

EXTERNAL (for general distribution)

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Further information on UA 22/95 (AFR 53/04/95, 27 January 1995) - Fear of extrajudicial execution

SOUTH AFRICABheki Ntuli, African National Congress (ANC) regional chairperson (Northern KwaZulu-Natal) and senior shop steward National Union of Metal Workers (NUMSA)
"JJ" (Davidson Jabulani) Ntuli, aged 25, ANC Chairperson Mtubatuba Branch and brother of Bheki Ntuli
other residents of the KwaMsane-Mtubatuba area, Northern KwaZulu-Natal

Harassment of the Ntuli family, and of other local families perceived as ANC supporting, has continued since the funerals were held for Grace Ntuli and Thulani Mbatha on 29 and 30 January.

On 10 February, at about 5am, about 15 armed men approached the Ntuli family home and fired on it three times. Bheki Ntuli and other family members hid inside the house until the attackers moved off. The attackers appeared to have come from the home of a suspect currently out on bail who had earlier been arrested in connection with the 18 January murders of Grace Ntuli and Thulani Mbatha. Later on the same day, two people leaving the Ntuli house were shot at and injured by three men who opened fire on them from a vehicle. On 19 February, during an IFP rally held about 500 metres from the Ntuli house those attending the meeting allegedly called for ANC members to be killed or chased out of the area. When the rally finished the crowd started to move towards the Ntuli house. Members of the police Internal Stability Unit (ISU) ordered the crowd to disperse.

On 25 February, at about 5am, about 250 armed police officers and soldiers raided the Ntuli home. They ordered the occupants of the house to lie on the floor, showed JJ Ntuli a search warrant and demanded he hand over any weapons. He gave the police two licensed firearms. But the police demanded to know the whereabouts of other weapons allegedly in the house. When JJ Ntuli denied that there were any others, he and some other young ANC members staying in the house were allegedly assaulted by the police and soldiers. After handcuffing those in the house, the police left to conduct further searches. They returned with two AK47 rifles, claiming that they had found them buried in the vicinity of the house. Although JJ Ntuli and the others denied any knowledge of the weapons, the police arrested him, his younger brother Bongani, and 18 others staying in the house. Bheki Ntuli was not present at the time of the raid.

The police took the detainees to KwaMsane police station. On 27 February the detainees were taken to court for a bail hearing. They were granted bail, but, as they were unable to pay it, they were remanded in custody at Empangeni Prison. Amnesty International has received a report that while in police custody, the police refused the detainees access to medical treatment for injuries sustained in the assaults. Bongani Ntuli, who was released on 1 March after payment of his bail, was still visibly bruised.

Also on 27 February, the police displayed to the media a huge "arms cache" which they claimed they had found during the raid on the Ntuli home, and these claims were reported on prime time television news. Several days after the raid, Bheki Ntuli received an anonymous threatening telephone call from a person describing himself as a police officer, but refusing to give his name, rank

or station where based, and accusing him of smuggling weapons.

There are fears that the conduct of the police during the raid and their publicly-made allegations are intended to maliciously criminalize the family and will expose them to more threats against their lives.

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

- expressing concern that the 25 February security force raid on the Mtubatuba home of ANC regional chair, Bheki Ntuli, seems to be part of the continuing harassment of him and his family;
- expressing concern that officers involved in the raid assaulted JJ Ntuli and others, and calling for a prompt and independent investigation into the allegations of assault and the denial of medical care to those who were detained after the raid;
- urging the authorities to take all necessary steps to ensure that the residents of this area have access to an impartial and fully accountable police force, which responds promptly to calls for assistance from members of the public, regardless of their political affiliation.

Please bring this UA to the attention of the person in your section responsible for home government approaches

APPEALS TO:

Mr F S Mufamadi
 Minister of Safety and Security
 Private Bag X463, Pretoria 0001, South Africa
Telegrams: Safety/Security Minister, Pretoria, South Africa
Faxes: +27 12 320 5065
Salutation: Dear Minister

General George Fivaz
 National Commissioner
 South African Police Service
 Private Bag X94
 Pretoria 0001, South Africa
Faxes: +27 12 322 2094
Telegram: General Fivaz Police Headquarters Pretoria 0001 South Africa
Salutation: Dear Commissioner

Lieutenant-General Chris Serfontein
 Commissioner, South African Police Service KwaZulu-Natal
 PO Box 391, Durban 4000, South Africa
Faxes: +27 31 321 974
Telegrams: Regional Commissioner Police Headquarters Durban, South Africa
Salutation: Dear Commissioner

COPIES OF YOUR APPEALS TO:

- Major Pelser, ISU Commander, c/o Mtubatuba Police Station, Mtubatuba 3935
- Captain Dlamini, Commander, KwaMsane Police Station, KwaMsane Mtubatuba 3935 South Africa (note new name)
- ANC North Coast Regional Office, PO Box 7229, Empangeni-Rail 3910, South Africa;
- Human Rights Committee, Education and Innovation Centre, University of Natal,

Western Campus, François Road, Durban 4001, South Africa

& 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 27 April 1995.