

EXTERNAL (for general distribution)

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Further information on UA 281/93 (AFR 53/34/93, 20 August 1993) - Torture/Legal concern

SOUTH AFRICA

Alpheus Thabo Kele, aged 15 (arrested
9.8.93)

Marks Mabuya Lebelo

Amos Mdoena

Thabo Modise

Pheelo Mofokeng

Loloi Jacob Moloi

Morena Moloi

Thabiso Ndaba

Kgotso Nkaki

Pheelo Nkaki, aged 18

Thabo Seeko

Andisa Seke

Ntsanana Sekgonyane (released 17
August 1993)

All the detainees listed above have been released from detention in Boksburg Prison. They were charged, along with another detainee arrested on 17 August, with attempted murder and possession of an AK 47 rifle and released on 500 Rands bail. On 14 October 1993 all charges against them were dropped.

Although Amnesty International welcomes their release from emergency detention, it remains concerned about the treatment the group received from army and police officers during their detention. On 8 September 1993 Amnesty International representatives visited approximately 30 detainees at Boksburg prison, including those named above. Amnesty International's representatives heard first-hand accounts of their ill-treatment and torture, which included being slapped and kicked while hooded, having needles pushed under their fingernails, and being partially suffocated with rubber tubing by security forces members at Steenpunt Army Base and Inyoni Farm Police Station.

Furthermore, Amnesty International is concerned at the conduct of the district surgeon who saw the detainees on 12 August. He showed little interest in their injuries or pains resulting from the torture they had suffered. The district surgeon examined each detainee only briefly and in the presence of the police. He failed to make any arrangements for necessary medical care or treatment for their injuries. On 15 and 28 August family lawyers arranged private medical examinations for the detainees. These doctors noted a range of injuries consistent with their allegations of torture. Loloi Jacob Moloi and Thabo Seeko, for instance, suffered "subungual haematoma...consistent with the allegation of having had needles pushed under the fingernails". The doctors also noted that the detainees suffered various other injuries including bruises, lacerations, loosened teeth, swollen testes, blood in their urine and injuries consistent with having been tied with wire or rope. This evidence was submitted by lawyers to the Johannesburg Supreme Court as part of an urgent application for a court order restraining the police from assaulting, abusing or threatening any detainee named in the application for the duration of their detention.

Confronted by the medical evidence, the police consented to the order on 3 September.

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

- noting the release of Jacob Moloi and approximately a dozen other detainees arrested on 8 August in Thokoza and held at Boksburg prison under Unrest Areas regulations;
- expressing concern about the gravity of the detainees' allegations of assault and torture by members of the army and police at Steenpunt Army Base and Inyoni Farm Police Station;
- noting that appropriate medical treatment for the injuries these detainees suffered was denied by the district surgeon;
- noting that independent medical doctors who examined the detainees found injuries consistent with their allegations of assault and torture;
- urging that a full independent investigation be carried out into these allegations of torture by security force members, that officers suspected of involvement in the torture be suspended from duty and promptly brought to justice in accordance with the Government's obligations under the United Nations Convention Against Torture.

APPEALS TO:

1) Mr F W de Klerk
 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
Faxes: + 27 12 323 3982
Salutation: Dear President

2) H J Coetsee
 Minister of Justice and of Defence
 Private Bag X276 and X427
 Pretoria 0001, South Africa
Telegrams: Justice Minister, Pretoria, South Africa
Faxes: + 27 12 320 2059
Telexes: 320502
Salutation: Dear Minister

3) Mr H J Kriel
 Minister of Law and Order
 Private Bag X463
 Pretoria 0001, South Africa
Telegrams: Minister Law/Order, Pretoria, South Africa
Telexes: 321353
Faxes: + 27 12 322 2559
Salutation: Dear Minister

4) Lt-Gen J Van Der Merwe
 Commissioner of Police
 Police Headquarters
 Private Bag X94
 Pretoria 0001, South Africa
Telegrams: Police Commissioner van Der Merwe, Pretoria, South Africa

Telexes: 3-20772 SAPQM SA, 3-20838 SAPOB SA

Faxes: + 27 12 323 2033, +27 12 326 5162, +27 12 323 2456

Salutation: Dear Lieutenant-General

COPIES OF YOUR APPEALS TO:

- Medical Association of South Africa, PO Box 20272, Alkantrant, Pretoria 0005, South Africa
- Independent Board of Inquiry into Informal Repression, PO Box 32293, Braamfontein, Johannesburg 2017
- Peace Action, 603 Longsbank Building, 187 Bree Street, Johannesburg 2001

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 20 December 1993.