

EXTERNAL (for general distribution)

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13 January 1994

SOUTH AFRICA (Bophuthatswana) Johannes SETLAE, aged 26, member of the  
African National Congress (ANC)

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Amnesty International is concerned for the safety of Johannes Setlae, who was assaulted and detained by the Bophuthatswana police on 12 January 1994. Amnesty International fears that he is at risk of further assault or torture, of being denied proper medical care for his existing injuries and that he is being detained under security legislation which allows indefinite detention without charge, rather than under the ordinary criminal law. The organisation is also concerned that the circumstances of his detention follow a pattern of harassment of political activists involved in voter education work in the lead-up to South Africa's first non-racial elections in April 1994.

Johannes Setlae is an ANC committee member in Mogogoe village, about 16 kilometres from Mafikeng. He was detained after police broke up a voter education meeting on the village sports field arranged by members of the local ANC youth league. The meeting was also intended to explain about obtaining Identity Documents necessary for voting in the April elections. Some 100 people arrived for the meeting but dispersed promptly when ordered to do so by police officers.

According to witnesses, after the crowd dispersed, the police confronted the local president of the youth league, Ofentse Kogotsitse, Johannes Setlae, and two other organizers of the meeting, at Ofentse's home near the meeting place.

Police officers ordered the four to "disperse" but Ofentse argued that he was, in fact, at his home. The police then entered the yard of his house and attempted to assault the four. When Ofentse's mother tried to intervene, one policeman hit her and she fell down. This apparently prompted Johannes Setlae to throw an empty cold drinks bottle at the police and it struck one of the officers. The police caught Johannes Setlae, assaulted him with blows from fists and open hands, booted feet, and sjamboks (whips), then arrested him.

Johannes Setlae is believed to be held at Mmabatho police station under Section 25 of Bophuthatswana's Internal Security Act. The police have not so far allowed his lawyer to visit him and consequently no information is available about the state of his health following his beatings. However, they have told his lawyer that he will probably be charged with assaulting a police officer, but he was not brought to court today. Amnesty International fears that he may be denied proper medical care and may be further assaulted while he remains in incommunicado detention. The concerns are increased by a report that, earlier on 12 January, the Bophuthatswana Security Police threatened to "eliminate" one of the meeting organizers and others involved in political activities.

#### BACKGROUND INFORMATION

Bophuthatswana Government representatives are part of a right-wing coalition which is still refusing to participate in the planned 1994 elections or to recognize recently established transitional authorities. In the new South African Constitution, which was passed by Parliament on 22 December 1993 and will come into effect after the 1994 elections, full South African citizenship has been restored to all "homeland" residents as of 1 January 1994, and the

nominally independent "homelands" including Bophuthatswana will be reincorporated into South Africa after the elections.

**RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in English or in your own language:**

- expressing concern that Johannes Setlae was assaulted and beaten by the police officers who detained him in Mogogoe village, seeking assurances that he will not be subjected to further assaults and urging that he immediately be allowed a visit from his lawyer and a medical doctor of his choice;
- expressing concern that Johannes Setlae has been detained under security provisions that allow for incommunicado detention without charge or trial and calling for him to be promptly brought to court and charged with a recognizably criminal offence or to be released;
- calling for a full and thorough investigation into the conduct of the police officers who allegedly assaulted Johannes Setlae, for them to be suspended from duties pending investigation, and for any officers found to have assaulted him to be brought to justice;
- expressing concern at the pattern of human rights violations committed against political activists in Bophuthatswana apparently because of their involvement in activities related to the 1994 South African elections.

**APPEALS TO:**

Chief L M Mangope  
President  
Government Offices  
Mmabatho

Bophuthatswana, South Africa

**Telegrams: President Mangope, Bophuthatswana, South Africa**

**Telexes: 937 3008 BOP**

**Faxes: + 27 140 842626**

**Salutation: Dear President**

Mr Rowan Cronje  
Minister of Defence  
Department of Defence  
Private Bag X2003  
Mmabatho 8681  
South Africa

**Telegrams: Defence Minister, Mmabatho, Bophuthatswana, South Africa**

**Salutation: Dear Minister**

Major-General P J Seleke  
Commissioner of Police  
Private Bag X2006  
Mmabatho 8681  
South Africa

**Telegrams: Police Commissioner, Mmabatho, Bophuthatswana, South Africa**

**Salutation: Dear Commissioner**

Mr R F Botha  
Minister of Foreign Affairs  
Department of Foreign Affairs  
Private Bag X152  
Pretoria 0001  
South Africa

**Telegrams: Foreign Minister, Pretoria, South Africa**

**Telexes: 0959 350060 EXTERN TTX SA**

**Faxes: + 27 12 325 8669**

**Dear Minister**

**COPIES OF YOUR APPEALS TO:**

- Col D A George, Private Bag X2004, Mmabatho 8681, South Africa;
- Lawyers for Human Rights, Mafikeng Regional Office, POB 945, Mafikeng 8670, South Africa;
- Mafikeng Anti-Repression Forum (MAREF), PO Box 158, Ratshidi 8681, South Africa;
- The Editor, Sowetan, POB 6663, Johannesburg 2000, South Africa;

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 24 February 1994.