

**EXTERNAL (for general distribution)**

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**17 May 1995**

**Further information on UA 22/95 (AFR 53/04/95, 27 January 1995) and follow-up (AFR 53/05/95, 9 March) - Fear of extrajudicial execution**

**SOUTH AFRICABheki Ntuli, African National Congress (ANC) regional chairperson (Northern KwaZulu-Natal) and senior shop steward National Union of Metal Workers (NUMSA);  
"JJ" (Davidson Jabulani) Ntuli, aged 25, ANC Chairperson Mtubatuba Branch and brother of Bheki Ntuli;  
other residents of the KwaMsane-Mtubatuba area, Northern KwaZulu-Natal**

Amnesty International is seriously concerned by allegations that the police colluded in a series of alleged Inkatha Freedom Party (IFP) attacks against members of the Ntuli family and their home on 1 May 1995, according to witnesses and human rights monitors. The police also allegedly assaulted "JJ" Ntuli, after arresting him, his brother Bongani and 14 other local African National Congress (ANC) supporters. On 4 May, after intervention by the Ntuli family's legal representative, the police agreed to release all of the detainees without charge.

In the first incident, at about 8.30am on 1 May, members of the former KwaZulu "homeland" police failed to disarm and disperse a crowd of several hundred men, armed with firearms and traditional weapons, who were threatening the lives of JJ Ntuli and his companions. JJ Ntuli and 15 others had come under fire while they were waiting for bus transport to another area to attend a May Day rally. They took cover and several of them returned fire with licensed firearms. Three members of the KwaZulu Police arrived and appeared to consult with the attackers who were led by the man who has been linked to the January 1995 murders of Grace Ntuli and Thulani Mbatha as well as to other later attacks on the Ntuli house [see UA 22/95 (AFR 53/04/95, 27 January and AFR 53/05/95, 9 March)]. The police ordered JJ Ntuli and his companions to put down their weapons and walk towards them with arms raised. The same order was not given to the other side. Out of fear of being killed JJ Ntuli refused to comply. Then, allegedly, one of the police officers, followed by members of the crowd of attackers fired shots at Ntuli's group who fled back to the Ntuli house for safety.

From the house, JJ Ntuli telephoned the Internal Stability Unit (ISU) and the KwaMsane police station at least five times pleading for a patrol to provide them with protection. By this stage the armed crowd were advancing on the house. When an ISU patrol vehicle arrived, the two officers ordered JJ Ntuli and the others to come outside and, at gunpoint, forced them to lie on the ground on their stomachs. The ISU officers, and their commanding officer, who had arrived shortly after them, allegedly made no attempt to disarm the crowd, or prevent them from entering the house, or from physically threatening JJ Ntuli and the others lying on the ground. Apparently only when an army patrol arrived on the scene did the ISU commander order the IFP supporters to disperse.

After the soldiers and the armed crowd had left, one of the ISU officers, in front of the commander, allegedly threatened to kill any ANC member found in the area and in particular threatened to kill Bheki Ntuli. All of the group except JJ Ntuli were ordered into an ISU vehicle and were driven to KwaMsane police station. The police then interrogated JJ Ntuli and allegedly assaulted him. Later they took him to KwaMsane police station. The house was left vacant.

On the evening of 1 May unknown perpetrators looted and burned the house to the ground.

**FURTHER RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters:**

- expressing concern that members of the KwaZulu Police and the Internal Stability Unit (ISU) in the Mtubatuba area participated in attacks against members of the family and the property of the ANC's northern KwaZulu Natal chairperson, Bheki Ntuli, on 1 May 1995;
- expressing concern that members of the ISU, in the presence of their commanding officer, allegedly assaulted JJ Ntuli after arresting him and 15 others on apparently malicious charges on 1 May;
- expressing concern that, despite constant appeals, no progress has been made in arresting and bringing to justice those responsible for the January 1995 murders of Grace Ntuli and Thulani Mbatha and other human rights abuses in the Mtubatuba area; and
- calling for a fully independent investigation into the abuses committed by the police and others acting with their acquiescence in that area.

**APPEALS TO:**

Mr T.M. Mbeki  
Executive Deputy President  
Private Bag X911  
Pretoria 0001, South Africa

**Telegrams: Executive Deputy President Mbeki, Pretoria, South Africa**

**Faxes: +27 12 323 2573**

**Salutation: Dear Executive Deputy President**

Mr F S Mufamadi  
Minister of Safety and Security  
Private Bag X463  
Pretoria 0001, South Africa

**Telegrams: Safety/Security Minister, Pretoria, South Africa**

**Faxes: +27 12 320 5065**

**Salutation: Dear Minister**

Commissioner George Fivaz  
Commissioner of Police  
Police Headquarters  
Private Bag X94  
Pretoria 0001, South Africa

**Telegrams: National Commissioner, Police Headquarters, Pretoria, South Africa**

**Faxes: +27 12 322 2094**

**Salutation: Dear Commissioner**

Lieutenant-General Chris Serfontein  
Commissioner  
South African Police Service KwaZulu-Natal  
PO Box 391, Durban 4000, South Africa

**Faxes: +27 31 321 974**

**Telegrams: Regional Commissioner Police Headquarters Durban, South Africa**

**Salutation: Dear Commissioner**

**COPIES OF YOUR APPEALS TO ONE OR MORE OF THE FOLLOWING:**

- Col Le Roux, District Commissioner, South African Police Service, Private Bag X505, Eshowe 3815, South Africa
- African National Congress (ANC), North Coast Regional Office, PO Box 7229, Empangeni-Rail 3910, South Africa
- Natal Monitor, c/o CSDS University of Natal, King George V Ave, Durban 4001

and to diplomatic representatives of SOUTH AFRICA accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 1 July 1995.