

EXTERNAL (for general distribution)

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Legal concern/health concern

18 September 1990

SOUTH AFRICA: Yusuf MOHAMED, aged 35, pharmacist,

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Yusuf Mohamed was detained by the police on 19 August 1990 in Harding, Natal province, reportedly in connection with police investigations into African National Congress (ANC) underground activities. He has been held since then under the terms of section 29 of the Internal Security Act, which permits the police to detain a person incommunicado, in solitary confinement and indefinitely, for the purposes of interrogation. On 22 August 1990 he was transferred, possibly from a Johannesburg prison, to Johannesburg hospital. According to reports from doctors he is suffering from depression as a consequence of his detention conditions and has attempted to commit suicide. He remains in hospital under police custody. Doctors believe that if he is returned to the detention cells, his condition will further deteriorate.

Amnesty International is concerned that Yusuf Mohamed is being held under a provision of the law which facilitates the ill-treatment and torture of detainees. In addition, solitary confinement, often in combination with intensive interrogation sessions by the police, has resulted in sometimes permanent psychological damage to detainees. Amnesty International is urging the authorities to release Yusuf Mohamed immediately if they do not intend to charge him promptly with a recognizably criminal offence.

BACKGROUND INFORMATION

Since the state of emergency was lifted in South Africa on 8 June 1990, with the exception of Natal province and the nominally-independent "homeland" of Bophuthatswana, detentions of government critics and political opponents have continued to occur. The police have been relying primarily upon their powers under the Internal Security Act to detain political activists. On 12 September 111 people were known to be detained without charge under the terms of section 29 of this act. In addition, detentions have been occurring under the Bophuthatswana state of emergency legislation, as well as under new South African emergency legislation imposed in August 1990 on newly declared "unrest areas" in the Transvaal.

RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- expressing concern over the detention without charge or trial of Yusuf Mohamed under legislation which permits indefinite incommunicado detention in solitary confinement;
- expressing concern over reports that he has become severely depressed and suicidal and requires hospital treatment as a result of his detention;
- urging his immediate and unconditional release unless he is to be brought to trial fairly and without delay on recognizably criminal charges.

APPEALS TO:

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

Telegrams: President De Klerk, Pretoria, South Africa
 Telexes: 321695 SPLIB SA, 321890 PRES SA, 322158 PRES SA

Mr A J Vlok
 Minister of Law and Order
 Private Bag X463
 Pretoria 0001, South Africa

Telegrams: Minister Law/Order, Pretoria, South Africa
 Telexes: 321353 HABS SA or 321358 HABS SA (via Ministry of Home Affairs)
 Faxes: +27 12 322 2559

Lt-Gen 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: 3-20772 SAPQM SA; 3-20838 SAPOB SA
 Faxes: + 27 12 323 2033

Head of Security Police
 Witwatersrand Provincial Division
 Private Bag 5
 Johannesburg 2000, South Africa

Telegrams: Head Security Police, Witwatersrand Division, Johannesburg South Africa

COPIES TO:

- The Attorney General for the Witwatersrand, The Supreme Court, Private Bag X8, Johannesburg 2000
- Dr C E M Viljoen, Secretary General, Medical Association of South Africa, PO Box 20272, Alkantrant, Pretoria 0005
- The Editor, The Star, POB 1014, Johannesburg 2000
- The Editor, Vrye Weekblad, PO Box 42637, Fordsburg 2033

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 23 October 1990.

