



WORKING GROUP 1
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CONTENTS:

- 1. REPORT FROM MAFIKENG ANTI-REPRESSION FORUM
(MAREF) FEBRUARY 1992**

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CONVENTION FOR A DEMOCRATIC SOUTH AFRICA

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REPORT FROM MAFIKENG ANTI-REPRESSION FORUM (MAREF) FEBRUARY 1992.

REPORT: POLITICAL TRIALS IN BOPHUTHATSWANA

Although this report covers political trials in Bophuthatswana, it is difficult to gather information on such trials and it is therefore possible that many cases have not yet been documented. This report then covers only those trials which we have been informed of in the following regions: Thaba Nchu, Mafikeng, Lehurutse, and Rustenburg.

The 'official' charges range from Theft and Assault to Public Violence, Illegal Gathering, and Murder. However, these trials are in all cases viewed as political since the events leading to the arrest and trial of most of the accused revolve around their political activities. These activities would be perfectly legitimate in any democratic country. However, the Bop regime finds such activities detrimental to their homeland aspirations. In some cases people have been arrested and charged for no other reason than contravening the Internal Security Act in terms of Illegal Gathering (i.e. a meeting of more than two people).

It must be emphasised that the existence of the Bill of Rights in Bophuthatswana is entirely farcical. The last section, Section 18 (1) reads as follows:

The rights and freedoms referred to in Sections 9 to 17 may be restricted only by a law of Parliament and such law shall have a general application.

In addition, there are laws which render the Bill of Rights ineffectual. Of particular significance are the following three acts:

1. The Internal Security Act no. 32 of 1979 as amended March 1991.
2. The Security Clearance Act no. 40 of 1985.
3. The Public Service Act.

Listed below is a summary of the public trials of which MAREF is aware.

<u>CHARGE</u>	<u>TOTAL NUMBER OF CASES</u>
1. Murder\ Attempted murder	6.
2. Public Violence.	4.
3 Unlawful Gathering	99.
4. Public violence and Malicious Damage to Property.	36.
5. Arson\Attempted Arson	5.
6. Illegal Distribution of pamphlets.	3.
7. Public violence and unlawful gathering.	8.
8. Contravention of Internal Security Act.	9.
9. Charges not known.	6

FURTHER DETAILS ABOUT THE VARIOUS TRIALS ARE GIVEN BELOW:

NAME	AREA	REASON FOR ARREST	NEXT COURT APPEARANCE
1. Mantshe, Sunnyboy and 7 others	TLHABANE	Public violence and Unlawful Gathering	Not known (part heard)
2. Mngale, Isaac Randa and 36 others	MADIBOGO	Unlawful Gathering	3/3/82
3. Tsego, Tobias Tolo and 4 others	ITSOSENG	Attempted Arson	4-5/3/82
4. Donald Kagiso and 3 others	ITSOSENG	Unlawful Gathering	4/3/82
5. Saul and 4 others	MADIKENG	Unlawful Gathering	Not known
6. Solomon Bokaba and 3 others	ITSOSENG	Unlawful Gathering	4/3/82
7. Tefe and 41 others	MABATHO	Unlawful Gathering	24-25/3/82
8. Le Roux and 35 others	ATAMELANG	Public violence and Malicious Damage to Property	Not known
9. Tlholekae Geri, Sebo ka Michael and Tong Patrick	RUSTENBURG	Murder	6/3/82

-2-

NAME	AREA	REASON FOR ARREST	NEXT COURT APPEARANCE
10. Serawa Alfred and 3 other	ROSTENBURG	Public violence	9/3/92
11. Busby & 5 others	ROSTENBURG	Not known	Not known released on bail
12. Tshukudu Keepile, Montsho and Keebine	Mosweu	Attempted murder	Not known R2 000 bail
13. Kodile Jonal, Dikgole Abel and Motlogeloa Matthews	Thaba'Nohu	Illegal distribution of pamphlets	Not known
14. Ntsane Elisea and 8 others	Thaba'Nohu	contravention of internal security act.	Not known
15. Mombula Hlangwane and 17 others	Mmabatho	Illegal gatherings	3-4/3/92
16. Nomvula Hlangwane	Mmabatho	contravening the prisons act.	11/3/92