

COMMISSION OF INQUIRY REGARDING THE PREVENTION OF PUBLIC
VIOLENCE AND INTIMIDATION

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FOR ATTENTION: Secretarial Services

FROM: Goldstone Commission

SUBJECT: Press Releases

MESSAGE: For your information. More press releases to follow.

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W. Bear
SECRETARY OF THE COMMISSION

ADDRESS LETTERS TO SECRETARY: COMMISSION OF INQUIRY REGARDING
THE PREVENTION OF PUBLIC VIOLENCE AND INTIMIDATION

PR 31.

PRESS RELEASE BY THE HONOURABLE MR JUSTICE R J GOLDSTONE,
CHAIRMAN OF THE COMMISSION OF INQUIRY REGARDING THE
PREVENTION OF PUBLIC VIOLENCE AND INTIMIDATION.

On 5 May 1992 the Commission held preliminary enquiries into recent violence in Alexandra Township, the Greater Soweto area and the Vaal Triangle.

2. Common to most of that violence is the political battle between the African National Congress and the Inkatha Freedom Party. The Commission has decided that no good purpose would be served by the hearing of many weeks of disputed evidence on that issue. Furthermore it is the same issue on which the Thokoza Committee has been hearing evidence for the past five months. That Committee is considering all of the relevant aspects of that

violence including ways of curbing it. Again, no good purpose would be served by hearing further weeks of disputed evidence as to the manner in which members of the South African Police intervened or failed to intervene in relation to that violence. Proper and adequate policing and the confidence of the whole population in the Police is a matter of fundamental importance and is receiving the attention of the Commission.

3. The Commission has decided that what does require urgent investigation are the allegations that violence in the areas in question has resulted in the displacement of thousands of people from their homes. Some are alleged to have been physically ejected from their home and others are alleged to have vacated them for reasons of fear and

intimidation.

4. A Committee has therefore been established, with the concurrence of the Minister of Justice, with the following terms of reference:

- (a) To establish the circumstances (in which people may have been forced by violence or intimidation to vacate homes or hostels in Alexandra Township, the Greater Soweto Area, and the Vaal Triangle;
- (b) To establish the names and present whereabouts of such persons;
- (c) To establish whether persons have acquired occupation of homes or places in hostels in those areas in consequence of violence or intimidation and, if so, the circumstances in which they have come to do so;

- (d) To consider practical and effective ways and means of placing the persons referred to in (a) and (b) back into possession of their homes or places in hostels;
- (e) To consider whether the persons referred to in (a) and (b) are legally or morally entitled to compensation for damages suffered by them by reason of the foregoing circumstances and, if so:
- (i) the amounts thereof; and
 - (ii) appropriate sources of funding such compensation;
- (f) To consider steps which should be taken to ensure the safety of persons in the position of those referred to in (a) and (b) and of their property.

5. Members of the Committee are Advocate R Nugent

(Chairman) and Advocate L Pitje, both of the Johannesburg Bar. The appointment of the third member of the Committee is still under consideration.

PR 32

L120592

EMBARGO: IMMEDIATE

PRESS RELEASE BY MR JUSTICE R J GOLDSTONE, CHAIRMAN OF THE COMMISSION OF ENQUIRY REGARDING THE PREVENTION OF PUBLIC VIOLENCE AND INTIMIDATION

The South African Police has requested the Commission to inquire into allegations made by the Weekly Mail concerning secret police bases and its operations in the Southern Transvaal. The Commission will hold a preliminary hearing into the allegations at 09:00 on Friday 22 May 1992 at the NG Sinodale Centre, 228 Visagie Street, Pretoria. After the preliminary inquiry the Commission will consider whether to establish a Committee to inquiry into the allegations and to its members and its terms of reference.

R J GOLDSTONE
CHAIRMAN: COMMISSION OF ENQUIRY

CAPE TOWN
15 May 1992

PR 34.

L100592

EMBARGO:

PRESS RELEASE BY THE HONOURABLE MR JUSTICE R J GOLDSTONE, CHAIRMAN OF THE COMMISSION OF INQUIRY REGARDING THE PREVENTION OF PUBLIC VIOLENCE AND INTIMIDATION

1. In January 1992 the Commission announced that it had established a Committee to inquire into the procedures relating to the organisation of mass demonstrations and marches and the role and duties of the police in relation thereto. The Commission has since decided to add to the terms of reference of the Committee the procedure relating to picketing.

2. The Committee is chaired by me and its members are Adv D J Rossouw SC, the Vice-Chairman of the Commission and Professor D van Zyl Smit, the Dean of the Law Faculty of the University of Cape Town.

3. The Committee has received comprehensive and helpful submissions from the South African Police, the African National Congress and Cosatu, the Pretoria City Council and the Urban Monitoring and Awareness Committee (UMAC). Any other interested parties are invited to make written submissions to the Commission at Private Bag X858, Pretoria, 0001.

4. The Committee has decided upon a novel procedure for its deliberations, to wit the following:

(a) A multi-national Panel has been appointed to provide the Committee with advice based on -

- (i) experience elsewhere in the world;
- (ii) scientific considerations; and
- (iii) different interests that should be considered.

It will not be expected of the Panel to make findings on the South African situation. It will, however, make recommendations to the Commission. The members of the Panel are -

- Professor Philip Heymann, Director of the Harvard Law School Centre for Criminal Justice (Chairman)
- Dr Lee P Brown, Commissioner of the New York Police Department
- Professor Dr C Fijnaut of the University of Rotterdam, Holland and Leuven, Belgium
- Dr P A J Waddington of the Universities of London and Reading
- Professor C Shearing of the Universities of Toronto and the Western Cape
- Dr Johan Olivier, Senior Research Specialist at the Centre for Conflict Analysis at the Human Sciences Research Council
- Professor T Geldenhuys of the University of South Africa
- Professor Don Foster, Professor of Psychology at the University of Cape Town
- Adv C Louw of the Cape Town Bar
- A member of the United Municipal Executive of South Africa still to be nominated.

- (b) The Panel will meet and attempt to reach agreement on the numerous issues already raised by the interested parties. It will prepare its final report to the Committee in Cape Town on 6, 7 and 8 July 1992. On 9 July 1992, Professor Heymann will report on behalf of the Panel to the Committee at a public hearing in Cape Town. That sitting of the Panel will also be open to the media.
- (c) After the report-back by Professor Heymann the members of the Committee and the representatives of all interested parties will be free to debate any relevant issues with the Panel. For that purpose some seven days have been set aside *viz* July 9, 10, 13, 14, 15, 16 and 17.
- (d) These proceedings are designed to enable the interested parties to reach a broad consensus on the issues in dispute.
- (e) With due regard to the views of the Panel and those expressed during the debate as well as any other views which may be conveyed to the Committee and the Commission, the Commission, in due course, will make final findings and submit a report to the State President. The report may possibly suggest

draft legislation making provision for the rules and procedures for mass demonstrations, marches and picketing which will be applicable throughout the country.

R J GOLDSTONE
CHAIRMAN: COMMISSION OF INQUIRY

CAPE TOWN
25 May 1992