



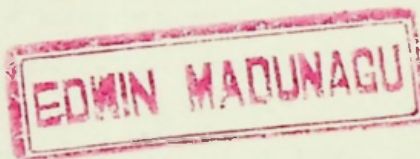
UNITED NATIONS

CENTRE AGAINST *APARTHEID*

DEPARTMENT OF POLITICAL
AND SECURITY COUNCIL AFFAIRS

NOTES AND DOCUMENTS*

29/77



December 1977

DEATHS IN DETENTION IN SOUTH AFRICA **

by

The Lawyers' Committee for Civil Rights under Law
Washington, D.C.

1506

** This report, prepared by the Southern Africa Project of the Lawyers' Committee for Civil Rights under Law, focusses on the plight of political detainees in South Africa, the circumstances surrounding the deaths of 41 political detainees from September 1963 to September 1977 and the need to establish some form of international judicial inquiry into such deaths.

CBS/3/1064
11547

* All material in these notes and documents may be freely reprinted.

Acknowledgement, together with a copy of the publication containing the reprint, would be appreciated.

77-28557

CONTENTS

	<u>Page</u>
Introduction	1
Details of individual deaths in chronological order	2
Some characteristics of the deaths	21
Summary of the relevant security legislation	22
1. Terrorism Act No. 83 of 1967	22
2. Criminal Procedure Amendment Act No. 96 of 1965	23
3. General Law Amendment Act No. 37 of 1963	23
4. Transkei Proclamations R400 and R413 of 1960	24
5. General Law Amendment Act No. 62 of 1966	24
6. Riotous Assemblies Act of 1914 as amended	24
Relevant statements by the Minister of Police	25
1. Press Conference of 23 February 1977	25
2. Commission of inquiry	29
3. Reply to question in Parliament on 22 February 1977	31
(a) Deaths in 1976 under the Terrorism Act	31
(b) Deaths in 1976 under Section 22 of the General Laws Amendment Act No. 62 of 1966	31
Other statements	32

Introduction

This report concerns itself with the deaths of 41 political detainees who died in South Africa from September 1963 to September 1977. The Lawyers' Committee for Civil Rights Under Law is particularly alarmed at all deaths in detention but we are extremely concerned over the quantum leap in the number of dead since January 1976 and the unusual circumstances under which many have died. Due to the fact that a political detainee is held generally for his opposition to the Government in power, the utmost scrutiny must be paid to his death while in the hands of the Government. In South Africa, where several of the laws provide for indefinite incommunicado detention or indefinite preventive detention, the Government claims that the cause of such deaths is "departmentally satisfactory whatever the inquest shows;" this does little to alleviate the fear that many of the deaths are caused by police brutality.

In compiling this report, reliance on secondary-source material was inevitable. Sources were cross-checked whenever possible. Much of the data that is missing in this report results in part from the refusal of the South African Government to release pertinent facts surrounding the death of a detainee. The Terrorism Act, for instance, specifically states that no person shall be entitled to information concerning a detainee except the Minister of Justice or an officer of the State acting in his official capacity.

For all of its deficiencies, it is nonetheless felt that this report will be useful in assessing the plight of political detainees in South African jails and the circumstances surrounding the deaths of the 41 who have died thus far and in drawing attention to the necessity of establishing some form of international judicial inquiry into such deaths.