

EXTERNAL (for general distribution)

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UA 286/92 Extrajudicial Executions

9 September 1992

South Africa (Ciskei):

Thembinkosi BILLI  
Sipho COLOGU  
Dyakopu GADU  
Thobani GOLA  
Sipho KUNDULU  
Monde MFENGE  
Nkosinathi MOTMON  
Mnyamezili MYEHA  
Headman NONTSHINGILE  
Zanethemba SKEPU

and at least 20 others.

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On 7 September 1992 at least 30 unarmed demonstrators were shot dead or subsequently died as a consequence of injuries inflicted by soldiers during an African National Congress (ANC) march on Ciskei, South Africa's nominally independent "homeland" in the Eastern Cape. Several hundred other marchers were injured. Amnesty International is concerned that the soldiers used lethal force unnecessarily and without provocation and committed extrajudicial executions. Amnesty International also fears that unless the authorities take immediate and appropriate action including, amending the laws and regulations governing the use of firearms, unlawful and arbitrary killings of unarmed demonstrators will re-occur at future demonstrations. Amnesty International is also concerned at reports that soldiers and other members of the Ciskei security forces are harassing and assaulting Ciskei residents suspected of having participated in the ANC march.

The march had been organized by the ANC in protest at the repressive policies of the Ciskei leader, Brigadier Oupa Gqozo, and apparently with the intention of occupying the administrative buildings in the "homeland" capital, Bisho. The organizers of the march had obtained permission from a magistrate's court in the Ciskei to hold a rally in the stadium near Bisho. When a section of the marchers broke away and started to run from the stadium towards Bisho, soldiers of the Ciskei Defence Force opened fire without warning and using live ammunition.

The ANC march on 7 September had been preceded by three days of negotiations by representatives of South Africa's National Peace Accord structures with Brigadier Gqozo and the ANC, in a bid to avert a violent outcome from the ANC intention to march into the "homeland". However Brigadier Gqozo remained adamant that the ANC was not to enter the Ciskei. The ANC remained equally determined to proceed with the march. Early on the morning of 7 September the ANC obtained permission from the magistrate's court in the Ciskei to march over the border into the stadium, but no further. As the huge column of marchers, estimated at between 50,000 to 80,000 strong, reached the border they were blocked by razor wire placed there by the Ciskei Defence Force. The ANC's secretary general, Cyril Ramaphosa, then began to discuss with National Peace Accord representatives, who were on the other side of the razor wire, how they should now proceed. As this was going on, a column of marchers moved off alongside the razor wire towards the stadium. As they entered the stadium, a smaller

section broke away and ran out of the stadium through a back entrance, apparently with the intention of moving towards Bisho.

It was at this point, at approximately 1:30 pm, that soldiers opened fire on the breakaway group; at the same time they also began shooting at the main body of marchers still outside the stadium on the other side of the razor wire. Amnesty International is seeking to confirm from post-mortem results reports that many of the marchers were shot in the back, including those in the breakaway group who had fled back into the stadium to escape the gunfire.

Independent observers, including representatives of the National Peace Accord structures and foreign journalists, are in agreement that the marchers were not carrying weapons and did not provoke the shootings by any acts of violence. There appears to be no independent support for the later claim by the Ciskei authorities that a soldier had been shot by the demonstrators. According to an observer from the South African-based Independent Board of Inquiry, the firing started in a sustained volley of shots, apparently initially by the soldiers at the far side of the stadium and within seconds spread down the entire line of soldiers, who were lying about five metres apart in ditches along a line 800 metres long. The soldiers opened fire without warning, using automatic weapons, firing continuously for about one-and-a-half to two minutes. After a pause of some two minutes, the soldiers resumed firing, again for about one minute. According to various reports, the soldiers then fired tear-gas and stun grenades as the terrified marchers and observers, some of them wounded, were attempting to flee the area.

In the aftermath of the killings, representatives of the South African Government maintained that they were not responsible for the actions of the soldiers, as they were members of the defence force of an independent country. However, although the territory of the Ciskei, which was previously an integral part of South Africa, was declared independent by the South African Government in 1981, its independence has not been recognized by any other member state of the United Nations. Furthermore the Ciskei Defence Force, which has ruled the "homeland" since 1990, has close institutional links with branches of the South African Defence Force, with much of its command structure dominated by "seconded" or former officers of the South African Defence Force. Its present commander, for instance, is a "seconded" officer from the South African Defence Force's Directorate of Military Intelligence. In addition, the South African Minister of Law and Order, several days prior to the ANC's march, imposed a mini-state of emergency on districts surrounding the borders of the Ciskei and police reinforcements were flown into the area. However, on 7 September, as the marchers approached the Ciskei border, the South African Police force members accompanying them withdrew, failing to protect the marchers, some of whom were shot on the South African side of the border.

In these circumstances, it is clear that the South African authorities share responsibility for the actions of the Ciskei Defence Force and that South Africa must be held responsible by the international community for human rights violations committed in the Ciskei.

**RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters, preferably in English:**

- urging the authorities urgently to establish a full, public, judicial inquiry into the conduct of officers and members of the Ciskei security forces involved in the shooting on 7 September 1992 of unarmed demonstrators with automatic

weapons and live ammunition;

- calling for those found to be responsible for arbitrary and unlawful killings to be suspended from duty and brought to justice, and for the victims and their families to be compensated;

- calling upon the authorities at the highest level to acknowledge that the Ciskei security forces appear to have acted unlawfully in using lethal force against unarmed demonstrators near Bisho on 7 September 1992;

- urging the authorities to amend the laws and regulations governing the use of firearms in order to prohibit the shooting of unarmed and non-violent demonstrators in the future;

- urging the authorities to commit themselves to the **United Nations Basic Principles on use of Force and Firearms by law enforcement officials** adopted in 1990, which prohibits the use of live ammunition against non-violent demonstrators, even if the demonstration is illegal.

- expressing concern at reports that Ciskei residents suspected of having participated in the ANC march have been harassed and assaulted by members of the security forces, apparently in defiance of a Supreme Court order issued on 9 September 1992.

**APPEALS TO:**

1) 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  
**Faxes:** +27 12 323 3982  
**Salutation:** Dear President

2) Brigadier O Gqozo  
Chairman of the Military Council  
Private Bag X0016  
Bisho, Ciskei  
South Africa

**Telegrams:** Brigadier Gqozo, Military Council Chairman, Ciskei, S. Africa  
**Salutation:** Dear Brigadier Gqozo

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

**Telegrams:** Foreign Minister, Pretoria, S. Africa  
**Telexes:** 0959 350060 EXTERN TTX SA  
**Faxes:** +27 12 323 1664

**Salutation: Dear Minister**

4) Brigadier Marius Oelschig  
 Chief of the Ciskei Defence Force  
 c/o Ciskei Defence Force  
 Private Bag X0002  
 Bisho, Ciskei  
 South Africa

**Telegrams: Chief Ciskei Defence Force, Ciskei, S. Africa**

**Salutation: Dear Brigadier**

5) Mr E Louw  
 Minister of Defence  
 Department of Defence  
 Private Bag X427  
 Pretoria 0001  
 South Africa

**Telegrams: Defence Minister, Pretoria, S. Africa**

**Telexes: 320502**

**Faxes: +27 12 323 1664 (attn. Defence Minister)**

**Salutation: Dear Minister**

**COPIES OF YOUR APPEALS TO one or more of the following:**

- The Editor, The Sowetan, POB 6663, Johannesburg 2000, South Africa;
- The Editor, Daily Dispatch, POB 131, East London 5200, South Africa;
- Independent Board of Inquiry into Informal Repression, POB 816, East London 5200, South Africa;
- Lawyers for Human Rights, East London Office, POB 816, East London 5200, South Africa;
- Border Council of Churches, P O Box 966, King William's Town 5600, 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 21 October 1992.