

EXTERNAL (for general distribution)

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Further information on EXTRA 94/92 (AFR 53/26/92, 5 November 1992) - Death Penalty

South Africa (Bophuthatswana): Stephen MASHININI, aged 42
 Samuel MNISI, aged 30
 Jonathan MOLEMA, aged 30

Stephen Mashinini, Samuel Mnisi and Jonathan Molema, who were due to be executed on 17 November 1992, were granted a 90-day stay of execution on Friday 13 November after an urgent hearing in the Supreme Court in Mmabatho, the administrative capital in the nominally-independent "homeland" of Bophuthatswana.

The court granted the stay of execution on the basis that the three men had not yet exhausted all the legal remedies available to them. Jonathan Molema and Samuel Mnisi had not had the opportunity to submit petitions for clemency.

Regarding Stephen Mashinini, the Supreme Court agreed that there had been an irregularity in the appeal court's handling of his case and that additional mitigating evidence still needed to be considered.

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

- welcoming the fact that stays of executions have been granted in the cases of Stephen Mashinini, Samuel Mnisi and Jonathan Molema;

- urging the authorities to commute the sentences of all persons currently under sentence of death;

- urging the authorities to adhere to a moratorium on executions, at the very least until agreement is reached in constitutional negotiations in South Africa;

- stressing Amnesty International's opposition to the death penalty in all cases, as a violation of the right to life and the right not to be subjected to cruel, inhuman and degrading punishment, as proclaimed in the Universal Declaration of Human Rights.

APPEALS TO:

1) Mr F W de Klerk
State President
State president's Office

Salutation: Dear President

Private Bag X83
Pretoria 0001
South Africa

Telegrams: State President de Klerk, Pretoria, South Africa
Telexes: 321695 SPLIB SA, 321890 PRES SA, 322158 PRES SA
Faxes: + 27 12 323 3982

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

Salutation: Dear Minister

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

3) Chief L M Mangope
President
Government Offices
Mmabatho

Salutation: Dear President

Bophuthatswana, South Africa
Telegrams: President Mangope, Bophuthatswana, South Africa
Telexes: 937 3008 BOP
Faxes: + 27 140 842626

4) Mr Rowan Cronje
Minister of Defence
Department of Defence
Private Bag X2003
Mmabatho 8681
South Africa

Salutation: Dear Minister

Telegrams: Defence Minister, Mmabatho, Bophuthatswana, South Africa

COPIES OF YOUR APPEALS TO:

The following newspapers:

Sowetan
POB 6663
Johannesburg 2000, South Africa

City Press
POB 3413
Johannesburg 2000, South Africa

The Citizen
POB 7712
Johannesburg 2000, South Africa

and human rights organizations:

Lawyers for Human Rights
713 Van Erkom Building
Pretorius St, Pretoria 0002
South Africa

Lawyers for Human Rights
Mafikeng Regional Office
POB 945, Mafikeng 8670, South Africa

Society for the Abolition of the Death
Penalty in South Africa
c/o Centre for Applied Legal Studies
University of the Witwatersrand

PO WITS 2050, 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 28 December 1992.