

SOUTH AFRICAN COMMUNIST PARTY

SUBMISSION TO WORKING GROUP 1 : CREATION OF A CLIMATE FOR FREE POLITICAL PARTICIPATION AND ROLE OF INTERNATIONAL COMMUNITY

Subject : Release of remaining Political Prisoners:

It is the SACP's submission that the speedy resolution of this volatile problem would be of enormous benefit to the entire negotiations process and the creation of a climate of peace. It is an issue that needs to be urgently attended to and resolved as soon as possible.

What we will do is summarise the main points of argument - we will not go into the history of the agreements between the Government and the ANC in any detail.

1. Most importantly - this is not a difficult problem to resolve. At the most there are 250 prisoners still in prison or on trial who would fall into the broad category of political offenders. Looking at the release in July 1991 of thousands of criminal offenders within a matter of weeks, releasing persons from prison (even when such persons have been convicted of murder) is relatively easy.
2. Discussion in CODESA of the detail and wording of the two major agreements reached between the ANC and the government serves no purpose. There are varying interpretations of who or what is a political prisoner. This, at this stage, remains an obfuscation of the issue. All parties involved actually know what e.g. the ANC and SACP means by "release all remaining political prisoners" - when you have in prison members of Umkhonto We Sizwe who carried out the instructions of persons participating in the CODESA talks - you have a problem.
3. The Government has shown itself willing to release persons convicted of identical offenses to those still in prison. They developed elaborate methods of release including parole, remission of sentence, etc. to do this. Of particular note here was the release at the beginning of July last year of fifteen MK operatives including the Delmas three, Maboia and Vilakazi and others, who were all released on parole. What they are called by the Government or by others is of no relevance - the fact is that tortuous mechanisms were negotiated (so that the government did not have to admit that they were political offenders) to effect their release. What is stopping the Government using the same methods to release the remaining political prisoners - most of whom are first offenders as well?

supporters - actions which only serve to inflame the emotions of the populace (bitterness and frustration are increasing).

9. Reasons must be presented by the Government as to why they have not resolved this issue. The intent of the agreements reached was to effect the release of all those prisoners regarded as political by the ANC. When, two years later, their members are still in prison - the intent of the agreement has not been realised.

10. Finally it is not possible to have a climate for free political participation whilst our members remain in prison.

Conclusion:

It is quite easy to imagine the positive impact the releases would create. On the one hand we would be rid of an irritating bone of contention between the Government and the liberation movement; on the other hand trust and confidence in the process would be boosted and all parties to the CODESA talks would benefit. At CODESA 1 the ANC and SACP requested the releases by Christmas. Let us strive to make this a reality before Easter, at CODESA 2.