

EXTERNAL

AI Index: AFR 55/03/97

2 April 1997

Further information (2) on UA 41/97 (AFR 55/01/97, 5 February 1997) and follow-up AFR 55/02/97, 10 February 1997 - Fear for safety / Legal concern / Prisoners of conscience

SWAZILAND Jan Sithole, Secretary General of the Swaziland Federation of Trade Unions (SFTU)

Jabulani Nxumalo, SFTU Deputy Secretary General

Richard Nxumalo, SFTU President

Themba Msibi, SFTU Vice-President

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On 26 February 1997 senior magistrate Joseph Gumedze acquitted Jan Sithole, Jabulani Nxumalo, Richard Nxumalo and Themba Msibi of the charges against them and ordered their release. The four had been charged with acting in common purpose to intimidate and molest bus owners, at a meeting in the town of Manzini, into suspending bus services in furtherance of the trade-union led national "stayaway" strike which was due to begin on 3 February.

Magistrate Gumedze discharged the four men at the close of arguments for the prosecution, presented for the Crown by the acting Director of Public Prosecutions Musa Nsibandze. The magistrate strongly criticized the manner in which the prosecution had been prepared. He described police officers called to give evidence for the Crown as dishonest, and said that their evidence lacked credence and was full of inconsistencies which the prosecution had failed to address. The magistrate found no evidence to substantiate the case against the four.

No further action is requested. Thank you to all who sent appeals.