

BMR/010/0023/5

DE KLERKS STATEMENT

The People Shall Govern!

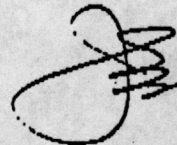
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 20/9/90

ANNOUNCEMENT BY THE STATE PRESIDENT ON MEASURES TO TERMINATE THE VIOLENCE

Last Saturday I expressed the shock of the Government and the country at the senseless, cruel and repulsive killing of innocent people on trains and in public places.

I also said that an obligation rested on all leaders together to bring to an end the violence prevailing in our country. I am grateful for the determined co-operation of various leaders from various quarters and for the public appeals they have since made to bring to order those planning violence, and for their joining the Government in its efforts to bring about peace.

Certain additional measures have been taken in the mean time and others are envisaged.

At the weekend a number of important additional security measures were announced, most of which have already been implemented. The Cabinet today ratified these measures. Unfortunately there has been some misunderstanding which is receiving the attention of the Minister of Law and Order.

Security action alone is, however, not sufficient and therefore the Government has approved additional measures.

Before turning to these, I want to emphasise that the Government has committed itself to the process of negotiation, not only to seek peaceful constitutional solutions but also to deal with the causes of problems. Nonetheless, it would appear that there are still those bent on thwarting the process of negotiation by

violence which is not aimed at the State in the first instance, but at political opponents and innocent individuals.

The present violence cannot be allowed to continue. It is consequently necessary for further steps, over and above the already comprehensive steps, to be taken in order to end the violence and to normalise the situation.,

ILLEGAL POSSESSION OF ARMS

Nowadays there is a tendency, particularly in western states, to deal with armed adventures and the illegal use of weapons for the perpetration of crime, by means of stricter penalties. The RSA should not be an exception to this rule.

The current violence cannot be allowed to continue. Therefore it is necessary to take steps to end it and normalise the situation.

In this connection the Government has decided on the following measures:

It is imperative that the illegal possession of weapons by individuals and organisations be terminated as soon as possible. Individuals and organisations in possession of unlicensed or unregistered weapons, or weapons which may not be owned in terms of the law, have to be persuaded to hand these weapons in to the Police.

With a view to this the Government has decided to grant indemnity from prosecution to all persons and organisations that hand in or report firearms, explosives and other arms and ammunition illegally in their possession or under their control, to a police officer at a police station before 1 October 1990.

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Furthermore these persons will be given an opportunity to apply in the normal manner before 1 October 1990 for a licence to possess a specific weapon.

It has to be clearly understood that -

- * this decision applies to all individuals and organisations and that no individual or organisation can have recourse to any other negotiations in general or in particular, not to surrender arms;

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- * no individual or organisation that has not come forward before 1 October 1990 shall be exempt from the obligation to point out arms caches and surrender illegal firearms, explosives etc.;

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- * the security forces shall continue with a purposeful uncovering of arms caches and of weapons, ammunition, explosives, etc. which are in illegal possession or control. Those found in illegal possession of the aforementioned arms, etc. are liable to prosecution.

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At the same time the Government has decided to offer rewards to the amount of R100 000 for information leading to the uncovering of such armaments and arms caches. The rewards shall be paid in accordance with a scale which will be determined and announced by the Commissioner of the South African Police. Any such information that may be received, as well as the identity of those making the reports, shall be kept secret.

SPECIAL AND EXPEDITIOUS INVESTIGATORY PROCEDURES

The repulsive acts of violence and other incidents demand that every incident be investigated speedily so that the facts may be brought to light and those responsible can be brought to book

without delay. The normal procedures of investigation are, of necessity, time-consuming.

If a guilty party cannot be clearly identified in the event of a death, it is usual to hold an inquest which may point to possible guilty parties. This procedure has been given a new dimension by an amendment to the Inquests Act in terms of which a judge may be appointed as presiding officer. The motivation for this amendment was to find a satisfactory alternative to the many commissions of inquiry appointed.

At the time of the first Sebokeng incident, an inquest under the direction of a judge would have sufficed, had this mechanism been available at that time.

The additional need to establish speedily the facts which may lead to a criminal prosecution will be satisfied largely by legislation currently being processed and already announced by the Minister of Justice. This legislation is designed to expedite the investigation of serious crime.

Concerning the treatment of allegations of abuse of power, proposed amendments to the Advocate General Act have already been announced. These amendments are to receive attention early in the coming parliamentary session.

The above proposed measures are, however, not yet fully available.

Accordingly it has been decided that the Minister of Justice shall, as an interim measure, institute special investigation units headed by an attorney general or a deputy attorney general. The full capability of the SAP shall, in consultation with the Minister of Law and Order, be placed at his disposal for the investigatory work. These units shall be charged with conducting investigations without delay and with ensuring that

the criminal process takes its course expeditiously. The following incidents have to be investigated urgently:

- a) The incidents of violence which occurred at Sebokeng during the nights of 3 to 4 September 1990.
- b) The attack on passengers of a suburban train at Johannesburg.
- c) The incident at the Jeppe railway station during the past week.
- * d) The alleged ambush in which a policeman was recently killed.
- e) Any other incident in the past or in the future with which the Minister of Justice may from time to time charge the investigating unit to examine.

Investigation units shall report to the Ministers of Justice and of Law and Order in the shortest possible time and advise them on:

- a) Prima facie facts relating to each case; and
- b) the course to be taken in each case.

In addition to the aforementioned, inquests into appropriate cases will be instituted as soon as possible. Where so indicated by the Minister of Justice, they will be presided over by a judge. The Minister of Justice will make further announcements in this connection.

Possible additional actions by the Government will be considered from time to time following reports by investigation units or the findings of inquests. This includes the appointment of commissions of inquiry.

PUBLIC LIAISON UNITS AND INVESTIGATION OF ALLEGATIONS

Apart from the steps I have just announced, I wish to point out as well that the Government, further to the Pretoria Minute, is investigating the institution of mechanisms of communication on local, regional and national levels. The purpose of these mechanisms is to identify and deal peacefully with community grievances in order to obviate conflict.

These public liaison units will be directed at the early prevention and defusing of potentially explosive situations.

I am also considering appointing an independent, highly respected person with a view to following up allegations of misuse or exceeding of power by government institutions, organisations or by individuals. The purpose of this is not to do the work of any existing investigation unit but to make an initial evaluation of such complaints. This will enable me and the Cabinet to assess such allegations and to decide on appropriate action.

A further announcement regarding the public liaison units as well as the appointment of the above-mentioned independent person will be made shortly.

In conclusion, I wish to make an appeal once again to every leader as well as every member of the public, to co-operate with the security forces so that the violence may be brought to an end, soon. I wish to give the assurance that actions taken by the security forces will be strict but controlled and impartial.

ISSUED BY THE OFFICE OF THE STATE PRESIDENT

PRETORIA

19 SEPTEMBER 1990