

The Namibian -- December 14, 1989

'RELEASE THE FIVE'

pressure mounts for the release of Namibians in Walvis Bay jail

BY GWEN LSTER

AN APPEAL for the release of five Namibians recently jailed on charges of public violence in Walvis Bay, has been forwarded to the United Nations Special Representative, Mr Martti Ahtisaari. This was confirmed by Mr David Smuts of the Legal Assistance Centre yesterday.

It was also understood that the matter would be brought to the attention of the independent jurist, but sources in the United Nations are unsure as to whether the case of the five students is within his mandate.

He was to undertake the "release of political prisoners to participate in the election (process)", and it is uncertain at present as to whether his mandate was concluded after the elections had taken place, or whether it applies to the independence process as a whole.

However, hopes for a pre-Christmas release of the five Namibians - Johanna Kambanda, Mingeli Erasmus, Paulus Shimwanda, Rosalia Shipili and Diirina Nakwafila - appear unlikely at this stage, unless the Administrator-General, Mr Louis Pienaar, can be convinced to free the five as political prisoners.

The five students were recently sentenced in Walvis Bay to varying terms of imprisonment following conviction on charges relating to public

violence during the school boycotts of 1988.

Damage to the school buildings at the time was minimal, and the sentence was generally regarded as 'excessive'.

Mr Ahtisaari is presently in New York attending a session of the United Nations General Assembly, and is only expected back next week.

Only then will he be able to peruse the opinion of his legal advisers on this matter.

There has been some outcry among Namibians, and in particular the student movement Namo, about the imprisonment of the five, especially bearing in mind the amnesties granted to ex-Koevoet members, who were to face far more serious charges such as the murder of civilians, by Mr Pienaar.

Last night a church meeting was held in Walvis Bay's black township to protest the jailing of the five.

In a speech delivered on behalf of Mr Smuts by the Walvis Bay repre-

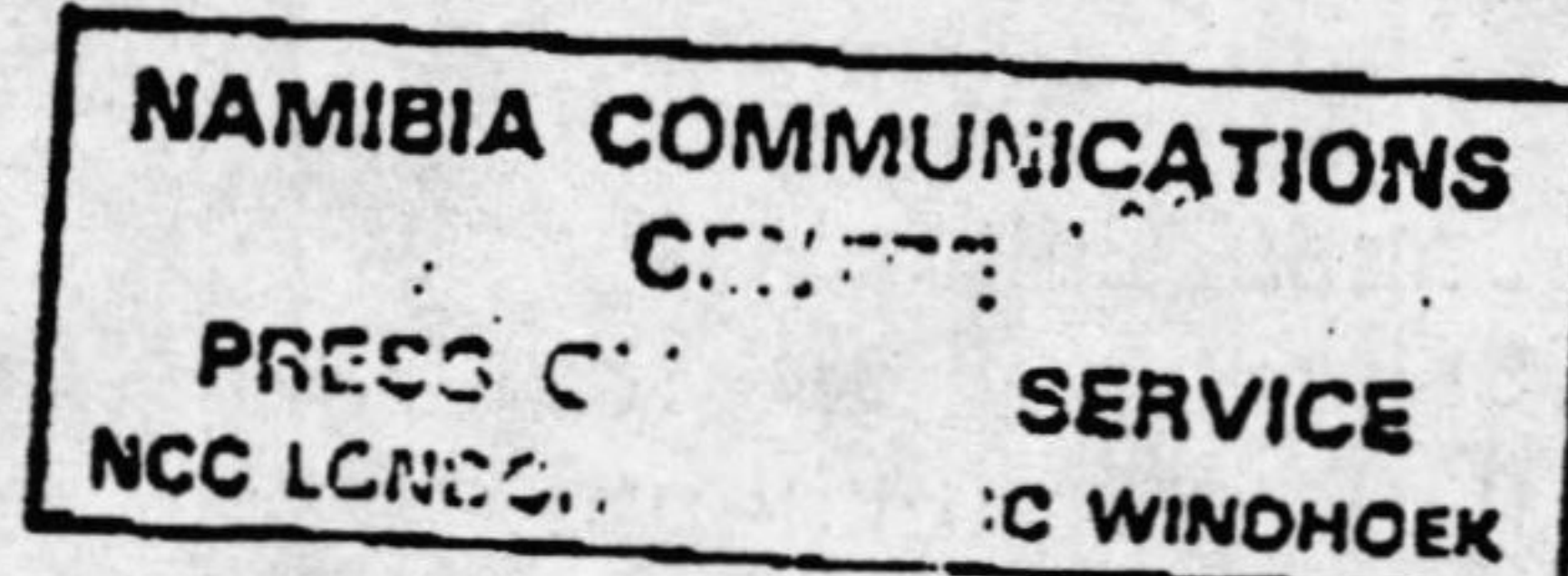
sentative of the LAC, Mr Obod Envula, the commitment to the struggle against injustice, and for the protection of human rights of Walvis Bay's inhabitants, was reaffirmed.

"Central to the entire struggle for human rights is the right to self-determination which is presently being denied to our fellow Namibians in Walvis Bay," Mr Smuts said.

He added that he believed that in international law, Walvis Bay was an integral part of Namibia, and "we shall continue to strive for its full incorporation into Namibia through whatever legal means are possible".

Confirming that his Centre had lodged representations with the UN Special Representative concerning the political prisoner status of the five, Mr Smuts added that appeals against the sentences of all five prisoners were proceeding but would be unlikely to be heard by the Supreme Court before February/March next year.

NAMIBIA NATIONAL STUDENTS' ORGANISATION



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TO : The Administrator-General, Adv. Louis Pienaar,

The special representative of the Secretary-General of the UN, Mr. Marti Ahtisaari.

From: The office of the National President of NANSO.

Date: 30 November 1989

Subject: Petition for the release of Namibian students jailed in Walvisbay.

Dear Sir

The Namibia National Students' Organisation, NANSO, with a membership of 50000 students all over Namibia, hereby strongly protest against the detention of its five members in Walvisbay, and appeals in an urgent fashion to both the offices of the Administrator-General and the UN SG to secure the immediate release of this Namibians currently serving prison terms in Walvisbay.

These fellow Namibian students now currently serving their prison terms, have been jailed because of their participation in a national political campaign protesting against the location of military bases in the proximity of schools, last year, 1988.

It is our strongest belief that this compatriots are also genuinely entitled to be released like all other political prisoners, in accordance with the provisions of UNSC resolution 435. We would like to put it clear that indeed this people are under all considerations, merits and standards, Namibian political prisoners who are being held in detention by South Africa at a time when they are supposed to have been free people.

We therefore strongly hope that the case of comrades Johanna Karibanda, Rosalia Shipiki, Diinina Nakwafila, Paulus Shimanda and Erastus Mingeri will receive your immediate urgent attention and that their release will be secured by your offices quite soon.

Thanking you in anticipation and awaiting your speedy response on the matter.

Yours faithfully

Ignatius Mkotongo Shihwameni