

m/L thobeho Maqubeta
National Otaectoxz
South Af/Ltcan Legat Deience Fund (541057)
7) 0 Box 23161 1 '

Cta/zmzont
Cape Town 7700
5007-29 AFRYCA

Dea/L M/z Magubeta

R6: REQUEST TO FU/VD M7? SJMcSlAA/E'S R5-ADM75570N AS AN MW6V

Ktndtg itnd encto/Jed he/zewtth copte/J of: the tottowntng ttem/J hehetn #04 you
attention:-

1. My tette/L 0f: the 8th Feb/Lua/zy 1994 and annexwze/J the/Leto and t4
add/ze/med to M4 Batan CwL/u'n, the Nattanat Othectoxx 0;: the Lawye/M (.04
Human Rtght4; .

2. A tette/z Of. the 11th Maach 1994 add/Le44ed by Ina Simetane to the Lawye/z/J
(Lox: Hwnan Right: and 1.4 copied to me; and

3. :4 tette/z dated the 16th Feb/zua/zy 1994 add/ze/Med to me by the lawye/w
150/1 Human RLth/J and t4 copied to Mt Simetane. ThL/J t4 a heptg to my
tette/z a4 pert ttem (1/ above.

7n vtew at Ma. szu'n'xj advice (14 pea 4'.th (3/ above and eopectatty that
they. teamated theta Litigation Fund on. the underL/Jtmding t/uzt 514112617 wad
t0 p/zovtde (Lundtng ,CO/z Hwnczn. Right/J hetated tittgatton we would be gjuztetut
indeed if: you we/ze t0 htndty'take oven the ,funaiing oi: ow: MIL Simetahe'd
he-admt44mn matte/z. We would be ptea/Jed indeed ti you warm to conAtde/L
, the matte/z at yowz ea/the/Jt convenience 0n the baAi/J of; annexwze4 to my
tetteh a4 pe/z ttem (1) above and advt/Je u/J acco/zdingty. Theaeaite/z we
would advtAe M/z (Elliott who a rcefLerned to thehetn to do the matte/z to
completion a4 4001?. ad po/J/thte.

you/z (Mdtutance in #2414 matted wttt be highly app/Lectated.

Thank you

yoww Aince/zety

WuvLOZo

1mq 15v mmmmmow

ewe? Remasmmyvi

$$\vdash \vdash P'$$

FURWARD TO PEOPLE'S POWER!

OFFICE OF THE CHIEF REPRESENTATIVE
31A Lincoln Road. Avondale: Harare
P.O. Box 3773. Harare
telephone: 304879
relax: 26281 RONA zw
Fax: 304855

8 February 1994
Mr' Brian Currin
National Director
Lawyers for Human Rights
730 Van Erkom Building
Pretorius Street
Pretoria 0002
SOUTH AFRICA

Dear Mr Currin

RE: REQUEST TO FUND MR SIMELANE'S READMISSION MATTER

I have read Mr Simelane's application for the funding of his readmission matter which letter of application is annexed hereto.

Simelane is a member of the ANC. His case is 'a deserving one'. This office is also familiar with his situation and we strongly support his request for funding. If you are able to confirm to us at your earliest convenience whether your office will be able to assist as requested we will advise Mr Bryant Elliot to start working on the matter. Mr Elliot will be advised to communicate with you directly and advise you regularly on the progress of this matter.

Thank you

Yours sincerely

7/95/6.

GSLEY MMAMABOLO

CHIEF REPRESENTATIVE

FOIUAID TO PEOPLES POIEI!

P 0 BOX BE 110
BELVEDERE
HARARE
ZIMBABWE
8 February 1994
Mr Brian Currin
National Director
Lawyers for Human Rights
730 Van Erkom Building
Pretorius Street
Pretoria 0002
SOUTH AFRICA
Dear Mr Currin

RE: MY APPLICATION FOR RE-ADMISSION AS AN ATTORNEY OF THE NATAL PROVINCIAL
DIVISION OF THE SUPREME COURT OF SOUTH AFRICA.

As you probably know I practised law as an attorney based in Durban up to
August 1984 when I was compelled by circumstances beyond my control to go
into forced exile. I was granted political asylum by the Kingdom of
Lesotho during August of the same year and lived in that country as a
refugee until July 1985 when I relocated to Zimbabwe. The Government of
the Republic of Zimbabwe granted me political asylum as well.
Please find annexed hereto copies of the following items for your
attention:

1) Letter dated 30th July 1992 addressed to the Natal Law Society by the
LAWYERS COMMITTEE FOR CIVIL RIGHTS UNDER LAW which is based in
WASHINGTON DC, and

2) A letter dated 19th January 1994 addressed to me by the representative
of the UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES in ZIMBABWE.
Item (i) above will inter alia show that my strike off as an attorney was
an act of political victimisation by the Natal Law Society and consequently
constituted a maladministration of justice and a violation of human
rights. Item (2) above will inter alia show that I have been recently
cleared by the South African authorities to return to South Africa.
South African repatriation officially ended last December. However my
matter has been dealt with by the UNHCR as a special case in a bid to get
me cleared by the South African authorities which as is apparent from above
they have since achieved. I am consequently required to return to South
Africa as soon as possible. The Government of Zimbabwe shares the same
view in view of the irreversible stage the South African democratic process
has reached.

My personal circumstances are such that I need to work immediately on my
return to Durban. I am divorced with five children whose schooling ranges
from primary to university education. In the processes I am apprehensive
of a situation when I will soon be finding myself in the streets without a
shelter and living on handouts. It is therefore necessary that I be
assisted to get my readmission as an attorney in South Africa finalised as
soon as possible.

2/...

Your former Regional Director in Durban, Mr Churton Collins, while a partner with a firm of Lyne and Collins, and funded by the Lawyers for Human Rights, attempted to do this assignment during 1991 and the earlier part of 1992 and had retained Mr Kevin Laue of Kantor and Immerman in Harare as his correspondent. The firm of Lyne and Collins has since dissolved and Mr Kevin Laue has also ceased to act. Mr Bryant Elliot of Scanlen and Holderness of P O Box 188 Harare has indicated that he is prepared to do the matter speedily to completion. Mr Elliot is a distinguished human rights lawyer and represents inter alia the CATHOLIC COMMISSION FOR JUSTICE AND PEACE. It will be necessary for Mr Elliot, if he is properly instructed, to inter alia finalise the papers, retain a correspondent in Durban/Pietermaritzburg, attend interviews with the Natal Law Society if necessary and to brief counsel to move the application for re-admission.

I am a member of the ANC. The office of the Chief Representative in Zimbabwe knows my personal circumstances fully well and that I need to be financially assisted to get my re-admission completed. Consequently I kindly request the Lawyers for Human Rights to continue to give financial assistance in this matter and to give us the necessary commitment to continued funding of this case to enable Mr Bryant Elliot to start working on the matter to completion thereof. Your assistance in this matter will be highly appreciated.

I am

Yours sincerely

//

BHEKI SIMELANE

em

LAWWRSCOMMHHE

FOR CIVIL RIGHTS UNDER LAW

SUITE 400 . 1400 EYE STREET. NORTHWEST - WASHINGTON. DC. 20005 ' PHONE (202) 371-1212

CABLE ADDRESS: LAW CIV, WASHINGTON. D.C.

TELEX: 205662 SAP UR

FACSIMILE: (202) 842-3211 or (202) 842-0683

July 30, 1992

Mr. E.J.B. Smith, President

Natal Law Society

16 Change Lane

P.O. BOX 1454

Pietermaritzburg 3200

Republic of South Africa

RE: Readmission of Bhukumndeni Qedusizi Penuel Simelane

Dear Mr. Smith:

I am writing to urge your acceptance of the application of the above named returning exile for readmission into the Natal Law Society.

Prior to his leaving South Africa in 1984, Mr. Simelane had a law practice in Durban, Natal which he began in July 1980. Because of his opposition to the apartheid policy of the South African government, a position, unanimously supported by the international community, Mr. Simelane was subject to continual harassment by the South African authorities both before and after he began practicing law. Such governmental actions prompted Mr. Simelane to escape South Africa in August of 1984 out of fear for his life.

Based on our review of his records, it is clear that the decision to strike Mr. Simelane from the Law Society list was politically motivated and therefore unwarranted. As South Africa moves into a new era of democracy, openness and free political participation, injustices such as the one suffered by Mr. Simelane must be rectified.

While in exile, Mr. Simelane has attained great stature in the legal profession in Zimbabwe. While there, he won the respect of many colleagues, as is evidenced by the numerous affidavits

.YERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW

attached to his application in which those who have had the opportunity to work closely with him, praise his work highly.

Mr. Simelane is duly registered for repatriation. with the United Nations High Commission on Refugees and has plans to return to Durban once the political situation in South Africa is stabilized. For the reasons stated above, upon his return to South Africa, Mr. Simelane should be readmitted to the Natal Law Society without delay.

i erely %ES

Gay J. McDougall Director
Southern Africa Project

NATIONS UNIES
HAUT COMMISSARIAT
POUR LES REFUGIES
UNITED NATIONS
HIGH COMMISSIONER
FOR REFUGEES

Branch Office in Zimbabwe De'lega rion pour le Zimbabwe

Telephone: 793274/793275 P.O. 80x 4565

Telex: 26073 ZW - Harare, Zimbaowe

Fax: 708528

Cable address: HICOMREF Harare

94/G/0061 . . 19 January 1994

Dear Mr Simelane,

We have received and carefully read your letter of 28 December 1993
and its enclosures.

We have noted that the Regional Education Office of the African National
Congress has taken up your case with the University of South Africa (UNISA).

We have been informed by our Office in Johannesburg that at present they are
not in a position to intervene in the dispute between you and UNISA.

However, the most important piece of information brought to us by our Office
in Johannesburg concerning your case is that you have been cleared by the South
African authorities to return and therefore you can voluntarily repatriate to
South Africa in safety under UNHCR protection.

You may therefore wish to follow up the matter with UNISA personally upon your
return to South Africa.

Yours sincerely

W. Karago

Representative

Mr Simelane Bheki

P.O. Box 83110

Belvedere

Harare

.. . - . . . xJ "la .yv . . CJ/xFquQNCi/W
mnxpk led Aug (L E i)l Plot Npl TISFNCXF :
M5. . . J. xbiwlhkg AP; . . . ,5..m..l,,w.) 0/ ?,D JJU ?IN N
052mm dram. wmmmmLdeWm/M m
X4mEQ1/h ?.?Afuxci) Hoazxmwgmmmm
,jiill

NATIONAL OFFICE
730 Van Erkom Building
317 Pretorius Street
Pretoria. 0002
Docex 113, Pretoria
Telephone 210121-21-2135 -- , ' W
Telefax: (012) 325-6318
16 February 1994 NATIONAL DIRECTORATE
Chief Representative
Kingsley Mmamabolo
African National Congress
P O Box 3773

HARARE, ZIMBABWE. FAX: 304855

Dear Mr Mmamabolo,

RE: REQUEST TO FUND MR SIMELANES RE: ADMISSION AS AN ATTORNEY:

Thank you for your letter dated 8 February 1994 regarding the above together with Mr Simelane's application addressed to me.

I have no doubt that you are aware of the establishment of the South African Legal Defence

Fund ISALDEF. It was created in South Africa after the winding up of the International Defence and Aid Fund IDAFJ. All the prominent liberation movements and human rights organisations are represented on the Board of Trustees. That includes both the African National Congress and Lawyers for Human Rights.

When SALDEF was established, its mandate was to provide funding for human rights related litigation. As a result of that, in an attempt to avoid duplication, Lawyers for Human Rights

terminated its Litigation Fund. In the circumstances, we are not in a position to assist Mr

Simelane's application for re-admission. The appropriate organisation which should be approached is SALDEF. I suggest you address the application to their National Director, Mr Ntobeko Maqubela. Their address is P O Box 23161, Claremont, Cape Town 7700.

Their telephone number is 10211 47-4052 and fax number 1021) 47-4397.

Yours sincerely,

BRIAN CURRIN

NATIONAL DIRECTOR

1

c.c. Mr B Simelane.

"Towards Justice and Human Rights for All "