

EXTERNAL (for general distribution)

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Fear of Extrajudicial Execution

6 April 1994

SOUTH AFRICA Sam NXUMALO, Chairperson of African National Congress (ANC) branch in Eshowe area, Natal

Timothy Yeka SIBIYA, official, ANC branch, Eshowe

Ida GATRELL (f), Eshowe town councillor

Zamokwakhe MKIZE, resident of Gezinsila township

and 32 others named on a "hit list"

AND: Mrs Mildred MKIZE (f), resident of Gezinsila township

Amnesty International fears for the safety of 36 residents of the town of Eshowe, Gezinsila township and surrounding rural areas, whose names appear on a "hit-list", copies of which were found in the Eshowe area of Natal province on 30 March 1994. Those named include ANC officials, ANC members, and residents involved in women's, peace and development projects and in the Local Government Negotiations Forum. The anonymous author/s of the list refer to those named as "enemies" and as "ANC-MK (ANC's armed wing) communists".

On the night of 1 April three people were shot dead in the home of the Mkize family. Zamokwakhe Mkize's two younger brothers, Wiseman and Linda, and a male visitor, Linda Mazibuko, were killed by gunmen who entered the house while its occupants were asleep. Since late February, the family has been subjected to death threats in which anonymous callers accused Mildred Mkize of protecting her sons, and demanded to know their whereabouts. On two recent occasions Linda Mkize had been threatened with death by Chief B I Zulu, the "traditional" chief for the area who has been implicated in several violent incidents, during which members of the KwaZulu Police force were present.

On 2 April a group of 80 young ANC supporters went to the Mkize family's home to express condolences for the murder of their sons. They were stopped by Chief B I Zulu and members of the KwaZulu Police, who told them they were involved in an "illegal gathering" and ordered them to disperse. While a representative of the group was explaining why they were there, members of the South African Police (SAP) arrived and gave them permission to pray with the family. Reportedly, while the SAP officers were still present, Chief B I Zulu and the KwaZulu Police officers began to shout threats at the family and demanded the names of all the visitors. After the SAP had left, the KwaZulu Police began to shoot at the group. The youngsters scattered for cover and there were no reports of injuries. Some of this group are named on the hit-list and have now gone into hiding.

On 30 March there was a shooting incident involving Timothy Yeka Sibiya, a number of high school students, some of whom are named on the hit-list, and members of the "Rand 5 Battalion" (Inkatha Freedom Party (IFP) supporters trained by former security police officers and white right-wing paramilitaries in camps set up by the KwaZulu "homeland" government). These IFP paramilitaries, travelling in a bus, armed with G3 automatic weapons and R1 rifles, and accompanied by a KwaZulu Police armoured vehicle, reportedly opened fire on the students and Mr Sibiya, who returned fire. The SAP arrived and subsequently arrested Mr Sibiya and confiscated his licensed firearm, but reportedly failed to confiscate the weapons used by the men on the bus. The SAP later stopped the vehicle in which Sam Nxumalo and another ANC official

were travelling and confiscated their licensed firearms, although neither of them had been at the scene when the shooting occurred. On 31 March the investigating officer at Eshowe Police Station aggressively refused to return their firearms.

BACKGROUND INFORMATION

During the past two months political violence has intensified in the Eshowe area in the Natal north coast region, and a number of residents have been killed in circumstances indicating the active complicity of the KwaZulu Police. The South African Police (SAP), who have responsibility for policing the Eshowe area, have failed for the most part to provide protection for residents vulnerable to attack or to effectively investigate politically-motivated murders. Known perpetrators are able to act with impunity. Although the South African Defence Force are being deployed in Natal in the wake of the imposition of a state of emergency in the province on 31 March 1994, they have not yet been deployed in sufficient numbers to have a significant impact on the violence in many areas including Eshowe.

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

- expressing concern for the safety of people in the Eshowe area of Natal, including ANC officials Sam Nxumalo and Timothy Yeka Sibiyi, town councillor Ida Gatrell and Gezinsila resident Zamokwakhe Mkize, whose names appear on a "hit-list" along with the names of some 30 other local residents;
- expressing concern that two members of Zamokwakhe Mkize's family were murdered on 1 April after receiving death threats and that the family has been threatened with violence by members of the KwaZulu Police, reportedly in the presence of South African Police officers;
- expressing concern at reports that officers of the KwaZulu Police have appeared on the scene of attacks or participated in attacks against residents in the Eshowe area in February and March 1994;
- urging the authorities to take concrete measures to protect the lives of all residents of Eshowe, Gezinsila and surrounding rural areas, and to ensure that security force personnel act impartially, respond promptly to calls for assistance, and investigate and arrest perpetrators of attacks, irrespective of political affiliation;
- urging the authorities to ensure that any such perpetrators are brought to justice.

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
Faxes: + 27 12 323 3982
Salutation: Dear State President

2) Lieutenant-General W H Steyn
 Natal Regional Police Commissioner
 PO Box 391
 Durban 4000, South Africa
Telegrams: Natal Regional Police Commissioner, Durban, South Africa
Salutation: Dear Commissioner

3) Colonel Junius

Divisional Commissioner of the South African Police, Private Bag 505
Eshowe 3815, South Africa

Telegrams: Divisional Commissioner Junius, Eshowe, South Africa

Salutation: Dear Divisional Commissioner

COPIES OF YOUR APPEALS TO:

- Natal Monitor, c/o CSDS, University of Natal, King George V Avenue, Durban 4001;
- Captain van der Westhuizen, Station Commander, Eshowe Police Station, Private Bag 505, Eshowe 3815, South Africa;
- Mr Sydney Mufamadi, ANC Representative, Subcouncil on Law Order and Security, Transitional Executive Council, Saambou Building, 227 Andries Street, Pretoria 0001;
- Mr G Myburgh, National Party Representative - same address as Mr Mufamadi

and to diplomatic representatives of South Africa in your country

PLEASE SEND APPEALS TO ARRIVE NO LATER THAN 25 APRIL 1994. (Elections: 26-28 April).