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Lawyers Committee for Human Rights DECEMBER 19 86

REV. DEAN T.S. FARISANI IS DETAINED IN

Rev. Dean Tshenuweni Simon Farisani, the effective head of the Evangelical Lutheran Church in South Africa's Venda s, homeland, is now in detention for the fourth time. Dean Farisani has long been an outspoken opponent of apartheid and has been detained without trial and brutally tortured on three previous occasions since 1977.

Dean Farisani's Arrest

At 6:30 a.m. on November 22, 1986 Dean Farisani was again detained at Beuster Mission; where he lives. It is reported that about 20 armed police arrived at the Mission at 11 p.m. on November 21. Dean Farisani and his wife retreated to the bedroom and barricaded themselves in when the police broke down the door of the Mission. He was able to telephone a friend to make known what was happening. The police did not enter the bedroom but waited outside all night threatening the couple, until finally Dean Farisani gave himself up at 6:30 a.m. and was taken away.

. It is not known why Dean Farisani has been arrested nor the legal basis for his arrest, although it is believed that he is being held under the Venda security legislation, the Maintenance of Law and Order Act. It is not known where he is currently being held. According to an unconfirmed report, he was seen a few hours after his arrest in Tshilidzini Hospital but it is not known why he might have needed hospitalization. Although they have not revealed his whereabouts, the Venda police have agreed to accept food, clothing and a Bible for Dean Farisani, but will not permit him to receive visits.

Since the beginning of 1986, Dean Farisani has travelled widely on behalf of Amnesty International in order to provide first-hand testimony of his experiences of detention and torture. His latest arrest comes just after his return to South Africa after visiting the United States under the auspices of the International Visitor Program'ofathe U.S. Information Agency. The Lawyers Committee met with him while he was in New York on October 29. He talked to us about his previous experiences in detention. His brutal torture at the hands of the security forces, as a result of which he suffered three heart attacks, raises serious concerns for his safety at the present time.

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Appeals to the South African government have resulted in no more than a confirmation of Dean Farisani's arrest. As is typically the case with such incidents taking place in South Africa's homelands, the government is avoiding responsibility by asserting that it has no control over the Venda authorities. In fact, all the homelands, including Venda and the other three which have accepted "independence," remain totally dependent on South Africa, both politically and economically, and collaborate closely with South Africa on security matters. Indeed, the Venda Chief of Police is reported to have said that he acted on the authority of the South African government in detaining Dean Farisani.

Prior Experiences in Detention

Dean Farisani was first arrested in March 1977 and detained for four months in solitary confinement. For the first two weeks he was not interrogated, "but I had to listen to the screams of others being tortured and occasionally I caught sight of detainees lying handcuffed and naked in pools of icy water." When his turn came, "they began interrogation very softly and lovingly." Then he was forced to do physical exercises for prolonged periods of time and the torture began: They suspended me from a pole while kicking me, they picked me up from the floor by my hair and once they held me out of a fourth floor window by my legs and threatened to let me fall. I was interrogated solidly for three days - they worked in shifts. I was not allowed to sleep or go to the toilet and was given no food or water....They accused me of preaching that apartheid was the policy of the devil and said they would rather shoot all blacks than be ruled by them. The second period of detention was in 1978 when Dean Farisani was held in solitary confinement for 93 days without ever being interrogated. Then, in 1981, after he had tried to help the family of Tshifiwa Muofhe, a detainee who died in custody, Dean Farisani was arrested again. He was detained for almost seven months in solitary confinement. "This time was the worst," he said. "The security police told me 'We will torture you very slowly until you die,'"

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The torture was very severe:

They started again with the physical exercises and told me to stand on my head. When I could not, they kicked

me all over my body including my private parts. They picked me up and let me fall onto the concrete floor. They beat me around the head until I was bleeding and lost consciousness. Then they would wait until I came round and start kicking me again.

I was given a cloth and water and told to clear up the blood in the room. I used the same cloth to wipe my face.

Then I was driven to Sibasa. There I had to undress. They covered my head and attached electric wires to my genitals and my ear lobes, toes and thighs. They put a glue-like substance on my back and soaked my body and the floor with water. Then they shocked me - all over. When I screamed they put an electrical tool to my mouth. When I lost consciousness they turned a hose on me until I came around and then they shocked me again. Eventually I was taken to hospital. My eardrums were perforated, my ribs were cracked and I was a mess of open wounds. That was when I had my first heart attack. After five days the police came and took me out of hospital but I collapsed again the next day. I suffered three heart attacks in all.

In 1985, Dean Farisani and two other Lutheran ministers who were suing the Venda government in a civil claim arising out of their torture in detention, were awarded R13,500 in damages in an out-of-court settlement.

Dean Farisani made it clear to the Lawyers Committee that, despite his horrifying experiences, he remains committed to his opposition to apartheid and to assisting victims of its injustices in Venda. "I confront the system openly," he told us. "I never deny anything I've said."

The Situation in Venda

Venda is one of ten homelands, the small, fragmented territories set aside under the grand scheme of apartheid for South Africa's majority African population. It comprises a small area in the northeastern part of the country, close to the Zimbabwe border. It was designated by the government to be the home of the Venda tribe, and in 1979 it joined the homelands of Transkei and Bophuthatswana as the third homeland to accept

"independence." Ciskei later became the fourth "independent" homeland in 1981. 2

Like all the "independent" homelands, Venda's existence as such is recognized by no other state except South Africa and, it remains heavily dependent on South Africa. "The physical presence of white power is very much in evidence," according to Dean Farisani. He told us that seconded white officials or advisors are present at all levels of government. Whites dominate the industries and run the educational institutions. South African security forces are also present - "Those who persecuted and tortured us before independence are still there to supervise the instruments of torture today," Dean Farisani told us.

Nor do most of the inhabitants of Venda consider themselves separate from South Africa, but identify closely with the struggle against apartheid going on throughout the country. "The people don't feel detached from the realities of South Africa," Dean Farisani said. "Economically, socially, politically, the experience of the average black South African is the experience of the average person in Venda."

The State of Emergency currently in force in South Africa does not extend to Venda. However, Venda's new Maintenance of Law and Order Act, introduced in March 1986, gives Venda's security forces very broad powers to deal with opposition and dissent. "Even without overt powers," Dean Farisani added, "the security forces in Venda exercise the same powers as are exercised in South Africa pursuant to the Emergency." Students have been targeted for arrest and detention, as have other members of the Lutheran Church. Since the Venda government has effectively outlawed all other political parties, the Church is essentially the only public forum where apartheid can be opposed. The security forces in Venda, operating in cooperation with South African security forces, demonstrate the same brutality that is all too familiar throughout South Africa. There have been at least two deaths in detention in Venda. Tshifiwa Muofhe, a lay preacher, died within 24 hours of his arrest in 1981. At the inquest in January 1984, the magistrate rejected the police allegations that Muofhe had died as a result of jumping from a police vehicle, after a civil servant testified that the vehicle in question had not been in operation for some two weeks before Muofhe's death: At the subsequent criminal trial of two policemen, however, the white judge, seconded from South Africa, found the accused to be not guilty. The Venda

National Force later paid R150,000 (about \$75,000) in compensation to Muofhe's family in an out-of-court settlement.

Urgent Action Needed

It appears that Dean Farisani is now paying a heavy price for his outspoken views and for his efforts to help other victims. Please send letters and telegrams expressing concern about his arrest and detention; calling for Dean Farisani to be fully protected against possible torture or ill-treatment, in particular by being granted immediate access to his wife, to his lawyer and to independent medical examination; and calling for his immediate, unconditional release unless he is to be brought to court without delay, and with legal representation of his choice, to face recognizably criminal charges.

Letters and telegrams, should be sent to:

His Excellency Chief P. Mphephu

President of Venda

Government Offices

Thohoyandou, Sibasa,

Venda South Africa

Hon. J. R. Rambuda

Minister of Justice

Government Offices

Thohoyandou, Sibasa

Venda, South Africa

Brigadier T. R. Malaudzi

Commanding Officer a

Venda National Force

National Force Headquarters

Thohoyandou, Sibasa

Venda, South Africa

Brigadier General Ramabulana

Head of Security Police

Police Headquarters

Thohoyandou, Sibasa,

Venda South Africa

Telexes to the above authorities may be sent via the

Ministry of Foreign Affairs: 3-20316 VM ATTENTION ...

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The Supreme Court
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