

EXTERNAL (for general distribution)

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UA 114/94 Torture / Health concern

21 March 1994

SOUTH AFRICA Michael MATHE, age 16 years

There is serious concern for the physical and mental well-being of Michael Mathe who is currently in custody at Alberton Police Station, East Rand. This concern arises from his young age, relative isolation in custody and the fact that he has been transferred from normal pre-trial custody back to a police station. He appears to be seriously affected by his earlier torture and those visiting him recently have expressed concern about his deteriorating mental state. Police officers at Alberton Police Station previously failed to take responsibility for his well-being by allowing him to be transferred soon after his arrest to Nyoni Farm police base, near Vosloorus, where he was allegedly assaulted.

Michael Mathe was arrested on 9 January 1994 in the East Rand township of Katlehong by officers of the Internal Stability Unit (ISU) of the South African Police (SAP), after senior African National Congress (ANC) and South African Communist Party (SACP) officials and journalists visiting Katlehong were fired upon by gunmen from a nearby migrant workers' hostel. After the attack, officers of the ISU shot dead one ANC member, and they shot and injured another youth whom they arrested together with Michael Mathe, who is a member of a local self-defence unit (SDU).

Late on the night of 9 January, police officers returned with Michael Mathe to his home, searched the house, and reported finding a hand-grenade in the toilet. A witness who was at the house observed that Michael Mathe was unrecognizable because his face had been so severely beaten. The 16-year-old was then held in custody at Alberton police station on 9 January and Primrose police station, Germiston, on 10 and 11 January. Between 9 to 11 January, however, he was taken to Nyoni Farm police base the headquarters of the SAP Political and Violent Crime Unit, where he was interrogated. During interrogation he was allegedly repeatedly assaulted by police officers who also threatened to use a police dog to attack him. He has since told his lawyer that, under this duress, he signed statements which were repeatedly rewritten by his interrogators. Amnesty International has previously received reports of torture carried out at Nyoni Farm against East Rand detainees (see UA 282/93, AFR 53/35/93, 20 August 1993).

Michael Mathe was first brought to court on 12 January, and his injuries were brought to the attention of the court. He was charged with possession of a firearm and a hand-grenade. In late January he was refused bail, but his co-accused was released on bail. He was remanded in custody in Boksburg Prison.

At some point he was transferred back to Alberton Police Station. He has been allowed visits from his lawyer, relatives, and a district surgeon (doctor in official service), but has sometimes been kept alone in his cell.

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

- expressing concern for the physical and mental well-being of 16-year-old Michael Mathe, who was arrested in Katlehong on 9 January 1994, has been held since then at Alberton Police Station and was reportedly tortured at Nyoni Farm police base near Vosloorus between 9 and 11 January;
- expressing concern that he was transferred back to Alberton Police Station

from Boksburg Prison and is sometimes held in isolation;
 - seeking assurances that he will not be subjected to further assaults or torture while in police custody;
 - urging that he be allowed visits from an independent medical doctor of his choice and access to any recommended treatment, in addition to visits from his lawyer and relatives.

APPEALS TO:

1) President F W De Klerk
 State President
 State President's Office
 Private Bag X83
 Pretoria 0001
 South Africa

Telegrams: President De Klerk, Pretoria, South Africa

Faxes: + 27 12 323 3982

Salutation: Dear President

2) Lt-Gen J Van Der Merwe
 Commissioner of Police
 Police Headquarters
 Private Bag X94
 Pretoria 0001
 South Africa

Telegrams: Police Commissioner van Der Merwe, Pretoria, South Africa

Telexes: 3-20838 SAPOB SA

Faxes: + 27 12 323 2033, +27 12 326 5162, +27 12 323 2456

Salutation: Dear Commissioner

3) Lieutenant-General J F Calitz
 Regional Police Commissioner, Witwatersrand
 Private Bag X5
 Johannesburg 2000
 South Africa

Telegrams: Witwatersrand Regional Police Commissioner, Johannesburg, South Africa

Salutation: Dear Commissioner

4) The Station Commander
 Alberton Police Station
 Alberton 1450
 South Africa

Telegrams: Alberton Police Station Commander, Alberton, South Africa

Salutation: Dear Station Commander

COPIES OF YOUR APPEALS TO:

- Colonel Kriel, Political and Violent Crime Unit, South African Police, Nyoni Farm, Vosloorus 1459, South Africa, **Fax: +27 11 866 7101**
 - Independent Board of Inquiry into Informal Repression (IBIIR), PO Box 32293, Braamfontein, Johannesburg 2017, 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 2 May 1994.