

EXTERNAL (for general distribution)

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Further information on UA 269/90 (AFR 53/50/90, 29 June 1990) and follow-up AFR 53/54/90 (12 July 1990) - Fear of Torture/Legal Concern

SOUTH AFRICA:Thabiso RADEBE, member of Tembisa Youth Congress, arrested 18 June 1990

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Amnesty International is concerned that Thabiso Radebe is still being held without charge after more than four months in custody. He was arrested on 18 June 1990 and is detained under the provisions of section 29 of the Internal Security Act, which allows the police to hold a person indefinitely, incommunicado and in solitary confinement for the purposes of interrogation. He was arrested in Tembisa Hospital (Kempton Park, Johannesburg) on 18 or 19 June, while he was receiving treatment for injuries inflicted on him when he was attacked on 15 June by a group of people.

The police have still not disclosed where they are holding him in detention. He went on hunger-strike for about a week in mid-August in an attempt to secure his release, but without success. He was then admitted to hospital on 22 August for an operation on his arm, which had been broken before his arrest and had failed to heal satisfactorily. After the operation he was returned to custody at an undisclosed location. His mother has been able to visit him at least once at Spartan police station in Tembisa township, but it is believed that he is taken there for the duration of the visit only.

Please continue appeals on his behalf as advised below.

BACKGROUND INFORMATION

Since the beginning of 1990 the police have used the wide powers available to them under section 29 of the Internal Security Act to detain at least 183 people, of whom 115 were still in detention as of 23 October 1990. In addition, although the state of emergency in Natal province was lifted on 18 October 1990 a state of emergency remains in place in Bophuthatswana and the police have used its powers to detain without charge or trial at least 533 people this year, at least 35 of whom were still in emergency detention on 23 October.

Detentions have also occurred under the "unrest areas" legislation introduced in Transvaal province on 24 August 1990.

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

- expressing concern that Thabiso Radebe has been detained without charge under section 29 of the Internal Security Act for over four months;
- seeking assurances that he will not be subjected to torture or ill-treatment while he is in police custody;
- urging that he be granted immediate access to legal counsel, to independent medical treatment, and to regular visits from relatives;
- explaining that Amnesty International is concerned that Thabiso Radebe may be a prisoner of conscience detained solely as a consequence of his non-violent political activities;

- calling for him to be released immediately unless there is substantial evidence that he has committed a recognizably criminal offence and is to be charged and referred to the courts in the near future;

- urging the authorities to investigate whether anyone associated with the security forces was involved in the attacks on him that took place on 15 June 1990.

APPEALS TO:

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 or 322158 PRES SA
Faxes: +27 12 323 3982

Mr A J Vlok
Minister of Law and Order
Private Bag X463
Pretoria 0001
South Africa

Telegrams: Minister Law/Order, Pretoria, South Africa
Telexes: 321353 HABS SA or 321358 HABS SA
(via Ministry of Home Affairs)
Faxes: +27 12 322 2559

Lt-Gen Van Der Merwe
Commissioner of Police
Police Headquarters
Private Bag X94
Pretoria 0001, South Africa

Telegrams: Police Commissioner Van de Merwe, Pretoria, South Africa
Telexes: 3-20772 SAPQM SA; 3-20838 SAPOB SA
Faxes: + 27 12 323 2033

District Commissioner of Police
East Rand
Kempton Park
Private Bag kempton Part
South Africa 1620

Telegrams: East Rand Police District Commissioner, Kempton Park, South Africa

COPIES TO:

- The Editor, The New Nation, PO Box 10674, Johannesburg 2000, South Africa
- The Editor, The Star, PO Box 1014, Johannesburg 2000, South Africa
- The Human Rights Commission, PO Box 32723, Braamfontein 2017, South Africa
- South African Council of Churches, PO Box 4921, Johannesburg 2000, 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 11 December 1990.