

NMO/012/0029/35

11/6/92

SOWETAN Thursday

Bugging, burglary will become legal

By ISMAIL LAGARDIEN
Political Correspondent

THE Government is giving the security establishment sweeping powers to listen to telephone conversations, bug private premises and intercept the mail of people suspected of criminal conduct.

The Interception and Monitoring Prohibition Bill, which was tabled in Parliament yesterday by the Minister of Justice, Mr Kobie Coetsee, explicitly gives the South African Police and Defence Force as well as members of the National Intelligence Service licence to break into anybody's premises without their knowledge to "install, maintain, or remove a monitoring device" or to seize a postal article.

An attorney-general or the director may authorise the monitoring "in any manner by means of a monitoring device" of conversations by suspect people, bodies or organisations which do not take place over a telecommunications line.

The ANC yesterday reacted with alarm at the Bill. Mr Carl Niehaus of the movement's department of information and publicity said it was "quite an outrageous piece of legislation" that gives the security forces powers to invade the privacy of civilians.

Police officers, soldiers, or NIS members can in terms of the Interception and Monitoring Prohibition Bill now listen in and record telephone conversations, and intercept any letters, post card, reply post card, lettercard, newspaper, book, packet, pattern or sample packet and telegram and fax if they suspect the person is involved in a Schedule 1 crime of the Criminal Procedure Act.

Among these are: treason, sedition, public violence, murder, culpable homicide, rape, indecent assault, sodomy, bestiality, robbery, kidnapping, childstealing, assault when a dangerous wound is inflicted, arson, malicious damage to property, breaking or entering any premises, theft, forgery, offences related to the coinage.

The Bill further provides that any information obtained in this way be admissible in South African courts as evidence.

The law presently allows for the interception of postal articles and telegraphic or telephonic communications by Government officials if they

suspect that the security of the country is threatened.

The Bill retains this clause, but markedly expands the grounds for interception, telephone tapping and other forms of bugging for up to six months at a

time.

An attorney-general at either the dispatching end or the receiving end can authorise interception or monitoring. The attorney-general or director would issue the order if they thought the offence could not be investigated in any other manner.

A major-general in the

SAP and one other officer would have to ask the attorney-general or director to allow monitoring and interception, or a major-general in the SADF plus another officer, or the chief director and one other member of NIS. The attorney-general or the director can extend the monitoring or interception for six months at a time.

AWB fascism led to abuse of black tots

By MATHATHA TSEDU

IMAGINE a group of black people attacking white children aged between four and 15 years on a Sunday afternoon in the presence of police.

Hard as it may be, try again to imagine feeble attempts by the police, without summoning extra help, to halt the assaults and being told that the organisation to which the group belongs is in charge and that police have no business to be there.

Imagine in the end no one being arrested as wounded children are carried off to hospitals for treatment of wounds inflicted by dog bites, sjamboks and other weapons.

Except for the rage of the children and that of the attackers, this was precisely what happened in Louis Trichardt on November 24 1990, when AWB members attacked black Sunday School children on a church outing.

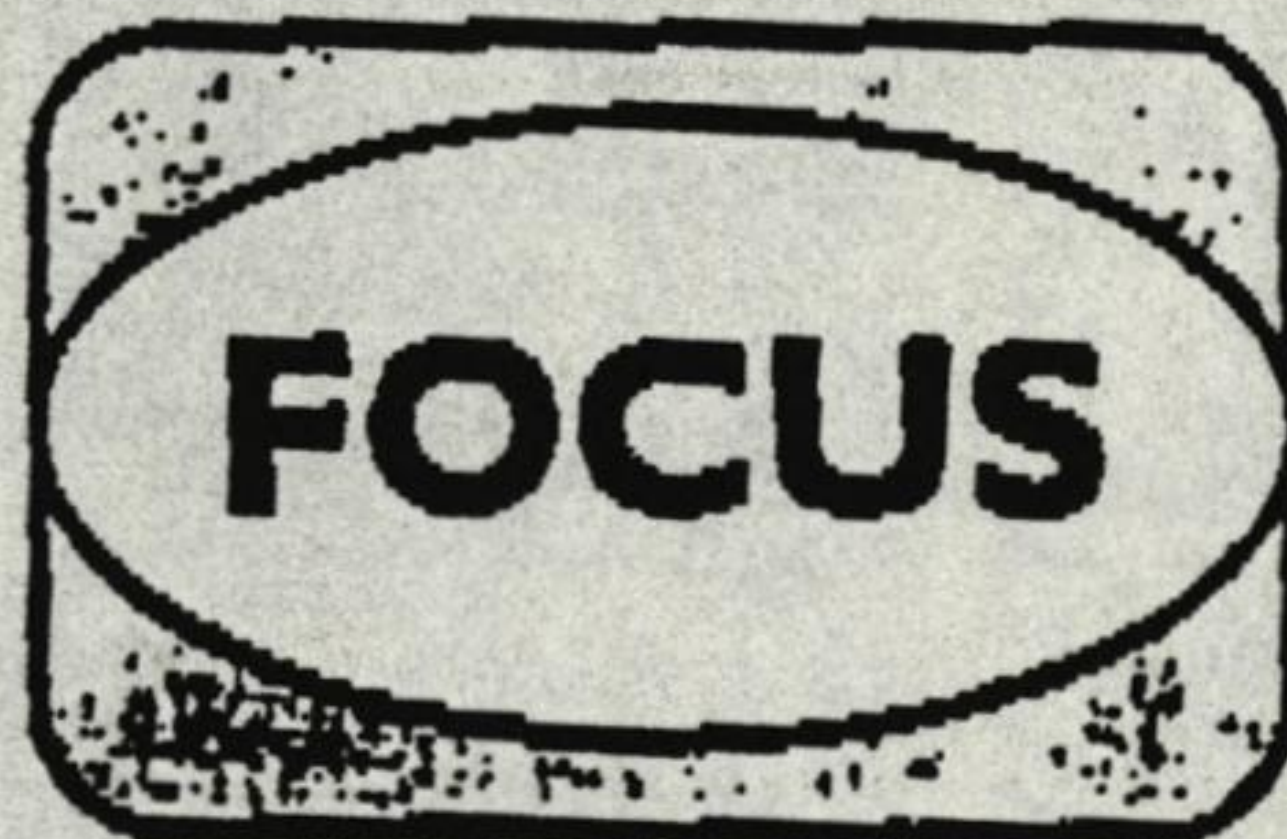
At the root of the attack was the fascist belief of the AWB that black people were lesser human beings who should not mingle with whites.

The ugly faces of fascism and racism had reared their heads again and many people later asked whether the police, who allowed the anarchy to take place in their presence, would have reacted the same way if the attackers had been black, and their victims white.

It is an assertion that is not to be dismissed lightly, for during the trial, the police's own ingrained racism came out loud and clear.

As in their testimonies about the events:

"Die mense het die swartes gejaag. Ek het een van die klein swartetjies opgetel en op my bors gesit maar die swartetjie was bang want ek was nie in my univorm nie en het blykbaar gedink ek was een van die mense".



(The people chased the blacks. I picked up one of the little blacks and held (him) to my chest but the little black was afraid because I was not in uniform and apparently thought I was one of the people).

This was a typical testimony of the police officers.

The trial itself was some kind of battlefield. The AWB trialists came in uniform, with enough supporters to almost fill the hall.

Their first appearance was attended by AWB leader Mr Eugene Terre'blanche. In later appearances one of their supporters came in dressed in the black uniform of the Ystergaarde, armed with a pistol.

He was allowed into the court room with the gun, having passed through the ultra-modern electronic monitoring devices.

The practice was only stopped after *Sowetan* reporters asked whether they too would be allowed to bring their own guns.

In one instance, a black spectator who was seated at the back was threatened with assault if he did not leave the "white bench".

Other black spectators joined in the argument, insisting that the man would not move.

The AWB members then left the bench. For the black people involved in that scuffle, it was a victory that brought grins and smiles.

But it was the testimony of the children and a crippled youth that almost brought tears to the eyes of many.

Almost invisible in the witness box designed for much older wit-

"I saw whites with sjamboks and I could not understand why they were beating us. I was knocked down by a car and fell on a stone, injuring my head."

nesses, a tiny and slender eight-year-old boy, Vuledzani Luthwarani, recounted the horrors of the assault and said he had been scared.

"I saw whites with sjamboks and I could not understand why they were beating us. I was knocked down by a car and fell on a stone, injuring my head. My foot was also affected," he said.

A crippled youth, Thizwilondi Denga, hobbled into court and spoke of how two white men had cornered him near a fence and waded into him with sjamboks.

When he fell down he was kicked. He was saved by a church elder, Mr Dokotela Makhado, who risked his own life to save the invalid.

A black policeman, Constable Basani Mahlatji, was also assaulted at the taxi rank as he alighted from a taxi heading for work. He said when he told the whites he was a policeman, they replied "Poliseman so moer" and hit him three times before moving on. Taxis were also attacked.

And while the testimonies shocked people, it was the hissing of the accused as the toddlers passed near them to go and testify that shocked many black people.

For if any proof was needed at all that the hatred was more than just a passing fad, this was it. For these men, it was not enough that they had beaten children on a church outing who had done nothing wrong.

For them, the children remained black children who were not neces-

sarily people to be respected, loved and assisted.

Out of the crowd that beat up the children, only 15 were arrested after prolonged media pressure. Of the 15, only four were found guilty in the Pieterburg Regional Court on Tuesday and fined R3 000 each.

They were also given suspended jail terms of 18 months.

Attacks of blacks by whites have been occurring in the region and many believe that sentences such as these help keep the practice alive.

The incident itself dates to that day on November 24 two years ago, when the Apostolic Faith Mission in Ntshalele, Venda, had planned a visit to their white counterpart church in the town, to, in the words of their priest, "show the children what to do for God".

This was supposed to mean the nicest church building, the better ornaments inside, the green grounds. But it was not to be, for soon after the children arrived in town later than anticipated and went to relax at the local park, trouble started brewing.

The white rightwinger, who had been expecting a march by a consumer boycott committee, gathered at the park with dogs, sjamboks, fan belts, sticks and other weapons, baying for the blood of the now scared and trembling children.

With AWB attacks on blacks in many areas, the question in many people's minds is why police allow this to happen in the first place.

Sowetan 11/6/92

AMNESTY INTERNATIONAL/OTHERS**Inkatha Slams Amnesty Report**

JOHANNESBURG June 10 Sapa

An Amnesty International report on violence in South Africa was selective and appeared to be an attempt by the human rights organisation to ingratiate itself with the African National Congress, Inkatha Freedom Party national chairman Dr Frank Mdlalose said on Wednesday.

"It is difficult to take the work seriously.

"Even a cursory study shows that Amnesty has relied entirely on secondary sources. It has done no research of its own, relying instead on the reports, writings and conclusions of others."

The report -- called South Africa, State of Fear -- is highly critical of the South African security forces. Some criticism is directed at Inkatha.

"The IFP views and answers to the allegations made were not right and are not reflected," Dr Mdlalose continued.

"Amnesty has chosen cases of violence selectively to underpin the case it wanted to put. Mountains of material could easily have been supplied to paint a very different picture from the one in the book. Amnesty thus makes itself guilty of concealment of evidence."

Dr Mdlalose said for many years Amnesty had refused to accept ANC president Nelson Mandela as a prisoner of conscience, claiming it could not support violent organisations.

"The book it has just published appears to be a belated attempt by Amnesty International to ingratiate itself with the ANC."

Amnesty Report Lacks Credibility - Bop Government

JOHANNESBURG June 10 Sapa

A senior Bophuthatswana government official on Wednesday said the Amnesty International report on human rights abuses lacked credibility, SABC radio news reports.

The spokesman said the report was unbalanced because the organisation relied on the African National Congress and its affiliates for information.

Nowhere in the Amnesty report was it mentioned that the ANC openly conducted a policy of destabilisation in Bophuthatswana by means of intimidation and mass action.

He said the report also failed to mention that more than 100 so-called political prisoners were released from Bophuthatswana prisons last year.

The spokesman said unlike Europe and America, mass action in Bophuthatswana usually had an element of violence.

ANC Will Study Amnesty Report With Other Reports

JOHANNESBURG June 10 Sapa

The African National Congress has called on the police, the Inkatha Freedom Party and others to join them in bringing an end to violence.

Reacting to the Amnesty International report on the violence in South Africa and the emphasis placed on police complicity, the ANC said: "We call on the South African Police, the Inkatha Freedom Party and all the organisations that have been mentioned in these reports to join us in a full-out effort to bring an end to the violence in terms of the undertakings of the National Peace Accord."

The ANC said it would study the full Amnesty International Report together with the other reports on violence that had recently been made public.

"The Amnesty International Report, the Goldstone Report and the International Commission of Jurists Report are clearly looking at the violence from different angles.

"We welcome the useful contribution that all these reports are making to our understanding of the violence in order to try and find ways, together with all concerned and peace loving South Africans, to solve the violence," the ANC said.

Amnesty Will Condemn Human Rights Abuses Under ANC Government

By Erna van Wyk

JOHANNESBURG June 10 Sapa

Amnesty International condemned State oppression and if the ANC became part of a future government and committed human rights abuses, it could also expect criticism, an Amnesty International spokesperson said on Wednesday.

Amnesty International's Mary Rayner, who was part of the London-based human rights organisation's delegation that visited South Africa last December, was reacting to the SAP's denouncement of its report on violence in South Africa on the grounds that it was "partisan" for representing "an almost complete white-wash of the ANC".

Ms Rayner told Sapa in a telephone interview from London that AI was on record for expressing concern about evidence of human rights violations by the ANC in its camps abroad.

The organisation was also involved in a programme to monitor the ANC's Commission of Inquiry into human rights abuses.

She said the organisation did acknowledge in its report that ANC supporters were involved in killings, but the major focus of the document was state security involvement in torture and killings.

It was acknowledged in the report that State President F W de Klerk took the initiative in 1990 to take the police out of politics, but "evidence over the past two years showed that (police) practice on

the ground has not substantially changed".

One of the reasons for the lack of change at grassroots level and police action on the ground, Ms Rayner said, was the failure of the authorities to act swiftly on continuing allegations and evidence of violations over the past two years.

The State president's message was "muddled" by this lack of action, Ms Rayner said.

"Fundamentally, we argue that the State failed in its responsibility from the beginning and, therefore, is one of the main contributors to the escalation of the violence," she added.

Amnesty International accepted that the leadership of all parties had to make their membership accountable, but the South African Government had the sole and primary responsibility for the actions of the security forces.

The South African Government also had the primary responsibility to ensure the judicial system worked effectively for everyone, Ms Rayner concluded.

Press Release

Issued by: African National Congress

MEDIA RELEASE: PRELIMINARY RESPONSE BY ANC TO THE AMNESTY INTERNATIONAL REPORT ON THE VIOLENCE IN SOUTH AFRICA

The African National Congress has taken note of the Amnesty International Report on the violence in South Africa, and the emphasis that is being placed on police complicity in the violence. We will study the full Amnesty International Report in detail together with the other reports on violence that have recently been made public. The Amnesty International Report, the Goldstone Report and the International Commission of Jurists Report are clearly looking at the violence from different angles. We welcome the useful contribution that all these reports are making to our understanding of the violence in order to try and find ways, together with all concerned and peace loving South Africans, to solve the violence.

We call on the South African police, the Inkatha Freedom Party and all the organisations that have been mentioned in these reports to join us in a full out effort to bring and end to the violence in terms of the undertakings of the National Peace Accord.

Issued by: The Department of Information and Publicity, P.O. Box 61884, Marshalltown 2107, Johannesburg.

ANC Commission Of Inquiry Criticised

JOHANNESBURG June 10 Sapa

The International Society for Human Rights in Frankfurt, Germany, which operates under the terms of the UN Universal Declaration of Human Rights, on Wednesday criticised as "insufficient and unacceptable" the terms of reference of the ANC commission of inquiry into complaints by former ANC prisoners.

A statement released in Johannesburg on behalf of the ISHR said this was in response to a request by the lawyer acting for the ANC to the ISHR to provide information for use by the inquiry.

The ISRC said the terms of reference restricted the ANC Commission to dealing with conditions of detention, allegations of maltreatment and complaints about missing property.

The ISHR said this ignored any inquiry into the reasons for these detentions and the blatant miscarriages of justice that occurred.

"ANC members, who say that they are innocent of any crime other than criticism of the exile leadership, were detained in these prison camps. The accusation against them was always that of being 'South African spies'.

"The torture, ill-treatment and theft of their property came only after the miscarriage of justice had occurred against them.

"Many of those detained say it was a result of calling for greater democracy and accountability in the ANC or for criticising the affluent lifestyle alleged carried on by the exile leadership in Lusaka at the time.

"Others report they were originally interned because they quarrelled over some policy matter with an ANC leader or with the security apparatus of the ANC."

The ISHR said it believed these matters must be addressed by an authentic commission of inquiry, which should be wholly independent of the ANC.

Tons Of ANC Armaments Stored In Angolan Camps - IFF

JOHANNESBURG June 11 Sapa

Tons of armaments belonging to the African National Congress' armed wing were allegedly being stored at former ANC camps in Angola, SABC radio news reports.

The allegations were made on Wednesday by the International Freedom Foundation in a letter from its chairman Mr Duncan Sellars, to the United State's national security adviser.

According to the letter, Umkhonto we Sizwe (MK) weapons, including hundreds or even thousands of tons of armoured personnel carriers, light amphibious tanks, rocket launchers and anti-aircraft guns were being stored within 400km of the Angolan capital of Luanda.

Other weapons included large stocks of small arms and ammunition.

Mr Sellars said that keeping the existence of the stockpiles a secret, might constitute a violation of the May 1990 peace accords signed between the Angolan Government and Unita.

The Angolan Government ordered the ANC to remove all weapons prior to the country's upcoming September elections.

Mr Sellars alleged that the ANC had approached Zambia and Namibia for permission to relocate the arms.

He called for United States intervention, saying the possible movement of the weapons to other states would constitute an immediate threat to South Africa's security and possibly derail the Codesa negotiations.

Mr Sellars suggested that the weapons be impounded by the United Nations Angolan Verification Mission and turned over to the new Angolan armed forces after the september elections.

THE GOLDSTONE COMMISSION

A-G Requested To Hold Inquest Into Ermelo Murders

PRETORIA June 10 Sapa

The Goldstone Commission has requested the Attorney-General of the Transvaal as well as the Magistrate of Ermelo to consider holding an inquest on June 26 into two cases of murder and three of attempted murder allegedly committed during a shooting incident in Wesselton, near Ermelo.

The chairman of the commission, Mr Justice Richard Goldstone, announced this on Wednesday in Pretoria during the sitting of a committee inquiring into public violence and intimidation.

The request stems from evidence brought before the commission this week about two murders and three attempted murders allegedly committed during shootings between followers of the African National Congress and Inkatha Freedom Party, who were attending separate funerals on August 11, 1990, in Wesselton.

Mr Justice Goldstone pointed out that from the evidence, it became clear that some relevant police dockets had not been handed over to the Attorney-General of the Transvaal.

People Implicated In Murders Were Not Charged

By Ramokoena Matlala

PRETORIA June 10 Sapa

A member of the Goldstone Commission inquiring into public violence and intimidation on Wednesday expressed concern that people implicated in two murders and three attempted murders were not charged.

Mr Gert Steyn told Col Patrick John Otto, who was co-ordinating investigations into shootings between ANC and Inkatha supporters on August 11, 1990 at Wesselton near Ermelo, he was surprised that although dockets contained prima facie cases the people implicated were not charged.

He pointed out to Col Otto that a member of the KwaZulu Legislative Assembly, Mr Amos Mthungwa, in his first statement had implicated two KwaZulu policemen, Const Zweli Dlamini and W/O Nhlanhla Khawula. He had intimated that they took part in the shootings following shots from the African National Congress crowd.

Mr Steyn said the same people were also implicated in a statement by Mr Basil Dlamini, a gangster in the "Black Cats" -- said to be a branch of the Inkatha Youth Brigade in Wesselton.

He then asked why a later police report said investigations found no evidence which could lead to charges being laid.

Col Otto, who agreed there was a prima facie case, said he was not aware of the report and could have confronted the investigating officer responsible for the statement if he saw it.

Asked if during investigations both the ANC and Inkatha were approached for evidence, Col Otto said the police had problems in contacting Witbank's ANC leader Mr Jackson Mthembu, who earlier promised to bring witnesses to the police.

Asked if in his opinion, following evidence before the committee, the case did get the necessary attention from the police, Col Otto agreed it did not.

Another police witness, Capt Andre Marais, who also appeared before the commission on Wednesday, said on August 25, 1990 the police invited clergymen, Black Cats, ANC members, civic leaders and other organisations in Wesselton, to a meeting in a bid to quell the violence.

During the meeting Black Cats leader Mr Chris Ngwenya admitted having attacked houses of ANC members and said it was the work of the gang.

"We did not arrest him because we promised to give all those who took part in the meeting a sort of amnesty so as to let them speak freely," Capt Marais said.

He further said the Black Cats still existed in Wesselton, but they were now known as the Inkatha Youth Brigade. Capt Marais said as far as he knew they were active in Inkatha meetings and not in public violence.

WFSA Appeals To ANC, AWB To Stop War Rhetoric

RUSTENBURG June 10 Sapa

Women for South Africa on Wednesday appealed to African National Congress leader Nelson Mandela and the Afrikaner Weerstandsbeweging's Eugene Terre'Blanche to reflect before using "violent war rhetoric".

WFSA president Ms J Malan said in a statement in Rustenburg Mr Mandela's threat at Phola Park that violence could spill over to whites, and Mr Terre'Blanche's Klerksdorp warning that whites would fight, did irreparable damage to black/white relations.

"Women for South Africa and other similar organisations do their utmost to promote reconciliation and cooperation. They take trouble to bring people together at great cost -- and then witness living proof that people are indeed trustworthy and do wish to cooperate as soon as they get to know one another," she said.

"Whenever these leaders make these statements they damage -- or even bring to a halt -- the spirit of goodwill among many thousands who really wish to cooperate."

Ms Malan said if political party leaders did not use the language of conciliation, people could hardly expect a spirit of reconciliation and cooperation to take root in South Africa.

"This country definitely cannot afford having leaders sowing seeds of hatred and violence in the hearts of citizens. Their influence, especially on our youth, can only produce far-reaching negative consequences.

"Women for South Africa hereby urgently appeal to Dr Mandela and other leaders to please reflect before they use violence rhetoric. Above all, we need love and reconciliation in South Africa," Ms Malan said.

Train Violence Continues

JOHANNESBURG June 10 Sapa

An unidentified man was admitted to Hillbrow Hospital on Wednesday morning after he was stabbed a number of times at Braamfontein Station near Johannesburg. Witwatersrand police reported.

Police spokesman Warrant Officer Andy Pieke said trains and commuters arriving from Soweto were extensively searched at Johannesburg Station on Wednesday morning.

The police action followed a spate of incidents since Monday in which some people sustained hack wounds and stones were thrown at trains and by commuters at one another. A number of dangerous weapons were recovered.

W/O Pieke appealed to commuters, who were searched on Wednesday morning and who had complained that this made them late for work, to exercise patience and cooperate with the police for their own benefit.

SABC radio news reported that police also confiscated a number of dangerous weapons on trains during the exercise and arrested six people on Johannesburg Station for allegedly hindering authorities in the execution of their duties.

At least four people have been injured in the latest train attacks.

54 Deaths In The Past Week - HRC

JOHANNESBURG June 10 Sapa

The Human Rights Commission has recorded 54 deaths and 85 people injured in its latest repression report for the week ending Tuesday.

It said in the report on Wednesday, the previous week's death toll was 53, while the injured had increased from 46. The daily average number of deaths in the past fortnight stood at seven.

Vigilante-related actions had accounted for 39 deaths and 41 injured, with Soweto remaining a flashpoint and Alexandra near Johannesburg and townships on the East Rand relatively calm.

The HRC said after a lull the previous week when no train attacks

were recorded, 12 attacks resulting in five deaths and 16 injured were reported in the East Rand, Soweto, West Rand and Johannesburg areas.

Attacks on commuters in taxis and buses on the Witwatersrand continued and claimed two lives and five people injured.

Natal's casualties remained more or less constant with 10 deaths and 10 injured. The Midlands region, where four people were killed and eight injured, remained a flashpoint, according to the report.

Imbali Mayor, Co-accused Released On Bail

By Craig Doonan

PIETERMARITZBURG June 10 Sapa

Imbali's mayor, his deputy and a 15-year-old youth, all charged with murdering a prominent Natal Midlands African National Congress activist in February, were granted bail of R2000 each on Wednesday.

Appearing before Pietermaritzburg magistrate P J Fourie were Imbali mayor Phikelela Ndlovu, 55, deputy mayor Abdul Awetha, 56, and the boy of 15.

Mr Phikelela and Mr Ndlovu are prominent Inkatha Freedom Party members in Imbali, while the youth's father is a councillor in the township.

They were all arrested on Tuesday this week for the alleged murder of S'Khumbuzo Ngwenya -- an ANC regional executive member and former United Democratic Front Natal Midlands leader -- outside a Pietermaritzburg hotel on February 8.

After a lengthy bail application heard on Tuesday and Wednesday, the three were each granted the R2000 bail coupled with several conditions.

Mr Fourie ordered them to remain within the Pietermaritzburg magisterial district and to submit their passports and all travel documents to the local police.

They were also ordered to report to the Imbali Police Station twice a week.

The accused were further ordered not to have any contact with the state witnesses in the case.

Bail was opposed by State Prosecutor Ashin Singh, who said their release would result in public violence and their lives would be in grave danger.

Mr Singh said the three accused may also abscond due to the severity of the State's case against them.

He argued that the three may intimidate State witnesses as one witness had already left Pietermaritzburg because of threats from a group of Inkatha Freedom Party supporters.

Giving evidence for the State, the investigating officer in the case Sgt R Murugan said their release on bail could lead to a "spiral of

violence" in Imbali as the community there may regard justice as not having been done and may take the law into their own hands to avenge Mr Ngwenya's death.

He said the accused knew how strong the State's circumstantial and actual evidence against them was and they may abscond.

Sgt Murugan explained that ballistic tests had positively linked parts of Mr Ndlovu and Mr Awetha's firearms to the killing.

Mr Ndlovu explained in evidence earlier that he and Mr Awetha often cleaned their pistols together and parts may have got mixed up.

Granting bail, Mr Fourie said the state had failed to prove beyond doubt that the accused would pose a threat to society if released, nor had there been sufficient proof that they would abscond if released.

There had also not been sufficient proof that they would interfere with witnesses nor that they would jeopardise law and order.

After granting them bail, Mr Fourie ordered them to reappear in the Pietermaritzburg Magistrate's Court on June 26.

MK Cadres Sentence Postponed Pending Negotiations

CAPE TOWN June 10 Sapa

The Cape Town Supreme Court on Wednesday postponed for a year the sentence of an Umkhonto we Sizwe cadre convicted of the illegal possession of an arms cache, saying that negotiations between the Government and the ANC should run their course.

Mr Justice J G Foxcroft unconditionally postponed the sentence of David Dlali, 32, for one year. Dlali need only appear in court on June 10, 1993 if called on to do so.

Evidence was that Dlali had never used the weapons and that he had stored them at his home to await an imminent order to hand them over to the Government.

In passing sentence, the judge said that oppression in any country could lead to people attempting to put right the wrongs committed against them.

"The hated system of apartheid and the economic repression that went with it and practised for so long, led to the accused and many like him trying to rid the country of the system.

"It was the deprivation which the system caused him which led to his involvement in trade union movements and then the ANC and eventually MK.

"I have decided that this is an appropriate sentence for a number of reasons -- so that negotiations referred to in the trial can run their course and also so that all weapons of this sort can be handed over to the authorities. What happens is relevant to what sentence the accused gets in one year's time.

"Mr Dlali, you are free to go and come back in a year's time if you wish."

Earlier Dlali pleaded guilty to and was convicted of illegally possessing an AK-47 rifle, Makarov and Beretta pistols, two limpet mines, four hand grenades, 30 AK-47 rounds, 27 9mm rounds and two .22 bullets at his Gugulethu home on April 7.

"Some sections of South African society may see this warranting a severe sentence, but I'm satisfied that many other sectors will not wish to see the accused punished at all," the judge said.

Mr Justice Foxcroft found that Dlali had in 1989 received instructions from MK to take receipt of certain arms and ammunition and place them in storage.

Dlali buried the arms and in March 1990 he was instructed to retain the arms in storage and not to use them under any circumstances.

He was told by then MK chief of staff Chris Hani that the armed struggle had been suspended and he was to retain the cache until further instructions.

In May 1992, negotiations between the Government and the African National Congress on MK arms and ammunition reached an advanced stage.

A joint structure was supposed to be set up under the joint commission of the ANC and the Government.

Dlali was told that MK cadres were to get ready to hand over arms. He took the arms home for this purpose and held them in the hope of an MK-Government settlement, not in a personal capacity.

Dlali never used the arms.

His statement was corroborated by Mr Penuell Maduna, chief legal advisor to the ANC, who was closely involved with many discussions between the ANC and the Government.

"It is clear from Mr Maduna's evidence that negotiations have been continuing and that but for a temporary breakdown of talks at Codesa recently, the whole question of arms would be resolved."

Mr Justice Foxcroft said Dlali's aim was to prevent weapons falling into the wrong hands.

The judge drew a distinction between political crimes and "ordinary offences, for example, robbery. The courts have stressed the seriousness of the illegal possession of firearms. I have to deal with a very difficult situation".

"The crime falls into the category generally described as political. The accused was not intent on any personal benefit, he was carrying out the orders of MK."

Mr Justice Foxcroft further said: "At times of great violence there is a desire and need for law enforcement agents to take strong action in an attempt to prevent violence from getting out of hand.

"There is no magic formula for a decision on sentence of any person for any offence. The accused is a first offender and a good student... To imprison such a man would be to remove a valuable

member of society with a contribution to make. He is not a criminal, in the ordinary sense of the word, whose moral values should be altered.

"The accused would not need to be prevented if negotiations were completed between the ANC and the Government."

Mr Dlati is a law student at the University of the Western Cape.

-- After the surprise sentence, Mr Dlati was carried down the court steps by friends and fellow students.

Press Release

Issued by: African National Congress

RE: ANC VISIT TO SEBOKENG (VAAL COMPLEX)

A high powered ANC delegation led by Chris Hani which included the ANC PWV Regional Chairperson Tokyo Sexwale today visited Sebokeng Zone 14 a township of the Vaal Complex.

The visit followed a meeting held between the President of the ANC Nelson Mandela and Vaal community structures yesterday in Johannesburg around the violence which has now beset the Kwamasiza Hostel.

The ANC delegation and Numsa shopstewards addressed two separate meetings at the grounds of Kwamasiza hostel and Vietnam hostel. The central message delivered to both meetings - which was from the President of the ANC - was that the inmates must stop fighting amongst themselves.

FROM: ANC PWV (DLP) REF: RONNIE MAMOEPa DATE: 1992 JUNE 10

Magubane's Son Killed In Continuing Violence

JOHANNESBURG June 10 Sapa

Acclaimed photo-journalist Peter Magubane's son Charles has become a new victim of the raging political violence, which this week claimed at least 54 lives.

"I have seen all the violence of this country, but when it lands on your doorstep, it hits you very hard," says Mr Magubane, who has covered violence in this country since the 1950s.

His 30-year-old son was found dead a few metres from the Inkatha-dominated Dube hostel, Soweto, on May 20, two days after he went missing.

Charles, who had been hacked and shot, was discovered in a mortuary on Tuesday this week. He was single.

"There were no identification papers on his body and the morgue was the last place we thought of checking," said Mr Magubane, 55, a photographer for the US magazine Time.

Meanwhile, attacks on train commuters continued on Wednesday with two more people reported injured.

Police said a man was stabbed several times at Braamfontein

Station near central Johannesburg. He was rushed to hospital. And near Nancefield Station, Soweto, a mob attacked a commuter and flung him out of the carriage.

Police then mounted an intensive search of Soweto trains pulling into Johannesburg. A number of dangerous weapons were seized.

The Human Rights Commission said on Wednesday 54 people had been killed and 59 injured in violence in the week ending Tuesday.

In other developments, top officials of the African National Congress visited trouble-torn Sebokeng township in a bid to quell violence in the township. ANC leader Nelson Mandela visited Vaal Triangle in a similar bid on Tuesday.

The delegation on Wednesday was led by Mr Chris Hani and included trade unionists. They addressed separate meetings at Kwamasiza Hostel and Vietnam Hostel.

"The central message delivered to both meetings -- which was from the President of the ANC -- was that the inmates must stop fighting amongst themselves," a statement said.

Also on Wednesday, the Inkatha Freedom Party accused London-based Amnesty International of bias in its report on violence in South Africa.

The report is highly critical of the security forces and also puts some blame on the IFP. The report comes shortly after the International Commission of Jurists accused IFP of being mostly responsible for the violence.

Concerning the Amnesty International's report, IFP national chairman Frank Mdlalose said: "The book (report) it has just published appears to be a belated attempt by Amnesty International to ingratiate itself with the ANC".

Amnesty International had for many years refused to recognise Nelson Mandela as prisoner of conscience, citing it could not support violence.

Group Attacked By Right-wingers

JOHANNESBURG June 10 Sapa

A teacher was injured when five men wearing Afrikaner Weerstandsbeweging uniforms and insignia attacked a multi-racial group of teachers and students in Braamfontein, Johannesburg, on Tuesday night.

The group had been attending a seminar on teaching English run by McMillan Boleswa Publishers and were on their way home when they were stopped by AWB members, victims said.

A teacher, who asked to be identified only as Poppy, was taken to the Lady Dudley Nursing Home after she got glass in her eyes and then collapsed from shock.

Speaking to reporters from her hospital bed on Wednesday, she said the seminar group were getting into taxis at 9.30pm when a car flying an AWB flag and containing men wearing the full AWB uniform drove past.

6.

Four teenagers armed with batons and shotguns jumped out and surrounded us while the driver of the car, a man in his 50s, started asking us questions in Afrikaans," Poppy said.

When one student answered in English, the youths began attacking them with batons and hurling abuse.

Poppy, who was sitting in the front seat of a car, panicked and could not open her door so tried to hide by sliding onto the floor. While their attackers smashed the windows and kicked the car and a minibus, most of the terrified group ran away. When the attackers leapt in their car and drove off, Poppy climbed out the car and fainted from shock. Glass from the broken windows injured her eyes.

"They smelt of alcohol and it sounded as though they were returning from an AWB meeting. They were totally unreasonable and attacked us with no provocation."

Press Release

Issued by: African National Congress

ANC SOUTHERN OFS PRESS STATEMENT ON BOMB THREAT AT ITS OFFICES.

Today the ANC office in the Southern Free State received an anonymous telephone call, threatening a bomb explosion. The call came at 11h45 threatening that the blast would occur at 12h30. The caller further said that some of his colleagues were on the way to Johannesburg and that by 12h30 the ANC President, Nelson Mandela would be murdered. The SAP were immediately called to investigate, but no bomb was found. Such bomb scares and death threats are the activities of those who still live in the past.

The ANC will not be intimidated from our commitment to a non racial, democratic, non sexist and peaceful South Africa.

Issued by: Department of Information and Publicity, ANC Southern OFS P.O. Box 7524 Bloemfontein 9300 Tel: (051) 48 0441 10 June 1992

Budget To Ensure Safety On Trains Outlined

HOUSE OF ASSEMBLY June 10 Sapa

Altogether R250 million had been budgeted to secure the safety of train commuters, the Minister of Transport, Dr Piet Welgemoed, said on Wednesday.

Replying to a question by Mr Joseph Chiole (CP Pretoria West), he said 1234 policemen in the Vaal Triangle were being incorporated in a special unit to secure commuter services.

The eight-day boycott to protest violence on Reef trains cost the South African Rail Commuter Corporation about R2 million.

A total of R250 million had been budgeted for a five year security plan, which was to be implemented within three years.

Police would have overall responsibility for the security

programme. The SAP would be supported by the management of the SARCC security services and community organisations.

The boycott lasted from May 2 to 10, peaking between May 4 and 8.

Police had indicated that R44800800 had been budgeted this fiscal year to secure commuter services.

The SARCC had provided R38 million for security in its R1060 million draft operating budget for the 1992/3 financial year.

An extra R28 million was needed to expedite the security programme following the Goldstone Commission of Inquiry's investigation into violence on trains.

The programme would be fully phased in by March 31, 1995.

All stations would be easier to police because they would be surrounded by security fences, lights, access control and accommodation for the SAP on the sites.

Communication between train drivers, control rooms and police were being improved so that dangerous situations and incidents could be reported quicker.

About R96 million of the SARCC's draft capital budget of R288 million for 1992/3 would be spent on security.

The security programme would entail more efficient access control, better safety and improved crowd control.

THE ARMED FORCES

Inkatha Rejects SADF Restructuring

DURBAN June 10 Sapa

The Inkatha Freedom Party has rejected the unilateral restructuring of the SA Defence Force to form a new integrated force.

IFP Central Committee executive member Dr Ben Ngubane on Wednesday condemned comments attributed to Chief of the SADF, General Kat Liebenberg.

"The IFP firstly believes that statements of such a fundamental nature should be issued by civilian governments rather than by the military itself; and secondly such comments are premature and pre-empt the debate about the restructuring of the SADF which is a matter to be discussed at the negotiating table," he said.

"It is clear that if South Africa is to be stable, competing ideological military forces must be accommodated and a new cosmopolitan defence force be created," he said.

"However, in saying that, the scenario which Gen Liebenberg paints obscures the thorny challenge of merging a wide range of ideologically opposed forces into one cohesive national military establishment without bloodshed," Dr Ngubane said.

Dr Ngubane said this issue had to be dealt with at the level of multi-lateral negotiations.

"All parties engaged in negotiations must collectively determine a formula satisfactory to all which will guarantee an apolitical defence force representative of the general population so that no group can monopolise, abuse, or control military power."

Dr Ngubane said Gen Leibenberg's predictions of a future "umbrella" defence force consisting of conscripted citizens and members of the current armed services, homeland armies and private paramilitary forces were so vague and all-embracing as to render them meaningless.

BDF Will Not Be Incorporated Into "Super Army"

MMABATHO June 10 Sapa

Bophuthatswana's Minister of State Affairs and Defence, Mr Rowan Cronje, has denied the Bophuthatswana Defence Force (BDF) will be incorporated into the "super-army" for a new South Africa.

Delivering the homeland's Defence Budget of about R148 million in Mmabatho on Wednesday, Mr Cronje said the proposal of head of the SA Defence Force General P C "Kat" Liebenberg that about 50 per cent of the defence forces and private armies in southern Africa would be incorporated into the SADF should not cause concern among the ranks of the BDF.

He said the proposal was not discussed with Bophuthatswana at all, and as Bophuthatswana was a sovereign country, it would not be affected by it.

"Before we even consider change, there are a large number of issues to be cleared, to establish what the impact of change will be on the people, and this (jobs) is one of them," he said.

He added that a new South Africa would not bring new job opportunities, but new competition, and appealed to the people to think of these issues before accepting reincorporation "propaganda" and glib catch phrases.

"Just think, the civil servants from the TBVC states, loyal supporters from the SA Communist Party, not to mention the people of the self-governing territories -- will all want positions," he said.

Mr Cronje attacked the African National Congress for its continued policy of destabilisation in Bophuthatswana and revealed that (banned opposition leader) Mr Rocky Malebana-Metsing was actively consulting with certain armed groups to engage in armed propaganda in Bophuthatswana.

He gave the reassurance that the BDF was ready and able to defend the property and the people of the homeland.

American Businessman Sentenced For Arms Fraud to SA

By Lee Linder

PHILADELPHIA June 11 Sapa-AP

A businessman who masterminded a huge financial fraud and smuggled dlr 50 million worth of weapons to South Africa was sentenced Wednesday to 15 years in prison.

James H. Guerin, 61, who faced a possible sentence of 30 years to life, had pleaded for mercy from U.S. District Judge Louis Bechtle. Guerin apologized for his "misdirected patriotism."

Bechtle followed the prosecution's recommendation in sentencing Guerin, who pleaded guilty in December to helping South Africa evade a United Nations ban on weapons imports, laundering dlr 958 million and falsely inflating the price of his company.

Munitions and weapons components worth more than dlr 50 million were illegally sent to South Africa, prosecutors said. Some of the weapons ended up in Iraq and were used against U.S. forces in the Persian Gulf War, prosecutors said.

Guerin has denied knowing the weapons would end up in Iraq.

The 15-year sentence and a fine of dlr 25,000 came on a charge of laundering dlr 958 million through Swiss banks from 1983 through 1989.

Guerin received shorter sentences, to run concurrently, on seven other charges, including conspiracy, masterminding a dlr 1.14 billion fraud within a company he founded, tax evasion, mail and securities fraud, and the weapons smuggling.

"I'm very sorry for what has happened and for what I have done," Guerin told the judge. "I never really appreciated the magnitude of what I did until the investigation began. I got carried away and felt our mission was above the law. It was misdirected patriotism."

Assistant U.S. Attorney Robert Goldman said Guerin, in smuggling arms to South Africa, tried to substitute his version of foreign policy for the official version.

He urged Bechtle for a sentence of less than is called for federal guidelines, noting Guerin had turned over dlr 5 million in assets, including his home in Naples, Fla., to the government.

Bechtle had delayed sentencing Tuesday after he was told by Goldman and Assistant U.S. Attorney Nicholas G. Harbist that Guerin had tried to obstruct the inquiry after promising to cooperate.

Guerin's lawyers, Joseph A. Tate and Stephen D. Brown, sought leniency, saying Guerin already had suffered "great punishment and humiliation" and had worked to help the poor.

Ferranti PLC, one of Britain's largest defense contractors, bought his company, International Signal and Control, in 1987 for an inflated dlr 670 million. Ferranti nearly collapsed and 1,000 workers lost their jobs.

Nine other Americans, including other ISC executives, plus seven South Africans and three South African companies were indicted in November and pleaded innocent.-AP

INTERNATIONAL**De Klerk Still Unwelcome In Zimbabwe**

HAVANA, Cuba, June 10 Sapa

President Robert Mugabe on Tuesday said South African President F.W. de Klerk was still unwelcome in Zimbabwe despite cooperation between the two countries to ease effects of the drought gripping southern Africa.

Mr Mugabe told the Zimbabwe news agency, Ziana, before he left the Cuban capital, Havana, for Ecuador that the use of South Africa's transport system did not mean a thaw in relations between the two countries.

"It does not mean that President de Klerk can now visit Zimbabwe, nor does that mean that President Mugabe will go to South Africa, nor that (SA Foreign Minister) Pik Botha can come here and meet (Foreign Minister Nathan) Shamuyarira," said Mr Mugabe.

Zimbabwe has had to import tens of thousands of tons of grain from South Africa to feed its starving people and is using South Africa's rails, roads and ports to import grain.

Drought-hit southern African states, who 11 years ago established the Southern African Development Coordinating Council (SADCC) to isolate South Africa economically because of its racial policies, this year had to seek Pretoria's help to ease the effects of the crippling drought threatening the lives of 85 million people in the region.

It was the Organisation of African unity, the Preferential Trade Area, the SADCC and the Frontline States' position that South Africa should have an interim government first before these organisations opened themselves to Pretoria, said Mr Mugabe.

"We had expected to have an interim government in June, apparently Codesa 2 (Convention for a Democratic South Africa 2) has run into problems," he said.

He said he expected an interim government to be installed in South Africa "sooner rather than later".

Violence, Stalled Democracy Prevented De Klerk From Clinching Trade Deals

By Brendan Boyle

CAPE TOWN, June 11, Sapa-Reuter

Apartheid reform has enabled South African President F.W. de Klerk to talk business in 33 countries since 1990, but violence and stalled democracy negotiations have made it hard for him to deliver any deals.

De Klerk got back on Monday from Russia, Japan and Singapore, his 14th safari to barter political change for a return to the world economy.

He told reporters on his return that he had no guarantees of new economic ties, but expected an improvement in trade with Japan and Singapore.

"Our goals were not to go back to South Africa with signed agreements of any nature (but) to explore and lay foundations for long-term mutually beneficial agreements," he said.

"The continuing violence is...a problem," he added.

Western diplomats, speaking on condition of anonymity, said in Cape Town that little had actually happened as a result of de Klerk's travels to boost South Africa's flagging economy.

De Klerk has visited countries as diverse as Poland, Taiwan, Ireland and France since South Africa's diplomatic isolation began to ease two years ago.

One European envoy called him a consummate salesman and said his travels since he began to dismantle apartheid in February 1990 had increased the potential for trade.

"But if you ask me, has he brought home new deals, new business? Well, I have to say, no, not directly," he said.

The South African economy, skewed by 40 years of apartheid, which restricted black men to low-skilled jobs and herded their families to remote tribal homelands, is battling to break out of its longest post-war recession.

"There is a lot of sniffing around, a lot of research is being done in South Africa, but President de Klerk cannot pretend that the violence is subsiding or that agreement on an interim government is near," said one diplomat.

About 1,000 blacks have been killed this year alone in fighting mainly between the African National Congress (ANC) and its conservative rival, the Inkatha Freedom Party.

One diplomat said Western leaders probably accepted that de Klerk was doing all he could to end the violence, although the ANC accuses white-led security forces of fanning the conflict.

Foreign Minister Pik Botha played down the effects on de Klerk's credibility abroad of the violence and the slow progress in talks about a transition from white rule to democracy.

"There is great admiration for him out there and a firm belief that this government must not be ousted, that it must be part of the decision-making process," he said in an interview.

Pretoria has opened 15 new embassies in the 28 months since de Klerk freed ANC president Nelson Mandela from his life sentence for fighting white rule.

The country's athletes will compete in the Olympic Games next month for the first time since 1960.

State-run television carried images last week of de Klerk and his wife, Marike, strolling across Moscow's Red Square under the walls of the Kremlin, once seen as the citadel of a communist onslaught against white rule.

But ANC spokesman Saki Macozoma is sceptical about the benefits of the welcome given to de Klerk in world capitals.

"They overestimate him...the red carpet rolled out for him abroad is likely to be translated into increasing intransigence at the negotiating table," Macozoma said.

The ANC, legalised by de Klerk in 1990 after 29 years in exile, is the biggest black movement opposing the government in multi-party talks about a shift to democracy. It blames government obduracy for the stalemate in negotiations.

The ANC is the main influence blocking South African access to the Organisation of African Unity, a group that could open trade corridors still jammed by suspicion of de Klerk.

Deputy Foreign Minister Renier Schoeman concedes that violence and instability are also delaying South Africa's entry to Middle East markets.

"It is understandable that the often heated rhetoric of the political debate...contributes to an atmosphere of uncertainty," he said.

"There are still constraints inhibiting the expansion and consolidation of economic and political relations between South Africa and the Arab world," -Reuter

Moi Leaves For Rio After Planting Tree

CAPE TOWN June 10 Sapa

Kenyan President Mr Daniel arap Moi planted an olive tree in Cape Town's Kirstenbosch Botanical Gardens before departing for Rio de Janeiro and the Earth Summit on Wednesday.

Foreign Affairs spokesman Mr Awie Marais said Mr Moi's flight left at 2pm.

The Kenyan head of state rounded off his 23-hour stopover in Cape Town with a light lunch at Westbrooke, the official residence of State President Mr F W de Klerk.

He also toured the Cape Peninsula by helicopter before planting a Kenyan olive tree at Kirstenbosch, about 15km from central Cape Town.

Mr Moi met Mr De Klerk on Tuesday.

He was expected to meet ANC president Mr Nelson Mandela and KwaZulu Chief Minister Mr Mangosuthu Buthelezi, leader of the Inkatha Freedom Party, in Johannesburg on Monday.

Mr Moi was the first African head of state to visit South Africa officially since 1971. <Print> /cdv /gad

NEGOTIATIONS

Regional Governments Should Form Part Of Codesa - IIRCB

JOHANNESBURG June 10 Sapa

Regional governments, institutions and leaders should form part of Codesa's negotiation process, according to the Human Sciences Research Council's constitutional analyst Bertus de Villiers.

Speaking at the launch on Wednesday of his book -- Regional Government in the New South Africa -- Mr de Villiers said decisions about regionalism should not be left to Codesa alone.

"If regional and grassroots leaders are excluded when drawing up the constitution, they will have difficulty in taking ownership of the constitution, which in turn may adversely affect the implementation and functioning of the constitution," he said at the Johannesburg function.

The question of whether regional government should form part of a unitary or federal framework was pervaded with emotion, historical distrust and rigidity.

"There is apparently a deadlock in negotiations on what the competencies of regions ought to be and on how such competencies should be guaranteed."

The ANC favoured a model whereby regions would rely on the sole discretion of the national parliament for legislative competencies, while the government, Inkatha Freedom Party and the Democratic Party were in favour of constitutionally entrenched competencies.

"Both sides have valid arguments to support their position. The ANC believing that uncontrolled regional government may undermine stability, while the government, Inkatha and DP argue that parliamentary discretion may lead to centralisation."

Two goals were necessary to harmonise these opposing views.

Firstly, that regions should feel sure their powers could not be infringed; and secondly, that the national parliament should be in a position where it could act to ensure peace, order and good government as well as ensuring certain minimum services in each region.

"The recommendation, which should be acceptable to all the main parties, is, therefore, that the powers of regions should be constitutionally guaranteed provided that under certain circumstances, parliament could override such powers or lay down guidelines to which regions would have to adhere."

Mr de Villiers suggested the nine regions that South Africa was presently comprised of could be used as a point of departure when deciding on the issue.

"But before the regions are finally demarcated, regional and local leaders should be involved in thorough debate. People living in a region should relate to that region."

Irrespective of the nature of future regional governments, a spirit of tolerance between individuals, political parties and various levels of government would determine whether they succeeded.

meeting of Knoppieslaagte, Blue Hills and Sun Valley residents in a local farm hall on Tuesday night that a Mr Petersen of Diepsloot was offered R500000 to vacate his land.

Mr Petersen's land had been valued earlier at R1.6 million with an additional improvements value of R800000, Dr Massey said.

The TPA statement said the values two independent private sector valuers had placed on properties to be expropriated in Diepsloot West and Nietgedacht differed by less than 10 per cent.

Four landowners were involved at Diepsloot West and two at Nietgedacht.

The total cost of the expropriations came to R5.3 million.

It could not be established from the TPA on Wednesday whether the land had been valued at deflated property values because of the resettlement programme.

Expropriations had been served on four landowners and the other two had been due to receive their on Wednesday.

The TPA said it was possible that labourers on the expropriated land could be accommodated.

"The planning of the two settlement areas will be done in collaboration with the Zevenfontein community and as soon as this is finalised, the settlement of the Zevenfontein community will commence."

The TPA would ensure that services such as water, toilets on each stand, and refuse removal will be supplied.

"According to Escom's view of 'electricity for all' discussions will be held on the possibility of supplying electricity to the new residents."

The TPA would also give attention to the rendering of primary health services.

"It is our belief that the new residents, as well as those with vested interests, have a responsibility towards each other to cooperate in this process of urban development in order to achieve the best possible results for the community as a whole."

The settlement of the Zevenfontein community should not be seen in isolation. "It forms part of the greater urban development planning in the PWV-region where an immediate need of approximately 400000 stands exists."

PARLIAMENT

ANC Slams SAA Uniforms Budget

CAPE TOWN June 10 Sapa

The disclosure in Parliament on Monday that the government spent more than R18 million on uniforms for South African Airways air and ground staff was scandalous, the ANC Western Cape region said on Wednesday.

The ANC was responding to the announcement by the Minister of Public Enterprises, Dr Dawie de Villiers, who said the design of the new uniforms cost R811000 while the manufacturing costs amounted to R17.6 million.

A further R55000 had been spent on advertising, promotions and public relations.

The ANC said there could be no justification for spending the money of the severely pressed public on such frivolities in the face of the drought, unemployment and mounting poverty.

"We are appalled by the government's apparent complete disregard for the plight of its citizens," the ANC said in a statement.

"Corruption, outrageous expenditure, waste and a total lack of concern about the desperate plight of South Africans are daily indicators that the National Party holds the people of South Africa in total contempt."

People battled to pay for transport to work while (Mr F W) de Klerk and an "unnecessarily large entourage" travelled to Japan.

While millions was being spent on buying the silence of CCB agents, pensioners collapsed in queues while they waited for a "pittance" on which they could barely survive.

"The NP has mismanaged the SA economy for long enough. In the face of yet another piece of preposterous extravagance, we reiterate our demand for the immediate removal of all government ministers as well as all officials responsible for this shameful waste of public money," the ANC said.

No Extra Burden In Transfer Of Development Aid Staff

DURBAN June 11 Sapa

The transfer of staff and functions from the Department of Development Aid to the Natal Provincial Administration would place no extra burden on the province's taxpayers, SABC radio news reports.

Natal administrator Mr Con Botha said the transfer of functions had been accompanied by the funds needed for the provision of additional services.

The Pickard Commission of Inquiry found the former Department of Development Aid had been "rife" with dishonesty and abuses. In October, acting on Mr Justice Pickard's recommendations, State President F W de Klerk abolished the department.

Mr Botha said that of the 144 DDA head office posts transferred to the NPA, only 26 had been filled by former DDA staff members on transfer from Pretoria. The rest of the posts were vacant and would be filled only if and when necessary.

The Administrator of Natal said that more than 1800 of the 2000 people transferred to the NPA were categorised as either general assistants or labourers, and were doing important work.

Interception Bill To Counter Planning Of Crime

By Lorraine Braid

CAPE TOWN JUNE 10 SAPA

The purpose of the proposed Interception and Monitoring Bill, which was tabled in Parliament on Wednesday, was an attempt to counter the source and planning of crime, the Minister of Justice, Mr Kobie Coetsee, said on Wednesday.

He said in a statement the emphasis of the proposed legislation would fall on the investigation and prevention of serious crimes as defined in the Criminal Procedures Act and which include treason, sedition, fraud, murder and public violence.

Legal postal and telecommunication interception was an accepted practice in world democracies used in an effort to combat serious crime, particularly where drug and smuggling syndicates operated.

South Africa had seen an annual increase in serious crimes, particularly in fraud (an increase of 49 percent from 1986 to 1991) and possession of drugs such as cocaine (an increase in confiscation of 652g to 47436kg from 1985 to 1991). These tendencies particularly were attributable to the activities of syndicates.

Serious crimes such as murder, robbery, vehicle theft and illegal dealing in gold, diamonds and other precious stones were often perpetrated by syndicates and the SAP often had difficulty in combating this organised crime.

"The perpetrators of crimes are often arrested while those planning the offences escape because people are intimidated into not giving evidence against the syndicate leaders.

"Crime will only be successfully combated once those planning and organising the crimes are brought before a court and punished."

Advanced technology had made it possible for illegal postal and telecommunication monitoring and the proposed legislation prohibits this, and also brings South Africa into line with similar legislation in countries like West Germany, Britain, the US and Canada.

The Bill proposes that the Attorney-General be enabled to authorise interception or monitoring and removes the responsibility of this from the security establishment.

This authorisation will only be granted on application by an officer in the SAP or SADF with approval of another officer above the rank of major-general who, in turn will need authorisation from either the Commissioner of Police or the Chief of the SADF.

"If it is taken into account that Attorneys-General will report on their activities to Parliament, this would mean that Parliamentary control, in the best traditions of democracy, will establish further protection measures."

The rights of the individual would be automatically protected through the fact that the independence of Attorneys-General has

been made law and means that an Attorney-General can make decisions without any interference from the executive authority.

Mr Coetsee said Attorneys-General took decisions daily on whether to prosecute criminals. They were well qualified legally, held in high esteem and were above politics.

The DP spokesman on justice, Mr Tony Leon (Houghton) said in a statement that his party had grave reservations about the Bill as it was concerned about the incursions into fundamental liberties and private conduct.

The Bill sought to widen police powers of wire/phone tapping and mail interceptions, a power previously only available for security offences.

"We accept that such powers may need to be exercised, speedily and in secrecy, to combat and interdict serious crime. However, we believe that a judge in chambers should be required to approve such drastic incursions into individual liberty and the right to privacy.

"It is doubtful whether this proposed legislation could survive a provision in a future Bill of Rights, guaranteeing a right to privacy."

Authority to intercept or monitor can only be applied for by an officer in the SA Police or Defence Force with approval by another officer above the rank of major-general who, in turn, will be authorised by the Commissioner of the SAP or Chief of the SADF.

The information obtained by monitoring or interception shall not be disclosed by anyone who performed the function except to anyone who requires it for the performance of his functions within the Act or to any competent authority who requires it with a view to institute criminal proceedings.

Press Release

Issued by: African National Congress

ANC PRESS STATEMENT ON THE PHONE TAPPING BILL

At this time of rampant corruption and a total disregard for Ministerial accountability, a Bill such as this can only serve to deepen the mistrust the crisis of confidence in an already totally discredited security force.

This Bill is totally authoritarian. It grossly violates fundamental civil rights and must be rejected outright.

The Nationalist government has a long history of calling statutes by names that are the exact opposite of what the statutes actually provide for. The Extension of University Education Act was used to expel blacks from universities. The Abolition of Passes Act was employed to extend passes to women.

Now we have the Interception and Monitoring Prohibition Bill, which authorises phone tapping, bugging of homes and offices and the interception of mail. This is really an Attorney General

12.

and Major General's charter. State officials, who rose through the ranks during the period of the worst repression in the era of naked apartheid, are being given carte blanche to authorise the tapping of our phones and interception of our post.

The key phrase is "if the Attorney General is convinced". The Attorney General acts on information supplied by senior officials in the police, army or national intelligence service. There is no supervision, no accountability. The courts have no say. There is no reporting to Parliament.

Once more the government is player and referee. A member of NIS persuades an Attorney General that it is necessary to tap ANC phones because a protest meeting might lead to violence. They collect information to harass or discredit our members. The National Party is desperate to win elections, so "Watergate" is legitimised. General van der Westhuizen can issue another of his famous authorisations.

If the intention is to deal with organised crime, then other methods with proper accountability and supervision can be found.

Nothing is said about planting bugs in offices and homes. The penalties for illegal phone taps and interception of mail are so light as to hardly be a deterrent - a fine or two years imprisonment.

On the other hand, anyone who is so disgusted with participating in illegal taps that he or she goes to the press, is liable to five years' jail.

This proposed law is once again unilaterally presented, disregarding the very negotiations at Codesa the government and NP claim to be committed to. It seeks to place on the statute books the type of legislation the ANC has fought so hard to have removed.

Issued by the Department of Information and Publicity
PO Box 61884
Marshalltown 2107
11 June, 1992

Viljoen Called Upon To Accept Responsibility For Corruption

PARLIAMENT JUNE 10 SAPA

Public anger and common decency demanded that the Minister of State Affairs, Dr Gerrit Viljoen, acknowledge his responsibility for the corruption and maladministration in the former Department of Development Aid and offer his resignation to President F W de Klerk, Mr Peter Soal (DP Johannesburg North) said on Wednesday.

Speaking during the Second Reading Budget debate, he said in spite of his many qualities, ability as a negotiator and the contribution he could make to the transition, Dr Viljoen should "do the honourable thing and resign from the Cabinet".

President De Klerk had obliquely acknowledged that administration was not Dr Viljoen's strong point by removing him from a department which required administrative skills.

Dr Viljoen had been the Administrator of SWA/Namibia for a short while when a great deal of maladministration took place, resulting in Mr Justice P W Thirion's conclusion that corruption was rife in that administration.

He had also been responsible for the Departments of Education and Training when the Van den Heever Commission was appointed to investigate irregularities in that department and headed the former Department of Development Aid when the Pickard Commission was appointed to investigate irregularities in it.

Both commission had reported widespread corruption and maladministration and Dr Viljoen had to accept responsibility for the lack of control exercised in these departments.

Mr Soal said there was however absolutely no suggestion that Dr Viljoen had enriched himself in any way or that he was personally involved in corruption and theft.

There was also no question of criminal charges being brought against him.

In his reply to the debate, the Minister of Finance, Mr Derek Keys, said there was "not the slightest blemish on the honesty and integrity" of Dr Viljoen.

The responsibility imputed to him was the same as that which resulted in former British Foreign Secretary Lord Carrington resigning in the wake of the Falkland War.

However, there was no case of imputed responsibility in Dr Viljoen's case as he had acted promptly as the Development Aid saga unfolded. The fact that the wheels had ground slowly could not be laid at his door.

Some Development Aid Cash Recovered

HOUSE OF ASSEMBLY June 10 Sapa

About R170000 had been recovered following police investigations into 24 cases involving the former Department of Development Aid, the Minister of Regional and Land Affairs, Mr Jacob de Villiers, said on Wednesday.

Replying to a question by Mr Peter Soal (DP Johannesburg North), he said 183 cases involving damages or loss to the State had been investigated since 1984 and before the appointment of the Pickard Commission of Inquiry.

Of these, 134 were alleged cases of theft, which had been dealt with criminally. Of the remaining 49 cases, 20 officials had been found guilty in court. Three cases were still pending.

Departmental investigations found 34 officials guilty of misconduct and eight were dismissed.

Twelve officials implicated in serious offences by the Commission had been suspended. The matters had been referred to the police for investigation, with five officials being found not guilty.

Claims totalling about R2,7 million had been made against the State and were settled for about R160000.

Cases involving criminal charges against three officials were still pending.

No criminal actions had been pursued against former officials following the Pickard Commission investigation. Police dossiers would be referred to the Attorney-General once dossiers were completed.

Remedial steps had been taken and systems of control and procedure were being reviewed.

Replying to Mr Soal's remark that suitable steps had not been taken to recover money, he said: "Mr Justice Pickard pointed out the impossibility of making an estimated figure."

In 24 cases, the State had recovered about R170000. This did not cover cases that were still pending.

Mr Soal asked if this meant that the public had to accept that billions of rands had been written off.

Mr De Villiers said: "The reference to billions is a rather loose figure. The Judge referred to millions, if not billions, of rand."

Less than R2,4 billion had been allocated to the Department of Development Aid between 1984 and 1992. "Billions is an exorbitant figure."

THE HOMELANDS

PPP To Be Transformed Into Resistance Movement

RUSTENBURG June 10 Sapa

The banned Bophuthatswana opposition People's Progressive Party (PPP) plans to transform itself into a resistance movement in an attempt to mount an effective challenge to President Lucas Mangope, a senior official said on Wednesday.

The decision was taken at a recent national executive committee meeting of the PPP, said the organisation's deputy president, Mr Reuben Molefe.

The PPP was banned following the failed military coup in 1989 during which exiled PPP president Rocky Malebane-Metsing assumed a shortlived leadership of the homeland.

"The national executive committee of PPP resolved that the only way to face the strong-headed President Lucas Mangope is to turn the party into a resistance or liberation movement," Mr Molefe said.

Mr Molefe also said his party would hold its annual congress in July at which the participation of Mr Mangope at Codesa would be the main topic.

He accused Mr Mangope of not consulting the people about developments at the Convention for a Democratic South Africa, saying instead the president conferred only with chiefs and cabinet ministers.

He also said despite Mr Mangope's determined opposition to

re-incorporation into South Africa, his participation in Codesa talks effectively meant Bophuthatswana was part of South Africa.

"President Mangope is not telling the truth when he says Bophuthatswana will not re-incorporate into South Africa.

"He is in Codesa negotiating with Codesa and that simply means nothing else but to be part and parcel of South Africa," said Mr Molefe.

The PPP conference on July 4 will be held at Zinnievale near Rustenburg.

EDUCATION

DET Corruption: Dockets Handed To Police

JOHANNESBURG June 10 Sapa

The Department of Education and Training has confirmed "a number of irregularities" in its Johannesburg regional office, saying 16 dockets have been handed over to the police.

This follows a report in a Johannesburg daily newspaper which said the DET's Johannesburg region was conducting three separate fraud investigations involving more than R280000.

Commenting on the report, DET director general Dr Bernhard Louw said an internal audit was underway to ensure all cases were identified.

He added that strict disciplinary measures would be taken as soon as possible.

According to the report, two women clerks from Naledi and Meadowlands had been suspended pending an investigation into the drawing of salary cheques amounting to R250000 for 11 non-existent employees.

"As far back as March this year, (DET Johannesburg regional office) officials suspected that payments were being made to fictitious people," said Dr Louw.

He also confirmed two other cases being dealt with in the DET's Johannesburg region.

One case involved the principal of the Alexandra Technical College who is accused of misappropriating R30000, while the other relates to the alleged cashing of a cheque by an officer for overtime payment to another person.

Both cases have been handed to the police.

LABOUR

Municipal Workers On The March

JOHANNESBURG June 10 Sapa

Hundreds of chanting members of the SA Municipal Workers' Union (Samwu), some armed with sticks and knobkerries, marched through central Johannesburg on Wednesday morning.