



AGENDA FOR PEACE

An Independent Survey
of the Violence in South Africa
by the International Commission of Jurists

ICPR-GEN*AGE

International Commission of Jurists
Geneva, Switzerland

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Members of the Mission:

Adama Dieng, Secretary General, (Senegal)

John Macdonald Q.C. (United Kingdom)

Christian Ahlund (Sweden)

Justice Enoch Dumbutshena (Zimbabwe)

Secretary

Philip Amoah (Ghana)

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of Jurists (ICJ)
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C. 1244

PREFACE

The report of the ICJ's August 1990 mission, "Signposts to Peace", surveyed the violence in Natal and raised important issues of concern to all peace-loving South Africans. The recommendations of the mission not only made an effective impact on subsequent political developments in South Africa but they were also useful in focusing international attention on the crisis.

Following the signing of the Peace Accord in September 1991 and the appointment of the Goldstone Commission, as well as the escalation of violence in Natal and parts of the Transvaal, the ICJ considered it highly desirable to send a four member mission to South Africa from March 16-29, 1992. The follow-up mission included two members of the earlier mission and was led by the ICJ Secretary-General.

In light of the report of the first mission and subsequent detailed background information on the violence, the mission concentrated its efforts on gaining insight into the causes of the violence and breakdown of law and order.

The mission held meetings with members of the Government, judges and lawyers and with a variety of organizations and individuals representing all sides involved in the violence, as well as with independent monitors and observers.

The ICJ would like to express sincere gratitude and appreciation to everyone in Natal and Transvaal who made the visit possible. The role played by Lawyers for Human Rights, Legal Resources Centre and Alison Harvey (CFT, London) as facilitators is particularly commendable.

Finally, I wish to thank the members of the mission who gave up their time reading all the relevant background information on South Africa and undertaking the survey. This report is ample testimony to their hard work and professionalism.

It is my fervent hope that this report, "Agenda for Peace", will contribute to a lasting solution to the problems of violence in a post-Apartheid South Africa.

Adama Dieng
Secretary-General
International Commission of Jurists
June 1992

**International Commission of Jurists
26 Chemin de Joinville
1216 Geneva
Switzerland**

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1. THE BREAKDOWN OF LAW AND ORDER

Natal and large parts of the Transvaal are being torn apart by a terrible strife. Fear stalks the townships and the countryside. Law and order has broken down, the police do not protect the people and people do not trust the police. Policemen are partisan and misconduct is rife. The situation has become significantly worse since the International Commission of Jurists' last mission to South Africa in August and September 1990. We suspect this is mainly because the Government has failed to take effective action to curb the violence. The result is that it would not be possible at present to hold free and fair elections, on the basis of one person one vote, in the parts of South Africa we have visited. Elections must be held soon. Bringing the violence under control is, therefore, the most serious challenge which faces South Africa.

As we have travelled round the country there are three questions which we have been repeatedly asked. First, is there a third force stirring up the violence? We think that the Trust Feed Case, which we consider in detail below, proves conclusively that violence is being provoked by some elements in the security forces. Second, "is Chief Minister Buthelezi part of our problem?" The answer to the second question is in the affirmative. We believe that Chief Buthelezi, for whatever reason, has not used the influence he undoubtedly has to curb the violence of his supporters. Third, is the De Klerk government serious about wanting to end the violence? That is a more difficult question to which we shall return.

2. NATAL

In this report we record the things we saw first in Natal and then in the Transvaal. We then state our conclusions and recommendations.

The Trust Feed Case

One of the most encouraging things about South Africa is the high quality of the judges and the legal profession. In Natal we met lawyers at all levels; we met judges; we met the Judge President of the Natal Division of the Supreme Court. On 20th March 1992 we visited the Supreme Court at Pietermaritzburg and spent part of the morning listening to one of the defendants in the Trust Feed Case giving evidence. Any consideration of the violence in Natal must begin with that case.

On 23rd April 1992 the Supreme Court convicted Captain Brian Mitchell, who is white, and four special constables, who are black, of 11 murders and two attempted murders at a house in Trust Feed. Trust Feed is a township in the Natal Midlands. Judge

Andrew Wilson in a striking judgment said:-

“A distressing feature of the case is that as the evidence went on it became clear that the evidence of senior police officers could not be accepted and that official records produced from the files were also subject to suspicion and shown to be completely inaccurate”

The Court found that the massacre, which took place in 1988, was the final event in a planned security force operation to disrupt the community; oust an established residents' association and give Inkatha control of the area. It was clear that the planning of the operation involved at least the late Major Deon Terblanche, the head of Pietermaritzburg's riot unit, David Ntombela, the head of Inkatha in Pietermaritzburg and the Trust Feed Station Commander Captain (then Lieutenant) Brian Mitchell. These three were involved in a meeting with Jerome Gabela, an Inkatha member from Trust Feed, at the Inkatha headquarters in Pietermaritzburg on 13th November 1988.

The plan resulted in a special force being furtively dispatched to Trust Feed in late November to assist Jerome Gabela in taking control of the area. Gabela had already been set up as chairman of a “landowners' committee” in opposition to the existing residents' association.

On 2nd December Mitchell took the four special constables to Trust Feed and placed them in the care of Gabela. In a security operation that day members of the residents' association were targeted and eleven United Democratic Front (“UDF”) supporters were detained. That night a curfew was declared and nine houses where the detained men lived were damaged. At about 2.am. on 3rd December, Mitchell fetched the four constables, took them to a house he had selected where there was a light in the window. It was common ground at the trial that a service was being held in the house to mourn the death of a local resident. Captain Mitchell gave the order to attack by firing two shots into the house. The Judge said:-

“We are satisfied on the evidence that at least two of the special constables entered the house and deliberately shot the people in it. We are satisfied on the evidence that at that time there was screaming and groaning from the women and children inside that house and that the special constables must have all been aware of this. Despite this they persisted in their attack.”

The Court held that Captain Mitchell intended that all the occupants of the house should be killed. Either by mistake - as the Judge suggested - or by design - part of a strategy to stir up revenge killings, as the prosecutor suggested - all 11 victims were Inkatha supporters.

The incident was then covered up and the residents' association blamed for the attack. Members and supporters of the association could never set foot in Trust Feed again and Inkatha took over the township. Mitchell was promoted to Captain and transferred to Ladysmith. The special policemen were given security branch clearance and joined the KwaZulu police force.

The Court heard evidence from more than 80 witnesses. The evidence sheds light not only on the massacre, but also on a security strategy to divide and disrupt communities.

From Mitchell the Court heard that members of the Riot Unit had previously assisted Inkatha by unlawful means to take over other areas. He said, the entire force of special policemen was created as part of a counter-revolutionary strategy. "The specials played an important role", he told the Court. They were "taken from the community and trained and placed back in the community to act as a physical force or wedge against the tyrannies of the comrades." In other words said Judge Wilson, to act against the UDF and the African National Congress ("ANC").

The Court heard evidence that special policemen were recruited for the police by Inkatha leaders in each area. They were often posted at homes in the townships and dressed in civilian clothing. There were more than 100 such policemen under the command of Captain Jacobus van den Heever, one of the two defendants who were acquitted.

The Judge devoted a large part of his judgment to the cover up; revealing a conspiratorial web linking the local police in Trust Feed to the Natal provincial police, to Inkatha, to the police in the homeland of KwaZulu (where Inkatha exercises one party control) to police headquarters in Pretoria.

Describing the behaviour of senior police officers as "totally unacceptable" Judge Wilson said, the killing at Trust Feed had been committed "at the request of officers in the South African police". Judge Wilson called for a public inquiry into the circumstances surrounding the case. We think he was right to make this call. Mr Hernus Kriel, the Minister of Law and Order who is responsible for the police, has responded initially by ordering a departmental inquiry headed by a retired magistrate. This is not enough. The judgment has confirmed the views about police conduct which have been expressed to us by lawyers and church leaders both in August 1990 and on this mission. We believe that the facts which the Court has established in the Trust Feed Case represent only the tip of the iceberg. In our view a full inquiry should be undertaken by the Goldstone Commission which was set up to investigate the violence under the Prevention of Public Violence and Intimidation Act 1991. We were very impressed by the work of the Commission.

Captain Dutton's Unit

The truth in the Trust Feed Case only came to light when two honest police detectives, Captain Frank Dutton and Warrant Officer Wilson Magadla, took over the case in July of last year. They worked very closely with Mike Imber, the Attorney General for Natal, and Anthony Irons, who helped the Attorney General to prosecute. We discussed the situation with the Attorney-General and Mr Irons.

The same team was responsible last May for the conviction for murder of Samuel Jamile, the deputy minister of the interior of KwaZulu. It would be difficult to overestimate the importance of these two prosecutions which offer a glimmer of hope for peace in Natal.

Captain Dutton's unit, which has been described by the Weekly Mail as the one group with a chance of getting to the bottom of the violence in the Province, was also investigating murders involving Inkatha chiefs at Ozwathini and Vela Mchuni. We were, however, told by lawyers in Pietermaritzburg that there were fears that Captain Dutton's unit was being disbanded, and that he was being sent to other duties in the Hammarsdale area. This caused us the greatest concern.

On 27th March 1992 we raised the question of the future of Captain Dutton's unit with Minister Scheepers, the Deputy Minister for Law and Order. Mr Scheepers caused inquiries to be made while we were with him and informed us that Captain Dutton's unit was to be divided into three and that he was to take up duties at Hammarsdale. We expressed our dismay at this news and the Minister promised to look into the matter himself. It is of crucial importance that the Dutton Unit should not be broken up and that the outstanding work they have done should be encouraged and developed.

Mooi River

On Sunday, 22nd March 1992, we visited Mooi River, a small town 70 km north-west of Pietermaritzburg serving a farming community. On the south-western side of the town is Bruntville, a black township which was established in 1938. Some 12,000 people live in the township. A hostel for the accommodation of men living alone was established at Bruntville in 1959. Over 1,000 men occupy the hostel. A number of houses in the vicinity of the hostel have been burnt down and are now deserted. Bruntville is administered by the Natal Provincial Administration. It falls outside KwaZulu.

We went to Mooi River because it is one of the few places in Natal where the Goldstone Commission has held hearings. The Commission was investigating an upsurge of violence on 3rd and 4th December 1991. Prior to November 1990 there was generally peace and tranquillity at Mooi River and Bruntville. Since then the inhabitants have

become highly politicised. There are broadly two groups. The hostel is to all intents and purposes controlled by Inkatha supporters and the rest of Bruntville by the ANC.

The Legal Resources Centre acting for the Bruntville Peace Committee (which broadly speaking identifies with the ANC) sent the Commission details of 60 separate attacks or incidents of intimidation by the hostel dwellers upon the township residents in the year to November 1991 and 4 attacks on the hostel by residents. The representatives of the KwaZulu government countered this by handing in a list of 59 alleged violent incidents by the ANC supporters against Inkatha supporters.

The Commission, confining itself to the events of the 3rd and 4th December 1991 found that Inkatha supporters launched two attacks on dwellers in the Bruntville township, the first at about 18h00 on 3rd December and the second at about 04h30 the following morning. The first attack left four persons dead and the second some 15 dead. It was also not disputed that an Inkatha supporter Mbuyiselwa Johannes Mbatha died from a gunshot wound. A few hundred men participated in the first attack. They were armed with assegais, sticks and knobkerries. Many more men participated in the second attack. Estimates of witnesses varied from 400 to 1,000. They were similarly armed.

After the second attack the police arrested 172 Inkatha supporters and confiscated their weapons. They comprised the following:-

- 19 Zulu shields
- 2 pangas
- 1 home-made firearm
- 16 bush knives
- 75 knobkerries
- 69 sticks
- 144 spears.

The arrest of the 172 people took place without them resisting arrest; their weapons were confiscated en masse and the opportunity of identifying the man with his weapon was lost, making it very difficult for any of them to be successfully prosecuted.

The Goldstone Commission's Report on Mooi River

The Commission received evidence which it adjudged to be reliable that strongly suggested a bias on the part of the South African Police in favour of Inkatha. While the Commission accepted that there may be special circumstances that occasionally justify searches for weapons during the night, the practice of raiding houses without search warrants in the middle of the night by armed policemen in plain clothes may well have

added to the tension.

The Commission said that the injudicious use of strong arm tactics on the part of the police feeds a perception among both the public and the police themselves that they are a law unto themselves. In the case in point at Mooi River this perception may already have become a conviction. Not only are search warrants never applied for when the raids are to be carried out but a vehicle that had been declared forfeit to the State was used for patrolling and searches without the requisite permission and with false number plates.

The Commission's recommendations included the following:

- 1. The policy regarding the carrying of dangerous weapons in public should be determined and made public as a matter of urgency. The Commission found it quite unacceptable that men in the Mooi River/ Bruntville area walk the streets carrying spears and sticks. The law (in Natal) obliges the police to confiscate such weapons and prefer criminal charges against such persons. That should be made clear.*
- 2. Having regard to the build-up of violence over a period of months, there should clearly have been more efficient and sensitive leadership of the police and security forces in the area. A suitable senior police officer should be appointed at Mooi River as a matter of urgency and clear lines of command established.*
- 3. The practice of conducting raids without warrants, in plain clothes and in a vehicle bearing false number plates should be prohibited forthwith.*
- 4. Procedures should be implemented for the more efficient gathering of evidence so that criminal conduct will result in efficient prosecution.*
- 5. Urgent and effective steps should be taken to educate and explain to all members the absolute necessity of unbiased policing.*
- 6. The Commission is of the view that the national and provincial leaders of Inkatha and the ANC should play a prominent part in encouraging the process of working for peace.*

The Police at Mooi River

Our first appointment at Mooi River was with the police Station Commander Captain Dewing. When General Steyn, the Regional Commissioner for Police in Natal, agreed to this meeting he gave us a copy of the Goldstone Commission report, drew our attention to the Commission's finding that the evidence led did not establish unlawful

conduct on the part of any police officer save in regard to the improper use of the forfeited vehicle, and insisted that Captain Dewing should be accompanied by senior officers. We therefore met an impressive posse of senior officers. We discussed the finding of the Goldstone Commission with them. In particular we asked why a suitable senior police officer had not been appointed at Mooi River. The police were not able to answer this question and resorted to arguing that the wording of the recommendation was not clear. It seemed to us that none of them had taken the recommendations of the Commission seriously. The Commander of the Riot Squad for the area told us that there had been an incident the previous night when a hand grenade had been thrown into a building opposite the hostel. The senior police officers were keen that we should inspect the damage.

We found a police armoured vehicle ("a casspir") was parked outside the entrance to the hostel. We were taken to a beer shop about 50 yards in front of the hostel gate. A window of this building was broken. The glass was clean and it had obviously been broken recently. Inside there was a neat crater about 6 inches deep where the hand grenade had exploded. The Riot Squad Commander told us that the explosion took place at 02h00. We asked when it had been reported, and were told, first 09h00 and then 08h30. We asked whether the armoured vehicle had been there all night. We were told it had. We asked whether the constables in the vehicle had heard the shot. Nobody seemed to know. We asked the Riot Squad Commander why he had not asked the policemen whether they had heard the explosion. He had no answer, but another police officer suggested that the men would not have heard it because there was a thunderstorm. Somebody else volunteered that the explosion was at 04h00. We were subsequently told by the hostel dwellers, who were further away than the police vehicle, that they heard the explosion. They said it was at 04h00; that there had been a thunderstorm, but it was much earlier in the evening.

This whole incident adds force to the Goldstone Commission's recommendation that procedures should be implemented for the more efficient gathering of evidence so that criminal conduct will result in effective prosecutions.

Later in the morning we met with the leadership of the ANC Branch at Bruntville. They took us to a beer shop where the owner told us that on the Saturday a week earlier, the riot police had called at his premises and had asked to see his licence. He was busy but had produced his licence. The police, who were white, searched some of the customers. Their vehicle was parked in the road. As the police were returning to their vehicle one of the officers raised his rifle, fired at one of the customers who was about 6 yards away and killed him. We questioned three people who witnessed the killing. We are satisfied it took place and that there was no possible excuse for the police officer's conduct. The Trust Feed killings were in 1988. In March 1992 white police officers are still killing people in a random and cold blooded way. We note that although this incident was reported to the police, they did not see fit to inform us of it.

At 13h00 we met Peter Breytenbach, the administrator of Bruntville who is hoping to build a school and a clinic for the township this year. He took us to the hostel and introduced us to members of the local Inkatha committee who were not expecting us although we had confirmed the arrangements with the Inkatha office in Pietermaritzburg the previous Friday.

The Bruntville Hostel

We talked in the police outpost next to the hostel. There was clearly a good relationship between the police and the Inkatha members. They told us that if they had any problems they would tell David Ntombela, who visits the hostel regularly and he would sort them out with a senior police officer. The committee members took us all over the hostel. The living accommodation is incredibly depressing. It is a dark, dank, dirty, grim place. Squalor is all pervading. Our guides told us that many men have lived here for 20 or 30 years. The conditions are worse than living in prison and anyone trapped here would become increasingly angry at the waste of his life. It is a totally dehumanising situation. Some of the rooms had been damaged by hand grenades which had been thrown from the Township.

Most of the men in the hostel were carrying spears and other weapons. As we walked round we were being watched by young ANC supporters who were cutting grass the other side of the perimeter fence. They were taunting the hostel dwellers. The atmosphere was tense. As we left, a group of men from the hostel carrying weapons came out, passed the police casspir and walked down the road to see what was happening. The police did not make any attempt to stop them. The Goldstone Commission's recommendations seemed to count for little with the policemen on the beat.

Richmond

On Saturday, 21st March, we visited the country town of Richmond which lies just off the national road on route from Pietermaritzburg to the Transkei. The surrounding townships are large, sprawling and are home to at least 70,000 black people. Endaleni and Magoda are better serviced than the other townships. Many semi-skilled, skilled and professional workers who commute daily to Richmond or Pietermaritzburg live there. Nkobeni, Smozomeni and Phatheni are more informal, sparsely settled and home to many agricultural labourers who have been or are still employed on the white farms in the area. The Richmond townships have been the setting of a power struggle which has seen some of the worst violence in Natal.

In January 1991 Magoda was attacked by an Inkatha impi (an armed force of men in

traditional Zulu military formation). Four people were killed, thousands fled and 50 homes were burnt. Thousands of refugees crowded into Richmond, living in tents, makeshift shelters and on the streets. In March the attempted return of some of the refugees sparked off a major battle. Pleas for the police to provide an escort, to ensure the safe return by bus of 400 ANC youth who had taken shelter in Pietermaritzburg, fell on deaf ears.

The youth were attacked in Endaleni on their return; they then unearthed an arms cache and dug into defensive positions in the surrounding forest. 29 Inkatha supporters were killed in what became a rout as two heavily armed groups of ANC and Inkatha supporters, numbering up to 500 strong, fought a pitched battle. Some of the ANC comrades then went on a killing spree which can only be described as vengeful and excessive in the extreme. Every attempt to restore some semblance of normality in the community was countered with violent action, some by known attackers, others by unidentified assailants. In June 16 people were killed on the very eve of planned peace talks. Five more people were killed on the day before the township schools were rescheduled to open in early July. In a third incident, another two victims were killed on the evening before pension payments were to be resumed in the area. All the victims were supporters of the ANC.

We visited the police station at Richmond. Again the station commander was accompanied by senior officers. We found the police very defensive. We discussed with them the way in which they sought to police the area. They told us that they had out stations and patrols and the use of helicopters but they did not give any satisfactory explanation as to why they had not been able to intervene to prevent some of the violence.

While we were in the Richmond area, the ANC held a Sharpeville Day rally. It was an exuberant occasion. Several thousand Zulus were present but we did not see anyone carrying any traditional weapons.

The Police Code of Conduct.

The Peace Accord¹ contains a police code of conduct. We were told by the Deputy Minister of Law and Order that every policeman in the South African Police Force has signed the Code. It is an excellent document. For example it provides:-

*“The favour and approval of the public shall be sought by:
enforcing the law firmly, sensitively and with constant and absolute
impartiality;*

¹See page 15.

giving effective and friendly service to each individual, regardless of the political and religious belief, race, gender or ethnic origin;

reacting as quickly as possible to requests for help or service;

making personal sacrifices in order to save lives; and

encouraging police community relationships, and by promoting participation by the community”.

Unfortunately there is a vast gulf between police practice and the Code. We think it is probable that the police could play a significant part in bringing the violence under control if they are given the appropriate orders. We do not, however, think that the police force as at present structured is ever likely to convince the black population that it is capable of enforcing the law firmly, sensitively and with constant and absolute impartiality. The population's experience of the police is the exact opposite. Why should the police change? The total alienation of ordinary people from the police is one of the gravest problems which the present and any future government of South Africa will face.

The problem is not helped by the attitude of most senior policemen. We discussed with General Steyn, the Regional Commissioner of Police for Natal, and his staff the question of suspending policemen. Colonel Reid said, that if police had to be suspended on every allegation there would be no policemen left. We raised with them the case of two policemen who had been caught “necklacing” a man. General Steyn, said they had not been suspended, the papers were with the Attorney General and if he decided to prosecute, General Steyn would know what to do.

The Uganda Squatter Camps at Umlazi

We investigated an attack on the 13th March 1992 on the Uganda Squatter camp at Umlazi south of Durban. We took a statement from Elliot Daniels who is a waiter in a country club in Durban. He said:-

“Around 05h30 we heard some shots. At first there were only a few scattered shots but then came a whole burst of them. They came like rainfall. The men in Uganda grabbed what they had to run and defend the area. I do not think any one of us had a firearm. We ran towards the sound and we could see many men who had come up the road past the power station and were already among the lower houses in the Uganda area. There must have been 200 of them, both in civilian clothes and in the greenish uniforms of the KwaZulu police. They were shooting the whole time. When we came running the civilians pulled back but the ZPs (“the

KwaZulu police") remained. I think there were more than 100 of them. They were carrying long guns. I was about 80 to 100 metres away from them. I could see their service cars at the road at the bottom of the hill. There were ZP trucks and ZP vans and also some private cars. The ZPs were shooting in our direction and moving around among the lower houses. It was not much we could do."

Christian Ahlund questioned Mr. Daniels on behalf of the Mission and we are satisfied he was telling the truth. We visited the homes on the hill side. We went into the home where five people, in their terror, had hidden under one bed. One of the five was a nine months old baby whose cries attracted the attackers. At least one of the five was killed and the mother and child were injured by bullets fired into the room. We saw blood on the floor. We also saw the place where Winifred Ngobese watched two men wearing KwaZulu Police uniforms murder her aunt and five year old daughter. We have seen a copy of a sworn statement by Winifred Ngobese. Finally we met with the whole community and they shared their experiences with us. They were very frightened. In answer to our questions, the women were emphatic that the raid had been led by a large force of men wearing KwaZulu police uniforms.

The KwaZulu Police

In our last report we wrote:

"The KwaZulu police are perceived to be partial by the vast majority of the population. The police are all members of Inkatha. Chief Minister Buthelezi is both Minister of Police of KwaZulu and therefore head of the KwaZulu police and President of Inkatha. The KwaZulu police are seen as player and referee. In some places their conduct has been violent and cruel."

We heard from one of the Defendants giving evidence in the Trust Feed case that the KwaZulu police are not just members of Inkatha but are required to swear an oath of loyalty to Inkatha. We were given a detailed dossier of specific incidents where the KwaZulu police have misbehaved by the Legal Resources Centre in Durban. It is our view that the misconduct of the KwaZulu police has become more blatant since we were last in Natal. The massacre at the Uganda settlement says it all.

We think, the South African Government must in the short term bring the KwaZulu police and the South African police in Natal under a unified command.

North Coast

We tried to spend as much time as possible on field trips meeting ordinary people. On 19th March 1992 we spent the best part of a day going to the Esikhawini township on the Natal North Coast. The level of intimidation in the area has been consistently high.

The ANC has attempted since October 1990, to hold a meeting in Esikhawini. Every attempt has been thwarted by township officials. Faced with a blanket ban the ANC applied to the Courts and managed to secure a venue in the township for 24th November 1991. On the 20th November Inkatha pamphlets appeared announcing an Inkatha meeting to be held on the same day in the same place. Although the ANC cancelled its planned meeting when it became clear that the security forces would not ensure that the venue would be vacant at the advertised time of 14h00, violence erupted nonetheless. In attacks launched by Inkatha against residents and people passing the stadium four ANC supporters were killed.

At the end of January 1992 the ANC applied to hold a meeting on the 16th February. The application was refused because of a prior booking of the venue by Inkatha. A few days later the ANC was warned that an Inkatha attack was planned. This warning was passed on to the police and to the Regional Dispute Resolution Committee in Durban. On 16th February bus loads of Inkatha supporters arrived in the Township. The Inkatha supporters attacked the homes in the Township. 16 people were killed and 20 houses burned including the home of Willie Mchunu whom we met. The South African police were stationed in full view of the house, but made no attempt to halt the attack. The Inkatha supporters then attacked ANC hostels with the active assistance of the KwaZulu police. The South African police watched. When the attackers were driven off by the hostel dwellers the South African police entered the hostel with the help of the South African Defence Force and searched the hostel for weapons. All of the hostel dwellers, more than 200 hundred, were arrested and charged with public violence and possession of firearms. Not one of the Inkatha supporters was searched, questioned or arrested.

We met with ANC and trades union leaders in Esikhawini. Mike Mabuyakula told us that the ANC is effectively banned in this area of KwaZulu. We also talked to a group of about 20 ANC hostel dwellers. At first they were suspicious of us. We questioned them about the events of the 16th February 1992. They told us that they were inside the hostel when they were attacked and that members of the KwaZulu police joined in the attack and fired at them. They admitted that they drove the attackers off. They said, that when they were in jail, everything was stolen from their rooms. Absalom Ntombella, who was one of the most outspoken of them, asked us who had lost most from the violence? "Has De Klerk lost anything from the violence? Has Mandela lost anything, has Buthelezi lost anything? No, it is us, the ordinary people who have lost everything."

The Peace Accord

There have been some encouraging developments since our first mission. The Peace Accord which was signed in September 1991 by participants in the political process in South Africa, representing political parties, organisations and governments, provides for the establishment of Regional and Local Dispute Resolution Committees. The Regional Committees include representatives of political organizations, relevant churches, trades unions, industry and business in the region, relevant local and tribal authorities, the police and the defence force. Local Committees consist of representatives reflecting the needs of the relevant community. The Peace Accord also envisages that Local Dispute Resolution Committees would establish sub-committees to co-ordinate the reconstruction of damaged property, the reintegration of displaced persons into the community, expansion of the infrastructure to assist in consolidating the peace process, and community involvement in the maintenance and improvement of existing community facilities and the environment. John Hall, the national chairman of the Peace Accord, told us that one of the most pressing problems is to build a new system of local government untainted by apartheid. He explained that old local government structures are discredited and have broken down, so that there is no-one there to receive and spend the money which business could make available.

One of the major problems with the Peace Accord is that agreements are reached by the political organisations and yet there is no mechanism to investigate properly and expeditiously violations of the Peace Accord. If this is not done then violence will often spiral from a minor incident.

Mpumalanga

The establishment of Local Dispute Resolution Committees is taking some time. In Natal the Committee established at Bruntville, following the investigation of the Goldstone Commission, has collapsed, but a committee is being established at Umlazi, and we talked to Gary Cullen the Chairman. We also talked to Steve Simpson, the Human Resources Manager of SA Spinners who mediated the successful peace accord in Mpumalanga which is a model for local Dispute Resolution Committees. Mr Simpson told us that the peace was born out of despair; that the communities had been so damaged by the violence that there was an overwhelming need to build peace. We asked the local ANC chairman whether he thought the peace would last. He told us "Having resolved to live peacefully, we could take the strain. We came through a bitter struggle. We saw there were no winners, only losers". At the beginning, he said, he approached his brothers in Inkatha. Five letters were sent and there was no response. 70% of the population of the township are ANC supporters, 30% follow Inkatha. The ANC dominated the schools and the factories. Eventually the local Inkatha leaders said they would not talk about peace unless their children were allowed to come to school. The

...replied that that was no problem, and so the slow immensely difficult process began and “now for nearly two years we have been at peace”.

There is no doubt that the role of business was crucial. It is important for the peace makers to be able to point to practical achievements. Of the five high schools in the township, four are earmarked for reconstruction, four additional classrooms were added last year, and a new community centre is being built. We visited two of the schools. One headmaster pointed out the contrast between the new classrooms and his old derelict buildings which had been gutted in the fighting. Problems remain. Two weeks before we were there five women were killed who were taking part in a feast. There was a similar incident in January. The attackers did not live in the township. Steve Simpson told us that he did not think these incidents would derail the peace process, because there was now trust between the leaders of the local communities, who are people of exceptional character.

3. THE TRANSVAAL

The Commuter Trains

“Everyone was panicking, screaming and running, some people jumped out of the window. There was blood all over me and I thought I had been wounded. but the blood was from my friend on top of me, I think she had been stabbed. A lady sitting on the seat opposite me was screaming and screaming. I think she had been shot in the stomach, there was a lot of blood. Another man came in and stabbed her until she stopped screaming.”

This is how Martha describes her experience of the Benrose Train Massacre on 13th September 1990, in which 26 people were killed and 100 injured. The account is taken from the Independent Board of Inquiry’s report “Blood on the Tracks”. For Martha, who used to travel in the carriages used by church people, and for thousands of commuters like her, the possibility of a similar experience is a reality they live with every day. 112 people were killed on the trains and 557 were injured during the 18 months from 1st July 1990. The most striking thing about the victims is that they appear to have been chosen at random.

On Monday, 16th March 1992, we spent 2 hours from 05h00 to 07h00 on a commuter station in Soweto. It was two days before the Referendum. Members of the South African Defence Force were searching everyone before they went onto the trains. There were four soldiers at each end of the bridge, which leads onto the platforms, searching people. The commuters told us that this had only happened once or twice before. The searching was quick and thorough. No one was held up, no one seemed to mind being searched. There were two casspirs with reserves parked 50 yards from the

station entrance. It was impossible for anyone to get onto the trains without being searched.

The soldiers were a Portuguese speaking regiment stationed at Kimberley. If the Government had used soldiers at stations to search people in July 1990 after the first attacks over 100 lives would have been saved and one of the most serious manifestations of violence would have been nipped in the bud. We do not understand why the Government has failed to act. This failure is one of the most serious charges which is laid against President De Klerk and his Ministers.

Alexandra

On the 24th March we visited Alexandra, where the area round the Hostel M1 is already known as "Beirut". The Alexandra Civic Organization introduced us to some victims of the violence. A woman called Nana told us that the violence started on 8th March 1991 and had never stopped. "Inkatha men came out of the hostel shooting people. There is so much robbery. They want money from us and everyone who lives near the hostel has to buy an Inkatha membership card. The Government and the police don't do anything for us".

The M1 hostel is a large bleak menacing building at the top of an incline which houses 3,000 men. We were warned not to stop our vehicle near the hostel as the previous week snipers had shot at people walking past and even those in cars.

From 1975 until March 1991, Alexandra was peaceful. Obed Bapela, the secretary of the local ANC branch, couldn't really explain to us the change in relations. After the first clashes, ANC supporters in the hostel fled and their places were taken by other men, most of them young and unemployed. It was reported, on the Thursday before our visit, that three men who walked past the hostel were harassed and dragged into the hostel. An ANC card was found on one of the men called Marobi Mkhwanazi and later in the day the police found his body in the hostel. The second victim had been stabbed while the third managed to escape.

The atmosphere in Alexandra was highly charged while we were there. The people living near the M1 hostel have fled. 560 families have been evacuated to church halls and other makeshift quarters. We visited one hall crammed from end to end with families and their possessions. In an attempt to hold on to some semblance of normal life, each floor space was laid out with the family's possessions.

Dr Tim Wilson, the director of the Alexandra Clinic which is just behind the M1 hostel, told us that people are being absolutely hammered by the violence. Things have got much worse for the people of Alexandra. He said, people are literally hacked

to pieces. 95% of the staff of the Clinic live in Alexandria. They have to cope with two or three murders a day, in the last two weeks they had had nine deaths. He told us there was a tremendous fear in Beirut, people coming into the Clinic are no longer happy to answer questions. The Alexandria Clinic is an oasis of peace. Although privately funded, it is a model of what a public health service clinic could be.

Dr Wilson told us that on Wednesday 18th March the police moved into the Hostel. At the time this was an encouraging development, but it is too early to say whether it marks a change of policy. The police had to deal with a sniper from an upper window with AK47 using armour piercing bullets which had held three casspirs pinned down for hours. The police found 8 bodies in the hostel and took out guns and large quantities of armaments.

Sharpeville

We were to have met Saul Tsotetsi and the Rev Peter Moerane in Sharpeville on Wednesday 25th March. Saul Tsotetsi was killed the previous Sunday. On the Saturday, Mr Tsotetsi attended the ANC rally in Sharpeville in remembrance of the 1961 massacre. He left Sharpeville around 19.00 and went to the home of friends in Sebokeng for dinner. Late in the evening he drove to his home accompanied by a colleague, parked and walked his colleague to a nearby house. He returned alone on foot towards his own house, not taking the main road but rather a short cut along a dirt path through a vacant weedy lot.

While he was still on the path at a distance of approximately 50 metres from his home, and perhaps 20 metres from the home of his nearest neighbour, he was accosted by a group of five people at about 01.45. A scuffle ensued and a hand grenade exploded killing Mr Tsotetsi and two of his assailants. Two of the assailants were taken to hospital with injuries. One escaped unhurt.

The police arrived after about 20 minutes. They removed Mr Tsotetsi's keys from his pockets and rushed to his house to search it, while the body lay on the ground. They said they were searching for weapons. The police sent two dogs into the house, one at a time; neither dog found weapons. Then a police officer entered the house, searched it thoroughly, including the ceilings and floors and found nothing. The police did not search the house from which Mr Tsotetsi's attackers were reported to have come.

The Rev Peter Moerane of the Vaal Council of Churches took us to two houses in Sharpeville to meet the parents of two young men who had been killed by residents of the Kwa-Madala Hostel in Vanderhijl Park near Boipatong. Mr Moerane told us that the Vaal Council of Churches has long been concerned that they have been unable to convince the police of the danger which the Kwa-Madala Hostel constitutes for the

community. They had therefore decided to refer the on-going violence in the Vaal to the Goldstone Commission. In the last weeks of his life Saul Tsotetsi had been collecting evidence for the Goldstone Commission from the victims of violence, including the families we met and an inmate of the hostel. Mr Tsotetsi was himself due to give evidence before the Commission when he was killed.

The Rev Peter Moerane and other local church leaders we met, clearly live their lives in fear of the assassin's bullet.

Inkatha

On 25th March we also met Themba Khoza a member of the Central Committee of Inkatha and the Youth Brigade leader in the Transvaal. He was accompanied by Alasdair Macaulay, Dr Ed Barnard and Professor Dawid Van Wyk. This was the third meeting we had had on this trip with senior members of Inkatha. We also met Dr Oscar Dhlomo, a former prominent member of Inkatha. Dr Barnard told us that violence is not one-sided, it gets out of hand and there is retaliation. What is lacking is trust.

We discussed the Inkatha event the previous Saturday when 20-40,000 Inkatha supporters had marched through Johannesburg carrying traditional weapons. Themba Khoza and Alasdair Macaulay said they had been on the march which had been entirely peaceful. They agreed that the police had not stopped the march. We do not understand why the Inkatha leadership allows its followers to carry traditional weapons at political meetings, rallies and marches. There is overwhelming evidence that people have been injured by spears and pangas carried on such occasions. It is simple good sense to stop people carrying weapons on marches and rallies. Nor do we understand why the Government has been so craven in dealing with this issue. Judge Didcot's judgment in the Tsenoli case, delivered on 13th December 1991, demonstrates that the legislation and regulations introduced by the Government lack any coherence. In our last report we recommended that the carrying of all weapons (including cultural weapons) should be banned at all political meetings and rallies. There can be no good reason why the Government has not introduced a comprehensive ban.

The Case of the Two Cleaning Ladies

On 27th March 1992 the Goldstone Commission investigated a press statement put out by Inkatha at the beginning of that week. The statement had been made at the Convention for a Democratic South Africa ("Codesa") by Frank Mdlalose, the national chairman of Inkatha. The message was that the ANC had moved "tens of thousands of guns" into the Transvaal to wage war against Inkatha. Hostels were going to be destroyed and Zulus would be killed over Easter. Commanders of Umkhonto we Sizwe, the ANC's military wing, were going to unleash havoc in Soweto.

One of the Goldstone Commission's great strengths is that it can move with amazing speed. The Commission, in the interests of peace, asked the press to hold the story as it was going to ask Inkatha to substantiate its claims on Friday. Inkatha failed to do so. There was no truth in the allegations. The source of the story turned out to be two cleaning ladies and a man from Rustenburg. The names of two of these shadowy characters are still unknown. The press report was pure rumour, yet the story was given the authority of the party's national chairman and of Musa Myeni, the Transvaal Inkatha leader, neither of whom had bothered to check their sources. The behaviour of the Inkatha leadership was at best completely irresponsible. It is very worrying. The Goldstone Commission will not always be able to defuse such situations.

4. CONCLUSIONS

1. Law and order has broken down in Natal and in the parts of the Transvaal we visited. The violence is significantly worse than it was in September 1990. It would not be possible to hold free and fair elections on a one person one vote basis in much of South Africa today. That is not just our view, it is the view of the vast majority of people we spoke to right across the political spectrum. It was also the view of senior police officers in Natal.

2. Cynics might suggest that the violence can be used as a reason to postpone the elections for a Constituent Assembly, but this is not an option. If the violence is not stopped now, it will run out of control and become endemic and there will be no winners. It is also having a very adverse effect on the economy. Violence is the most pressing problem which South Africa faces. There are no easy answers. We will make some practical suggestions but perhaps our most important message is that this is a problem which everyone must address.

3. The causes of the violence are many and varied: Unemployment in excess of 40%; the absence of social security; massive urbanisation; the squalid conditions in which many are forced to live; the hostel system; the fact that the traditional forces of law and order have never had credibility in the black community because the police were largely entrusted with enforcing arbitrary apartheid laws which had no moral content; the loss of influence of traditional leaders in churches, in communities and the family; the collapse of education for blacks; political competition and opportunism; and the presence of gangs of well armed well organised people who kill indiscriminately.

4. While apartheid and the ideology of separate development are the root causes of the trouble, violent political rivalry exacerbated by random killings, has now become the dominant factor in people's lives.

5. In our previous report we said:

“It is very clear that in Natal the violence in different areas has followed a fairly constant pattern. Since 1983 Trade Unions, the UDF and radical youth groups have become active and have started to mobilise support (in the case of the youth some violence has accompanied this). The Unions have organized strikes and stay aways which have attracted strong support despite the fact that Chief Minister Buthelezi has consistently urged people not to take part. Inkatha has thus been seen to be losing support. Inkatha has responded by recruitment drives, backed up by coercion and violence. This has further alienated the population from Inkatha. Unhappily, ordinary people have come to see attack as the best means of defence so Inkatha’s action has lead to a whole cycle of attack and counterattack. People feel that they cannot turn to the Courts; as they seek their own justice, the retaliation dished out by the ANC supporters is often brutal.”

This remains our view.

6. The Trust Feed Case establishes that the South African police worked with Inkatha, that the South African police ordered the killing of innocent people to create mayhem, that this happened with knowlege of senior officers and that there was a massive cover up which involved generals in Pretoria. It is difficult to believe that the cover up was not known to senior politicians. We note that no one has resigned.

7. The Trust Feed Case is not an isolated case. Human rights lawyers have long known that the security forces have sided with Inkatha and have indulged in random killings. It is still going on. In our few days in Natal we saw evidence of an arbitrary killing by a white riot policeman in Bruntville.

8. The hostel system is one of the great evils of apartheid. The anger of people trapped in hostels is understandable, but it is very real. Many people living in hostels around Johannesburg are Zulus. It is not difficult to incite hostel dwellers to violence. This is what happened in the summer of 1990. The explosion of violence in the Transvaal coincided with Inkatha moves to extend its political influence outside Natal. The two events are related.

9. The conduct of the KwaZulu police has deteriorated since we were last here. This must not be allowed to continue. We found wide support for the suggestion that police in KwaZulu and Natal should be brought under a joint command.

10. In our last report we said that in the long term Inkatha will continue to lose support unless Chief Minister Buthelezi asserts his authority and controls the excesses of his supporters and in particular the “War Lords”. He has not done this. It is our view that

Chief Minister Buthelezi carries a heavy responsibility for the escalation of the violence.

11. We are also satisfied that the amount of violence caused by the ANC has increased since we were last here. In the absence of any effective enforcement of the laws, and any action by Buthelezi to curb his supporters, this is perhaps inevitable. We discussed the escalation in the violence with Harry Gwala, the chair of the ANC in the Natal Midlands, who said, "We are not having angels on one side and no angels on the other. People hit back too, they carry the war to those who started it. If people are angry, they will kill anyone. The acts are acts of desperation."

12. The ordinary black population has been absolutely hammered by the violence. They long for peace. It is our judgment that the police have the capacity, given the right leadership, to bring the violence under control within three to six months. The South African police force is well disciplined: policemen are likely to obey orders. What is needed is first the political will, and second someone to monitor and make sure that the orders are being implemented. We believe that the violence will only be brought under control if politicians of all parties and the whole civil society play their part. We also think the interim government would be wise to invite a small international team to monitor the violence and provide an independent point of reference.

13. While we think the police could play a major part in bringing the violence to an end we do not think the police force as presently constituted will ever be able to gain the confidence of ordinary people. This is a serious problem for the present and any future government. South Africa needs a new civilian police force.

14. There have been many positive developments since our first mission. First, South Africa is fortunate in the quality of its judges and lawyers. The Trust Feed case shows that if the police do their work the Courts will be impartial and fearless in investigating the evidence and reaching a decision. Second, the Goldstone Commission has been very effective. It has shown it can act with great speed to get at the truth and defuse situations. Difficulties remain. There is too much to investigate. People are terrified of giving evidence. Some witnesses have been killed. The Commission should be given greater flexibility to appoint additional commissioners as the need arises. Third, the Peace Accord has laid down structures within which politicians and others can play their part in the process. With the notable exception of Mpumalanga, people have been rather better at devising structures than at implementing them on the ground. The political leaders have been spending so much time on the constitutional negotiations at Codesa that they have neglected the grass roots.

15. We come back to the question which we were asked wherever we went; "Is the Government committed to ending the violence?" It is extremely worrying that this question is still being asked, and underlines the fact that President De Klerk has failed to

address the problem.

16. For many years responsible people have been calling for a ban on weapons at all political rallies and marches. No ban has been imposed. Why? For 18 months people have been slaughtered on the commuter trains. We have seen that the Government can stop this by searching people at stations - They have not done so. Why not? There are no satisfactory answers to these questions.

What is crystal clear is that many many people - John Hall the chairman of the Peace Accord, Judge Goldstone, Human Rights lawyers, church people, doctors, businessmen, virtually the whole civic society, are totally committed to stopping the violence and to a democratic South Africa. Their position and influence has strengthened. President De Klerk must surely realise there will be no winners if the violence is not brought under control. He must now show by his actions that he is committed to ending the violence and bringing the security forces under control.

5. RECOMMENDATIONS

International Monitors

1.1. We suggest that Codesa should invite a team of international monitors, perhaps drawn from the EEC, the Organisation of African Unity, Commonwealth Countries and the USA to monitor, on a continuing basis, the law enforcement agencies. The team should report direct to Codesa, or to a special commission appointed by Codesa, until the interim government is constituted.

1.2. We envisage that the team would monitor the performance of the law enforcement agencies against the codes of conduct in the Peace Accord. We also think they should monitor the performance of the political organisations and the other signatories of the Peace Accord.

1.3. We suggest that the team be led by a Head of Mission who would be a person with an established record in human rights. The head of mission would be assisted by regional co-ordinators, human rights investigators, police and military liaison officers and political advisers. We anticipate that a majority of the investigators would be lawyers or have appropriate police experience. We think a team of 100 monitors, with an average of three backup staff to each monitor, would be sufficient. The head of mission would have to be a person who was acceptable to all parties in South Africa.

1.4. The Mission would have its headquarters in Johannesburg, regional offices in Durban, Cape Town and Port Elizabeth and additional offices in Soweto and Pietermaritzburg. It would hold regular surgeries in the townships where violence is a

problem. We envisage that the team would work in close co-operation with the Goldstone Commission, and Dispute Resolution Committees. It would provide a point of reference for everyone who is concerned about the violence.

1.5. It would be essential to equip the team with a reliable communications system to enhance its effectiveness and the security of its functions and personnel and adequate transport resources would be required to give it mobility essential for its effective operation. To give some idea of the cost of the proposal: The total cost of the United Nations mission to El Salvador, which was of a comparable size, for an initial period of 12 months including the initial major procurements of vehicles and communication equipment was budgeted in April 1991 at 32 million US dollars.

1.6. We suggest that the EEC, the OAU or the Commonwealth Secretariat should be invited to undertake a feasibility study as soon as possible. The International Commission of Jurists will do everything it can to assist such an initiative. The study would be designed in particular to ensure that such a mission would have full access to the people and information it would need, with suitable procedures for securing such access in case of difficulty, perhaps through the Goldstone Commission or the Regional Dispute Resolution Committees.

Election Monitors

2. We believe that South Africans should consider inviting an international election monitoring team to supervise the run up to the elections, as well as the election process itself. Such a monitoring team should report direct to Codesa or to a special commission appointed by Codesa until the interim government is constituted. It could have a stabilising effect out of all proportion to its number. We believe the international community would be eager to provide this help.

The Security Forces

3.1. We think senior civilian administrators should be introduced into the South African Police force at all levels.

3.2. Young graduates from all sections of the community should be recruited into the police force at officer level.

3.3 Policing in KwaZulu and Natal should be brought under a unified command.

3.4. The South African Defence Force, Umkhonto we Sizwe, present members of the KwaZulu police and the military wing of the Pan African Congress should be brought together in a combined defence force. A similar exercise was undertaken with great

success in Zimbabwe. Agreement on this seems likely.

4. A new detective agency should be established to investigate crime and to take over from the old riot squads. This new force should have a civilian structure. As the agency develops and acquires experience it could take over further functions from the South African police. Former policemen should be incorporated into the Defence Force.

First Steps to Peace

5. There should be a ban on carrying all weapons at political meetings, rallies and in public places.

6. The security forces should be given clear orders to intervene and end the violence. These orders should include:

(i) searching passengers before they board all commuter trains.

(ii) searching hostels and disarming hostel residents.

(iii) a much closer check on the cross border arms trade.

7. The Government must withdraw all undercover support from Inkatha.

8. Known and notorious killers who are still at large must be prosecuted.

9. The hostels must be replaced by homes for families and single people which provide some privacy.

10. The political leaders on all sides and particularly the ANC and Inkatha must spend more time in their grassroots, promoting local Peace Accords, and requiring people to throw their weapons away.

11. Finally President De Klerk should take personal charge of law and order and insist that the necessary action is taken to bring the violence under control.

APPENDIX 1
The Mission's Itinerary

Sunday 15 March

12.30 Lunch with Jules Brodie SC, Horst Kleinschmidt, David Pitman, Ahmed Motala from Lawyers for Human Rights.

Monday 16 March

05.00 Monitoring commuter trains in Soweto with Peace Watch.

09.30 Kathy Albertine and Mbongeni Khumalo

12.00 Leave for Durban.

14.30 Legal Resources Centre in Durban.

17.00 Peter Gastrow Democratic MP for Durban Central, Member of National Peace Secretariat.

Tuesday 17 March

08.45 Judge Howard, Judge President of the Natal Division of the Supreme Court.

10.00 South African Police H.Q., Durban
General Steyn, Regional Commissioner SAP
Colonel Reed, Legal Officer
Colonel Lourens, Liaison Officer
Captain Margaret Kruger

12.00 IDASA meeting with conflict monitors.

14.30 Executive members of AZAPO.

17.30 Archbishop Denis Hurley, and representatives of Church groups, Diakonia and PACSA.

20.00 Dinner. Gary Cullen, Consultative Business Movement and Chairman Umlazi LDRC. Steve Simpson, SA Spinners.

Wednesday 18 March

09.00 Inkatha Institute, Kim Hodgson, Michael Friedman.

12.30 Visit to the Uganda squatter camp, Umlazi.

15.00 Meeting with representatives of the South African Defence Force at Natal Command. Colonel Victor, Colonel Westhuizen. Helicopter trip over Durban townships.

17.00 Jeff Hadebe and ANC Committee for Southern Natal.

Thursday 19 March

08.30 Oscar Dhlomo, Institute for Multi Party Democracy.

10.00 Field visit to Natal North Coast, Esikaweni.

16.00 Travel to Pietermaritzburg.

20.00 Dinner with lawyers.

Friday 20 March

08.30 Meeting with Supreme Court Judges.

10.00 A. Wetta and Inkatha Committee for Natal Midlands.

13.00 Supreme Court to meet some Defence Counsel in Trust Feed trial.

14.00 Michael Imber S.C. - Attorney General of Natal and Anthony Irons, member of prosecuting team in Trust Feed trial.

15.00 University of Natal - John Aitchenson.

17.00 Pietermaritzburg Church leaders.

Saturday 21 March

11.00 Tour of Richmond.

Sundam 22 March

10.00 Captain Dewing - Station Commander - Mooi River

11.00 Local ANC leadership, tour of Bruntville township.

13.00 Peter Breytenbach, Administrator of Bruntville.

14.00 Bruntville hostel, members of Inkatha local committee.

18.30 Pietermaritzburg Human Rights Lawyers.

Monday 23 March

- 08.30 Professor Tony Mathews - Centre for Criminal Justice University of Natal.
- 10.00 Harry Gwala - ANC Chair - Natal Midlands Region.
- 13.00 Visit to Mpumalanga.
- 17.00 Return to Johannesburg.

Tuesday 24 March

- 07.00 Fieldtrip to Alexandra.
- 11.30 COSATU Jay Naidoo, Neil Coleman.
- 12.30 Visit to Ventersdorp with Brahn Viljoen of IDASA.

Wednesday 25 March

- 07.00 Journalists Drew Forest (Weekly Mail) and Jacques Pauw (Vrye Weekblad).
- 08.30 Imsa Office Charlie Nupen.
- 10.45 Field Visit to Sharpeville arranged by Vaal Council of Churches. Rev Peter Moerane. Saul Tsotetsi who was to have accompanied the visit was assassinated two days beforehand.
- 14.30 Inkatha. Alasdair Macaulay, Prof. David van Wyk, Themba Khoza.
- 16.30 Judge I Mohammed Supreme Court.
- 18.15 Advocate Ernest Moseneke PAC.
- 20.15 Dinner with Arthur Chaskelson, Prof. Dennis Davis, Fink Haysom, Paul Pretorius.

Thursday 26 March

- 07.00 John Hall - Chairperson - National Peace Accord.
- 10.45 Leave for Bloemfontein.
- 12.30 Lunch with Chief Justice Corbett and other Appeal Court Judges.
- 15.30 Judge Richard Goldstone.

18.15 Leave for Cape Town.

Friday 27 March

08.30 Minister Scheepers, Deputy Minister - Law and Order.

11.00 Minister Kobie Coetzee, Minister of Justice.

12.30 Lunch with I Stjernberg (Swedish Ambassador) and J. Poston (Deputy Head of Missions British Embassy)

14.30 Conservative Party. Advocate Fanie Jacobs.

18.30 Leave for Johannesburg.

Saturday 28 March

07.00 Beyers Naude and Judge Richard Goldstone.

12.00 Press Conference.

12.45 Lunch with Zach de Beer Leader of the Democratic Party.

14.30 Field Visit to Thokoza.

APPENDIX 2
Biographical Notes on Members of the Mission

ADAMA DIENG

Adama Dieng, is a Senegalese jurist who is Secretary-General of the ICJ. He is an executive member of a number of international human rights organisations and has acted as consultant to UNESCO, International Committee of the Red Cross, UN Centre for Human Rights and the African Commission for Human and People's Rights.

JOHN MACDONALD, Q.C.

John Macdonald is a British human rights lawyer with an international reputation. He represented Yuri Orlov, the distinguished Soviet dissident in his ten year fight for freedom. He has represented Canadian Indians at risk from the Trudeau Government and the Illois people who were moved from Diego Garcia to make way for a US air base. He visited Namibia with a Parliamentary delegation in June 1989. He was part of the ICJ mission to Natal during August and September 1990.

CHRISTIAN AHLUND

Christian Ahlund, is a Swedish attorney specialising in Labour law and human rights. Over the last ten years he has carried out numerous human rights fact finding missions in trouble spots such as Uruguay under the military junta, the Central American Countries, the Philippines and Uganda. He was part of the ICJ mission to Natal during August and September 1990.

JUSTICE ENOCH DUMBUTSHENA

Justice Enoch Dumbutshena, a Zimbabwean jurist who served as Chief Justice in his country from 1980 to 1990 and who is presently a judge of the Supreme Court in Namibia.

PHILIP AMOAH

Philip Amoah, the mission's secretary is a Ghanaian lawyer who is presently the ICJ legal officer for Africa. Prior to his present position, he was an associate professor of law at the University of Swaziland.

MEMBERS OF THE INTERNATIONAL COMMISSION OF JURISTS

President

DON JOAQUIN RUIZ-GIMENEZ President, Spanish Committee of UNICEF; former Ombudsman of Spain

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ENOCH DUMBUTSHENA Former Chief Justice of Zimbabwe
LENNART GROLL Judge, Stockholm Court of Appeal, Sweden
TAI-YOUNG LEE Direct, Korean Legal Aid Centre of Family Relations
CLAIRE L'HEUREUX-DUBE Supreme Court Judge, Canada

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DALMO DE ABREU DALLARI Dean, Faculty of Law, University of Sao Paulo, Brazil
DESMOND FERNANDO Barrister-at-Law; former President, Bar Association of Sri Lanka
ASMA KHADER Advocate, Jordan
KOFI KUMADO Senior Lecturer in Law, University of Ghana
FALI S. NARIMAN Advocate, former Solicitor-General of India
CHRISTIAN TOMUSCHAT Professor of International Law, University of Bonn, Germany

Commission Members

ANDRES AGUILAR MAWDSLEY Judge, International Court of Justice; former Venezuelan Ambassador to UN (New York)
ANTONIO CASSESE International Law Professor, European University Institute; President, European Committee for the Prevention of Torture, Italy
DATO'PARAM CUMARASWAMY Advocate; former Chairman of Standing Committee on Human Rights, Int'l Bar Association, Malaysia
ROBERT DOSSOU Practicing advocate; former President of the Benin Bar Association; Professor of Law and Dean of the Law Faculty, University of Benin
HENRY DE B. FORDE Member of Parliament; former Att.-Gen., Barbados
DIEGO GARCIA-SAYAN Executive Director, Andean Commission of Jurists, Peru
P. TELFORD GEORGES Former Chief Justice of the Bahamas
RAJSOOMER LALLAH Supreme Court Judge, Mauritius; Member, UN Human Rights Committee
NIALL MACDERMOT, CBE, QC Former Secretary-General, ICJ; former Minister of State for Planning and Land, United Kingdom
J.R.W.S. MAWALLA Advocate of the High Court, Tanzania
FRANCOIS-XAVIER MBOUYOM Advocate, Cameroon
DORAB PATEL Former Supreme Court Judge, Pakistan
NICOLE QUESTIAUX Member, Council of State of France; former Minister of State
BERTRAND G. RAMCHARAN Guyana; Chief of the UN Secretary-General's Drafting Service; Adjunct Professor, Columbia University's School of International Affairs, New York
ADELA RETA SOSA DIAZ President, Criminal Law Institute; former Minister of Education and Culture, Uruguay
LORD SCARMAN Former Lord of Appeal and Chairman, Law Commission, United Kingdom
CHITTI TINGSABADH Privy Councillor; Professor of Law; former Thai Supreme Court Judge
THEO C. VAN BOVEN Dean, Faculty of Law, University of Limburg, Netherlands
JOSE ZALAQUETT Advocate; Professor of Law, Chile

HONORARY MEMBERS

Sir ADETOKUNBO A. ADEMOLA, Nigeria
ARTURO A. ALAFRIZ, Philippines
DUDLEY B. BONSAI, USA
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ISBN 92 9037 0599
Printed in England