



A campaign
initiated by
The Africa Fund.

Bill Cosby
Honorary Chairman

Dumisani S. Kumalo
Coordinator

Memo

To: All Southern Africa Support and Human Rights groups

From: Adotei Akwei, Research Department

Re: Political Prisoners, Exiles and Sanctions: **UNFINISHED BUSINESS**

July 10, 1991

As you read this there are at least 900 political prisoners still languishing in apartheid's jails. 164 of them are being held by apartheid's puppet government of Bophuthatswana. Yet today in a joint press conference with South African Foreign Minister Pik Botha, President Bush plans to "cheerfully" lift economic sanctions, claiming that F.W. deKlerk has met the conditions of the Comprehensive Anti-Apartheid Act(CAAA).

The decision to lift sanctions is questionable, but the assertion that Pretoria has met all the conditions of the CAAA flies in the face of reason. On the issue of political prisoners it is obvious that the deKlerk government did not live up to its agreement with the ANC to release all political prisoners by April 30 nor has it met CAAA conditions regarding political prisoners.

The government's intransigence has been displayed in its numerous stalling tactics, arguments over definitions and its insistence on reviewing cases individually. As if this were not bad enough, we now have the Bush administration and the State department publicly claiming that F.W. deKlerk is not responsible for political prisoners in Bophuthatswana, tacitly recognizing the artificially created bantustan as an independent state. How President Bush can reconcile an often proclaimed "commitment" to ending apartheid while accepting one of apartheid's most infamous and universally denounced creations has left most people flummoxed.

Regarding the estimated 40,000 exiles who had to flee apartheid repression, the administration gave Pretoria a passing grade despite the fact that less than 1,000 had actually been repatriated as of then end of May. The repatriation process has been held hostage by the government, which refused to offer a blanket amnesty to all exiles, the only arrangement under which the United Nations High Commission for Refugees works. As the government conducted endless talks with UNHCR, critical funding for returning exiles remained frozen.

Even worse, without any outside supervision to monitor treatment of returnees, South African security forces conducted a blatant campaign of harassment: abducting, detaining and arresting people who had been granted indemnity status. In some cases their releases were won only through the personal intervention of ANC President Nelson Mandela.

As one takes a closer look at the facts one is hard pressed to understand how the Bush administration decided that the deKlerk regime has done enough to be rewarded by the lifting of economic sanctions. Questions also remain about the exact legislation which have replaced the so called pillars of apartheid. Perhaps this is why Congress was completely left out of the process, leaving the White House and the State department the sole judges of what justice and equality should mean in South Africa. Federal sanctions may be gone, but the issue of political prisoners will not go away as easily as fabricating legal niceties on the State department's computers. The demonstrators calling for the release of the Bophuthatswana political prisoners outside the US embassy in Pretoria proved that today. For them July 10 will remain a day of disbelief as a bantustan was accorded official recognition by the United States. For the other political prisoners in South Africa proper, and for all the exiles, perhaps one day the Bush administration will have to answer to them for its actions.

The Africa Fund, 198 Broadway, New York, N.Y. 10038 (212) 962-1210

Tilden J. LeMelle
Chairman

Jennifer Davis
Executive Director

HUMAN RIGHTS COMMISSION

10 JULY 1991

PRESS STATEMENT 91/20

HRC STATEMENT
ON
RELEASE OF POLITICAL PRISONERS

The Human Rights Commission was totally flabbergasted by State President De Klerk's statement of 1 July 1991 to the effect that agreement had been concluded between Government and ANC representatives that finality has now been reached in the release of political prisoners in terms of the Pretoria Minute.

Now that the ANC has refuted that there was any such agreement, the HRC hastens to make the following points :-

- * The HRC list of 972 Identified political prisoners as at 3 June 1991, which included 284 "audited" prisoners agreed by the Department of Correctional Services as falling within their own categories, is still basically valid. It will have been reduced by about 60 prisoners released since that date and may contain a small number whose release in the past have gone unrecorded. However we are satisfied that the current number of identified prisoners is in excess of 800. We cannot let the matter rest until we have evidence that each of these prisoners is released or in some way accounted for.

FROM: HUMAN RIGHTS COMMISSION
P O Box 32723, Braamfontein
2017 Johannesburg

Telephone: 011-403 4450/1
Fax : 011-339 1422

DATE 10 July 1991

No of Pages (3)
(Inc cover sheet)

TO FAX NO:

ATTENTION:

FROM: SAFOORA SADEK, NELIA ALLENBERG
HUMAN RIGHTS COMMISSION

Instructions/message:

SPECIAL ALERT!

PROTESTORS AT THE U.S. EMBASSY

FORCIBLY REMOVED SHORTLY BEFORE PRESIDENT BUSH LIFTS SANCTIONS

At the time that President Bush was preparing to lift sanctions on the understanding that all 5 criteria of the Comprehensive Anti-Apartheid Act, including the release of political prisoners, had been met, four members of the Mafikeng Anti-Repression Forum (Maref) were forcibly removed from the United States Embassy in Pretoria. The four were planning to stage a sit-in to protest the lifting of sanctions by President George Bush despite the fact that all political prisoners and especially the 166 prisoners in Bophuthatswana have not yet been released.

We have been informed that the following took place:

"The wives of three hunger strikers (all members of Maref) and Maref's publicity officer, Paul Daphne, arrived at the embassy at 11.30am. After meeting with the Deputy Ambassador and an official from the embassy's political department, the four announced their intention to stage a sit-in and embark on a hunger strike in an act of solidarity. They were asked to leave the embassy and on refusing were forcibly removed. The US Embassy Security personnel were called in. They first grabbed Paul Daphne under his arms, picked him up, and dragged him out of the embassy. They then forced the 3 women into secretary's chairs, held them down and wheeled them out of the embassy."

The HRC regrets the use of force by staff in the employment of the US Embassy in dealing with peaceful protest.

We have attached a statement from the protesters at the US Embassy and an open letter to President Bush from the political prisoners who enter their 26th day of hunger strike. Both have been re-typed for convenience of reading.

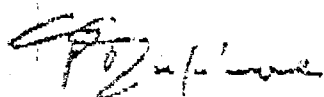
STATEMENT BY UNITED STATES EMBASSY HUNGER STRIKERS
MAREF PRESS RELEASE 10TH JULY 1991

The Mafikeng Anti-Repression Forum is staging a sit-in and hunger strike at the United States Embassy in Pretoria as from 11.30am today South African time. We are carrying out this action in support of the 166 political prisoners being held in the Bophuthatswana bantustan, who are demanding their release in terms of the Pretoria Minute. The South African Government has not disputed the political nature of the offences for which these prisoners have been convicted, but claims that they are being held in a "neighbouring state". The Bush Administration, on the other hand, has indicated that it may be announcing tomorrow, 11th July, that it will be lifting United States sanctions against South Africa, despite the fact that political prisoners such as the Bop 166 remain incarcerated. The United States Government does not recognise the spurious "independence" of Bophuthatswana. We are concerned therefore that the Bush Administration should be moving towards the lifting of sanctions while not a single political prisoner has been released in this particular part of South Africa. The United States Comprehensive Anti Apartheid Act requires the release of political prisoners and is specific in defining Bophuthatswana as part of South Africa.

Eighteen of the Bop political prisoners have been on hunger strike since 15th June demanding their release. With the hunger strike now entering it's 26th day we are seriously concerned about the state of their health. Serious organ damage or even death could occur in the near future. In a recent visit to them they made it clear that their message to the world is "Release or Death", which is why we have found it necessary to take such drastic action.

The responsibility for these hunger strikers and for the other political prisoners rests squarely with the De Klerk Government. De Klerk claims to have scrapped the last pillars of apartheid, and yet the cornerstones of apartheid, the bantustans, remain in place, and De Klerk continues to claim that Bophuthatswana is independent. It would be a tragedy of immense proportions if any of these hunger strikers should die on account of this "independence".

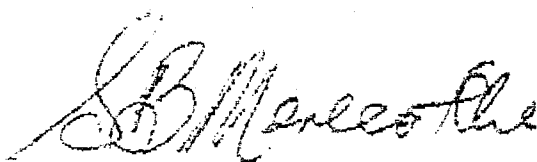
The United States Government shares responsibility for the fate of these prisoners in that it has the power to pressurise De Klerk to see to their release. We call on the Bush Administration and the United States Ambassador, Mr William Swing, to make a public statement clarifying their position on the Bop political prisoners and we call on them to act now to secure their release. To announce the intention to lift sanctions at this time, when the Bop hunger strikers are facing possible death, would amount to a betrayal of the political prisoners as well as of our people as a whole.



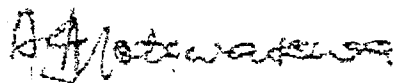
Paul Daphne
MAREF Publicity
Committee



Betho Mahila
Wife of hunger
striker Laurence
Mahila



Sarah Maseotlha
wife of political
prisoner, Hunter
Maseotlha



Annetjie Motswatswa
Wife of political prisoner
Shadrack Motswatswa

HUMAN RIGHTS COMMISSION

11 JULY 1991

PRESS STATEMENT 91/21

HRC STATEMENT
ON
LIFTING OF U.S. SANCTIONS

The decision by President Bush to withdraw the Comprehensive Anti-Apartheid Act was made on the basis that all five requirements had been met, including the release of all political prisoners.

The HRC has to disagree.

If President Bush were to accept, as he should, the definition of a political prisoner as agreed in the Pretoria Minute between the Government and the ANC, then there are at least 800 political prisoners still being held, details of whom have been published by ourselves, confirmed by the ANC and include 284 prisoners whom the Department of Correctional Services itself has acknowledged fall under their own categories of security, security-related and unrest-related political prisoners.

If however, he chooses to use a narrower definition of a political prisoner as one who has been imprisoned for his or her political beliefs rather than for violent political acts, then we must point at least to the over 100 prisoners in Bophuthatswana sentenced for treason for their involvement in the abortive coup of 1988 which involved no loss of life or even violence. The United States does not recognise Bophuthatswana as an independent state and cannot therefore go along with State President De Klerk's claim that these prisoners, clearly political, are not the responsibility of the Government.

Thus by either definition, President Bush's decision is based on a flawed premise.