

EXTERNAL (for general distribution)

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Detentions/fear of torture

8 November 1991

SOUTH AFRICA (Ciskei)

Reverend Alf DLAMINI, aged in his 50s, an Anglican priest in Peddie and chairman of the Justice Division of the Border Council of Churches  
Mrs QABAKA, aged 72, a shopkeeper from Alice, and her 15-year-old grandson also named QABAKA

and S BUSHULA, aged 68, chairman of Mzantsi residents association  
M SEBENGU, aged 70, secretary of Mzantsi residents association  
M MAGWACA, aged 58 )  
M RAMNCWANA, aged 66 )  
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K RAMNCWANA, aged 42 ) all executive members of the residents  
M TYHALA, aged 38 ) association of Mzantsi village near Dimbasa  
S TYHALA, aged 42 )  
Jackson MSUTHU, aged 54 )

On 28 October 1991 a state of emergency was imposed throughout the nominally independent "homeland" of Ciskei. The emergency regulations permit indefinite incommunicado detention without charge, and provide the Ciskei security forces with indemnity for any acts committed "in good faith" in the exercise of wide powers of arrest and detention given to them under the regulations. Estimates suggest that since 28 October up to 400 people, including those named above, have been detained under these emergency provisions and are still in custody. Amnesty International is concerned that those detained, many of whom may be prisoners of conscience, are at risk of torture or ill-treatment in custody, particularly in view of statements made over the radio by the "homeland's" military ruler, Brigadier Gqozo. He is reported to have told the Ciskei police that the people should "behave or be beaten" and promised that the authorities would cover any claims against the police that might arise.

Reverend Alf Dlamini was arrested from his home in Peddie on 1 November 1991 by members of the Ciskei "homeland" police. The authorities have so far not provided reasons for his detention nor any information on where he is being held. Under the emergency regulations the authorities are not obliged to provide this information. They have however confirmed that he is being held under the terms of the state of emergency imposed on 28 October. Reverend Dlamini is aged in his 50s and concern has been expressed for his health in detention as he suffers from arthritis. He is a priest of the Anglican church, and as chairman of the Justice Division of the Border Council of Churches over the past five years has been very active on community and human rights issues. He has also reportedly been critical of policies of the Ciskei authorities. Amnesty International believes he is a prisoner of conscience, detained

on account of his political views and his human rights work, and is calling for his immediate and unconditional release.

Mrs Qabaka, a 72-year-old shopkeeper, was arrested on 5 November 1991 in Alice with her 15-year-old grandson. They are believed to be detained under the state of emergency regulations but there has been no confirmation of their detention and their current whereabouts are not known. It appears that they were arrested because the authorities believed Mrs Qabaka was supporting a community protest against the appointment of local headmen with responsibility for local administration. It appears Mrs Qabaka's grandson was also detained because he was present at the shop at the time of her arrest.

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Mr S Bushula and the seven other executive members of Mzantsi residents association named above were arrested on the evening of 4 November 1991 from their homes in Mzantsi village, near Dimbasa. They were detained by members of the Ciskei police and at least one member of the Ciskei Defence Force, all apparently in plain clothes but acting in their official capacity. The eight, five of whom are aged between 54 and 70, were assaulted with sjamboks (whips) and rifle butts in the presence of their relatives before being taken away. Mr S Bushula was brought back home three hours later by police who searched his home for documents relating to Mzantsi residents association, and his appearance indicated that he had been further assaulted. The police have so far confirmed the detention under the terms of the state of emergency of only three of the eight, and have not disclosed where any of them are being held. Assaults of other Mzantsi villagers had occurred previously, on 3 November 1991, and according to one report villagers were handcuffed and towed behind vehicles by the security forces.

Amnesty International is concerned at the detention of those named above, who apparently have been detained solely as a result of their actual or perceived opposition to the policies of the Ciskei authorities. Amnesty International believes they are prisoners of conscience and is calling for their immediate and unconditional release.

#### **BACKGROUND INFORMATION**

The imposition of a state of emergency in Ciskei, followed by widespread detentions, appears to be the result of a decision by the "homeland" authorities to suppress popular opposition to its policies, and in particular to the recent introduction of a system of local administration based on the appointment of headmen at village level. The new system of headmen runs contrary to a process already underway to establish residents associations at grassroots level to represent local communities. Moreover the headmen system is viewed as unrepresentative of communities and imposed by the authorities. The "homeland" authorities have used repressive measures to counter popular opposition to the new system, including in October banning protest marches and detaining people under the Ciskei National Security Act. On 27 and 28 October, for example, 83 villagers, including three mothers with babies, from Izeli village near King William's Town were detained under the terms of the Ciskei National Security Act but have since been released, some facing charges in connection with alleged damage to property. On 6 November the authorities announced that all residents associations are abolished.

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

- expressing concern about the detainees named above (select three or four names

in each letter) who have been detained under the terms of the Ciskei state of emergency imposed on 28 October 1991; if appropriate, expressing concern that the detainee was assaulted at the time of arrest;

- seeking assurances that they will not be ill-treated in detention and urging that they be granted immediate access to their lawyers and to a medical doctor of their choice;

- asking for the reasons for their detention;

- saying that Amnesty International regards them as prisoners of conscience detained on account of their non-violent opposition to the policies of the Ciskei "homeland", [and human rights work in the case of Reverend Alf Dlamini], and calling for them to be immediately and unconditionally released.

**APPEALS TO**

1) Brigadier O Gqozo    **Dear Brigadier Gqozo**  
Chairman of the Military Council  
Private Bag X0016  
Bisho, Ciskei  
South Africa  
**Telegrams: Brigadier Gqozo, Military Council Chairman, Ciskei, S. Africa**

2) Mr F W De Klerk    **Dear President**  
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 or 322158 PRES SA**  
**Faxes: +27 12 323 3982**

3) Mr R F Botha    **Dear Minister**  
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**

4) Lieutenant-General J J Viktor                          **Dear Commissioner**  
Commissioner of Police  
Private Bag X0011,  
Bisho, Ciskei, South Africa  
**Telegrams: Commissioner of Police, Ciskei, S. Africa**  
**Faxes: +27 401 92455**

**COPIES TO one or more of the following:**

- The Editor, The Sowetan, POB 6663, Johannesburg 2000, South Africa;
- The Editor, City Press, PO Box 33413, Johannesburg 2000, South Africa;
- The Editor, Daily Dispatch, POB 131, East London 5200, South Africa;
- Independent Board of Inquiry Into Informal Repression, PO Box 32293, Braamfontein, Johannesburg 2017, South Africa;
- Border Council of Churches, P O Box 966, King William's Town 5600, South Africa;
- Lawyers for Human Rights, East London Office, PO Box 816, East London 5200, 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 20 December 1991.