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

1. The informal approach which was made to the President of the Pan Africanist Congress (PAC) was related to the concern of the Commission regarding actual and potential violence and intimidation in South Africa committed unlawfully by armed persons who have received training in South Africa and elsewhere. Informal discussions have been held with other relevant parties. The PAC chose to make a public issue of the approach made to it.

2. The Commission is considering whether the question of armed groups which commit or threaten to commit violence in South Africa or intimidate South Africans should form the subject-matter of an enquiry. Such an enquiry would have to be approached on the broadest possible basis.

3. Until a decision is taken with regard to this matter and the terms of reference for such an enquiry have been finalised the Commission considers that it would be inappropriate to enforce the attendance of a witness from only one group which may have relevant evidence. To do so could give rise to a perception of partiality on the part of the Commission.

4. If such an enquiry is launched the Commission will have no option but to use its powers to compel the attendance of persons who may be considered by it to have information relevant to the enquiry and who refuse to come voluntarily.

5. The primary endeavour of the Commission is to put an end to the violence which is plaguing our country. It is a cause for regret that the PAC is unwilling to join in that enterprise on the pretext that the Commission has no legitimacy.

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PERSVERKLARING UITGEREIK DEUR SY EDELE APPèLREGTER R J GOLDSTONE, VOORSITTER VAN DIE KOMMISSIE VAN ONDERSOEK INSAKE DIE VOORKOMING VAN OPENBARE GEWELD EN INTIMIDASIE

Die informele versoek wat gerig was aan die President van die Pan Africanist Congress (PAC) het verband gehou met die besorgdheid van die Kommissie rakende werklike en potensiële geweld en intimidasie gepleeg deur gewapende persone, wat in Suid-Afrika en elders opgelei is. Die PAC het egter verkies om die versoek wat aan hulle gerig was aan die groot klok te hang.

Die Kommissie oorweeg of die aangeleentheid van gewapende groepe wat dade van geweld pleeg of dreigemente van geweld in Suid-Afrika maak, of die Suid-Afrikaners intimideer die onderwerp van 'n ondersoek behoort te wees. So 'n ondersoek moet binne die wydste moontlike raamwerk geskied.

Totdat 'n besluit oor die aangeleentheid geneem is en die mandaat vir so 'n ondersoek gefinaliseer is, het die Kommissie besluit dat dit onvanpas sal wees om die teenwoordigheid van 'n getuie van slegs een groep wat moontlik relevante getuienis kan aflê af te dwing. Dit mag aanleiding gee tot 'n persepsie van partydigheid deur die Kommissie.

Indien so 'n ondersoek 'n aanvang neem, sal die Kommissie geen ander keuse hê as deur sy bevoegdhede die teenwoordigheid van persone wat geag word oor relevante inligting te beskik en weier om vrywilliglik te kom getuig, af te dwing nie.

Die Kommissie strewe daarna om 'n einde te bring aan die geweld wat ons land teister. Dit is jammer dat die PAC onwillig is om hom by hul inisiatief aan te sluit op die voorwendsel dat die Kommissie nie wettig is nie.