

EXTERNAL (for general distribution)

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Further information on UA 71/90 (AFR 53/12/90, 16 February 1990) and follow-up AFR 53/53/90 (11 July 1990) - Fear of torture/health concern/death in custody

South Africa: Peter MABITSELA  
Frans MATHOLE  
Paul MATHOLE  
Johannes (not Joseph) MANAKA  
Aubrey NTSOANE  
Jacob RAPHOLO  
Charles SEAKAMELA

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Jacob Rapholo was charged on 2 August 1990 in a Pietersburg court with murder, attempted murder and charges relating to the possession of weapons and explosives. He is reportedly a trained member of Umkhonto we Sizwe, the armed wing of the African National Congress. His trial will commence on 4 February 1991 before the Supreme Court (Transvaal Provincial Division) sitting in Pietersburg. He is now awaiting trial in Pietersburg prison, and is reported to be in satisfactory health though he walks with a limp as a result of the injury he received at the time of his arrest.

Peter Mabitsele, Johannes Manaka, Frans Mathole and Charles Seakamela were transferred in late July or early August from detention incommunicado under section 29 of the Internal Security Act to custody under section 31 of the same act, which provides for the incommunicado detention of state witnesses. They were released from detention on 27 September 1990. It is possible that they may be called to testify for the prosecution in the trial of Jacob Rapholo. At the time of their release they were required by the police to report to a Pietersburg police station every Friday, but this requirement has been challenged by their lawyers on the grounds it has no legal basis. It has been reported to Amnesty International that a district surgeon administered out-of-date drugs to Charles Seakemela and Johannes Manaka while they were in custody, and that this matter has been reported to the South African Medical and Dental Council.

Paul Mathole, Aubrey Ntsoane and three other people who had been detained with them were released uncharged on 1 August 1990, after spending six months held under legislation which permits indefinite incommunicado detention in solitary confinement.

No further action on behalf of these detainees is requested. Thank you to all who appealed.