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NEWSLETTER FROM THE POLITICAL PRISONERS COMMITTEE

PRISON - SOUTH AFRICA STYLE

In Pretoria, nine white political prisoners - Denis Goldberg (life imprisonment), Dave Kitson (20 years), John Mathews (15 years), Alex Moumbaris (12 years), John Hosey (5 years), Raymond Suttner (7½ years), David Rabkin (10 years), Jeremy Cronin (7 years), Tony Holiday (6 years) - were refused an application for an order allowing (a) access to newspapers; (b) a reduction in the present excessive censorship of magazines and letters; (c) unrestricted conversations with visitors bounded only by considerations of prison security.

In their affidavits all the prisoners contend that these are rights to which they are legally entitled and which are being withheld contrary to law.

The state called no witnesses, maintaining that all matters were at the discretion of the Minister of Prisons. The judge, Justice Curlewis, concurred and, among other things, remarked that the prisoners were very well off and fortunate to be imprisoned in South Africa.

An appeal has been lodged against the judgment. The hearing is expected during the February/April session.

In its editorial comment on 23 August, 1977 the Rand Daily Mail, Johannesburg said it was a pity that the judge had dismissed the application of the political prisoners and "an even greater pity the application had to be brought at all. The Department of Prisons should never have imposed such restrictions." It said further ".... the Commissioner (of Prisons) should now do the humane, and allow this group of people to know what's going on in the world outside."

We want this right or privilege extended to all political prisoners - those on Robben Island and in every jail where political prisoners are held. If the case is won this will happen. Why should these prisoners, all politically conscious, be subjected to the additional punishment of having no access to the news of the day?

Before the appeal is heard, please inundate the office of the Minister of Prisons, Department of Prisons, Vermeulen Street, Pretoria with letters, demanding that political prisoners be given the same privileges as all other prisoners.

THE PRETORIA TWELVE:

Scores of political trials are taking place in courts all over South Africa. The accused are charged mainly under the Terrorism Act which carries a possible death penalty, with furthering the aims of the African National Congress, of encouraging scholars and young people to undergo military training, of causing explosions and of attending meetings aimed at overthrowing the state. These trials demonstrate the fact that the African National Congress continues to exert its influence and carry on with its work in spite of the terror that the special branch and police use against all opponents of the apartheid regime.

The most important of these trials is that of the Pretoria Twelve now in progress in the Pretoria Supreme Court. One woman and eleven men are facing 79 charges under the Terrorism Act. The accused have pleaded not guilty to all the charges which are based on offences alleged to have been committed between 1962 and 1977. If found guilty, the charges are serious enough in South African law to carry the death penalty. THE LIVES OF THESE TWELVE ARE IN YOUR HANDS AS PART OF THE INTERNATIONAL COMMUNITY!

The trial is now in its third month and many state witnesses are testifying to having been tortured by the security police into making statements and giving evidence.

The chief state witness, giving evidence, said he had been repeatedly beaten and kicked until he bled from nose and mouth, and he was almost strangled with a cloth. He lost consciousness twice and was threatened with death unless he cooperated with the police. He was taken to see the accused Mosima Sexwala, lying naked and shivering, tied up in his cell. Later he saw another accused, Lele Motaung, who could not sit down because of injuries and pain to his buttocks.

The witness, Rwaxa, was forced to sleep naked without any blankets - and the South African winter can be very cold 6000 feet above sea level. Yet this man stood up in court, admitted he wrote what the lieutenant told him to write, knowing that he would soon be at the mercy of his torturers again. What courage!

The judge, Justice Davidson, said he had no power to protect Rwaxa from his torturers, the security police. What an indictment on the court!

Wives, brothers and sisters of the accused are being tortured and made to give evidence against their own close relatives.

The woman accused, Paulia Mohale, was admitted to hospital in December 1976 for treatment of injuries caused when she was thrown out of a window on the second floor during interrogation. (How many alleged suicides have taken place in just this way?

FREEDOM WILL COME AND WHEN IT DOES THE TORTURERS AND MURDERERS OF OUR FIGHTERS FOR FREEDOM WILL THEMSELVES BE IN THE DOCK CHARGED WITH CRIMES THAT HAVE HORRIFIED THE WORLD.

MORE DEATHS IN DETENTION

Steve Biko, aged 30, is the 25th death in detention since March 1976. He was detained in Port Elizabeth and transferred to Pretoria. He is alleged to have died after going on hunger strike one week before his death on 13th September. He was President of the Black Peoples Convention and first President of the South African Students Organisation. The inquest to be held in "some months".

Phakamile Harry Mabiya, aged 27. Detained 27 June 1977 under the Riotous Assemblies Act at the Transvaal Road police station. Died 7 August, 1977. At the inquest the police said that Mr Mabiya had jumped through a sixth floor window. The window should have been locked but had been left open because of a "nasty smell". The mother of the dead man testified that police had told him to say goodbye to his family as he would never see them again.

Elijah Nkwenkwe Loza, 59 of Cape Town. A former trade union leader and member of the African National Congress. Detained by security police 27 May 1977. Died 2 August. According to the prison authorities he suffered a stroke on 8 July. On 14 July the Cape Times newspaper reported he was in a coma in Tygerberg hospital. Also that Mr Loza's daughter and wife claimed he had been assaulted by the security police while in prison. His daughter said that when she visited him on 21 July "there were bruises and a swelling on his

head and he was jerking so violently that he had to be restrained. When I asked him which parts of his body were painful he pointed to his head, shoulders and private parts."

The security police deny the Loza family allegations that they refused to allow a private doctor to attend to Mr Loza, and that they refused his family access to the hospital. The Argus newspaper however quoted Colonel Conradie, the security police chief in Cape Town as confirming that a private doctor had been refused. The Loza family stand by all their allegations.

Dr Hoosen Haffeejee died in the Durban police cells on 3 August, four hours after he had been detained by the security police. He had been taken to the Brighton Beach police station cells under the provisions of the Criminal Procedure Act in connection with an investigation under the Terrorism Act. The chief state pathologist, Professor Gordon, refused to disclose the findings of the post mortem. He also refused to disclose the name of the doctor who attended on behalf of the family. According to the police, Dr Haffeejee was found dead in his cell at 4 a.m. One leg of his trousers was looped round the bars of the cell door and the other leg was round his neck. Mr Yusuf Haffeejee, the dead man's brother, claimed there were at least 25 abrasions on the body, arms and legs of Dr. Haffeejee. He was aged 27.

Bayempin Mzizi 62. Detained under the Terrorism Act in July and held in New Brighton police station was found hanged in his cell. (Morning Star, London 16.8.77). The post mortem was carried out by the state and the family was not informed or represented. His body was subsequently handed over for burial.

Himathal Jannadas 30. Found dead at Point prison on 13 August. He is said to have committed suicide by drowning. (Rand Daily Mail 16.8.77).

ONLY AN INTERNATIONAL COMMISSION OF ENQUIRY WILL ESTABLISH HOW ALL THESE VICTIMS OF POLICE BRUTALITY HAVE BEEN MURDERED.

At the inquest of Mapetla Mohapi (died in detention 5.8.76) a handwriting expert commissioned by the family told the court that the suicide note was not in the handwriting of Mr Mohapi. "As a banker I would never have passed the signature as genuine," he said. Dr Cooper, advocate for the family, said there was an irresistible inference suggesting homicide as the cause of death. The magistrate did not deliver a formal verdict of suicide. After the finding the crowd outside the court shouted "Amandla!" and gave the black power salute. Mrs Nohle Mohapi, wife of Mapetla, has initiated a claim for damages of R48,409 against the Minister of Police. The claim is for loss of support, funeral expenses and legal costs which the Mohapi family have had since the death in detention of Mapetla. Mrs Mohapi is now herself in detention and her small daughter aged three-and-a half is without either parent. She says "I want to go to the police station to be arrested" - so that she can be with her mother...

Joseph Mdluli: Attorney General of Natal Mr C. Rees stated on 21 July that he could still initiate further prosecutions arising from the death of former ANC detainee Joseph Mdluli, if fresh evidence was put before him. This may be construed as a tacit admission that Mr Mdluli's murderers are still at large, as indeed they are. Although four security police officers were charged with his murder, they were acquitted.

The judge found that most, if not all, of the injuries on Mr Mdluli were inflicted by one or more unidentified of the security police. The cause of his death was established as application of force to the neck.

Speaking on NBC American Newtork programme Chief Buthelew said: "I would be very worried if I was detained, not because I fear being detained, but because as far as I am concerned, those people who have died in jail, as far as I am concerned I believe they were killed."

RED CROSS REQUEST REFUSED:

Minister of Prisons Kruger has refused a request by the International Committee of the Red Cross for their representative to be allowed to visit detainees

held under the Terrorism Act. We can see why. But we should campaign for this request to be granted to the Red Cross because it is among this group of detainees that the greatest abuses take place - resulting in 25 deaths since March 1976 and a total of over 50 since detention without trial was first introduced.

THE MARITZBURG TEN:

Judgment was given on 25 July, 1977. Nine of the accused were sentenced to terms of imprisonment ranging from seven years to life after a trial which lasted over a year. Five of the accused who, according to the judge, had shown themselves to be dedicated revolutionaries, were sentenced to life imprisonment. They had all previously served sentences on Robben Island. The five are T.H. Gwala, J.V. Nene, M.M. Meyiya, A.N. Xaba and Z. Mdlalose.

Joseph Nduli and Cleopas Ndhlovu were sentenced to terms of 18 and 15 years respectively. These two men had been kidnapped in Swaziland by South African police, abducted to Maritzburg and tried, despite the protests of the Swazi government and the United Nations Human Rights Committee as well as many other organisations. The tenth man, Fano Khanyile, was acquitted on all charges.

In this trial further evidence of torture of state witnesses emerged. What is more, many defence witnesses were detained at the end of the trial.

Joseph Mdluli was murdered in detention while this case was being investigated. His murderers are still at large. (See More Deaths in Detention. Page 3).

INTERNATIONAL PETITION:

An international petition on the question of political prisoners, detainees and trials is due to be launched on October 11 - political prisoners day in the United Nations calendar. The petition is addressed to the United Nations and the governments of the world and states:

"We the undersigned urge you to act immediately in order that the South African apartheid regime

- (1) frees the Pretoria Twelve
- (2) halts all political trials
- (3) stops the torture and murder of detainees
- (4) releases all political prisoners and detainees. "

Signatures for this petition are being collected from all over the world. Forms should be printed in your country and signatures collected which should be returned to your organisation by 1 December 1977 so that the petition can be presented to the United Nations on Human Rights Day - 10 December 1977.

Please ensure that this petition has the maximum support in your country. Only pressure of the greatest measure can halt the activities of the apartheid regime.

Petition forms can also be returned direct to
Special Committee on Apartheid
United Nations
New York. N.Y.

WE WANT TO MAKE THIS A BUMPER NUMBER OF SIGNATURES. PLEASE START TO
PRINT THE FORMS AND ARRANGE FOR THE LAUNCHING OF THE PETITION FORTHWITH.

THE INITIATIVE FOR THIS PETITION HAS COME FROM THE LONDON ANTI-APARTHEID
MOVEMENT.