was a "professional job".

The South African authorities have denied complicity in the murder, but Tom Sebina, an ANC spokesman, said last week at its Lusaka headquarters that the killing was "part of a deliberate South African attempt to assassinate our members and leaders". This assessment is supported by Tom Lodge, a South African academic and expert on the ANC.

The new security hard line fits in with the government's banning of internal anti-apartheid groups, which is likely to have driven many more recruits to the ANC. Magnus Malan, the defence minister, has warned that the South African armed forces will eliminate ANC members by hitting their bases.

By the end of last week, 12 alleged ANC members had been killed in four separate incidents.

Twenty four hours before Dulcie September was shot

dead, South African troops made a cross-border raid into Botswana. The authorities there reported that three Botswana women and a male South African "refugee" were killed in the late-night attack on a house on the outskirts of Gaborone, the capital.

Malan said the attack, which he described as a surgical operation, was carried out by South African forces on "an ANC transit camp", killing four "terrorists".

He claimed it was ordered on information received from a prisoner captured during a brief battle with a group of ANC guerrillas who had infiltrated from Botswana. Three of the guerrillas were killed.

Another four guerrillas were reported killed by the South African army last week in a skirmish in the northern homeland of Venda, after they had crossed from Zimbabwe.

Since the beginning of this year, ANC members have been attacked in several countries in what may be an Israeli-style policy of taking the war to the ANC rather than waiting for it to bring it to South Africa. Malan said last week that it is government policy "to combat terror wherever it may occur".

Excluding the South African military involvement in Angola, 146 people have been killed in the nine raids on neighbouring states which South Africa has admitted since it began cross-border raids in 1981.

THE SUNDAY TIMES 3 APRIL 1988

Selon le ministre sud-africain de l'information

## Pretoria n'avait aucun intérêt à faire assassiner Dulcie September

L'assassinat à Paris, le 29 mars, de Dulcie September, représentante de l'ANC (mouvement anti-apartheid), continue de susciter les réactions les plus diverses. Alors que les autorités sud-africaines mettent en cause « l'aile dure de l'ANC et ses amis de gauche », les accusant d'avoir voulu, avec ce

crime, « embarrasser les milieux modérés en France », les représentants de l'ANC aux Etats-Unis assurent avoir été avertis par le FBI de la présence d'un commando sud-africain dont ils auraient pu être la cible. Tandis que M. André Giraud, ministre de la défense, affirme que la DGSE n'est pas en

possession d'information impliquant les services sud-africains dans le meurtre de la représentante de l'ANC en France, les services de police britanniques se refusent à confirmer ou à démentir avoir signalé la présence d'un agent sud-africain à Paris, deux jours avant l'assassinat.

L'Afrique du Sud n'avait aucune raison valable de faire assassiner la représentante de l'ANC en France et rien à y gagner, a déclaré mardi 5 avril, à l'AFP, le ministre sud-africain de l'information, M. Stoffel van der Merwe. Commentant les accusations dont son pays est l'objet depuis cet attentat, le ministre demande en substance qui il a intérêt à ce meurtre et à qui a-t-il profité. Il accuse « l'aile dure de l'ANC et ses amis de gauche », qui auraient, selon lui, « choisi le moment idéal », en pleine campagne présidentielle, « pour embarrasser tout à la fois l'Afrique du Sud et les milieux modérés en France ».

Pretoria, a-t-il reconnu, intervient contre l'ANC, comme lors du raid du 28 mars au Botswana, mais « uniquement sur la base d'informations solides faisant état d'une menace directe contre la population sud-africaine ». Selon M. van der Merwe,

« Dulcie September ne représentait aucune menace et n'était pas importante ». En revanche, a-t-il ajouté, « il est clair que l'ANC est en proie à des luttes intestines et qu'elle a parfois recours, pour les résoudre, à l'élimination physique ». Selon le ministre de l'information, Dulcie September « n'était pas quelqu'un de très efficace » et « faisait obstacle à des gens plus radicaux ».

Sur l'état des relations franco-sud-africaines, le porte-parole de M. Botha a déclaré : « La France a toujours été pour nous un pays important et nous nous efforçons constamment d'améliorer nos relations avec elle. » Le Canard enchaîné du 6 avril précise que, le 12 mars dernier, lors d'une escale à l'aéroport de Roissy, M. « Pik » Botha, ministre sud-africain des affaires étrangères, a rencontré une « délégation » française, composée de M. Michel Roussin, chef de cabinet du premier ministre, de l'un de ses collaborateurs officiels, M. Jean Yves Ollivier, qui, selon l'hebdomadaire, « est au mieux avec l'Afrique du Sud », et de deux proches collaborateurs de M. Jean-Bernard Raymond : M. Jean David Levitte, directeur adjoint de cabinet, et Jean-Marc Simon, chargé des problèmes africains.

### « Une forte présomption »

Aux Etats-Unis, des représentants de l'ANC ont déclaré, mardi, avoir été avertis par le FBI qu'ils pourraient être la cible de commandos sud-africains. Selon le représentant du mouvement anti-apartheid à Washington, M. Dumi Matabani, les agents fédéraux l'avaient contacté en septembre 1987 pour lui dire qu'ils avaient « une forte présomption » quant à la pré-

sence d'un commando sud-africain aux Etats-Unis. « Ils m'ont dit qu'ils tenteraient de le stopper, et d'être prudent », a-t-il ajouté. M. Themba Ntinga, représentant de l'ANC à New-York, a assuré avoir reçu des mises en garde identiques du FBI. Un porte-parole du FBI s'est refusé à commenter ces déclarations, précisant seulement que la Sûreté fédérale américaine « se devait de signaler aux parties concernées toute information [...] sur d'éventuelles violences ou pertes de vies humaines ».

A Londres, les services de police britanniques n'ont « ni confirmé ni démenti », l'information publiée, mardi 5 avril, par l'Humanité, selon laquelle les services secrets anglais avaient signalé à leurs homologues français la présence d'un agent sud-africain à Paris, deux jours avant l'assassinat de Dulcie September, et qui se nommerait Dick K. Stoffberg. En revanche, à Paris, M. André Giraud, ministre de la défense, a assuré que la DGSE, le service de renseignement français, ne possédait pas d'informations impliquant des agents sud-africains dans le meurtre de la représentante de l'ANC. « Si la DGSE avait eu de telles informations, elle me les aurait fait connaître, et elle ne m'a rien transmis de tel », a affirmé M. Giraud devant le club de la presse du Cercle France-Pays arabes.

Enfin, une publication hebdomadaire française, la Lettre de l'océan Indien, affirme, dans son numéro daté 2 avril, qu'un actuel conseiller technique du ministre de l'intérieur, M. Charles Pasqua, a joué, par le passé, le rôle d'agent des services secrets sud-africains en France. Selon cette lettre hebdomadaire, cet homme, dont l'identité n'est pas dévoilée, « aurait donné l'ordre formel, il y a quelques mois, aux services compétents, de ne pas renouveler le titre de

séjour en France de Dulcie September ».

Au ministère de l'intérieur, il existe bien un chargé de mission auprès de M. Pasqua qui ne fait pas mystère de son soutien à l'Afrique du Sud. Il s'agit de M. Jean-Dominique Taousson, ancien militant de l'Algérie française, chargé du dossier des harkis, et toujours rédacteur en chef du Courrier austral parlementaire, une publication destinée aux « groupes d'amitiés avec l'Afrique australe » au sein des assemblées parlementaires. Cependant, place Beauvau, on assure que M. Taousson « n'a jamais donné un ordre quelconque » concernant Dulcie September, « car il n'était pas en charge du dossier ».

● Saccage des locaux de la South African Airways à Lyon. — Une trentaine de militants des Jeunesses communistes ont saccagé les locaux lyonnais de la compagnie aérienne sud-africaine South African Airways (SAA), le mardi 5 avril peu avant 17 heures, pour protester contre l'assassinat à Paris de la représentante de l'ANC, Dulcie September. Après avoir fait irruption dans les locaux occupés par trois employés français, les jeunes communistes ont renversé des meubles, jeté les prospectus touristiques par les fenêtres et inscrit sur les murs des slogans hostiles au régime de Pretoria. Les employés de la SAA n'ont pas été malmenés. Les manifestants ont aussi affiché des portraits de Dulcie September à l'extérieur des fenêtres des locaux de la SAA. En début d'après-midi, ils avaient fait signer, dans une rue voisine, une pétition intitulée « L'apartheid tue à Paris ». L'occupation des locaux de la SAA a duré une quinzaine de minutes. Une dizaine de manifestants ont été interpellés.

AN APPEAL TO THE UNITED NATIONS

- the Rev Frank Chikane, General Secretary  
of the South African Council of Churches



The events of the last two weeks: the banning of 17 non-violent organisations resisting and campaigning to end the apartheid system, the severe restrictions on the Congress of South African Trade Unions, the restrictions (some amounting to house arrest) on 18 legitimate leaders of the majority of people in South Africa, the arrest of heads of churches and other clergy for trying to march peacefully to deliver a petition to parliament, and the new bill ironically called the Promotion of Orderly Internal Politics bill - which is meant to clamp down on the foreign funding for those organisations which are committed to end apartheid, have created a situation in this country where almost all non-violent and peaceful means of change have been closed. As the church said on that statement of the 25th February 1988 'If there is violent reaction to its action, this government must take the responsibility'.

Faced with this reality, I would like to plead once more with all United Nations members to apply mandatory economic sanctions against the apartheid regime to force the regime to go to the negotiation table to avoid the loss of more lives in this country. I appeal particularly to the governments of the United States, the United Kingdom and that of the Federal Republic of Germany to refrain from using their veto to stop a resolution of this effect.

We have entered a critical period in our struggle to end apartheid. The victims of apartheid and church leaders in particular have committed themselves to employ all possible effective non-violent actions to force this regime to the negotiating table. The implications of this position are clear, especially where one is faced with a fascist regime that cares less for human life, especially that of black people in this country.

For this reason, the question of mandatory and comprehensive sanctions against the South African apartheid system has become a life and death issue, to reduce the number of fatalities in this struggle to end apartheid.

The South African regime is planning to apply financial sanctions against opponents of apartheid through the new bill which proposes to curb foreign funding for groups that oppose apartheid. They plan to weaken, if not destroy, this body of opposition so that they can continue with the system without any opposition. I call upon you to do the same to them, to weaken their base, to pressure them to go to the negotiation table.

I plead with you in the name of God and of justice to respond to our humble call for the sake of the victims of the Botha regime.

Sincerely yours,

Frank Chikane (Rev)  
South African Council of Churches

7 March 1988

# The other tabloid war

THE GUARDIAN  
Monday April 25 1988

Pretoria's move to shut down the tiny community newspaper Saamstaan is akin to using artillery to swat a mosquito. **David Beresford** reports

**P**ATRICK Nyuka has a semi-paralysed left hand, thanks to a round of buckshot which he took in his arm. He also has gunshot wounds in the back which give him some pain. But the hand is the real handicap, because it makes it difficult to type, and that is always a problem for a journalist.

His injuries are unique in the sense that he makes up one-third of the editorial staff of his newspaper and neither of the other two journalists have yet been shot in the course of their duties. But otherwise his handicap is unexceptional among the staff of Saamstaan.

The name is an Afrikaans word which means "stand together". It is the title of a small community newspaper, the offices of which are to be found between a grocer's and a barber's shop on the outskirts of this town of Oudtshoorn, in what is known in South Africa as the "Little Karoo".

The newspaper is an eight-page tabloid, published — if the staff are not all in gaol, as is occasionally the case — every six weeks. It is written in three languages — Xhosa, Afrikaans and English — and is as unsophisticated as its office premises, furnishing and equipment would suggest: four rooms, three desks, three typewriters, one camera and a filing cabinet. Nevertheless it is one of the most remarkable newspapers in South Africa today.

Saamstaan is a community newspaper which is likely to be in the news in the near-future,

because it is one of the publications which the Government is preparing to shut down under emergency regulations: an administrative act which is comparable to bringing down a mosquito with heavy artillery, having failed to blot it out with rifle-fire.

Exactly why Oudtshoorn should have produced such a newspaper is difficult to figure out. Certainly the town itself is unremarkable, although it does have a limited fame as the centre of the world's ostrich industry. Situated in one of the loveliest parts of South Africa — the southern Cape — it has a population of roughly 16,000 so-called whites, 32,000 so-called coloureds and 5,000 so-called Africans.

It is an enchanting little town, at least in the central residential area where the whites live. Coloureds also used to live in the central area, but were booted out by the whites, who wanted their homes and land, when the Nationalist Government brought in apartheid and the Group Areas Act in the 1950s. Today the coloureds live in a township, Bridgton, to the east of Oudtshoorn and the Africans who lived in that vicinity have been shifted a few thousand yards further out, to the "location" — shanty-town would be a better description — of Bongoletu.

As such it was a fairly typical, rural South African town, made up of conservative whites and resentful, but largely apolitical blacks. The only exceptional characteristic of the black community was perhaps that the "Africans" and "Co-

loureds" identified with each other to a slightly unusual degree, possibly because of the proximity of the township to the location.

This coloured-African affinity found expression and black resentments a focus in 1983 when the United Democratic Front — the country's major anti-apartheid organisation — began organising in the area. And it was out of this activity that Saamstaan was born, with the help of foreign funding from two Dutch church organisations.

It was established and run as a collective, local organisations — including sports clubs — being invited to both contribute news reports and to send representatives who voted on what went into the newspaper. Selling initially at 10 cents (about 3p) a copy, it was distributed by volunteers from both Bongoletu and Bridgton. The contents ranged from national developments to local news reports, radical poetry and hygiene tips. "Saamstaan was never only a newspaper. It was there to help people with advice, because there was no one anyone could go to with their problems," one of the founders of the newspaper, Reggie Oliphant, explains.

The paper quickly became unpopular with the authorities, particularly as the local blacks joined in the national uprising of 1985-6 (one has already gone to the gallows and three others from Bongoletu are currently awaiting execution on Pretoria's death row for "necklacing" a member of the location's now defunct council, whom



One of South Africa's "kitskonstabels" — instant policemen

they caught and burned to death in the streets of Bridgton).

Oliphant and Saamstaan were seemingly targeted as the local "kalkmakers" (shit-stirrers). Oliphant himself — initially chairman and now a member of the paper's seven-person executive committee — found himself in detention regularly for periods ranging up to two months. Derick Jackson, the present "co-ordinator" of the paper (the term "editor" is eschewed as implicitly un-democratic), spent 28 days in solitary in 1985, two and a half months in detention without trial in 1986 and is frequently taken in for questioning. Newspaper sellers gathering to distribute papers have been arrested and charged with attending an "illegal gathering" and mere possession of copies of Saamstaan has become so risky that they have abandoned the cover-price.

In addition to arrest and detention there has been an extraordinary level of harassment of the newspaper and its staff. The offices themselves have been petrol-bombed three times. Reporter Patrick Nyuka was shot in the arm and back by "kitskonstabels" ("instant policemen") last September while attempting to protect his camera from seizure after photographing a welcome-home party for two local residents released from gaol.

Obscene telephone calls have become a regular part of their lives, Oliphant having been the victim of one Afrikaans-speaking caller who telephones daily with threats to him and his five children and who appears to have inside information on his activities: in 1985 his car was set on fire in his backyard and within half an hour the caller telephoned to say: "I've heard your car has been burnt — next time it'll be you."

Subscription cheques have been intercepted in the post, and the writing on them corrupted before being sent on, and last year an entire edition of Saamstaan, being freighted from Cape Town to Oudtshoorn, was hi-jacked.

State action against Saamstaan culminated in February with the imposition of restriction orders on Jackson and Oliphant, by which they are subject to house arrest between 6 pm and 5 am every day (Jackson is allowed to visit his girlfriend, at her house, for three hours on three nights a week); banned from leaving the Oudtshoorn magisterial district without special exemption and prohibited from addressing gatherings.

The Government has started the formal procedure under the State of Emergency to ban the newspaper and the staff expect the first banning order within a matter of weeks.

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## ANC PREPARES GUIDELINES FOR S. AFRICA'S POST-APARTHEID CONSTITUTION

South Africa's outlawed but widely supported African National Congress (ANC) will shortly unveil its most comprehensive outline since the 1955 Freedom Charter of the nature of the post-apartheid society it wishes to see, *writes a correspondent.*

The outline takes the form of draft guidelines for a post-apartheid constitution for South Africa, and is the result of two years of extensive debate within the organization and extensive research by an especially-constituted Constitution Committee.

The guidelines have not yet been published, but will be distributed among anti-apartheid groupings inside South Africa, probably in the next few weeks, for discussion and comment.

Although they come 33 years after the endorsement of the Freedom Charter (FC) as the "guiding light for national liberation", and have been compiled under substantially changed circumstances, the guidelines reportedly reinforce rather than contradict the charter's ideals.

They do, however, incorporate some elements not included in the charter. An example of this is a constitutionally entrenched right to strike — a right whose exclusion from the charter has long been a source of contention.

Not surprisingly, the guidelines foresee a non-racial, democratic, unitary state — a consistent demand of the ANC and all serious opponents of apartheid that pre-dates the Freedom Charter by several decades.

They also provide for a multi-party parliamentary government and a mixed economy — aspects of post-apartheid society also prefigured by the FC, and reinforced repeatedly by ANC president Oliver Tambo and other leading movement figures in the last few years.

Other elements of the guidelines, ANC officials said in Lusaka recently, are intended to create a legal and constitutional framework through which the charter's aims and concepts can be realized.

"An obvious example is the charter's third clause — 'the people shall share in the country's wealth'," said a senior official. "The charter doesn't say how this will happen. Part of the reason for examining constitutional options is to make

it possible — to take the ideas past the slogans and towards realization."

Although the ANC has put much energy into the guidelines — discussions have, at various levels, incorporated almost all members of the organization's external mission — and hopes to gain broad consensus at a seminar of representatives of "the mass democratic movement" and internally-based opponents of apartheid "somewhere in the frontline states later this year", officials emphasize that they do not envisage taking the process further than a set of guidelines.

Says ANC legal affairs department head Zola Skweyiya — vice-chair of the constitutional committee:

"There were initial suggestions that we compile a complete constitution, but we argued that the drafting of such a document could only correctly be carried out by elected representatives of all the people of our country — ideally sitting as a constituent assembly."

The changing nature of the struggle against apartheid, will also alter the demands and requirements of a post-apartheid constitution, he adds.

"And the way power is transferred will obviously play a major part in defining the terms. Armed seizure of power would bring with it a different set of demands and requirements than a negotiated settlement."

The guidelines will thus, of necessity, remain broad enough to accommodate a number of different scenarios.

According to ANC sources, the guidelines provide for:

- A non-racial, unitary state, with substantial power vested in elected local authority structures. The guidelines lay great stress on the need to eradicate racism, apparently providing for an absolute ban on any institution organized racially or advocating racism or tribalism.

"Obviously the National Party would have no place in a future society," says legal affairs department official ZN Jobodwana, nor would any tribal or ethnic party blocking the process of national unity."

The strong stress on a unitary state is similarly rooted in the ANC's historic antipathy to the divisions created by apartheid balkanization of South Africa.

It also appears to be an attempt to head off initiatives by

Western governments (most noticeable Britain, whose South African experts are reportedly extremely enthusiastic about the possibilities offered by the federalism outlined by "free market" evangelist Leon Louw in his book *The Solution*) and by South Africa's Federated Chamber of Industries to enforce a form of post-apartheid federalism that will leave existing economic biases untouched.

Despite a prior commitment to a unitary political structure, the eight-person ANC constitutional committee, headed by Congress veteran Jack Simons, included in its search for appropriate constitutional models several federally governed countries — among them Czechoslovakia, the USA and Nigeria.

They came away convinced of the need for a single, central authority — although with strong, elected local government structures, partially as a channel through which the electorate can relate more directly to its elected representatives than is possible in many Western parliamentary systems.

• A multi-party parliamentary democracy — although the guidelines are apparently unspecific on the issue of a presidential or prime ministerial executive, ANC legal affairs department head Zola Skweyiya suggests:

"We cannot ignore the fact that almost the entire African continent has an executive president."

• Free, compulsory education — not surprising in a country in which education has been the spark for much of the bitterest and most intense resistance to apartheid.

• A mixed economy. The guidelines themselves give only an indirect image

of the economy envisaged by the ANC. But in this sphere, more than anywhere else, ANC officials emphasize that the nature of the eventual transfer of power will drastically affect the nature and number of options available to the first post-apartheid government.

It thus approaches the question of mass nationalization with extreme caution and a senior official refers to the Zambian government's acquisition of 51% ownership of the country's mines.

Unable to run them themselves, they were forced to turn to Anglo American Corporation — from which they had nationalized in the first place.

Anglo is still running the mines, he says, through Zamanglo, a Bermuda-based company specifically created for the purpose.

"Zambia has to rely entirely on their goodwill — they can't check the books, can't verify the turnover, the profits, anything,

because Zamanglo is offshore," he says. "We must be careful to avoid that."

Adds Skweyiya: "Can we honestly say that on day one we will be able to replace all the skills, the entire skilled strata, with skilled managers, planners and workers of our own?"

"Any policies we pursue must be developed with that permanently in our minds."

A major ANC seminar on the guidelines — early in March and attended by representatives of ANC missions throughout the world — reportedly heard strong arguments in favour of "winning the professionals, the management-types, away from apartheid to a less hostile perspective."

The guidelines are likely to be broadest on the specifics of a post-apartheid economy — mindful of both the need to fulfill the 33-year-old Freedom Charter pledge that "the mineral wealth beneath the soil, the banks and monopoly industry shall be transferred to the ownership of the people as a whole", and the probable need to avoid the kind of mass exodus that wrecked Mozambique's economy.

The guidelines are also likely to contain a clear recognition of the centrality of organized workers both in the struggle against apartheid and in post-apartheid reconstruction.

In addition to introducing the right to strike, the guidelines, say ANC sources, foresee the constitutional entrenchment of the independence of the trade union movement.

"The (March) seminar was very clear that it did not want to see the trade unions tied into the ruling party," says Skweyiya.

"We have also provided for the incorporation (either into the guidelines or a post-apartheid constitution) of a workers' charter — a charter of worker interests compiled by the workers themselves through their trade unions."

The debate around the guidelines has also seen the emergence within the Congress alliance of a powerful lobby led by the South African Congress of Trade Unions (Sactu) — on the right of all South Africans to work, and strong support for the Freedom Charter guarantee of "the right ... to draw full unemployment benefits."

A further major element in a post-apartheid constitution should, the ANC believes, be a bill of rights incorporating many of the ideals of the Freedom Charter, specifically those contained in its sixth clause: "All shall enjoy human rights."

But here too the draft guidelines will, say ANC sources, attempt to take the ideals "past the slogans" towards practical implementation.

For example the guaranteed right to publish should, argue some sources, be buttressed by a guaranteed right to information. "Without a guaranteed right of access — possibly something like the US' Freedom of Information Act — the right to publish would be a very limited right," said one.

Research into the options for a post-apartheid society, and a constitution around which it could construct itself, has been in process for some time within the ANC.

For years, however, the organization was reluctant to actually draft a constitution — which, by implication, would be awaiting only liberation for its imposition on the country. Behind this has been the ANC's traditional view of itself as a mass movement struggling with the majority of South Africans for liberation from apartheid, rather than a political party waiting to take over the reigns of power.

There is also deeply rooted opposition within the organization to the logical corollary to this later position: that the ANC is an unofficial post-apartheid government-in-exile.

Central to ANC thinking — and probably part of the reason for its substantial support internally — has always been that a post-apartheid government must be elected by the people of South Africa.

But the political eruption which convulsed South Africa from 1984 has combined with years of quiet ANC diplomacy to give the organization, in the eyes of even the most conservative Western administrations, unquestioned stature as a major player in the South African game.

This recognition brought with it closer scrutiny than ever before of ANC policies, tactics and future perspectives.

This in turn elicited comments on the Freedom Charter to the effect that "that's okay, but how do you plan to implement it?"

This added impetus to the process, as did another facet of the mounting interest in post-apartheid South Africa.

"Post-apartheid research has become and international industry," says Skweyiya. "Pretoria itself is examining future options, and there is extensive research going on in the US, the UK and in Europe."

"As a serious movement we cannot allow ourselves to be dictated to by outsiders on this issue — we have the experience of Zimbabwe and the Lancaster House constitution to learn from."

"Our people need to start knowing what is involved. These are political issues and should not be the exclusive preserve of intellectuals, of governments and of party politicians. It is something that should involve

every South African, every member of the mass democratic movement, of the ANC and of Umkhonto weSizwe," says Skweyiya.

Members of the ANC and Umkhonto were involved in the extensive discussions which preceded the ANC's March seminar. The next stage, the ANC believes, is to draw other elements of the country's "democratic movement" into the debate.

Whether by accident of design, this stage will peak towards the end of the year — coinciding with nationwide October 26 local authority elections.

Inevitably, the guidelines and the racially-defined constitution under which the elections are held, will be contrasted with each other. □

# Why the fate of the Sharpeville Six remains with Botha

## Out Of Court

Geoffrey Bindman

**T**HE WORLD breathed a sigh of relief last month when at the eleventh hour a South African judge postponed the executions of the Sharpeville Six. But the threat to their lives has not been lifted.

The day before the Six were due to be hanged, Mr Justice Human (who had been the judge at the original trial) granted an application by the defence lawyers to delay the ex-

ecutions while new evidence was examined.

This was a sworn statement by a prosecution witness, Joseph Manete, which contradicted the evidence he gave against two of the accused at the trial. The statement said the police assaulted him and forced him falsely to implicate two people in the killing of Khuzwayo Dhlamini. It was available at the trial but the judge refused to allow Manete to be cross-examined on it. Now, however, more than two years after the trial, the judge has agreed that the defence should be allowed to make a formal application to re-open the trial. They have until April 18 to lodge the necessary documents.

Meanwhile the executions

are postponed and, once the papers are lodged, will not be carried out before the legal processes come to an end. Before the court hearing of the application to re-open the trial, the prosecution will have the right to serve a written response to the defence application and the defence lawyers may reply in writing. This process and fixing a suitable date will probably put back the hearing at least until the end of April.

The defence may at that stage succeed in getting the trial re-opened — the judge gave them an encouraging sign when he said in court on March 17 that if he had heard Manete's evidence at the trial he might have reached a different verdict. But if the defence application is suc-

cessful there will be further delay — perhaps until August — before the re-opened trial actually takes place.

At a re-opened trial Manete can be cross-examined on the contradictions between the evidence he gave at the trial and his statement. The argument for rejecting his evidence against any of the accused will be strong. Other new witnesses may be called and a new verdict may be reached, with the possibility of acquittals or, if there are convictions, findings of extenuating circumstances which will exclude the death penalty. There is then the prospect of a further appeal to the Appellate Division.

While these legal theatricals are played out, the five con-

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demned men and one woman remain on death row. Whatever the outcome, we can be sure that Mr Botha will claim, as he has done before, that justice has been done by South Africa's highly respected, independent and impartial judiciary. The reality is very different.

The original trial was a travesty. Both Manete and Mabuti, the only other "independent" prosecution witness, had long been in police custody and that in itself, the judge must have known, made their evidence wholly unreliable. On top of that, there were glaring discrepancies in their evidence, both between the two of them and with the only other witness, Dhlamini's widow. By contrast the defendants and the

witnesses called by them were consistent and impressive. Two at least of the accused were not at the scene at all. Their alibis were convincing.

Judge Human refused to allow Manete's contradictory statement to be introduced because it was made to his lawyer and was privileged, but there are clear precedents for overriding the privilege in a case of serious crime. These were dismissed both by Judge Human and the Appeal Court. The most blatant perversion of justice was to apply the "common purpose" theory to convict as murderers those whose only involvement was to be present at the scene, a ruling upheld by the Appellate Division. Even after this, there was no need to

impose the death penalty. Judge Human could, had he wished, easily have held the absence of proved direct involvement to be "extenuating circumstances."

The key figure remains P. W. Botha. Whatever the courts may decide, the State President is at liberty "to pardon or relieve offenders, either unconditionally or subject to such conditions as he may deem fit, and to remit any fines, penalties or forfeitures." [Republic of South Africa Constitution Act 1983, section 6(3)(d).]

In response to a personal plea from Archbishop Desmond Tutu, Mr Botha said that he would not interfere with the legal process. This contrasts with the case of George Sin-

dane, sentenced to death after a Supreme Court judge found that he "cold-bloodedly" shot an "innocent youth." Sindane at the time was a policeman. On February 25, 1988, President Botha granted him clemency and substituted a sentence of eight years imprisonment.

The fate of the Sharpeville Six, and — it must not be forgotten — 40 or more others on death row, remains firmly in the hands of P. W. Botha. If they die he is personally responsible for their deaths. The campaign against apartheid executions must be directed at him and must not be relaxed.

Geoffrey Bindman is editor of *South Africa: Human Rights and the Rule of Law* to be published by Pinter this month.

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THE INDEPENDENT Wednesday 27 April 1988

## Death sentence 'a strong possibility' for 25 SA blacks

From Tony Allen-Mills  
in Johannesburg

THE FEARS of liberal South African lawyers that the controversial legal principles applied in the case of the Sharpeville Six might be extended to other political trials have been dramatically confirmed by a remarkable case in the northern Cape town of Upington, where 25 blacks were last week found guilty of murdering one black municipal policeman. Death sentences for all 25 are said by legal sources to be a strong possibility.

The case against the Upington 25 closely resembles that involving the six Sharpeville township residents who were sentenced to hang on the grounds that they shared "common purpose" with the mob that murdered a black council official in 1984. The Upington accused were also convicted under the "common purpose" doctrine. They were said to have been part of a mob that attacked the Pabalello township home of Lucas Sethwala during unrest in November 1985. The Upington court heard that a crowd 200-strong gathered outside Sethwala's home, hurling stones through the windows. Evidence was presented that several of the accused shouted "Let's kill him" or "Let's necklace him".

One member of the Sharpeville Six was convicted on similar evidence, but in this case, the mob did not lay hands on their intended victim. Sethwala, carrying his rifle, escaped and, after most of the mob had dispersed, apparently decided to make a run for the safety of town but was quickly spotted and chased.

The man who caught up with him first was alleged to have been Kenneth Khumalo, a former mayor of Pabalello. Khumalo was said to have wrestled Sethwala to the ground, seized his rifle, and smashed the butt into the policeman's head. Medical evidence at the trial suggested the single blow

would have been enough to kill him. A group of about 20 people gathered and further assaulted the body.

The state's case might have stopped with Khumalo, against whom there appeared *prima facie* evidence of murder. But the prosecution argued that Sethwala's death arose directly from the mob's attack on his house. Thus members of the mob could be said to have shared "common purpose" with Khumalo, even though it was the former mayor alone who allegedly struck the fatal blow. Of the 26 blacks on trial at Upington, all but one denied being part of the second group present when Sethwala was fatally attacked. All 25 produced alibis suggesting they were elsewhere.

But Judge J.J. Basson concluded last week that the attack on Sethwala's house and the attack on the policeman himself were part of one continuous act — even though they occurred almost one hour and 150 yards apart. Therefore the blacks who were members of the mob shared "common purpose" with the actual murderer. Judge Basson ignored the accused's alibis and found 22 men and three women guilty of murdering Sethwala. One other man was found guilty of attempted murder. Judge Basson quoted extensively from court records in the Sharpeville case to justify his findings. The court will deliver sentence after argument in mitigation. All 25 may hang.

■ *The Independent* mistakenly reported yesterday that a decision on the Sharpeville Six's application for their trial to be re-opened would be announced next Tuesday. Defence lawyers have indicated that no decision is likely until early June.



A coffin with 50,000 signatures appealing for mercy on the Sharpeville Six passes the Commons on its way to the South African Embassy yesterday. PHOTOGRAPH BY HAMILTON WEST

# S African crackdown threatens EEC anti-apartheid programme

News analysis

Victoria Brittain

**A** MAJOR row is looming behind the scenes in the EEC over the Community's response to the South African government's crackdown on anti-apartheid organisations.

Many of them are funded by the EEC's special programme for the victims of apartheid. As in the Commonwealth, Britain is increasingly taking a position which isolates it from all other community partners.

Intensive private consultations have been going on in Brussels and London, ahead of an EEC foreign ministers' meeting later this month, between the South African recipients of the EEC money (which amounts to about \$25 million this year), experts from EEC member states, and European non-governmental agencies working in South Africa.

The likely collapse of the EEC special programme as a result of impending South African legislation, announced in February, with the virtual banning of 17 anti-apartheid organisations and 18 leading campaigners, will again bring the issue of comprehensive economic sanctions to the forefront of the EEC agenda.

In 1985, when the current crisis in South Africa first hit the outside world, the so-called Troika mission of three EEC foreign ministers went to South Africa in one of the numerous attempts made in that period to mediate between the South African government and the black majority in the country.

The three ministers, from the Netherlands, Luxembourg and Italy, returned to Europe having failed in their mediation, but determined that Europe must play a role in the unfolding situation in South Africa.

The result was the announcement of the EEC special programme for victims of apartheid.

Ministers saw the programme as an alternative to more sanctions, which the EEC as a whole was unwilling to countenance. It was an overtly political fund, conceived for a uniquely delicate situation, and not subject to normal EEC channels.

It was a trail blazing programme in other ways too. Although the projects funded were to be identified to the EEC by European non-governmental organisations, the South African anti-apartheid organisations were the monitors of all projects.

One result of the Trioka visit was that the ministers were highly impressed by Church leaders such as Archbishop Desmond Tutu, the Rev Beyers Naude and the Rev Allan Boesak, as the spokesmen for the

black majority. The three, and others from anti-apartheid organisations, became trustees of the Kagiso Trust set up to handle the EEC money.

The contract between the EEC and the South Africans includes stringent conditions that the money should go only through organisations approved by the South African partners and that confidentiality about recipients be strict because of the dangerous position many of them are in as open opponents of the Government.

With the South African Catholic Bishops' Conference, and the South African Council of Churches, the Kagiso Trust has emerged since 1985 as the most

broadly based authority in how the special programme be spent.

The three bodies, acting in unity, and unanimously backed by virtually all European non-governmental organisations, are now regarded in Brussels with enormous respect, and increasingly with some nervousness.

The donor-client balance of power envisaged when the special programme began has turned into something very different since last May, when the South Africans announced their refusal to take the EEC money because Britain and the Netherlands were asking for confidential information on people involved in a youth project.

The EEC climbed down then. In last month's funding talks, British objections to the funding of a Natal newspaper project was overturned on appeal to the EEC president. Britain is also objecting more widely to any funding of projects in Natal in case they have "an anti-Inkatha content".

British officials who sat in the most recent committee of experts advising the special programme officials were Mr Michael Pakenham, permanent representative in Brussels, and Mr Roger Iredale, chief education adviser of the Overseas Development Administration.

Britain is arguing that EEC funding should be channelled disbursed through the British embassy rather than through the two church-based bodies and the Kagiso Trust.

The organisations they would like to fund include Chief Gatsha Buthelezi's Zulu Inkatha movement The California-based World Vision and the like-minded South African Operation Hunger are other organisations which Britain would prefer to fund.

According to officials in Brussels, "the British government's attempts to hold up or block projects represents a very serious threat to the programme."

Officials believe Britain is attempting to get the South African partners to pull out of the special programme before it is sabotaged by the South African Promotion of Orderly Internal Politics Bill.

The bill prohibits the funding from abroad of any project. If it is passed, the EEC special programme will be finished and the Community will be forced back to the 1985 crisis within the Community with no further alternatives of "positive measures" available to pose against the demand for sanctions.

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