

**EXTERNAL (for general distribution)**

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**Further information on UA 221/91 (AFR 53/23/91, 28 June 1991) and follow-ups AFR 53/24/91 (4 July), AFR 53/25/91 (10 July) and AFR 53/26/91 (18 July) - Hunger-strike/medical concern/ill-treatment**

**SOUTH AFRICA (Bophuthatswana):**

**Former hunger-strikers from Rooigrond Prison including:**

**Patrick CEBISA**

**Simon LEFAKANE**

**Frans MOKOMANE**

**Johannes "Bushy" MOLEFE**

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**Patrick MONGAKE**

**Timothy PHIRI**

**Michael RANKU**

**and Johannes SIMELANE, currently on hunger-strike since 19 August 1991**

On 19 August 1991 over 50 political prisoners in the nominally independent "homeland" of Bophuthatswana, including many who had been on hunger-strike in June and July, renewed their hunger-strike. After nearly four weeks all but one again suspended their hunger-strike on 13 September following the release of 19 prisoners. However, Amnesty International is concerned at reports of the ill-treatment by prison staff of political prisoners who were on hunger-strike in June and July 1991 and were still undergoing hospital treatment in early September, and also at reports that prisoners who renewed their hunger-strike in late August were denied proper medical care and in some cases subjected to ill-treatment. Amnesty International remains concerned for the health in particular of Johannes Simelane, who is continuing his hunger-strike.

According to reports received by Amnesty International, Frans Mokomane, Johannes Molefe and Patrick Mongake were assaulted by some 20 prison warders on 3 September 1991. The three had not renewed their hunger-strike in August but were still in Odi Hospital near GaRankuwa, north of Pretoria, receiving treatment for medical problems related to their previous hunger-strikes. The assaults occurred when the authorities ordered their transfer from Odi Hospital to Bophelong Hospital. They were removed from Odi Hospital but were then told that transport was not available to take them to Bophelong Hospital that day and they would therefore be spending the night at Odi Prison. When they protested at their removal from hospital care they were physically assaulted by prison warders and forcibly taken into the prison. When the prisoners reached Bophelong Hospital on 4 September and requested medical examinations in order to press charges against the warders, medical doctors reportedly refused to carry out the examinations, although all three prisoners complained of back and stomach injuries and had bruises and cuts. They are still in Bophelong hospital and not currently on hunger-strike.

Amnesty International has received a number of reports indicating that prisoners who were on a renewed hunger-strike between 19 August and 13 September were denied proper medical care and in some cases subjected to ill-treatment. On 30 August 1991 seven prisoners who had been on hunger-strike since 19 August were told they would be discharged from Bophelong Hospital

where they were receiving treatment. They protested against their discharge but, after a further four days of hunger-strike, were dragged out of the hospital by armed prison warders and taken to Rooigrond Prison. They were subsequently returned to the hospital. In addition, 28 of the hunger-strikers at Thusong Hospital were discharged on 5 September and sent back to Rooigrond Prison despite the fact that they were receiving medical treatment. They were subsequently transferred by the prison authorities back to Thusong Hospital on 7 September. Furthermore, it was reported that hunger-strikers at Thusong hospital did not have supplementary treatments such as vitamins and electrolyte drips made available to them.

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Johannes Simelane, aged 33, who was on hunger-strike for 29 days in June and July, is the only hunger-striker currently continuing his protest and has been on hunger-strike since 19 August. He is in Thusong Hospital receiving medical care and is suffering from repeated spells of dizziness. In his previous hunger-strike he reportedly lost 22kg in weight and suffered loss of concentration, dizzy spells and numbness in his legs.

#### **BACKGROUND INFORMATION**

Political prisoners in Bophuthatswana, mostly convicted of treason in connection with a coup attempt in 1988, have been protesting at the authorities' failure to release them under the terms agreed in 1990 between the South African government and the African National Congress (ANC) for the release of political prisoners. The Bophuthatswana authorities have maintained that this agreement was not applicable to prisoners held in Bophuthatswana, but nevertheless the "homeland's" parliament debated the issue of releasing them in late August and referred the issue to the cabinet. On 12 September the Bophuthatswana authorities released 19 prisoners, including five on hunger-strike. Bophuthatswana's President Lucas Mangope is reported to have stated that further releases will depend on the good conduct of the prisoners concerned.

On 6 June 1991 an agreement was reached between representatives of the South African government, medical and human rights organizations and the ANC, concerning the medical care of prisoners on hunger-strike. It provides for prisoners to have a right to medical care on an unconditional basis. This protocol evidently sets standards which could be applied throughout South Africa, but the Bophuthatswana authorities, who regard Bophuthatswana as an independent country despite its lack of recognition by the international community, have not formally undertaken to implement it.

#### **FURTHER RECOMMENDED ACTIONS: Telegrams/telexes/faxes/express and airmail letters:**

- expressing concern at reports of the assault on 3 September 1991 at Odi Prison on Frans Mokomane, Johannes Molefe and Patrick Mongake;
- urging an immediate and impartial investigation into these reports of assault, with a view to bringing to justice those warders found responsible for assaulting these prisoners;
- expressing concern that some prisoners who renewed their hunger-strike in August were forcibly removed from hospital and taken back to prison despite being still under medical care (refer to some of the specific cases referred to above);
- seeking assurances that Johannes Simelane, who is continuing his hunger-strike, and all prisoners who have recently suspended their hunger-strike, will be granted full access to a medical doctor of their choice and to the treatment prescribed by that doctor, as well as regular access to their families and lawyers;
- urging that the South African government speedily complete its review of the cases of all



Minister of Health and Social Services  
Department of Health and Social Services  
Government Offices  
Mmabatho  
Bophuthatswana, South Africa

**Telegrams: Health Minister Khaole, Mmabatho, Bophuthatswana, South Africa**

**Faxes: (+27) 140 23846 Marked: Please forward to the Ministry of Health (this is the fax number for the Ministry of Foreign Affairs, the Ministry of Health has recently moved.)**

6.

Mr S G Mothibe

**Dear Minister**

Minister of Justice  
Department of Justics  
Private Bag X2033  
Mmabatho 8681  
Bophuthatswana, South Africa

**Telegrams: Justice Minister, Bophuthatswana, South Africa**

**COPIES TO:**

- The Editor, The Star, PO Box 1014 Johannesburg 2000, South Africa
- The Editor, New Nation, PO Box 10674, Johannesburg 2000, South Africa
- Human Rights Commission, PO Box 32723, Braamfontein 2017, South Africa
- Mafikeng Anti-Repression Forum (MAREF), PO Box 158, Ratshidi 8681, South Africa
- African National Congress, Legal and Constitutional Affairs Department, PO Box 61884 Marshalltown 2307, Johannesburg, South Africa
- National Medical and Dental Association (NAMDA), PO Box 2346, Johannesburg 2000, South Africa
- Medical Association of South Africa (MASA), PO Box 20272, Alkantrant, Pretoria 0005, South Africa

and to diplomatic representatives of South Africa in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat or your section office if sending appeals after 29 October 1991.