

EXTERNAL (for general distribution)

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Further information on 87/94 (AFR 53/15/94, 4 March 1994) - and related Urgent Actions (AFR 53/18/92 of 28 August 1992 and AFR 53/01/93 of 29 January 1993) - Fear of Extrajudicial Execution

South Africa: Enoch NZUZA, National Union of Metalworkers of South Africa (NUMSA) regional organizer, African National Congress (ANC) member, and Congress of South African Trade Unions (COSATU) delegate at local government negotiations forum, Mtunzini, KwaZulu-Natal

Mandla NZUZA, Enoch Nzuza's brother, and other members of the Nzuza family living in Ndlangubo Reserve, KwaZulu-Natal

Amnesty International remains concerned for the safety of Enoch Nzuza and members of his family, in view of further recent attacks on the family's home and the apparent failure of the police to investigate the incidents which occurred earlier in the year. To Amnesty International's knowledge, no-one has been charged in connection with the February 1994 attempted assassination of Enoch Nzuza, nor the shooting of Enoch Nzuza's brother, Mandla, in the same month.

On the night of 12 September 1994 armed men surrounded the family's home, which is in the Ndlangubo Reserve, a rural village west of Empangeni in the KwaZulu-Natal north coast area. The attackers opened fire on the house. They fled, however, when members of the household returned fire and apparently wounded one of the attackers. There are fears that those responsible for the attack on the house were linked to the powerful local traditional chief, Boy Mzimela, who has acted with impunity in the area for the past four years.

On the night of 16 September, a number of vehicles pulled up outside the Nzuza home and their occupants surrounded the house. Mandla Nzuza, fearing another attack, fired out of a window at the men. The men then announced that they were members of the police. They apparently gave no explanation to Mandla Nzuza or other members of the family for their presence. They entered the home and searched it for weapons. In the process they broke doors and smashed windows in different parts of the house. The police, who are members of the Internal Stability Unit (ISU) based in Matubatuba, then arrested Mandla and drove him to Empangeni police station, where he was left in their custody. He was charged with possession of an unlicensed firearm and attempted murder and taken to court on 19 September. With the assistance of a human rights lawyer, Mandla Nzuza was released on bail. The police later withdrew all charges against him.

The police do not appear to have made any arrests in connection with the attack

on the family's home on 12 September. The family remains fearful of further attacks, with little faith the police will provide them with protection in an area which is generally marked by police failure to act against known perpetrators of killings and other acts of violence.

Pressures have also increased on Enoch Nzuza and his family as a consequence of current sensitive negotiations over the creation of new, non-racial local government authorities in the province, prior to the holding of local government elections in 1995. Enoch Nzuza has acted as a representative for COSATU in the negotiations for the establishment of a new local government authority in the Mtunzini area near Empangeni. As such, he has been involved in putting forward a proposal that the land of certain chiefs should be incorporated into the boundaries of the proposed new Mtunzini local government authority. In late October the chiefs informed the negotiations forum that they strongly rejected this proposal and condemned Enoch Nzuza for advocating a proposal which they saw as undermining their authority.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters

- expressing continuing concern for the safety of Enoch Nzuza, NUMSA regional organizer in the KwaZulu-Natal north coast area, and his family, following a further armed attack on their home in the Ndlangubo Reserve in September 1994;
- expressing concern at the failure of the police to bring to justice those responsible for the attempted assassination of Enoch Nzuza and his brother Mandla Nzuza in February 1994;
- expressing concern that, several days after the September attack on the family home, members of the ISU conducted a night time raid on the home, failed to immediately and properly identify themselves, and reportedly smashed doors and windows when searching the home;
- urging the authorities to ensure that the police provide impartial protection to all residents in the area, and to bring to justice those responsible for human rights violations.

APPEALS TO:

1) Mr F S Mufamadi
Minister of Safety and Security
Private Bag X463 Pretoria 0001
South Africa

Telegrams: Minister Mufamadi, Pretoria, South Africa

Faxes: +27 12 320 5065

Salutation: Dear Minister

2) Lieutenant-General W H Steyn
Regional Police Commissioner, Natal
P O Box 391 Durban 4000
South Africa

Telegrams: Natal Regional Police Commissioner, Durban, South Africa

Salutation: Dear Commissioner

3) Rev C J Mthethwa
Minister of Police
Private Bag X06
Ulundi, KwaZulu-Natal 3838

South Africa

Telegrams: Minister Mthethwa, Ulundi, KwaZulu-Natal, South Africa

Faxes: +27 358 202 447

Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

- Station Commander, Empangeni Police Station, Empangeni 3880, South Africa
 - National Union of Metalworkers of South Africa (NUMSA), PO Box 1714, Empangeni 3880, South Africa
 - Human Rights Committee, Natal Office, Ecumenical Centre, 20 St Andrews Street, Durban 4001, 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 26 December 1994.