

Memo August 18, 1992

To: Southern Africa Support and Human Rights Groups

From: Research Department

Re: Amnesty and the Security Forces: Excusing Apartheid

The quest for democracy in South Africa is in serious jeopardy. The violence has continued unabated (claiming nearly 350 lives in July alone), peaceful negotiations remain almost in ruins, and to add insult to injury the De Klerk government now has the audacity to suggest a general amnesty for all people guilty of political violence (includ-

- ing security force personnel) be the first step in efforts to get talks back on track. Pretoria's call for a blanket amnesty is a blatant attempt to excuse itself of over 40 years of violent political oppression. The thousands of exiled South Africans who fled this repression, were not granted amnesty when they sought to return in 1991, they were granted indemnity, and that only after filling out lengthy forms in essence accepting guilt for the charges held against them by the State. The fiasco surrounding the still unfinished business of releasing the country's political prisoners has been universally condemned. The fact that there are 400 political prisoners still behind bars over a year after the deadline agreed to by Pretoria is offensive but it pales in comparison to Preto-

- ria's efforts to now link their release to this blanket amnesty. Obviously, the government is in a frenzy trying to protect itself from accounting for its barbarous violations of human rights which are seeping into the light.

In May 1992, the international community was stunned by the disclosure of a secret government document implicating the State Security Council in the 1985 assassinations of four anti-apartheid activists. The document contained the death warrant for the four issued by then Defense Force Military Chief of Staff, General O? van der Westhuizen, who is now in F. H. De Klerk's cabinet. To date no action has been taken against him. On July 26, 1992, South Africa's most prominent pathologist, Dr. Jonathan Gluckman, released a scathing report accusing the South African Police with a "pattern of torturing and killing prisoners" and being "totally out of control." The report examined 200 cases

- in which prisoners died while in police custody and determined that in 90 percent of those cases, the prisoners were actually murdered by the police. Attempts to prosecute such cases have been unsuccessful. Police internal probes are ineffective and so called "independent" commissions routinely exonerate officers of any wrong doing. The few cases which are prosecuted in the criminal courts are often dismissed on grounds of insufficien-

t evidence due to police incompetency and their failure to thoroughly investigate the charges. Despite this yet another internal investigation has been called for. For decades the South African government has sanctioned police terrorism and urban warfare against the black majority. Despite ample evidence of police complicity, the government has taken little action against security force members. Obviously the present government cannot be left in charge of policing itself, of being responsible for creating a truly unbiased effective force for law and order, and most certainly of excusing itself for butchering its citizens. Having UN peacekeeping monitors is a positive step, but in the end a just peace in South Africa will depend on a just constitution, just security forces, and a legitimate government to make them all work together. This cannot happen until F. w. De Klerk's government steps down and an interim government assumes power.

TheAfrlcahmd, 198 Broadway. NewYork, NY. 10038 (212) 962-1210

'I'ilden J . LeMelle Jennifer Davis

mm Executive Director