

AI Index: PRE 01/297/2012
21 June 2012

South Africa: Police arrests are a positive step in the fight against impunity

The arrests in South Africa of members of a police unit allegedly linked to numerous unlawful killings and incidents of torture is a breakthrough in fighting impunity for grave human rights violations in the country, Amnesty International said today.

The arrested members of the now-disbanded Cato Manor Organized Crime Unit appeared in the Durban magistrates court today faced with a catalogue of charges including murder, assault, theft and unlawful possession of firearms and ammunition.

The Unit's alleged victims included a taxi company owner, Bongani Mkhize, killed three months after he obtained a High Court order constraining the police from killing him, and a 15 year-old school boy, Kwazi Ndlovu, shot dead when heavily-armed members of the Unit burst into his home.

"Journalists, lawyers, human rights monitors and family members have battled for more than four years to obtain accountability for this Unit's crimes. Until now these efforts have been blocked by a climate of impunity fostered by public statements, in the context of the 'war against crime', by senior politicians and police officials," said Mary Rayner, Amnesty International's South Africa researcher.

"We are hopeful that these arrests are evidence of a new political will to take action against members of the police suspected of involvement in human rights violations."

The arrests followed recent investigations by the Independent Police Investigative Directorate (formerly the Independent Complaints Directorate) and the South African Police 'Hawks' unit in the wake of a damning report on the Unit's activities in the South African Sunday Times newspaper last December [2011].

Amnesty International is aware of threats of violence and other forms of intimidation being used against individuals investigating and exposing these crimes and urges the authorities to guarantee their safety.

"The courage and persistence of those involved in pressing for accountability has been critical to this week's developments," said Rayner.

Survivors of abuses and family members of deceased victims have also been denied access to justice by the corruption and interference involved in earlier criminal investigation processes and the intimidation of witnesses.

Amnesty International is urging the authorities to ensure the integrity, impartiality and independence of the current investigations and that criminal proceedings are fully protected and the safety of witnesses guaranteed. This will be particularly crucial as these processes ultimately must result in the bringing to justice of all those responsible for the crimes under investigation, including those who may have turned a

blind eye.

As recommended in its submission to the United Nations Universal Periodic Review of South Africa in June this year, Amnesty International also urges the South African Government to publicly and unambiguously denounce acts of torture and extra-judicial executions as human rights violations unjustified under any circumstances.