

WSP/259/22/9

17.9.91

Edw. G. G. G.

THE LATEST IN THE NEWS



September 17, 1991.

VIOLENCE MONITORING REPORT**ATTENTION: GILL MARCUS****re: Phola Park Shootings- 17 September 1991**

2 people died and a further 4 injured when policemen in camouflage uniform opened fire at Phola Park squatter settlement today at about 2h40 and 8h00 respectively.

The policemen using unregistered police casspirs, threw stones on the shacks and blew whistles and when the people came out of the dwellings to see what was happening, the police shot at them.

The Phola Park residents normally use a whistle to alert one another in case of an emergency. A second person died when the police arrived at about 8h00 and shot at a group of mourners found around the body of the person killed earlier.

We are still awaiting the names of the deceased. Hope to come back to you soon!

ANC PWV MEDIA DEPARTMENT**re: Ronnie Mamoepa****17 September 1991.**

Today, the 17 September at about 2h40, whistles were heard being blown in Phola Park Squatter settlement. The residents came out of their dwellings to see what was happening. Phola Park residents normally blow whistles to alert one another in case of an emergency.

Immediately the residents came out, police shot at them resulting in the deaths of 2 people and injuries to 4 others

POINTS FROM THE PRESS

An unidentified woman was shot dead in an unrest related incident in Alexandra township, north of Johannesburg, on Monday night, police spokesman, Maj David Bruce has told Sapa.

In a separate incident at the Phola Park squatter camp on the East Rand, a policeman was shot in the leg while on patrol early Tuesday (today) morning.

Major Bruce was unable to confirm a report that one man was shot dead by police in Phola Park at around the same time.

According to Phola Park Residents Committee spokesman, Prince Mhlambi, an unidentified man was shot dead by police in the squatter camp in the early hours of the morning .

Major Bruce did not rule out the possibility that the police could have shot someone "because they returned the fire." "So far I have not received a report of anyone else shot," he said.

Meanwhile at Khayelitsha in the Western Cape, extensive damage was caused to a vehicle when it was set alight.

At Gamalakhe in Port Shepstone, a policeman was slightly wounded when gunmen fired a number of rounds at him. At Mandela Park squatter camp in Thokoza, police found the body of a black man with hack wounds.

At Daveyton, Benoni, police found two men with bullet wounds while at Tsakane, Brakpan, a black man was wounded when gunmen fired a number of rounds at him.

At Jabulani Hostel in Soweto, a black man was shot and killed by unknown gunmen, while police found a seriously wounded man who was shot near Merafe Hostel in Soweto.

Reports from Cape Town say 37 homes in Khayelitsha outside Cape Town had their electricity supply disconnected on Monday since they had bills in arrears of more than R1500.

Lingeletu West town clerk, Mr Graham Lawrence said the electricity supply of a further 70 homes would be cut off unless the home owners settled their bills.

"We expect people to pay for their services and have no option but to cut off their electricity after trying for so long to get the people to pay their bills," he added.

Meanwhile, Defence Minister Roelf Meyer has said the South African Defence Force would not tolerate any political party's interference in its activities.

He was responding to a call by Conservative Party defence spokesman to his party's supporters that they should remain in the SADF and prepare themselves to take it over. Mr Meyer said the SADF should remain neutral at all times.

Groups are hopeful over quest for peace

MOVES to establish the complex set of structures agreed to at the National Peace Convention are already under way.

All the signatories to the historic accord believe it can work only if it is implemented without delay, and it is understood that arrangements for the first meeting of the National Peace Committee - the centrepiece of the peace plan - are being made urgently.

The NPC replaces the preparatory committee which brokered Saturday's deal and will consist of representatives of the churches, business, the Government, ANC and the Inkatha Freedom Party.

The preparatory committee met immediately after the convention to discuss the next steps in the implementation of the accord.

Breakthrough

"The mood is one of extreme enthusiasm among the signatories," one of the convenors said yesterday.

"I fully expect that the work and enthusiasm that went into the weekend accord will be matched by efforts to implement it."

Despite disagreements over sensitive areas of the accord, all major leaders are confident that it marks a breakthrough - President FW de Klerk said on Sunday night it opened the way for a quick start to constitutional negotiations.

High on the NPC's list of priorities will be the "expeditious and effective" establishment of the standing statutory Commission on Violence and Intimidation, the National Peace Secretariat, special crimi-

Political Staff

nal courts to try crimes of political violence and mechanisms to monitor police conduct.

The confidence was expressed by participants despite unhappiness over the actions of IFP supporters outside the peace convention venue on Saturday.

Government sources said yesterday the presence of IFP supporters could seriously jeopardise hopes of a National Party/IFP moderate alliance.

Annoyance

They cited the gathering of thousands of armed IFP supporters at the Carlton Hotel in Johannesburg - and IFP leader Mangosuthu Buthelezi's "grand-standing" - as matters of extreme annoyance to the Government.

Although De Klerk publicly tried to put a brave face on it, sources said the Government was furious at the IFP's performance.

"I think you can forget about a moderate alliance. What was moderate about that?" one source said.

Sources revealed at the weekend that the accord was nearly wrecked before the convention.

Issues which remain unresolved include those of "cultural" weapons; the role of the ANC's military wing, Umkhonto we Sizwe and a code of conduct for the security forces.

The accord is, nonetheless, being widely regarded as the most important milestone on the road to lasting peace.

By Sapa and Brian Stuart

INKATHA Freedom Party leader, Chief Mangosuthu Buthelezi, said yesterday he had no reason to be more optimistic about peace in South Africa after signing the National Peace Accord on Saturday.

However, confidence that the peace accord would succeed, in spite of continuing differences be-

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Citizen 17/9/91

Buthelezi still not sure

FROM PAGE 1

tween the National Party, ANC and Inkatha, was expressed yesterday by both the NP and ANC.

"The agreement is going to win. I know," said Dr Stoffel van der Merwe, general secretary of the NP. "I have confidence in the people of South Africa. We will build a new South Africa."

Mr Saki Macozoma, of the ANC department of information and publicity, said: "I think the agreement is going to win. One of the reasons everybody signed is because there is public pressure. And I think public pressure is important."

Interviewed by Radio 702, Chief Buthelezi said: "I've no reason, especially after the Press conference, to feel any differently, especially because the president of the ANC stated very clearly for the whole world to hear they are not going to dismantle the military wing of the ANC."

"How can one talk about peace when there are caches of arms hidden all over the country," Chief Buthelezi said.

Two days before the convention, he voiced his doubts about the effectiveness of the accord in a BBC radio interview.

Questioned yesterday about cultural weapons, Mr Buthelezi said they were not part of the peace accord.

"Bilateral discussions between the State President (Mr F W de Klerk) and us have taken place."

A committee of academics and anthropologists

was looking into the issue.

Dr Van der Merwe and Mr Macozoma disagreed radically over the continued existence of Umkhonto we Sizwe as the ANC armed wing, the bearing of traditional weapons by Inkatha Freedom Party supporters, and the role of the security forces.

In a debate on television yesterday, Dr Van der Merwe said the peace-making mechanisms provided in the accord would be set up this week, although some local committees would take longer to establish. But the process would be quick.

Regarding allegations of a Third Force, there was a large measure of agreement between Dr Van der Merwe and Mr Macozoma. Both saw the political tensions as so high that the actions of a few people could create a fresh wave of violence.

"It is not a question of communities involved — communities are victims of the violence. What we should be doing is to isolate those elements responsible and deal with them. And I hope this accord will give us the mechanism to do that," said Mr Macozoma.

There was a misunderstanding about what was meant by a Third Force. It could be different individuals in different situations, who exploited the potential for violence.

"We are not saying there is a body of people organised, with offices. I believe the Third Force takes different forms as it exploits a different conflict. The conflicts are ex-

ploited by other forces for completely different reasons."

Dr Van der Merwe said it had to be borne in mind that the peace accord would of itself not bring about peace. But it marked an important milestone in a long process.

"In the past, various parties encouraged their people to commit violence or oppose violence

with violence. There was war talk.

"The mere fact of the maintenance of self-defence units, Umkhonto we Sizwe and that sort of thing, created a climate of violence. This accord stipulates very clearly that people must also talk peace, so there can be a climate of peace and so that a search for peace can take place." — Sapa.

Commission without clout?

Star

17/9/91

The standing Commission of Inquiry into Violence is one of the centrepieces of the historic National Peace Accord. But the commission has not met with the unqualified approval of human rights lawyers. Political Editor SHAUN JOHNSON writes.

IN HIS response to the Inkatha funding scandal, President de Klerk placed heavy emphasis on the Government's proposed Commission of Inquiry Regarding the Prevention of Public Violence and Intimidation. Five months passed with no obvious activity about the commission, until it resurfaced in the National Peace Accord signed in Johannesburg on Saturday.

Observers welcomed the inclusion of the commission proposals in the multilaterally-endorsed document — chiefly because it addressed the criticism that Government was attempting to impose solutions unilaterally — but now that its workings have been described in detail, human rights lawyers are expressing disquiet.

In a memorandum in the possession of the Star, prepared jointly by the National Association of Democratic Lawyers (Nadel) and Lawyers for Human Rights (LHR), it is argued that the commission is one of the key mechanisms for ensuring implementation of the codes of conduct contained in the National Peace Accord for political parties and the security forces. It is charged with inquiring into the nature and causes of public violence; making recommendations to the State President concerning appropriate policies on the question; and inquiring into the funding of the peace process and the compensation of victims of violence.

As such, the lawyers believe, the commission has not been given sufficient legal powers to achieve these ends.

The Nadel/LHR document, overseen by lawyers David Pitman and Greg Nott, identifies alleged deficiencies in the powers of the commission.

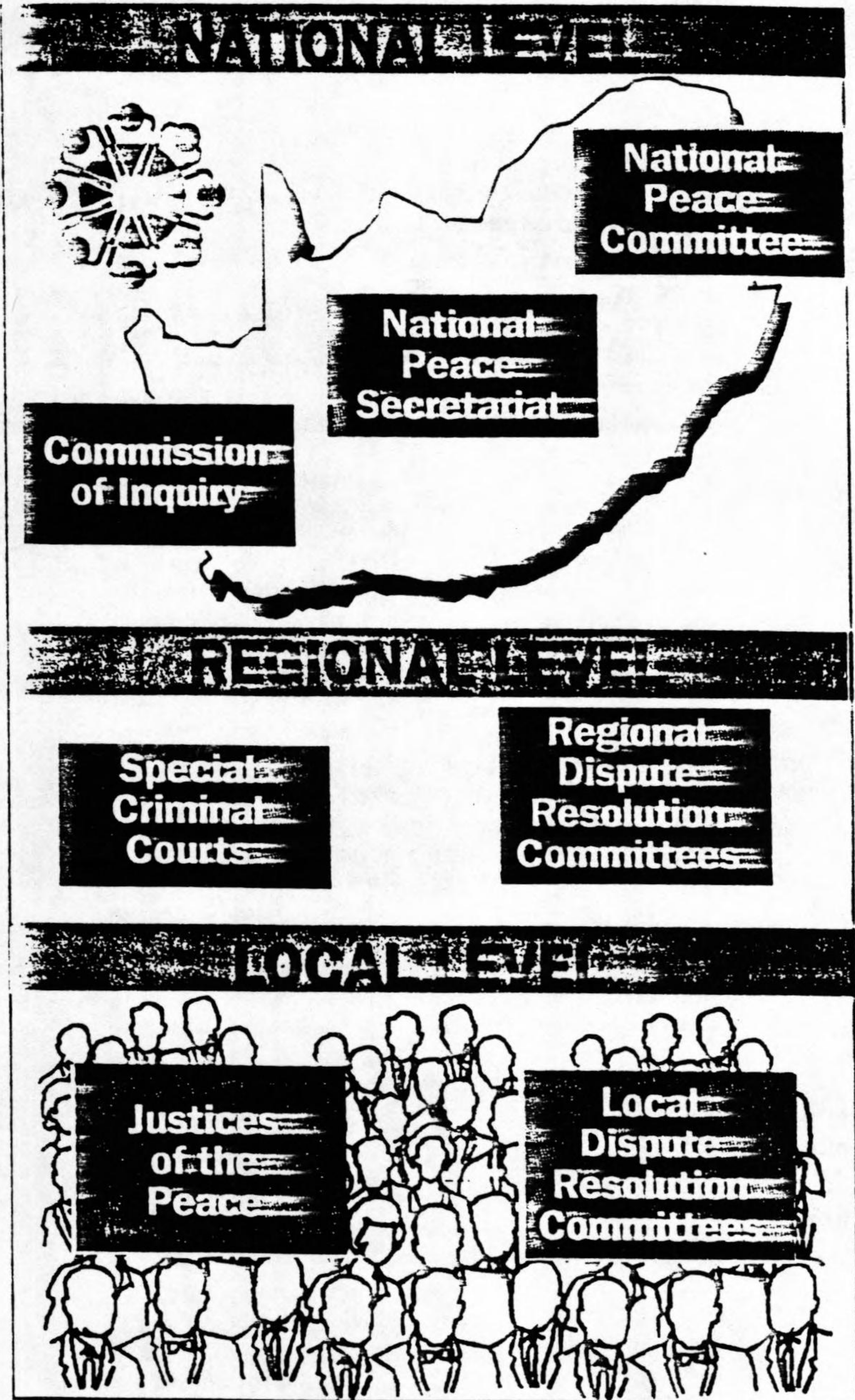
There is concern that the commission will not be authorised, unless under special circumstances, to inquire into occurrences which took place and ended before July 27 this year, or to inquire into incidents before this date where other official investigations are already under way.

The authors say: "We view these limitations as being a potentially severe restriction on the ability of the commission... The cut-off date is arbitrary... Further, there are numerous instances of prosecutions being held where witnesses did not come forward to testify out of fear of reprisals and intimidation."

"It is desirable that these events should be investigated."

The lawyers question the fact that the commission — and, indeed, the broader Peace Accord — appear to be concerned to be "forward looking" and that "the events of the past are to be buried."

Moreover, the Nadel/LHR document places a question mark over the proposed composition of the commission, and its independence. "The Act (Prevention of Public Violence and Intimidation Act of 1991,



Graphic by Liz Warder

Keeping the peace... National level: the National Peace Committee, made up of representatives of the signatories under a chairman and vice-chairman drawn from the religious and business communities, will monitor and make recommendations on the implementation of the Peace Accord. The National Peace Secretariat, comprising at least four persons nominated by the NPC, will establish and co-ordinate regional and local dispute resolution committees. The Commission of Inquiry into Violence and Intimidation is a statutory body to investigate violent incidents and make recommendations of how violence and intimidation can be prevented. Regional level: special criminal courts will probe unrest-related cases. Regional dispute resolution committees will settle disputes, monitor peace accords and advise the commission on matters causing violence and intimidation in the region. Local level: local dispute resolution committees, drawing representatives from the communities, will create trust and reconciliation between grassroots community structures and co-operate with the local justice of the peace in combating and preventing violence and intimidation.

the enabling legislation for the commission) does not make it clear who will comprise the investigation team for the commission. One of the parties who will be bound by the codes of conduct set down in the Peace Accord will be the SA Police. This arises out of repeated allegations that the police have not acted impartially... in the ongoing violence. It is imperative that the SAP are not exclusively appointed to the positions of investigators for the commission."

Regarding the independence of the commission, the lawyers observe that there are limitations on public access to reports drafted by the commission. "We believe the commission should be fully accountable to the public and that the State President should not have the sole power to withhold publication of the findings."

"The commission does not have powers to discipline or prosecute parties subject to its inquiries. It is therefore important that the commission enjoys

independence in publishing its findings if it is to command the confidence of the public."

The document concludes by expressing the broad concern that the commission — while clearly desirable in principle — may not in practice be "adequately empowered to investigate and expose violence and intimidation..."

"We urge the State President to take these observations into account when appointing the commission's chairperson and the investigating team." □

The National Peace Accord is imperfect and unfinished, but remains a victory for its signatories, writes ALAN DUNN

A rickety foundation for long-standing peace

ONE could drive a Casspir, run an impi or march an Umkhonto we Sizwe platoon through the loopholes of the 33-page National Peace Accord.

It is pitted with flaws — important parts of it still have to be written, crucial definitions have yet to be agreed, and disputes over its interpretation will no doubt proliferate.

Imperfect and unfinished as it is, it represents a victory of unprecedent for the participants and proof that multilateral agreement is possible in a society as divided and angry as ours.

It is also the most concerted, most visible effort yet to stop the slaughter in the townships.

The Accord is a rickety foundation for peace. Most signatories agreed at the National Peace Convention that it would need hard work to translate its lofty ideals into reality.

It was but a single step, President de Klerk said, on the arduous road to peace ahead.

"We must be realistic," the convention's preparatory committee noted. "Peace is not going to descend on South Africa because of this Accord."

"... We are under no illusion that the Accord is a magic wand," said ANC president Nelson Mandela. Dr Sam Motsuenyane, co-chairman of the convention, agreed: "Peace cannot be assured by the signing of a document."

Mr de Klerk captured the general feeling: "The Accord is not perfect. All of us would probably have wanted some or other further clause to have been inserted."

"Each of us would probably also have preferred certain clauses not to have been included. This also applies to me."

Mr Mandela confirmed that the ANC had some serious reservations about the Accord, "but we've accepted that in an Accord of this nature compromise is essential. There must be give and take."

Widespread agreement also

characterised thoughts on how to set about making the Accord work: create the peace mechanisms it envisages as soon as possible, and spread word of the accord.

The National Peace Committee, which will drive the peace process, will be formed this week. The creation of a National Peace Secretariat will follow, and a commission of inquiry into violence and intimidation will be established soon. Special criminal courts to deal with political unrest, regional dispute resolution committees and local dispute resolution committees will, it is hoped, also take form.

One of the most frequently expressed views at the convention was the need to transmit the accord and its contents to grassroots supporters. Only in this way, speakers said, could a culture of tolerance and peace be achieved.

"The Accord is a piece of paper," said Chief Minister T K

Mopeli of the QwaQwa government. "Unless there is a change of heart on the ground, at the local level, we shall have laboured in vain."

Mr de Klerk amplified the point: "I believe that the Accord must be a living document. In the days ahead we will have to further develop and refine the shared principles and aims in our battle against violence and intimidation."

The Accord demanded that leaders of people filled with anger and revenge should do something about it. "It is easy to fault your opponents, or to put the blame on the security forces. It is much more difficult to acknowledge and to rectify your own faults and those of your supporters. However, exactly that is now a priority," he said. "Each and every leader is now called upon to secure the commitment from his supporters to honour this Accord."

Another striking feature of the

conference was that nobody, not even the hardline groups that shied away from signing, doubted the honest intentions of those who wrote it.

But unfinished business remains — a code of conduct for the SA Defence Force must be finalised and inserted into the Accord. And the thorny issues of "private armies" and "traditional weapons" are still unsettled.

Government, ANC and Inkatha Freedom Party members worked through lengthy negotiations last week, until only hours before the convention, in search of agreement on these problems. Phrases were altered at the last minute to enable the "big three" to sign.

The document states that "no private armies shall be allowed or formed". This was apparently insisted on by the IFP, which believes, with the Government, that it applies squarely to Umkhonto we Sizwe (MK).

Mr Mandela stated, however, that the ANC had no intention of

disbanding MK "either now or in the future". The matter was under discussion with the Government, and they were trying for an amicable solution.

IFP president Mangosuthu Buthelezi was equally intransigent on so-called traditional weapons. The Accord, which prohibits possession, carrying or display of weapons or firearms at political meetings or marches, did not include "cultural" weapons, he said.

The Accord goes further, obligating all political organisations actively to discourage and prevent weapons at political gatherings. Judging by Mr Buthelezi's attitude, this has a slim likelihood of practice.

Mr de Klerk said there was no definition of weapons in the document. That would be contained in a proclamation issued by the Government after further consultations with the IFP and ANC. He anticipated a decision "in the next week or two". □

Star 17/7/91

Seeing peace to be done

Star (Editorial)

17/9/91

THE NATIONAL Peace Accord may be the last chance to quell the township killing. This realisation should instil the necessary solemnity into the proceedings, but will not by itself guarantee success.

Previous accords between Inkatha and the ANC in Natal failed dismally. And even on paper this one has serious flaws — especially since it has not resolved disagreements about the role of the ANC's military wing and about what constitutes a dangerous weapon. It also lacks the signatures of the right wing, the PAC and Azapo.

The accord does, nevertheless, stand a better chance of success than its predecessors. The difference lies in the substantial mechanisms for implementing the accord, their multiparty nature and the scope this offers for public pressure on transgressors.

The bipartite accords in Natal failed because either party could disregard them with impunity. Breach of the national accord has the potential to bring down the huge wrath of the public on the heads of the guilty.

This will happen only if the mechanisms operate in full public view. Openness will also ensure that party followers see their leaders actively co-operating in the quest for peace — a vital need if the spirit of the accord is to reach the killers. The organisers, and the Government in particular, must ensure that this happens, that inquiries are open and that reports are published.

They must also create these mechanisms quickly: in days and weeks not months and years, to quote one of the architects of the accord, Bobby Godsell.

The confusion over cultural weapons and the role of Umkhonto must also be resolved fast. Delay in all these things may cause the considerable goodwill and momentum engendered on Saturday to disappear into the sand.

One other suggestion made at the convention merits attention — that a moratorium should be placed on all political rallies and meetings until the mechanisms of the accord are in place. This would forestall any conflict which might arise from the present confusion about which weapons may be carried to political gatherings.

The drawback is that political rallies could be just the occasions where political leaders are best able to impress obedience to the accord upon their followers. Rather, all political leaders should consider a moratorium on carrying any weapons to political gatherings, until that problem has been resolved.

Soweto march to highlight plight

By Stan Hlophe

Thousands of Soweto residents staged a peaceful march yesterday in protest against last week's killings.

The march, organised by the Ministers United for Christian Co-responsibility (Muccor), was led by MK chief of staff Chris Hani, Azapo's projects co-ordinator Lybon Mabasa, Winnie Mandela, ANC's Women's League president Getrude

Shope, and Muccor's Father Emmanuel Lafont.

Police in armoured vehicles and SADF on horseback closely monitored the procession.

The march started from Ipelegeng community centre, went via Soweto City Council headquarters, and ended at the Moroka Police Station.

Marchers, mainly from White City, Mshenguville and Mofolo — victims of the latest wave of violence which left at least 60

people dead, carried ANC and SACP banners and placards.

The march went off peacefully without incident.

After the march Mr Hani told the cheering crowd that peace would only prevail when the present "illegitimate" government was removed from power.

Mr Mabasa said the majority of the people were tired of dying and crying and wanted peace, and urged the crowd not allow the Government to deter-

of violence victims

mine the pace of the "struggle".

A memorandum was handed to town clerk Elizabeth Sithole and Soweto police liaison officer Colonel Jac de Vries. Mshenguville Crisis Committee chairman Floyd Mashele insisted that a response was expected within seven days.

Part of the memorandum read: "In the light of the ongoing violence, the community of Soweto has taken the decision that this counter-revolutionary

violence unleashed upon our people by forces against democracy must come to an end.

"The purpose of our march today is to highlight the plight of the families of more than fifty people who have been killed and the more than 500 who have been forcefully displaced from Mshenguville by Inkatha vigilantes."

A mass funeral for violence victims will be held at Regina Mundi at 10 am on Thursday.

Star 17/9/91

Thousands march

A MAN was shot and killed near Jabulani Hostel yesterday while thousands of Soweto residents were staging a protest march to demand that the Government address the ongoing violence.

In another unrest incident yesterday, a person was killed in Tokoza on the East Rand. Police could not provide further details.

The Soweto man, who was not part of the procession, had just walked past the hostel about 1pm. He was apparently followed and shot by men who allegedly ran into the hostel afterwards.

SADF personnel arrived on the scene shortly after the incident.

Yesterday's march was attended by thousands of residents who heeded the call by the

By NKOPANE MAKOBANE

ANC and its affiliates for a two-day stayaway.

The march was also joined by hundreds of schoolchildren.

Police and members of the SADF, some on horseback, monitored the march, which was led by ANC leaders Mr Chris Hani and Mrs Winnie Mandela, and Azapo's Lybon Mabasa.

It started at Ipelegeng Community Centre in White City Jabavu.

From there, the marchers proceeded to

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Soweto protests

From Page 1

the Soweto Council Chambers where a memorandum was handed to town clerk Mrs Elizabeth Sithole.

The marchers then went to Moroka Police Station where a second memorandum, addressed to the State President and the Minister of Law and Order, was handed to Colonel Jacques de Vries.

Among points contained in the memo-

randa is that more than 50 people have been killed in unrest in Soweto, while more than 500 have been forcefully displaced from Mshenguville allegedly by Inkatha supporters after the launch of an IFP branch on July 7.

The memoranda state that the Mshenguville people are afraid to go back. They also state that most of their properties have either been destroyed or taken by their attackers who are now staying in their shacks.

Sowetan 17/9/91

Confusion

By Kaizer Nyatumba
Political Staff

There was confusion yesterday — even at the ANC's Johannesburg head office — over a call for a two-day stayaway.

Few people in the PWV heeded the call.

It had made by the Congress of South African Trade Unions (Wits region), the ANC (PWV region), and the Civic Association of the Southern Transvaal (CAST).

ANC spokesman Ronnie Mamoepa yesterday said the call was meant only for the East Rand, which was "the hardest hit by (last week's) violence".

In a joint statement on Friday, Cosatu, the ANC and CAST said they were totally committed to the Peace Accord on Saturday and did not see their action as being contradictory to the objective of the initiative.

Mr Mamoepa said the three organisations had called for the stayaway on the East Rand, and the Mshenguville Crisis Committee had called for a march in Soweto yesterday to protest against violence in the area.

Spoornet said there was no noticeable drop in the number of commuters on the East Rand yesterday morning, and no incidents had been reported.

Similarly, the Benoni Chamber of Commerce said it had received no complaints from its members. The town appeared normal.

Today is the second day of the stayaway.

ANC spokesman Saki Macozoma admitted there was confusion. Even people at the ANC's head office in Johannesburg were "not clear" about it.

Stayaways in the PWV this year have not met with much success.

● The first, on February 1 to coincide with the opening of

Parliament, had relatively little support in the PWV. It was called to demand a constituent assembly and to put pressure on Pretoria to fulfil agreements reached with the ANC.

● On March 21, Azapo called for a national stayaway to commemorate Sharpeville Day. Most Reef and Pretoria residents ignored the call.

● On May 6, the Mamelodi Civic Association called for a stayaway in the area to demand the resignation of local town councillors. Thousands of Mamelodi residents reported for work.

Both Mr Macozoma and Mr Mamoepa said a number of factors could be responsible for a low response to stayaway calls, including insufficient consultation with community members and other organisations.

Mr Mamoepa said as far as he knew, there was no stayaway in the PWV region this year. Despite newspaper clippings to the contrary, he said the February 1 mass action was meant as a nationwide protest and not as a stayaway.

Approached for comment yesterday, Anglo American spokesman Theresa Erasmus said the low responses showed employees were aware of the recession and the high levels of unemployment.

Mr Macozoma yesterday denied that ANC president Nelson Mandela had said that if the National Peace Accord worked well, there would be no question of "any mass action".

The ANC leader had been asked whether the accord's provision that no political party would seek to compel or force any person to withhold his labour meant the ANC would no longer embark on mass action.

Mass action, Mr Macozoma said, would remain part of the ANC's strategy.

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Star 17/9/91

Sowetan 17/9/91

Workers ignore stayaway call

THE two-day stayaway called on the East Rand by the African National Congress and the Congress of South African Trade Unions appears to have been widely ignored yesterday.

A spokesman for Spoornet said there had been no noticeable drop in the number of train commuters yesterday morning.

She added that no incidents had been reported.

The Benoni Chamber of Commerce said it had not received any complaints from its members. The town appeared "normal", the chamber said.

Figures for the stayaway were not immediately available from the South African Chamber of Business.

A spokesman for the ANC on the PWV, Mr Ronnie Mamoepa, said he did not know how effective the stayaway was.

He said signs were "positive" yesterday morning.

THE workers' stayaway called by several organisations on the Witwatersrand for yesterday and today is clearly heading for failure.

Understandably, questions are being asked about the basis of these calls and the processes of democracy that are involved.

The withdrawal of labour as a means of protest is a legitimate and democratic right which we hope will also apply in a new South Africa.

It will behove organisations, however, carefully to consider its use as a political weapon and examine the reasons for the failure of stayaway calls of this nature.

Proper consultation and the democratic rights of others are important factors that will have to be taken into consideration.

Our society is complex and made up of a range of political and other organisations, all with different views.

For stayaway calls to succeed, it is necessary to consult and hear their views. It is obviously an involved and complicated process but maybe that is the only way to ensure that stayaway calls are not made willy-nilly.

Sowetan (Comment)

17/9/91

Call for stayaway on Reef goes unheeded

A TWO-DAY stayaway called by Cosatu, the ANC PWV region and the Civics Association of the Southern Transvaal (Cast), was widely ignored by township residents yesterday.

ANC PWV spokesman Ronnie Mamoepa said yesterday the stayaway was intended for East Rand residents only and not for the whole PWV region.

However, it would appear the stayaway failed on the East Rand as well as in other areas.

Spoornet and Putco officials said their passenger loads were normal.

Sacob did not monitor the action.

A Benoni Chamber of Commerce spokesman said it had been a "normal" day in the East Rand town.

Mamoepa said he did not have any information on how many people had stayed at home.

"We are still awaiting reports from our zones," he said.

There was no response to repeated attempts to contact Cosatu and Cast officials on the East Rand.

The three organisations had called the stayaway yesterday and today to protest against the flare-up in violence which preceded Saturday's signing of the national peace accord.

THEO RAWANA reports that the ANC has called on people living outside the East Rand to ignore the stayaway call because it was only aimed at the area's residents.

"We had not consulted with people in other areas, so we cannot call for a stayaway in their areas. We appeal to them to ignore the stayaway and return to work," said Mamoepa. — Sapa.

Business
Day

17/9/91

Outmoded tactics

AS HAPPENED with a recent bid for a consumer boycott, the ANC's latest attempt to stage a work stayaway has been a comprehensive failure. Most people went to work as usual yesterday, and will do so again today — especially now that the ANC says the latest call was meant to apply only to the East Rand.

Even allowing for inadequate preparation, a failure to consult grassroots organisations, and communication problems, the poor response is a strong signal that people have had enough of these costly work stoppages.

In past years workers supported stayaway calls, often at great sacrifice. True, there was intimidation and fear, but people also supported stayaways out of conviction. The

difference then was that other forms of protest were not allowed, and black leaders were jailed or gagged. Though it was against the law to promote boycotts and stayaways, word of mouth often produced widespread stoppages.

Times have changed. Though there is still cause for protest and public outrage — all South Africans are shamed by the violence — work stoppages are no longer an appropriate response when there is a surge of support for reconciliation and co-operation.

The ANC was warned at its July congress that stayaways were becoming counterproductive, particularly when people were struggling to make ends meet. Perhaps it will now get the message.

Business Day (Editorial) 17/9/91

unburied dead

37 bodies
are still
unclaimed

AT LEAST 37 bodies of victims of the recent carnage on the Reef are lying unclaimed at Government mortuaries.

A spokesman for the Witwatersrand police, Major David Bruce, yesterday appealed to families whose relatives had been missing since the outbreak of the violence to help identify the corpses at Government mortuaries.

He said there were 23 unidentified corpses at Diepkloof Mortuary, 12 at Germiston and two at Boksburg.

Meanwhile, 10 people who died in the carnage in Soweto, will be buried in a mass funeral at Avalon

By **THEMBA MOLEFE** and
KENOSI MODISANE

Cemetery on Thursday.

A service will be held at the Regina Mundi Church in Rockville at 10am.

One of those to be buried is Mr Patrick Mothapo, whose wife Rebecca is still in an intensive care unit at Baragwanath Hospital. She was nine months pregnant and has lost the baby.

The others are Janet Motshwaneng, Virginia Motshwaneng, Joyce Motshwaneng and Jeaneth Motshwaneng, all from the same house in Mofolo;

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Elijah Radebe; Sipho Mokoena of Diepkloof; Jeremiah Mokotoane of Diepkloof; Albert Chila-luke of Klipspruit; a Meadowslands resident known only Letta; and Thusi of 365B Central Western Jabavu.

Requests

Undertakers are being inundated with requests for help from destitute families of unrest victims.

A top Johannesburg funeral undertaker, Mr Clive Guinness, said his parlour

37 bodies still lie unclaimed at mortuaries

dealt with up to five such requests a week.

One such request was received from the family of Mr Derrick Lephoto (24) of Mapetla, who was killed at the Merafe Hostel in Soweto on September 1.

His sisters, Bampfrey (19), and Maria (26), are faced with the task of giv-

ing him a decent funeral.

● Inkatha Youth Brigade leader Mr Themba Khoza said last night that an Inkatha member, Thulani Maphalala, was shot dead on a Naledi-bound train.

A police spokesman said the matter was being investigated.

Sowetan 17/9/91

Train case accused are freed

IN SPITE of evidence linking five unemployed Zulu hostel dwellers to SA's worst train massacre in September last year, the case has been struck off the court roll and the accused freed.

The evidence is based on statements made by the accused, their "pointing out" physical details relating to the attack at the scenes of the crimes, their producing weapons — one of which was linked to the killings through SAP ballistic tests — and an identification parade.

The five men were arrested at the end of September last year after two incidents. In the first, on September 6, armed men opened fire at a crowded Jeppe Station taxi rank, killing six people. A week later a group of armed men boarded a peak hour Soweto-bound train and opened fire on commuters, killing 15.

The five were charged with 21 counts of

PATRICK BULGER

murder and 45 of attempted murder, but pleaded not guilty.

State advocate H J Broodryk said yesterday police investigations were continuing and that the matter could still come before court.

The men were granted bail of R20 000 each following a successful application before Mr Justice Spoelstra in the Rand Supreme Court on December 24 last year.

Broodryk said the case had been struck off the roll after a magistrate refused a request at the end of May for a further remand because police had not collected sufficient evidence for the case to proceed.

The accused were also contesting the validity of their statements, alleging that these had been extracted under torture.

□ To Page 2

Train case

□ From Page 1

Recently a sixth man, alleged to be one of three leaders of the attacks, was arrested and released on bail.

Charges had not been withdrawn.

In arguing against the bail application, prosecutor Herman de Beer said the bail money was not being paid by the accused themselves and that they had nothing to lose financially by not appearing for trial.

Freeing them would unite them with other members of their gang and enable them to continue killing.

The five men — Martin Ngcobo, 49, Basi Nkosingondile, 27, Mmengela Magabane, 54, Solomon Khumalo, 33, and Mabinela Mazozi, 23 — subsequently hired a lawyer. The lawyer, Ian Small-Smith, said the men had raised bail by collecting money from hostel dwellers.

It is understood that the men have made statements to police saying they were angered by commuters singing anti-Inkatha songs on trains.

De Beer, in opposing bail, said a magistrate had heard evidence linking all the accused with the crimes.

The judge said the State had not indicated when the case would be brought to court and that the men could not be deprived of their freedom indefinitely.

He agreed to R20 000 bail each and ordered that they report to Jeppe police station twice a day. However, just over a week later Jeppe police station commander Capt N de Wet informed Johannesburg's chief magistrate that none of the accused had complied with their bail conditions.

Business Day 17/9/91.

4 more dead, 10 hurt in Cape taxi war

CAPE TOWN. — The full extent of the weekend's orgy of taxi violence in Cape Town's Khayelitsha and Nyanga townships emerged yesterday as police raided two taxi associations' headquarters, confiscating an arsenal of weapons.

By early last night, after a day described by police as tense but quiet, the official weekend death toll stood at four, with 10 wounded and 65 shack homes destroyed. Three people were arrested.

Relief organisations were gearing up to expand mercy food and shelter operations begun last week as the victims of the violence grew to hundreds.

Capt Louis von Brackel, head of the police special taxi investigation unit, said that since violence erupted on Wednesday last week, 40 taxis had been destroyed or damaged, amounting to an estimated loss of R450 000.

Over a 22-hour period beginning at 1am on Saturday, police recorded 26 violent incidents in Khayelitsha and the greater Guguletu area.

Police liaison officer Capt Hendrik Opperman said that early on Sunday evening members of the reaction unit sealed off Webta's "laager" headquarters near Mitchell's Plain, ordering members to remain in their taxis.

Unit members then systematically searched vehicles, confiscating a .22 gas revolver and five rounds, three SSG (heavy shot) shotgun rounds, six

pangas, eight axes, four iron kerries, 10 iron bars, three petrol bombs, a spent .38 cartridge and a .303 magazine. One Webta member was arrested for possessing a live 7.62 mm round without a licence.

Several hours earlier police had found two boxes containing seven petrol bombs in an office at the Lagunya headquarters in Site C, Khayelitsha.

This find came soon after two unidentified men with automatic weapons and some 30 armed accomplices had run amok there, killing Lagunya member Mr W Malomba and an unidentified 13-year-old fare collector.

Asked why more arrests were not made in connection with the weapons, Capt Opperman said suspects had to be found in physical possession of arms.

Police also responded to allegations by an eyewitness, that a Casspir stood by while shots rang out and five Lagunya taxis were petrol-bombed at a service station in Khayelitsha at 3am on Sunday.

Capt Opperman said initial results of a special probe headed by local deputy chief CID officer, Col Louis Wessels, showed no Casspirs to have been on the scene when shots were fired.

Eyewitnesses interviewed by police had said that the Casspirs arrived after the shootings but while the taxis were still burning.

Police on duty at the

nearby Khayelitsha police station said yesterday they had heard shots and upon running out had been fired at with rifles. These policemen had returned the fire while a Lingeletu West municipal policeman had also fired shots in the direction of the service station.

The Khayelitsha charge office commander radioed for help and the Casspirs arrived but took no action as the attackers had already fled.

Local liaison chief Col Jan Calitz confirmed that police yesterday picked up and briefly questioned a man in connection with the allegations.

Capt Von Brackel said his unit would attempt to trace the possible existence and whereabouts of the Casspir at the alleged time.

The Nyanga violence centred on an attack at the Nyanga taxi rank in which three taxis were burnt out while a shop and several tents at Browns Farm were also petrol-bombed late on Sunday.

Two policemen were slightly injured in numerous stonings and clashes.

Police responded with birdshot, 9 mm rounds and teargas, Capt Opperman said. — Sapa.

Citizen

17/9/91

IFP man slain on Soweto train

GUNMEN shot dead a supporter of the Inkatha Freedom Party on a train in Soweto last night. He was the tenth man to die in political violence since Sunday, but police said the three-day-old peace accord was holding.

IFP leader, Mr Themba Khoza, said two men boarded a train between Nhlazane and Merate stations about 6pm saying they were looking for Zu-

lus. They opened fire at close range and killed IFP supporter Mr Thulani Maphalala.

Police spokesman Capt Jac de Vries said the victim was hit in the chest.

Earlier, police said two people were killed in Soweto and Tokoza townships, but a spokesman said the peace accord was having effect and violence was declining. —Sapa.

Citizen 17/9/91

4 die as taxi war sweeps townships

CAPE TOWN — The full extent of the weekend's orgy of taxi violence in Cape Town's Khayelitsha and Nyanga townships emerged yesterday as police raided the Webta and Lagunya taxi associations' headquarters, confiscating an arsenal of weapons.

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Several hours earlier police had found two boxes containing seven petrol bombs in an office at the Lagunya headquarters in Khayelitsha. — Sapa.

Business Day 17/9/91

Leaders of the ANC and Inkatha Freedom Party, the warring factions in Kwadela, are prepared to talk to one another, they say, against the background of uncertainty.

And it seems the process of talking needs only a jolt.

I spoke to both leaders, ANC branch chairman Mr Jeremiah Mashinini and IFP chairman and Kwadela's mayor, Mr Napoleon Mkhonza.

"I have no problems talking to the IFP. We have been trying that and have always hit snags, though," Mashinini said.

Mkhonza said: "I am prepared to meet the ANC to solve these problems."

"We are a small community and we have to put an end to this conflict which is responsible for many of our people fleeing the township."

Hidden

Kwadela adjoins the similarly small conservative one-horse town of Davel - pronounced *duiweel*.

The inhabitants of this township live in semi-formal dwellings of brick and corrugated iron. It is almost hidden from view among the tall, dry grass just off the N12 motorway between Ermelo and Bethal.

It is in this rural township, where many residents have fled their homes as handgrenades, petrol bombs and AK-47s rule the night.

It is here where Mr Humphrey Mashinini (30) lost his seven-month pregnant wife Julia after his home was burned down by arsonists on July 8.

Mashinini suffered serious burns and was discharged from Tembisa hospital only last week.

His father, Mr Jeremiah Mashinini (59), the ANC leader, is a teacher at the only school in Kwadela, the Davel Public School, which caters for 1125 children from lower primary to junior secondary.

It was in his house that his son and daughter-in-law were attacked.

Julia Mashinini was the sixth victim of the conflict since July. It has accentuated a two-year war which originally broke out between community councillors and residents. But residents on either side of the battle line say it is now between the ANC and Inkatha.

There are distinct features of the conflict which I will outline, beginning with an incident which greeted me on my arrival there last week:

Pupils at the Davel school were holding a meeting with their parents, chaired by the principal, Mr Solomon Nkosi.

The issue was whether children of Inkatha-supporting families should be dismissed.

The parents lost, as ANC-supporting pupils remained determined to keep them out. Another meeting was scheduled for the weekend.

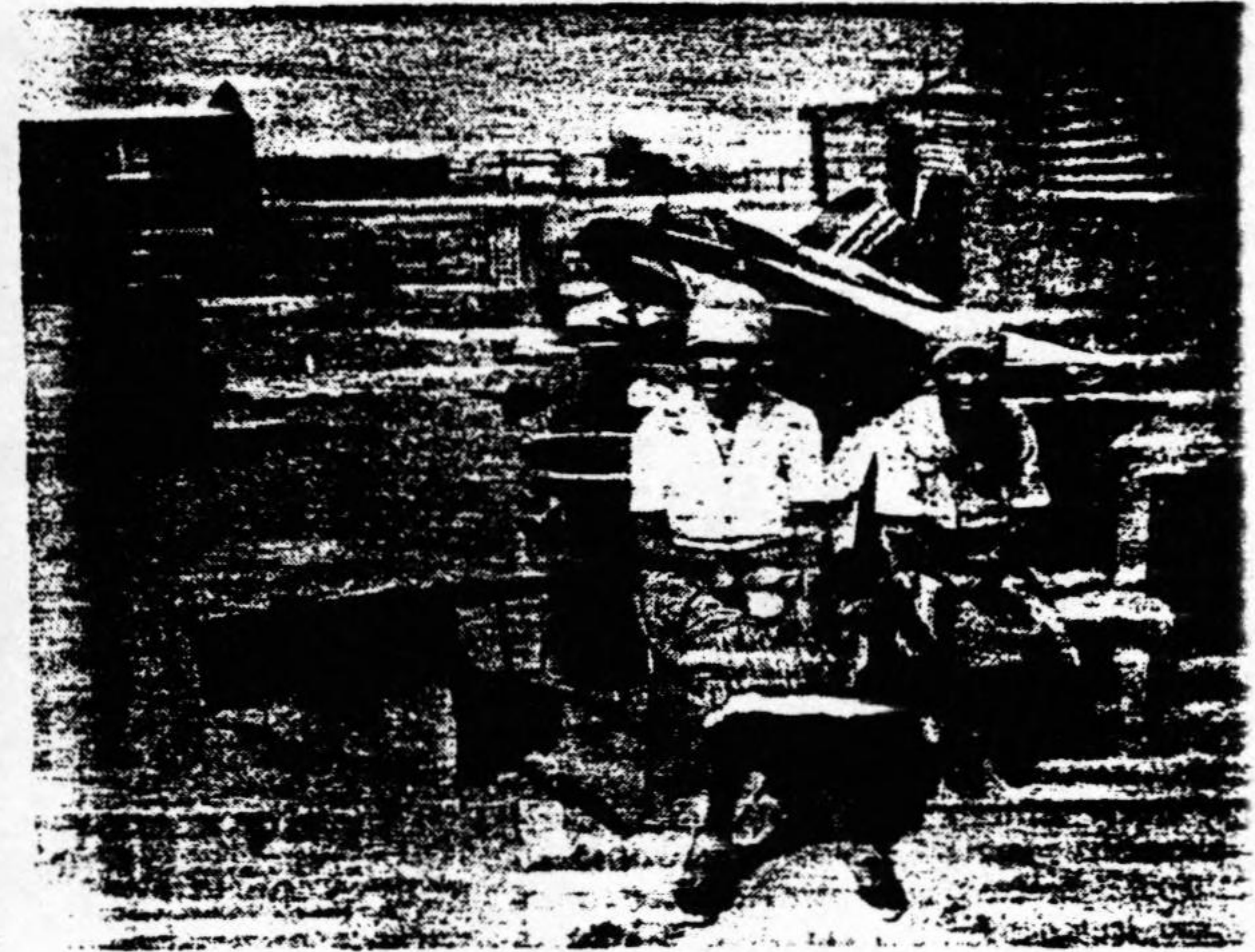
Afterwards, I spoke to parents Mr Samuel Maseko and Mr Philip

Hope for peace

Sowetan staff writer THEMBA MOLEFE travelled to Kwadela, a community of 4 000 in the Eastern Transvaal which has been ravaged by factional strife. He saw the bitter fruits of violence - but he also found new hope for peace. This is his report.



Mr Jeremiah Mashinini next to the shell that was his house and in which his seven-month pregnant daughter-in-law was killed. Pics: PAT SEBOKO



Disabled Mrs Duzo Sibeko and Mrs Linah Zwane outside their home which was destroyed because they allegedly support Inkatha.

Mtambo, who were rather candid.

"What we need here is a strong police outfit to root out non-residents," said Maseko.

"People are killed and the police in Davel do nothing about it. The township has been invaded by gangsters from Ermelo and they are responsible for this violence," he said.

Mtambo said Inkatha vigilantes had been brought in from outside and were committing acts of violence with impunity.

In fact eight residents, including Jeremiah Mashinini, have submitted sworn affidavits to the ANC which handed them to the Department of Law and Order office.

Mashinini's affidavit is direct. He says the conflict centres around the role of community councillors in Kwadela and particularly that of the mayor, Mr Napoleon Mkhonza.

Mashinini accuses Mkhonza of being responsible for the shooting of a resident, Mr Thembekile Sibanyoni, during September 1990.

Mkhonza demanded proof that he was responsible for the shooting of Sibanyoni and said he would not elaborate on the accusation.

Mkhonza is also the local chairman of the Inkatha Freedom Party and allegedly has around him a group of young vigilantes for protection.

ANC supporters said the violence is spearheaded by a gang of youths called the Black Cats, who were brought in from Ermelo.

The Black Cats have

been accused of being employed by councillors in Ermelo's Wesseltown township and were allegedly implicated in violent attacks in both Wesseltown and Kwadela. The two townships are 30km apart.

Dismissed

Mkhonza dismissed claims he was protected by the Black Cats.

In Kwadela I found some youths at Mkhonza's house but he was not present. They said they were staying with Mkhonza and were from Ermelo.

When I asked whether they were the Black Cats, one of them said: "A cat is this small animal which always runs away from dogs." I laughed.

Mkhonza later told me: "I live with three youths who are members of the Inkatha Youth Brigade from Ermelo."

"I have a neighbour whose house was attacked by ANC supporters. There are three other IFP youths at his house as well. No, I am not surrounded by vigilantes."

Meanwhile homes of Inkatha supporters, like Mrs Smomothi Mthethwa - a local inyanga - has been attacked.

She showed me the shell of a house that had been the home of her son, July Mthethwa, which was also gutted.

In his affidavit Jeremiah Mashinini alleges July Mthethwa was one of two people seen when the house of resident Mr John Blose was burned down.

The other person allegedly involved in the Blose attack is Mr Felani

Mthethwa, a police reservist.

Smomothi Mthethwa's other son Viki (15) and grandson Sibusiso Zwane (14) have not attended school for a month.

Viki said: "We were told not to come there because we are unwanted, we are Inkatha."

The boy said he was even afraid of going to the store for fear of being assaulted.

ANC youths also said they were afraid of wandering into Inkatha territory. A small township but so divided.

Colonel Johan Mostert of the SAP public relations division in Pretoria said senior police officers were due to meet yesterday to discuss action on the Kwadela conflict.

He said investigations were under way and arrests would be made soon.

I also met a Captain Kritzing and his team of eight detectives as I wandered about the township. The police officer said a full-blown investigation into the attacks had begun. He also expressed hopes of making early arrests.

However, it was the police who got a lashing from Mashinini.

"The police have failed and I don't think they are serious about solving the problems here. No arrests have been made regarding the attack on my house."

"Even the policemen I mentioned in my affidavit, who were involved in some of the attacks, have not been apprehended yet."

"The police can solve this problem, they have the information."

Mkhonza said the township's administrator, Mr SJ Swanepoel, was prepared to mediate between the two groups.

Mashinini said he had met Swanepoel and said in his affidavit that Swanepoel was partial to

the IFP.

I left, wondering about this community. A township where everyone knows everyone else, where the conflict is tearing a tightly-knit society apart.

If only the peace process could begin and save a township dating back to 19 when the township was established.

Sowetan

17/9/91

Soweto's 'Kid Glove' is building bridges

THE NEW Soweto police chief is determined to make Soweto crime-free and hopes to succeed with the co-operation of the community.

Brigadier Daniel "Kobus" Jakobus Malan (53), took over on August 28 as the Regional Commissioner of Police in Soweto.

He steps into the shoes of Major-General J Swart, who has been transferred to police headquarters in Pretoria.

Dubbed "Kid Glove Kobus" by the media during the 1976 riots, Malan served in Soweto for about 14 years before being moved to the Reef.

He is remembered for the negotiating role he played in the riots when newspaper headlines read "Kid Glove keeps it cool" and "Kid Glove Kobus keeps the peace".

Marshall Square

Born in Keimoes near Upington, Malan joined the police after matriculating. From 1956 until 1958, after qualifying from police college, he was based in Durban before coming to Johannesburg.

Malan first came to Soweto as a warrant officer. He was stationed at the old Marshall Square police station from December 1965 until August 1979.

He left Soweto as district CID chief for Soweto West. His rank was major.

He then served at various police stations around Johannesburg. He also served on the East Rand from 1987 until 1989.

Malan said he was taking over from one of the most accomplished policemen in the country.

"I am happy to be back in Soweto, which is unique. It is the only totally black region in South

FOCUS

By NKOPANE MAKOBANE

Africa, as others have mixed populations.

"When asked by headquarters in Pretoria if I was prepared to return, I said yes. I felt Soweto needed someone who knew the area.

"I enjoy being in Soweto. The area is more than a challenge, especially in the new South Africa. I believe I can make a contribution in the light of the State President's initiatives.

"During the years I worked in Soweto I found a lot of goodwill among the people. That goodwill is still there because, since my return, people have come to greet me.

"Even older policemen, some on pension, came to welcome me when they heard I was back. This proves something," he said.

He believes in an effective, professional service to the public. He sees the public as partners with the police and promised that all charges and complaints would be dealt with impartially.

Boasting a good success rate in combating crime in Soweto, Malan said: "Soweto (police station) does not only have some of the best investigators in the country but its technology is very advanced when compared to a number of other regions."

"With participative management, which is already well established, we can combat crime and make this city a safer place for residents to live in."

According to Malan, effective policing means peace and co-operation between the police and the public, equal treatment of all people and impartial policing. Regaining the confidence of Sowetans would help to make the area crime-free and peaceful.

"We need the people to trust us and come forward with their problems. We wish to assist and create a just society. We cannot effectively do our job without the assistance of the public.

"People must stop talking about the differences. They must find common ground and explore solutions for peace. For us to create a better future we have to build bridges."

According to Malan, there are various reasons for the present high crime rate. He, however, declined to be drawn into some of the political reasons, but conceded that socio-economic factors also played a role.

In addition said Malan the present crime wave was the result of some people who took advantage of the current situation.

"Some individuals misuse the present reform process. They misuse the goodwill for their own criminal purposes."

Another factor making it difficult for law and order in Soweto

was resentment of the police by the public.

"This has made the policeman's life difficult. Today police are always in danger. We can no longer send one policeman into the township to take a statement. There have to be two or three.

"All this has led to our policemen being subjected to great stress. But goodwill still exists among the people," he said.

Malan appealed to residents to help police with information that could lead to the arrest of culprits. He said police treated all information confidentially.

"If information is given to us we keep it a secret."

Malan said to police the township effectively, they were addressing the problem of squad cars. He said they were aware of the public's complaints that there were not enough of them.

"We are seriously working on it. We already have approval for more cars pending the availability of funds.

Flying Squad

"We are trying to have at least three cars for every police station. This will enable us to have a faster reaction time and be on the spot when crime is committed.

"These proposed cars will be in addition to the personnel and vehicles at police stations. They will also be over and above the present 30 Flying Squad cars serving the nine stations."

He said the public had to understand that Flying Squad cars were not always all available because some may have gone for repairs.

Malan said the recent attacks on policemen would not be tolerated. The perpetrators would be hunted and brought to justice.



BRIG MALAN

ANC: MK not a private army

By Tony Stirling

THE African National Congress does not consider its military wing, Umkhonto we Sizwe, to be a private army, and therefore does not consider itself bound by a provision of the National Peace Accord which states that no private armies shall be allowed or formed.

ANC spokesman, Mr Carl Niehaus, said: "Umkhonto is not a private army. It is a national liberation army — in the same way that the ANC is not a political party, but a national liberation movement."

The ANC felt itself to be bound by every clause of the National Peace Accord and would carry out its obligations in this regard.

But it had signed the accord on the specific understanding by it that MK fell outside the definition of a private army as contained in the accord

for the reasons outlined.

The ANC president, Mr Nelson Mandela, told a Press conference after Saturday's signing of the accord that the ANC did not intend to disband MK in terms of the provisions of the accord, now or in future.

Mr Niehaus said that State President De Klerk had told the same Press conference that matters relating to weapons and other aspects were being dealt with in terms of bilateral agreements, such as the D F Malan agreement.

"We therefore find it extraordinary that he now provides a different interpretation," said Mr Niehaus.

He was referring to comments by Mr De Klerk on Sunday night's SABC television Agenda programme, in which he said MK should be disbanded because it was not in the "spirit" of the National Peace Accord provisions.

Citizen 17/9/91

Meyer lashes out at CP threats to hijack SADF

BILLY PADDOCK

DEFENCE Minister Roelf Meyer yesterday lashed out at the CP and said he would not tolerate the party trying to hijack or exploit the political sentiments of members of the SADF.

He said the CP had not only indicated at its Transvaal congress at the weekend that it intended to hijack the SADF, but also stated its intention to exploit political sentiments of members for revolutionary purposes.

Reacting to threats from CP MP Koos van der Merwe, Meyer said: "It is vital that the SADF should not be dragged into party political debate — the SADF is not a political football, but a professional national security force that must be aloof from politics at all levels and at all times."

He said members of the force who defied discipline and abused the SADF for political purposes "will be severely dealt with".

"Neither I nor the SADF will tolerate party political interference in any aspect of defence force activity. I find Van der Merwe's remarks to be an insult to the professionalism and integrity of the SADF," Meyer said.

He said he wanted to make it clear that contrary to Van der Merwe's statements, he had no intention of presiding over the demise of the SADF.

"Similarly, I will not be dictated to by anyone on defence policy. The chief of the SADF, Gen Kat Liebenberg, and his senior officers are my chief advisers on policy matters. They have my complete confidence."

Business Day

17/9/91

Star (Editorial) 17/9/91

New terror

THE NATURE of crime in South Africa has changed. So have the criminals. Suddenly, it seems, we are faced with something akin to a reign of terror.

The weekend produced its usual list of horror stories. A car driver is stopped in Natal, dragged out, shot, placed in the boot and the car set alight. His woman companion is raped.

A man in Alex is stopped by youths who point a pistol at his head and pull the trigger several times. The gun is jammed and the man reverses for his life. A young woman in Randburg is taken from her house at night and, bleeding from wounds, is raped by two men.

Many robbery victims are shot dead in cold blood.

How much of this non-political violence is gratuitous? How much is non-political? The savagery is not confined to one race group: periodically, white youths go in search of blacks to beat to death.

The young man who escaped death in Alex said he had once been involved in helping black people set up trade unions and he could "understand the frustration, disillusionment and hatred township dwellers experienced towards society". He could not blame them for losing the meaning of human life.

But we have to beat this thing. We have to build this new South Africa with the utmost speed and get people into jobs and houses. We have a new accord and we have the materials. We have everything we need to go for it — except time.

THE FACE of broadcasting in southern Africa could change radically if recommendations of the Viljoen Task Group are approved.

Ahead, however, are months of debate on the crucial issue. At stake is the future of broadcasting in South Africa and how consumers will pay for it.

The task group's recommendations include:

- The need to replace television licence fees with another form of financing to combat piracy and lessen the SABC's dependence on advertising revenue.

- An independent body — the Independent Broadcasting Authority (IBA) — to control all aspects of broadcasting.

- The opening of the airwaves to all those financially and technically capable of providing specific services, particularly community radio stations.

Greater competition in broadcasting was a key issue, said M-Net chairman Ton Vosloo, who welcomed the report's release for public debate.

"The need exists for more voices in broadcasting with wider participation in as many sectors and communities as may prove economically viable.

"We support the view that one should strive to avoid broadcasting regulations which could stifle the development of democratisation," he said.

Independent broadcasters making waves

Players in South African broadcasting have put the Viljoen Task Group report under the magnifying glass

— and not everyone has given the thumbs-up.

PAULA FRAY reports.

While broadcasting could open its doors to smaller radio stations, independent stations are concerned about their perceived roles.

Radio 702 head of news, sport and information Chris Gibbons said much effort had clearly gone into the report: "The task group acknowledges that its composition was unrepresentative, and calls for more debate."

The station welcomed the broad philosophical structure of the report but said there were glaring contradictions with which it was not happy.

In particular, said Mr Gibbons, was the recommendation that a new Broadcasting Act should contain specific stipulations with regard to the local content of broadcasts, cross-

ownership, classes of broadcasting licences, restrictions on licences, a general code for programmes, general provision for advertisements, monitoring of programmes and so on "so as not to leave any discretion to the licensing authorities or broadcasters".

This recommendation would render the IBA stillborn.

The station was concerned about the attitude towards the independent radio stations in SA: "We are perturbed ... puzzled by the attitude towards Radio 702 and Capital."

Mr Gibbons said there appeared to have been a great deal of unnecessary hand-wringing about these two stations, which were excluded from the "Grandfather Clause"

— which specified that existing broadcasters should be allowed to carry existing rights into the new dispensation.

The task group could not find "an existing agreement giving Radio 702 and Capital Radio a specific right to broadcast trans-border into SA".

It recommended that the Grandfather Clause should be applied to the existing South African broadcasters, the SABC and M-Net. The existing agreement regarding Bop-TV should be honoured, the report said.

The report had recommended IBA jurisdiction over broadcasters on South African soil and then "deliberately excludes 702 and Capital from the Grandfather Clause", said Mr Gibbons. "This position is unclear. It is contradictory, confusing, petty and regrettable."

Capital Radio programme director Anthony Duke agreed.

"It's very petty, it's silly. We do exist, we do provide a service. We were asked for submissions ... why ask if they don't recognise us," Mr Duke said.

He said Capital Radio had applied for a South African broadcasting licence but this had been refused.

He said the report went only "75 percent of the way". He believed a public outcry on the report was one of the reasons it was decided to publicise it. □

COMMENT

Fine tuning

THE Viljoen report has succeeded where all others failed: it has produced a plan to depoliticise the SABC, deregulate broadcasting and encourage independent radio and TV stations. If government accepts the recommendations it will not be so much because it wants to subject the SABC to competition, but because it does not want to hand the ANC a powerful broadcasting monopoly.

Behind the myriad of technical observations and recommendations which make up the bulk of the report, government will find enough to warrant striving for that South African novelty, an apolitical broadcasting system. The key words, as in most documents appealing to government these days, are democracy and minorities. The need for broadcasting to serve these interests is likely to be accepted by an administration which knows exactly what can be done through political control of radio and television. Though the SABC is now trying hard to establish a reputation for independent thought after decades of servile compliance, the old order could be reimposed by this government, or the next. The Viljoen report may diminish that threat.

An Independent Broadcasting Authority would have other practical effects. Viljoen recommends sensibly that the IBA administer all broadcasting, under one piece of consolidated legislation, instead of the present diverse responsibilities for radio and television. Weaning the SABC from its monopoly position in both radio and TV would

allow newcomers to compete for market share and advertising revenue. That should include established broadcasters like Capital Radio and Radio 702, which would be able to drop the fictions that they are homeland stations: M-Net could find that there are others ready to take on SABC-TV; and local radio and TV stations would be competing with national broadcasters.

The SABC will remain — predominant, expensive and in need of funding. Viljoen sees the SABC as a public broadcasting authority with a duty to provide radio and TV audiences with programmes the commercial services will not supply. This entails a cost for which users (and probably some non-users) will have to pay, particularly as the report believes the SABC should reduce its reliance on advertising revenue. The current TV licence system is evaded by one in three viewers: Viljoen regards a coded-signal system like M-Net's as too expensive for the general public and recommends a 2.7% levy on electricity accounts. If TV licences are retained, licences will return for car radios.

The report does not recommend a direct government grant; it says the public already believes the SABC is funded by, and belongs to, government, and direct funding would tempt direct interference. Viljoen's objective is a broadcasting service seen as serving the public. That would be a welcome change, and if the public liked it enough it might even last.

Bop-TV is forced to scramble

BOP-TV, the most-watched TV channel in Africa because of its satellite transmission, is being forced by overseas TV programme suppliers to scramble its international signal.

MD Jonathan Proctor said "unhappy competitors" had pressed US and British programme suppliers into insisting that Bop encrypt its satellite signal.

Industry sources said yesterday M-Net and SABC TV might be behind the move that could see advertising revenues at the homeland's TV station take a pounding.

The broadcaster was deciding which de-

ROBERT LAING

coding technology to use. Its satellite signal would probably be encrypted from November, Bop-TV technical director Dave Stewart said.

Proctor said Bop-TV viewers in the PWV area would not need decoders, but those with private satellite dishes in other parts of SA and neighbouring states would.

Bop-TV was rated the most popular in Africa by CNN, which chose it to carry its news reports to the continent. Israel depended on Bop-TV's signal to see CNN's

its signal

coverage of the Gulf war, Proctor said.

"Now that we have been forced to encrypt, we are looking to turn it to our commercial advantage. We hope to syndicate Bop-TV by selling decoders to African nations, many of whom pirate our transmission," he said.

Bop-TV's PWV audience is being squeezed away by the SABC "deteriorating" Bop-TV's transmission.

"Soweto residents who could get Bop with bunny ears last year now need roof aerials with boosters," Proctor said.

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'Homeland radio' angered by

RADIO 702 and Capital Radio have reacted angrily to the Viljoen task group's recommendation that they be excluded from any new dispensation for SA broadcasters.

Radio 702 spokesman Chris Gibbons said yesterday the exclusion of the two stations was "confused, petty and contradictory".

Capital Radio programming director Anthony Duke said: "It is ludicrous to say that radio stations do not exist because they broadcast from homeland territories."

The Viljoen report said: "The Task Group could not find any existing agreement giving Radio 702 and Capital Radio a specific right to broadcast trans-border into SA. It can therefore not recommend the inclusion of these two radio stations under the grandfather clause."

This clause reads: "When entering a new broadcasting dispensation — such as this report is proposing — it is considered accept-

ROBERT LAING

able and least disruptive to carry over the rights of existing broadcasters into a new dispensation.

"The existing broadcaster can then fall under the jurisdiction of the regulatory authority and in future negotiate its licence conditions with that authority."

By being excluded from the proposed regulatory body's jurisdiction, the two independent radio stations might not be able to obtain new broadcasting licences, Gibbons said.

Licences granted to Radio 702 and Capital limit them to AM frequencies, allowing the SABC a virtual monopoly on FM for its 23 radio stations.

The two independent stations have often said they want FM frequencies, which would enable

Viljoen report

them to compete equally with the SABC's Radio 5.

In theory, Radio 702 broadcasts in AM stereo to the PWV area from Bophuthatswana.

"However, the station operates from studios in downtown Johannesburg, relaying its signal via the Post Office microwave links to its transmitters in Bophuthatswana," the report noted.

Similarly, Capital broadcasts from the Transkei but operates from Durban.

Since the TVBC states are not recognised by the Geneva Conventions' international radio authority, licences granted to the stations by the homeland governments are viewed as being issued by the SA government.

However, the report said that if the TVBC countries became part of SA again, licences issued by homeland governments would have to be renegotiated.

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Launch pad for Columbus venture

Big three seal deal for Middelburg

A CONSORTIUM of three of SA's leading mining groups yesterday bought Barlow Rand's Middelburg Steel and Alloys (MS & A) for R1.1bn.

As part of the deal, Anglo American, De Beers and Gencor have acquired MS & A's stainless steel and ferrochrome operations, as well as Rand Mines' chrome mines and mineral rights.

The deal will turn MS & A's steel operation into the launchpad for the multi-billion-rand Columbus stainless steel joint venture between Samancor and Highveld Steel & Vanadium.

Samancor chairman Brian Gilbertson said the revised Columbus project meant SA had the potential to become the world's fifth largest stainless steel producer by the time it reached full production.

Gilbertson, Highveld MD Trevor Jones, Columbus CE Fred Boshoff and Anglo executive director Michael King announced the deal yesterday.

Barlow Rand has sold the stainless steel plant for R500m. Samancor would raise R288m through the issue of 11-million shares to Genmin, while Highveld would issue 16-million shares to Anglo.

The group has sold the chrome and ferrochrome operation for R575m. Samancor would raise R288m through the issue of 11-million shares to parent Genmin and pay R250m in cash. Minority shareholders in Samancor and Highveld would have their interests diluted in the two deals.

Gilbertson said the inclusion of MS & A in Columbus would knock between R500m and R1bn off the project's original estimated R3.1bn capital cost. Consequently, Columbus would be less dependent on govern-

MATTHEW CURTIN

ment's short-term tax incentives for export ventures.

MS & A would bring technological and marketing expertise to Columbus, as well as stainless steel facilities which overlapped with Columbus's production plans.

The revised plans would initially slow down the timing of the project. Gilbertson said it would take an extra six to 12 months to modify Columbus's plans. Thereafter, development would move faster because of MS & A's existing infrastructure.

The consortium has valued MS & A's stainless steel interests at R500m, less than a fifth of the value of Columbus despite having a third of its production capacity. Gilbertson attributed the discrepancy to inflation and the fact that Columbus would be using new state-of-the-art technology.

He said Samancor and Highveld had approached Barlow Rand in the past about acquiring MS & A but had been turned down. However, when Barlow Rand said earlier this year it intended a partial listing of MS & A to reduce its exposure to the cyclical nature of the steel and ferrochrome markets, the two parties approached Barlow Rand again.

Gilbertson said in acquiring MS & A's ferrochrome interests, Samancor, the world's largest producer, would see its share of world ferrochrome capacity boosted from 20% to 30%. As many of the world's ferrochrome producers operated at a loss at current ferrochrome prices of \$0.49/lb, Samancor had almost 40% of international cost effective capacity.

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Last-ditch talks to break VAT deadlock

FINANCE Minister Barend du Plessis will meet the Cosatu-led Co-ordinating Committee on VAT today for last-ditch talks aimed at reaching consensus on the implementation of the tax, scheduled for September 30.

The joint working group, established two weeks ago, completed its work on Sunday and has produced a document described by Dennis Davis, the co-ordinating committee's technical committee chairman, as a set of "very broad-based proposals".

He noted if sufficient measures to alleviate the effects of VAT could not be taken by September 30, the committee would like

ALAN FINE

to see its introduction postponed.

Meanwhile, Cosatu affiliates have begun distributing to the MDs of hundreds of companies a letter signed by general secretary Jay Naidoo calling on business to support VAT's postponement.

A lack of satisfactory progress could mean a general strike and demands for a 5% across-the-board increase to negate the effects of VAT on workers' living standards, the letter says.

It calls on managements to express their concern to Du Plessis directly or through

Saccola. A Saccola source confirmed that a number of companies had raised the matter with the organisation.

Premier Group chairman Peter Wrighton yesterday added his voice in an urgent appeal to government to postpone VAT's implementation and to widen the range of zero-rated staple foodstuffs.

Davis, director of Wits University's Centre for Applied Legal Studies who represented the committee in the working group, said the package did not represent a consensus

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VIPs named fraud trial

Star

17/9/91

By Phillip Vosloo
and Helen Grange

Former Defence Minister General Magnus Malan, Unita leader Dr Jonas Savimbi, Foreign Affairs Minister Pik Botha and Dr Henry Kissinger were yesterday named at the start of the trial of Pretoria businessman Albert Vermaas, who is facing 154 charges.

State witness Elna de Wit, a broker who obtained investors for a scheme operated by Mr Vermaas, told the Pretoria Supreme Court that she recalled photographs hanging in Mr Vermaas's office of him with "Dr Savimbi, Kissinger and General Malan".

"I also remember Pik Botha," she said under questioning by J A Swanepoel, SC, assisted by M J van der Merwe, SC, both deputy attorneys-general.

The trial of Mr Vermaas, a man who started a major controversy at the end of 1988 when dozens of irate creditors secured the closure of his investment business and the sequestration of his estate, is expected to last more than a year.

Mr Vermaas has pleaded not guilty to the charges, mainly of fraud, but also for allegedly contravening Exchange Control Regulations, theft and contravening the Income Tax, Bank, Companies, Insolvency and Arms and Ammunitions Acts.

The former attorney turned businessman initially faced 160 charges. Six were dropped by the State.

Mrs de Wit told the court that when Mr Vermaas needed investors, he would contact her and she would telephone Pretoria attorney Louis Shapiro to inform him of the vacancy for investors.

Mr Vermaas had explained to her that he handled discounting of bank guarantees or letters of credit.

"He said, for example, if there was a buyer and seller of certain goods for R20 million, the buyer delivered to the seller a bank guarantee for payment up to 30, 60 or 90 days.

"If the seller was eager to get his funds earlier, Mr Vermaas would go to the seller and, for argument's sake, offer him R18 million cash in exchange for his bank guarantee," she said.

"Thus, he buys the guarantee at a discount of R2 million."

Mr Vermaas then waited until the term of the R20 million guarantee expired and showed a gain of R2 million profit," she said.

Mr Vermaas had told

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VIPs named as fraud trial begins

● From Page 1

her that investors received yield rates and not interest rates on their investments, as they resulted from capital gain.

She added that investors could get anything from between 30 to 40 percent "interest" in 30 to 90 days, but some went as high as 60 to 90 percent in shorter periods.

Earlier, State witness Business Times editor Kurt von Keyserlink testified that Supreme Court judge Mr Justice

T T Spoelstra and his wife, Dot — who acted as an agent for Mr Vermaas — had invested a large sum of money in Mr Vermaas's scheme.

Mr von Keyserlink, the first witness on the stand, said he had published an article about Mr Vermaas's schemes in 1988 when he was deputy editor of *Finansies en Tegniek* magazine.

Under cross-examination by Mr Els, Mr von Keyserlink said: "To me, the fact that a judge was involved in the scheme was very newsworthy. A

judge should have known there was something odd," he said.

The charges against Mr Vermaas are:

Fraud (106 charges); contravening the Exchange Control Regulations (14 charges); theft (three charges); contravening the Income Tax Act (one charge), the Bank Act (four charges), the Companies Act (seven charges), the Insolvency Act (six charges) and the Arms and Ammunitions Act (13 charges).

The trial continues.

ANC in US row over Inkatha

WASHINGTON — The ANC's wish to exclude Inkatha representatives is casting a pall over a forthcoming conference at Notre Dame University that could play a key role in determining when and how US companies reinvest in SA.

The conference, which is being organised by Notre Dame vice-provost Father Oliver Williams at the ANC's request, is intended to establish dialogue between top US executives and the ANC on what a new SA government will need to do to attract US investment.

The ANC delegation is to be headed by foreign affairs director Thabo Mbeki and will include Max Sisulu and other senior ANC economists.

Organisers, who also include George Schroll, a retired Colgate-Palmolive executive who has been active with the Industry Support Unit Inc, which represents the former Sullivan Code companies, hope that the ANC will modify its stance on sanctions either at the conference or beforehand.

Assistant Secretary of State for Africa Herman Cohen also plans to attend.

SIMON BARBER

Schroll said the ANC side, in March talks which laid the foundations for the conference, had "dwelt on the need for job creation and investment". He had responded that the ANC's stance on sanctions was "contradictory".

Williams said that although the main purpose of the conference was to enable the ANC to hear the concerns of US business first-hand, it had originally been agreed in principle that representatives of Inkatha, the PAC, Azapo and other parties would be invited.

Inkathagate

No date was set at the March meeting, and Mbeki promised Williams that the ANC would give him three months notice to make arrangement.

However, the movement only gave Williams the formal go-ahead to start issuing invitations three weeks ago, suggesting the conference be held early next month. It is now scheduled for October 6-8.

The ANC also informed organ-

isers that, as a result of Inkathagate, Inkatha would no longer be welcome, Williams said.

This has infuriated Inkatha, whose US representative, the Rev Sipo Mzimela, is warning that the ANC will use the conference to further establish itself in US eyes as SA's next government, while at the same time deceiving American business as to its true intentions.

Schroll said yesterday that the organisers were trying to change the ANC's mind. "It may still be possible," he said.

Failing that, Williams is offering to set up a similar conference for Inkatha to present its case. Mzimela said this was unacceptable, as was a proposal to invite Oscar Dhlomo, formerly Chief Mangosuthu Buthelezi's top adviser, as a "bridge" between Inkatha and the ANC.

Organisers warned that the ANC could only harm itself in the eyes of the American business community by taking a hard line on the issue, particularly since the corporations were helping foot the ANC delegation's travel costs

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A MERICAN business and the ANC are due to meet at Notre Dame University early next month. Thabo Mbeki, who will head the ANC delegation, has reportedly joked that the businessmen will be there "to teach us about the free market". A more accurate rendering of Mbeki's metaphor would be that the teachers will be trying to find out whether the pupils are educable and worth their time and investment.

Aside from indications that the ANC may use the occasion to shift its ground on sanctions — by this stage a largely symbolic gesture — the conference preliminaries are not altogether encouraging.

In the wake of Inkathagate, and last weekend's peace accord notwithstanding, the ANC has indicated that Inkatha should not be invited. The organisers — who include Notre Dame's deputy provost, Father Oliver Williams, and members of the Industry Support Unit Inc, an advisory group set up by the old Sullivan Code companies — appear divided on how to respond.

Some believe US business can talk to Inkatha whenever it wishes while the time has come to have a serious discussion with SA's putative next government. Others contend that Inkatha must somehow be accommodated, either through a non-aligned representative like Oscar Dhlomo or as the result of a quiet agreement between the organisations themselves. Inkatha itself seems to be gearing for a fight.

If their interest is securing US investment, it would behove both sides to come to an arrangement. Inkatha will only lose face if, having publicly banged its fists, the conference goes ahead without it, as almost certainly it will. On the other hand, by exploiting this, the ANC will negate the purpose of the whole exercise: assuring US capital that the "new SA" will be a worthwhile bet.

The chairmen and senior executives of some of America's largest corporations are going to Notre Dame in search of the ANC's better angels. They will not find them if the movement maintains an intolerant and antagonistic stance towards a party which, whatever its other deficiencies, does at least espouse

Barring Inkatha from US business talks will hurt SA

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SIMON BARBER in Washington

Business Day

market-friendly policies.

Having convinced most of the outside world that it will form, at minimum, the core of SA's next government, the ANC has already acquired not only a high degree of responsibility for the country's future, but, far more importantly, no little power to decide what the future will look like.

To bar Inkatha from the conference would be a profoundly irresponsible use of that power, for it would send a signal to US businessmen that SA is simply not a rational candidate for their dollars. This in turn would represent a bitter betrayal of those the ANC claims to represent.

The fact that the ANC wishes to present its case at Notre Dame, and may even be ready to call off the sanctioners, presumably indicates that it acknowledges the need for foreign investment. If that is the case, it must also understand just how marginal an opportunity SA presents to foreign, and in particular, US capital — not only when compared with opportunities elsewhere, but in absolute terms as well.

Apart from de facto prohibition on SA's access to the IMF, the US's residual sanctions are among the least of the US business community's concerns. What is holding them up is SA itself.

Heading the list of disincentives is violence, both in and of itself and as a symptom of broader political and economic instability. Several US companies that have weathered a decade's worth of sanctions and oth-

er pressure to disinvest recently told the Investor Responsibility Research Centre that continued unrest was the one thing that could still force them to leave. One might add that the continued killing despite the signing of the peace accord will only make matters worse. To outsiders it will signify anarchy.

It is in this context that the ANC's wish to exclude Inkatha from the conference is perhaps most foolish. Rightly or wrongly, the mayhem is

seen to be rooted in the contest for power between the ANC and its rivals. The more the ANC comes across as a movement bent on political monopoly, the less confidence the rest of the world will have that SA will ever be at peace with itself. The lessons of Mozambique have been learned: the monster of Renamo was created first by Frelimo's own monopolistic aspirations. Its exploitation by SA and others came second.

Getting over the violence hurdle is the most important task the ANC faces if it sincerely wishes to attract US investors, but it is by no means the only one. As the centre suggests in its new report, *US Business in Post-Sanctions SA: The Road Ahead*, SA is going to have a tough time attracting real US investment under the most tranquil of circumstances.

One of the several dozen executives, consultants and investment managers the centre interviewed summed up the situation succinctly: "Peace is not enough. You could solve the political situation and companies would still not go in if the ANC's policies scared them."

The best thing SA has going for it in American eyes, the report suggests, is "an excellent financial infrastructure" — a sound banking system, a stock exchange that facilitates access to capital and investment regulations one interviewee said "we would want to see everywhere in Africa". If any of that, especially the Companies Act, is seriously tampered with, SA will lose

what the report calls "a competition around the world to offer the best incentives".

By any standard, the report finds, SA is already well down in a field that includes Eastern Europe, a Latin America that is moving out of debt crisis towards sound economic management, as well as Southeast Asia and the Pacific Rim whose development is being propelled by Japan, Taiwan and South Korea. Even India looked better than SA to some of the centre's interviewees.

The fact that it results from the injustice of the past does not alter the basic reality that SA has a desperate shortage not just of skilled labour, but of workers who can read and write. Training costs will therefore be abnormally high, so, in all likelihood, will wages as companies are forced to compete for what little skilled labour there is.

Many underdeveloped countries with similar problems have benefited by encouraging foreign corporations to establish assembly facilities to take advantage of their cheap labour. Mexico's "maquiladoras" are a classic example. But SA is not in a position to even do this. It is simply too far from markets for the finished goods, and its domestic and regional markets are still too tiny. One executive told the centre that in market terms "southern Africa is still a small fraction of Italy and their per capita income is zilch".

As things stand, the study suggests, US companies are likely to limit their involvement in SA to sales operations, franchising and other non-equity relationships in hopes that the black consumer market will take off, but which, in the meantime, will limit their exposure should things go wrong. Investment in people, infrastructure and manufacturing capacity — the long-term kind SA really needs — will be dependent on South Africans convincing Americans that there is a long term and that its rewards will be commensurate with those that can be had elsewhere.

Since it demands to be seen as SA's next government, and has been largely successful in having that demand met, it is up to the ANC to persuade investors the future is going to work. Playing politics at the very moment it is about to make its case to the captains of US industry is not the recommended approach.



MBEKE

Dale Lautenbach questions what the Unita leader is trying to achieve with his stalling

Is Savimbi losing the peace?

THE Angolan peace process is back on track, but just how threatened was it last week when Unita suspended its participation in the peace committee? What was the fuss about and was this the first ominous crack in what has been until now a surprisingly smooth process?

Early last week Unita leader Jonas Savimbi lashed out at both the Angolan and Portuguese governments over Radio Vorgan, the Unita radio station that broadcasts from the rebel movement's headquarters in Jamba.

Mr Savimbi accused the Angolan government of bad faith and the Portuguese of favouring the MPLA rulers. Reading the subtext it seemed he was profoundly miffed that Portuguese Prime Minister Anibal Cavaco Silva had visited Angola but had not gone out of his way (in other words made the trip to remote Jamba in

the far south-east) to see Mr Savimbi.

The Portuguese leader snapped back that had Mr Savimbi been in Luanda, where he was expected, according to his own words, to arrive as far back as July 1, Mr Cavaco Silva would have been pleased to meet him.

Mr Savimbi's long-promised return to Luanda has begged the question as to just what his game is. He stalled the July 1 promise saying the Angolan government had not found him a suitable residence in the capital. According to Angolan government and independent sources, that problem was solved by about mid-July, but as recently as about three weeks back Mr Savimbi moaned to South African Foreign Affairs sources that the Angolan government was not playing the game and had not yet found him a residence.

If Mr Savimbi's accommodation standards are set by those of Ya-

moussoukro in Ivory Coast, where his old friend Felix Houphouët-Boigny lives in reported splendour and where he was happy to host Mr Savimbi at the weekend for his meeting with US Vice-President Dan Quayle, the Angolans could wait forever. Accommodation in Luanda is notoriously difficult and even the out-of-town and heavily garrisoned presidential compound, Futungo de Belas, is by no means an unduly lavish creation.

So signals from Unita have been nothing if not confusing. When the movement announced last week it was suspending its participation in the Joint Military-Political Committee (CCPM), the most senior instrument created by the peace accords for overseeing the process, reaction across a wide spectrum was rather cynical.

Members of the international community represented in Windhoek read Unita's actions as evidence that "Unita is losing the peace". They felt the week's

events might have been stage-managed in an effort by Unita to retake the initiative it might consider itself to have lost.

South African sources wondered whether Mr Savimbi was not "grandstanding" and Angolan government sources seemed to have no doubt that he was. With President Jose Eduardo dos Santos arriving in the US at the weekend and scheduled to meet President George Bush yesterday, they felt the Unita leader was trying to divert some attention to himself.

And in this he succeeded. Subsequent to meeting Mr Quayle in Ivory Coast, Mr Savimbi declared that Angola's peace was again secure and that Unita would resume its participation in the CCPM.

Mr Savimbi certainly got attention: a prominent news item on the BBC international service over the weekend and a personal interview.

In the interview Mr Savimbi softened the tone of what Unita

said last Wednesday were "conditions" for the resumption of its participation. According to Mr Savimbi these were now "concerns" and he called on the government in Luanda to address them.

Among these concerns were that a date for general elections be set, that government troops proceed to the assembly points set up throughout the country and monitored by the United Nations, that prisoners of war be exchanged and that a new national army be formed.

What is confusing in this is that, in terms of the peace accord, Unita has equal authority with the Angolan government in determining all these events. The very purpose of the CCPM on which Unita and government representatives have equal weight with US, Soviet, UN and Portuguese observers in the wings, is that these very issues be hammered out by both sides.

It is no secret that the peace process has been bedevilled by

delays. Much of this is attributable to administrative and logistical problems, by questions like just how on earth do the UN monitoring teams go to work in places where there are no roads and where the countryside is heavily mined?

Whatever Unita sought to gain by last week's fuss, it forced its way — with Mr Quayle's help — back into the news just hours before Mr Bush's first meeting with Mr dos Santos. Viewing it this way also gives credibility to the view that Unita was "losing the peace" and had to grab at some straw to get attention.

Mr Savimbi has now publicly assured Mr Quayle that he would remain engaged in the peace process and would return to Luanda "in a few weeks", according to news reports from the capital of the Ivory Coast. This must surely be a commitment on which he cannot afford to cry wolf again. — Star Africa Service. □

Star 17/9/91

Mandela calls for UN support

De Klerk says accord opens door to talks

THE historic national peace accord has set the stage for full-scale constitutional negotiations, says President F W de Klerk.

He said at the signing on Saturday that multiparty negotiations must be one of the follow-through activities of the accord.

"I sincerely believe that until we also start negotiating constructively about what the future might look like, it will be difficult to implement this accord," he said after committing government and the NP to the accord's conditions.

De Klerk said the signing was only one step on the arduous road ahead, but it was an important breakthrough and a firm foundation on which to continue building.

ANC president Nelson Mandela and Inkatha president Mangosuthu Buthelezi agreed that compromises reached during the drafting of the accord boded well for future talks.

It is understood that many of the signatories view the national peace committee — the political organ overseeing the accord — as a platform for preliminary talks leading to full-blown negotiations, overseen by the multiparty conference.

The committee, made up of the signatories and with two chairmen, one from business and one from religious leaders, will convene for its first meeting this week — possibly on Thursday or Friday.

It is ideally placed as a forum for negotiations. The signatories, in the working groups and preparatory committee, have begun identifying areas to be negotiated during national constitutional talks.

De Klerk said that on the issue of combating violence, all parties were united —

BILLY PADDOCK

but on a host of other issues, such as an interim government, they differed widely "even with regard to points of departure".

"The challenge therefore is an awesome one ... because the followers must see their leaders talking peace, talking about the future, and finding ways and means of co-operating."

The national peace committee is empowered by the accord to negotiate with parties that have not signed — such as the PAC, Azapo and the CP — to try to persuade them to make a commitment. This is also seen as a move to ensure that preliminary talks include all key players.

Mandela increased pressure by calling on the UN General Assembly and the international community to add their weight to the process. He called on the UN to pass a resolution forbidding governments from supporting organisations that did not sign the accord or support it.

It is understood he was directing this specifically at the CP, which has been seeking foreign funding, but that he also wanted it to affect the PAC and Azapo. These two might sign after the patriotic front congress next month.

SA Communist Party secretary-general Joe Slovo echoed De Klerk's sentiments on getting constitutional negotiations going. On signing the accord, he said: "Without peace there can be no democracy, and it is equally true that without democracy peace remains under constant threat."

US ambassador William Swing hailed the accord as the best hope yet for ending

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Accord

the violence and advancing SA's transitional process. "The unprecedented range of leaders and organisations taking part ... offers a compelling glimpse of what the new SA can be," Swing said yesterday.

Sapa reports that British Foreign Secretary Douglas Hurd also welcomed the signing, saying the UK looked forward to "early substantive talks ... aimed at agreement on a new constitution".

The peace convention left three issues unresolved: the continued existence of Umkhonto we Sizwe; the carrying of so-called traditional weapons; and a code of conduct for the Defence Force.

A last-minute compromise between the ANC and Inkatha on Friday on two issues saved the accord. Inkatha agreed to drop the word "dangerous" before weapons, and broaden the clause to include all weapons. The ANC agreed to the inclusion "no private armies shall be allowed or formed".

De Klerk said government would be negotiating with and consulting the ANC and Inkatha in the next two weeks to formulate

□ From Page 1

a clear definition of what a weapon was, and he would then have this gazetted.

The clash between the three main signatories — especially Mandela and Buthelezi — at the media conference after the signing showed that the issue of weapons was a major obstacle. Mandela and Buthelezi said signing the accord did not erase their differences, but they were prepared to deal with these differences openly and constructively through negotiation.

Mandela said that despite the ban on private armies, the ANC would not disband MK. MK was the subject of discussions between the ANC and government, which was why the accord did not cover this.

With regard to the code of conduct, Defence Minister Roelf Meyer said he had submitted a draft at the beginning of the month to the ANC but there had been no time to finalise it before the signing. It would be negotiated and added as a codicil.

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Peace rift over private armies

Citizen

16/9/91

By Tony Stirling

SERIOUS differences exist between the African National Congress and the Inkatha Freedom Party on one of the crucial provisions in the Peace Accord — that relating to the question of private armies.

According to ANC president, Mr. Nelson Mandela, a clause which states that "no private armies shall be allowed or formed" does not mean that the ANC intends to disband its military wing, Umkhonto we Sizwe (MK).

He said the ANC had

no intention, now or in future of disbanding MK.

The president of the IFP and Chief Minister of KwaZulu, Dr. Mangosuthu Buthelezi, questioned by The Citizen after Saturday's convention in Johannesburg at which the Accord was signed by the ANC, IFP and the National Party, said the inclusion of the clause on private armies was "meaningless" if it did not apply to MK.

Twenty-three organisations and political parties signed the accord at the Carlton Hotel conven-

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Clash on private armies

FROM PAGE 1

tion, and a similar number of organisations pledged they would support it.

All parties represented in the tri-cameral Parliament signed the accord, with the exception of the Conservative Party, which said it would not be a party to the accord or similar negotiations.

Both the ANC and its trade union arm, the Congress of South African Trade Unions, signed the accord with "serious reservations", but Mr. Joe Slovo, general secretary of the South African Communist Party, "solemnly" committed the SACP to "the spirit and detail" of its terms.

Referring to the refusal of the ANC to disband MK, Mr. Mandela told a Press conference that the matter was under discussion between the ANC and the government, and in a spirit of reconciliation attempts were being made to find an amicable solution.

State President De Klerk said he had referred to the fact that there should be a continuation with other agreements, over and above the accord.

In this regard, he had been referring to agreements such as the Pretoria Minute and other bilateral agreements, and there

was already a basic agreement on certain actions with regard to weapons. Negotiations on this and other aspects were continuing.

Chief Buthelezi, who did not respond at the Press conference, spoke to The Citizen afterwards.

The final draft of the accord contained a small, but significant change in wording on the question of private armies.

The original clause said no private armies could be "formed", while the final draft said none could be "allowed or formed".

It is believed from delegates involved in the pre-conference negotiations that this change in wording, and that in which the clause relating to the carrying of weapons was changed from "dangerous weapons" to "weapons", kept the negotiations busy until the early hours of Friday morning, and in session again until about 1.30 pm on Friday, before consensus was reached.

Inkatha was the party said to be most insistent on a clause which it believes prohibits private armies to be formed, or existing ones to be maintained.

Further negotiations are also to be held on the question of the carrying of weapons, considered another critical area of the accord.

Mr. De Klerk said the definition of weapons was still the subject of discussions, and that a proc-

lamation would be issued after negotiations with interested parties, in particular the ANC and the IFP.

One of the most important features of the weekend convention was the ANC's indication that it would be prepared to refrain from mass action for the present.

But it retained the right to revert to mass action negotiations failed to address what Mr. Mandela called problems.

As expected, the P. Africanist Congress did not sign the accord.

The PAC president, Clarence Makwetu, said the PAC could not be seen in any apartheid structure, and, therefore, could not sign the accord. But he committed the PAC to working for peace.

Azapo pledged support, while the other major Black trade union groupings, the National Council of Trade Unions (NACTU) undertook to take the accord to its members for decision.

All the signatories participants at the convention said the peace accord in itself would end the violence and intimidation, and stress the need to get the various monitoring mechanisms embodied in the accord working as quickly as possible.

The National Peace Committee, the major instrument for implementation, is expected to be formed this week.

ANC: MK not a private army

By Tony Stirling

THE African National Congress does not consider its military wing, Umkhonto we Sizwe, to be a private army, and therefore does not consider itself bound by a provision of the National Peace Accord which states that no private armies shall be allowed or formed.

ANC spokesman, Mr Carl Niehaus, said: "Umkhonto is not a private army. It is a national liberation army — in the same way that the ANC is not a political party, but a national liberation movement."

The ANC felt itself to be bound by every clause of the National Peace Accord and would carry out its obligations in this regard.

But it had signed the accord on the specific understanding by it that MK fell outside the definition of a private army as contained in the accord

for the reasons outlined.

The ANC president, Mr Nelson Mandela, told a Press conference after Saturday's signing of the accord that the ANC did not intend to disband MK in terms of the provisions of the accord, now or in future.

Mr Niehaus said that State President De Klerk had told the same Press conference that matters relating to weapons and other aspects were being dealt with in terms of bilateral agreements, such as the D F Malan agreement.

"We therefore find it extraordinary that he now provides a different interpretation," said Mr Niehaus.

He was referring to comments by Mr De Klerk on Sunday night's SABC television Agenda programme, in which he said MK should be disbanded because it was not in the "spirit" of the National Peace Accord provisions.

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