

# **Annexes**

# ANNEX I

## Composition of the Commonwealth Observer Mission

### THE OBSERVER TEAM

**Professor Duncan Chappell** (*Chairperson*)  
Director, Australian Institute of Criminology

**Major William Jansen**  
Botswana Defence Force

**Mr Henry (Hank) Jensen**  
Former Deputy Commissioner  
Royal Canadian Mounted Police

**Senator Frederic Mitchell, Jr**  
Bahamas

**Mr Emmett Mitten**  
Former Assistant Commissioner of Police, New Zealand

**Dr Simbi Mubako**  
Former Minister of Justice, Zimbabwe

**Mr Robert Simmonds**  
Former Commissioner, Royal Canadian Mounted Police

**Superintendent Jarmal Singh**  
Director of Training  
Singapore Police Force

**Ms Ambika Soni**  
Former Member of Parliament, India

**Chief Superintendent Peter Stevens**  
Head, Community Relations Department, New Scotland Yard  
Britain

### SECRETARIAT SUPPORT STAFF

Mr Max Gaylard (*Team leader*)  
Dr Moses Anafu  
Ms Colleen Lowe Morna  
Mrs Gina Mason  
Miss Charlene Lee Ling  
Ms Betty Kiwanuka

## ANNEX II

Press Release Issued by International Observer Missions  
5 March 1993

### INTERNATIONAL OBSERVERS DEPLORE ACTION BY THE BOPHUTHATSWANA ADMINISTRATION

International observers based in South Africa, accompanied by the National Peace Secretariat, today visited Hammanskraal in Bophuthatswana to ascertain the situation of families in the area who have recently been forced to leave their homes.

On arrival the group, which comprised representatives of the UN, Commonwealth, OAU, and European Community observer missions, were met by the Bophuthatswana Minister of External Affairs, Mr. Setiloane. In addition, representatives of the affected community presented themselves to the observers, as had been arranged by the National Peace Secretariat. The minister made it clear that he did not wish to include these representatives in the programme he had arranged for the observers. It was therefore agreed that, following their meeting with the Bophuthatswana officials, the observers would meet with community leaders, and visit the sites of the recent removals.

To the surprise of the observers, following a briefing and tour of a factory and school conducted by Bophuthatswana officials, Minister Setiloane asked that observers end their visit forthwith, and instead make application to return on a future date to visit the disputed area. The observers pointed out that a specific purpose of their visit was to inspect the disputed area, in order to fully understand the situation. Despite their repeated pleas, the minister agreed only that the observers inform community leaders of what had transpired, but not visit the areas in question.

On returning to the agreed meeting place, observers were informed that six members of the Kekana Royal family, who are key figures in the dispute, had been detained by the Bophuthatswana police while awaiting the return of the Observers.

International observers deplore the decision by the Bophuthatswana authorities to deny them access to the area of dispute in Hammanskraal, and call upon the authorities to release those detained immediately.

They further urge the Bophuthatswana administration to uphold basic principles of justice and human rights, and to desist from any actions that might increase tension in the area.

- COMSA, ECOMSA, OAU AND UNOMSA

(for additional information please contact  
UNOMSA - (011) 331-2311  
COMSA - (011) 788-6155

## ANNEX III

Press Release Issued by International Observer Missions  
16 March 1993

UNITED NATIONS  OBSERVER MISSION

IN SOUTH AFRICA 16 March 1993

### P R E S S   R E L E A S E

JOHANNESBURG - International Observer Missions based in South Africa are gravely concerned at the recent escalation of violence and confrontation between authorities and inhabitants of Bophuthatswana. Among recent incidents, some of which have involved international observers, are:

- The death of at least one person, and injuries inflicted on several others by the Bop police in response to a protest against alleged police and defence force harassment at Maboloka, near Brits.
- The detention of two international observers from the Ecumenical Monitoring Programme in South Africa (EMPSA) when they tried to attend a funeral at Dinokana Village near Zeerust.
- Attempts by the police to disrupt a church workshop in Thlabane on education for democracy, including threats and intimidation, in the presence of international observers.
- Refusal by the Bophuthatswana authorities for international observers to visit sites of recent forced removals in Hammanskraal, and the subsequent harassment and detention of several representatives of the aggrieved community.
- Threatened forced removals in Unit S, Mabopane.

The international observer groups unreservedly condemn these and other actions aimed at suppressing freedom of political association and expression in Bophuthatswana. They urge the Bophuthatswana authorities to:

- Repeal the Internal Security Act which is at the root of this consistent and flagrant violation of human rights in the territory.
- Allow all political parties and interest groups to express themselves freely, especially during this time of transition to a democratic South Africa.
- Assure international observers unimpeded access throughout the territory in pursuance of their mandate under United Nations Security Council resolution 772 (1992).

COMSA  
ECOMSA  
OAU  
UNOMSA

For further information  
contact: (011) 331 2311

## ANNEX IV

### Letter to Dr Gildenhuys



Commonwealth Observer Mission to South Africa  
(COMSA)

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42 Park Street  
Caxiands  
Johannesburg 2192  
Telephone: (011) 729 2741  
Fax: (011) 723 5607

February 28, 1993

Dear Dr Gildenhuys,

As discussed in the last co-ordination meeting, please find attached a Report by Mr Henry Jensen, former Deputy Commissioner of the Royal Mounted Canadian Police, on the distribution of inflammatory leaflets in the Boipatong/Kwa Madala area.

We are very concerned that this investigation be followed through to ascertain who was responsible for distributing the leaflets, and seek your assistance in drawing the matter to the attention of the appropriate authorities.

If, through the police expertise on our team, we can be of any further assistance in this matter, please do not hesitate to let us know.

Yours sincerely,

Duncan Chappell  
Chairperson, COMSA

Dr Antoine Gildenhuys  
Chairman  
National Peace Secretariat  
PO Box 9700  
Johannesburg 2000

cc: Mr M. Ndulo, UNCOMSA  
Mr P. Bentsen, ECOMSA  
Amb. Legwaila, OAUMSA  
Goldstone Commission  
Gen. J.V. van der Merwe

## Text of Threatening Circular – Boipatong

**(Special report by H. Jensen)**

Following the murder and burning of an IFP resident of KwaMadela Hostel in Boipatong on 28 January 1993, a typewritten circular in three languages was prepared and distributed in the township about a week after the murder. This caused serious tensions and unrest because it threatened reprisals against the residents of Boipatong to avenge the death, leaving the impression that grandparents, children and pets were fair game. Commonwealth, EC and UN observers, together with the Local Peace Committee (LPC), met the residents of KwaMadela and Boipatong separately in an effort to reduce tension.

It became apparent to the police observers present that someone other than residents of KwaMadela and Boipatong (denials in both) may have seized the opportunity to foment unrest by exploiting the murder of the IFP member at Boipatong. From discussions with participants at both places it was doubtful the murder was politically motivated because it appeared the victim was seeing two different women who lived in the same home and one became aware of the other's relationship and had arranged to have him killed. In this case the motive would be jealousy.

In questioning the police about follow-up investigation it was apparent they were following up on the murder but not in relation to the threatening message. I had a side discussion with a police officer about the avenues for investigation which they might follow with some success.

In effect, I hinted at the possibility that ISU personnel wishing to exploit the situation and destabilise the area might have been responsible. Complaints had arisen at the Boipatong meeting about their conduct, drinking on duty, shooting indiscriminately and breaking into homes.

I pointed out to the Warrant Officer that a degree of sophistication was involved to put it out in the three languages, type it, copy it and distribute it. Also, it would be difficult for IFP hostel dwellers to freely move about Boipatong distributing leaflets without being detected. It would take someone with access to typing and copying facilities which are not in plentiful supply at KwaMadela. This means that it can limit the focus of an investigation. I also pointed out that each type-

writer leaves distinct characteristics and imprints on the ribbon. Positive identification can be established by forensic examination of the printing to determine the specific make and model of the typewriter or printer used. This in turn narrows the scope of a specific typewriter or printer that one is looking for. If it is also possible to compare the type style and peculiar marks on a circular with the questioned machine and a laboratory specialist can make a positive investigative finding through that approach.

Going beyond that each copying machine leaves a specific signature as well. A forensic specialist is often able to link a copy with a specific make and model of copying machine thereby narrowing the scope of what you are looking for. It is possible to take one of the circulars distributed and through laboratory examination positively state the document was reproduced on a specific machine.

The next investigative approach is to determine who is in control of a machine and investigate backwards to determine who requested the production of the document, be it on a word processor, typewriter or the photocopier.

In the event that the document was prepared by the ISU, produced in quantity on their facilities and distributed by them in which case the facilities used to prepare it are likely on ISU premises hence available for an investigation along the lines suggested above.

Supt. P.J. McGowan of ECOMSA had a conversation with Brig. Mostert, responsible for this district about the threatening note. Perhaps the Peace Secretariat may want to apply its influence to ensure a suitable investigation is carried out.

If the SAP do not have access to the forensic skills I mentioned, I am sure one of our member countries would assist.

(Sgd) H. Jensen  
February 27, 1993

**Note:** References to individuals in the original text have been deleted for privacy reasons.

# ANNEX V

## Letter from Warrant Officer Boshoff

SUID-AFRIKAANSE POLISIE



SOUTH AFRICAN POLICE

P/Sak-P/Bag Posbus-P.O. Box

Verw./Ref:	4/S/4
Navrae/Inq:	W/D Boshoff
TEL:	0151 - 2570/4553

OFFICE OF THE  
STATION COMMANDER  
PO BOX 216  
HEIDELBERG (T)  
2400

1993-03-03

Mr H Jensen  
Commonwealth Observer Mission  
to South Africa  
42 Park Street  
Oaklands  
JOHANNESBURG  
2192

Dear Mr Jensen

LOCAL DISPUTE RESOLUTION COMMITTEE MEETING : HEIDELBERG (T)  
25 FEBRUARIE 1993

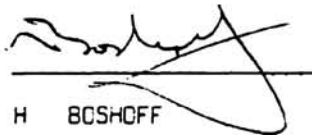
1. Having given considerable thought to the last meeting mentioned above at the Town Hall, Heidelberg (T) I feel that a few explanations are in order so that you do not feel that there is conflict within the group.
2. The policeman gave his report in Afrikaans as he felt more comfortable speaking in his home language due to the serious nature of the cases he reported on.
3. He did not realise that this would offend some members present. However, an English translation was given to members who are not conversant with Afrikaans.
4. I realise that to walk out on the meeting were not the correct procedure.
5. I would like to thank you personally for all the help you gave at this meeting in convincing the policemen to return to the meeting at a later stage. Without your help the reports would not have been given at the meeting.
6. I would also like to apologise to you and the other COSMSA member Mr Singh for my unfortunate remark about only the police are

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doing anything about the current violence. We both know that this is not true. I regret the remarks I made.

7. The contribution and assistance made by the Commonwealth and other observers towards ending violence are being appreciated.
8. Thank you for praiseworthy work done far from your home.

Yours faithfully



H BOSCHOFF

0052682-7  
W/O

/lm

## ANNEX VI

### Letters about COMSA's Continuing Role



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**Head Office: Transvaal**

P.O. Box 32723 Braamfontein  
207 Johannesburg South Africa  
Tel: (011) 403-4450/1  
Fax: (011) 339-1422

**Eastern Cape**

Room 502, Alfin House, Main St.  
North End, Port Elizabeth 6001  
Tel: (041) 546-284  
Fax: (041) 547-394

**Natal**

Room 66, Ecumenical Centre,  
20 St. Andrews Str. Durban 4001  
Tel: (031) 305-9460  
Fax: (031) 305-7380

**Western Cape**

Industrial Hse. 350 Victoria Rd,  
Salt River 7925  
Tel: (021) 47-4767  
Fax: (021) 47-4744

3 May 1993

The General Secretary  
Commonwealth Secretariat

Fax : 094471 930 0827

Dear Sir,

It has been brought to the attention of the Human Rights Commission (HRC) that the brief and nature of the Commonwealth Observer Mission in South Africa (COMSA) is to be changed in the near future. Our understanding is that the Mission, as it presently exists, is to end and that the existing observers will leave. The Durban office is to be closed and all that will remain in Johannesburg is a skeleton secretariat. A new team, which will provide focused "technical assistance", is to replace the existing Mission. In the period between this change over, there will be no COMSA violence observers in the country.

The HRC wishes to express its concern at these developments.

In the course of our work, we have :

- \* noted that the Commonwealth Mission has been effective in reducing the levels of violence, in the Pretoria-Witwatersrand-Vereeniging (PWW) region and particularly in Natal;
- \* received feedback from other non-government organisations, involved in work in communities affected by political violence, indicating that COMSA observers have gained the respect and trust of communities they have worked in. People in these communities are also able to see that the time they spent with the observers has been constructive, because COMSA has made its observations public.
- \* seen that COMSA has used to particular good effect the skills and knowledge of its observers who have come from member countries in Africa;
- \* the mission has also used its expertise in areas of community policing and justice issues in a very constructive way;
- \* COMSA has shown a particular adeptness at seeking the views of a broad spectrum of the South African community and taking account of these views in its work and recommendations;

Given these achievements it seems strange that COMSA should decide to end its existing activities at this time. Its decision to withdraw its observers, can all too readily be interpreted by those who have gained from COMSA's presence as a form of desertion. This interpretation could clearly have a serious effect on the work of any replacement team sent by COMSA, as well as prejudicing the work of other observer groups in the country.

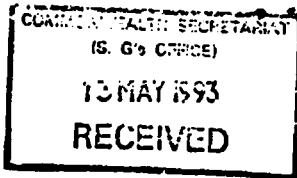
The HRC also wishes to stress the importance of having international observers in the country during the period leading up to South Africa's first non-racial elections. As the country approaches these elections it is likely to experience an increase in violence and intimidation. We believe that the presence COMSA, as well as other observer groups, would have a positive impact and assist in ensuring that fair and free elections can take place in a climate free of violence and intimidation.

The HRC, therefore appeals to the Commonwealth to review its decision and to retain its Observer Mission in South Africa to ensure that the violence plaguing the country is continually monitored.

Yours sincerely



Safoora Sadek (Ms)  
National Director  
Human Rights Commission



*Paul Canter*

Telephone H 3092623  
B 3020462  
Telefax 031-3051028

P O Box 205  
DURBAN 4000  
South Africa

AIRMAIL

The Commonwealth Secretary-General  
The Commonwealth Secretariat  
Marlborough House  
Pall Mall  
LONDON SW1Y5HX  
United Kingdom

3 May 1993

Dear Sirs,

**Proposed Closure of Commonwealth Observer Mission Office in Natal**

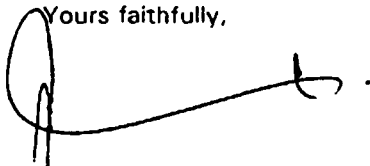
I am extremely concerned to hear of the proposed closure of the offices of the Commonwealth Observer Mission in Natal. I am writing to appeal to you to reconsider your decision in the light of the unique and crucial role played by your Mission in the process of building peace in Natal.

There is no doubt that the Commonwealth Mission team has played a specific and unique role in establishing local peace processes in the Port Shepstone, Umbumbulu and Ndwedwe areas. The success of peace processes in these areas will have an impact on building peace in the whole region. I believe that these processes will be severely disrupted by the withdrawal of this team.

The contribution of this Observer Mission team together with the very valuable contributions made by other international observers has been of inestimable value. Your Mission has been able to build trust in areas where it was not considered possible. It may well seem to these communities that the withdrawal of this Mission means that the outside world is not genuinely concerned about the establishment of a just democracy in South Africa. This perception would hamper the work of all peace workers, international and local, in these areas.

I therefore urge you to reconsider the position and recommend that the Commonwealth Observer Mission Office in Natal should be kept open.

Yours faithfully,



E P CANTER